



# Coffs Harbour City Council

15 September 2015

## ORDINARY MEETING

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

**THURSDAY, 24 SEPTEMBER 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 – 27 August 2015
9. Notices of Motion
10. General Manager's Reports
11. Consideration of Officers' Reports
12. Consideration of Trusts' 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**  
**24 SEPTEMBER 2015**

**Contents**

**ITEM            DESCRIPTION**

**NOTICES OF MOTION**

- NOM15/14    GOWINGS DA - PIONEER PARK
- NOM15/15    FOOTPATH - MARKET STREET, WOOLGOOLGA
- NOM15/16    WRC EVENT SURVEY FOR CBD BUSINESS OPERATORS

**GENERAL MANAGER'S REPORTS**

- GM15/18     ELECTION OF DEPUTY MAYOR 2015/16
- GM15/19     ADOPTION OF CODE OF MEETING PRACTICE
- GM15/20     FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT

**BUSINESS SERVICES DEPARTMENT REPORTS**

- BS15/41     PROPOSED REVOTES FOR YEAR ENDED 30 JUNE 2015
- BS15/42     DONATION AND RATES SUBSIDY PROGRAM 2015/2016

**SUSTAINABLE COMMUNITIES DEPARTMENT REPORTS**

- SC15/38 JRPP – ASSESSMENT REPORT FOR DEVELOPMENT APPLICATION NO.1031/14 – LOT 198 DP 1191172, LOT 98 DP 1191172, 1452 SOLITARY ISLANDS WAY, SANDY BEACH
- SC15/39 COFFS HARBOUR DEVELOPMENT CONTROL PLAN 2015
- SC15/40 DRAFT ON-SITE SEWAGE MANAGEMENT STRATEGY 2015
- SC15/41 COFFS CREEK FLYING-FOX CAMP STRATEGY AND VEGETATION MANAGEMENT PLAN - FINAL REPORT 2015
- SC15/42 FREEDOM OF ENTRY TO THE CITY OF COFFS HARBOUR - ROYAL AUSTRALIAN NAVY 725 SQUADRON

**SUSTAINABLE INFRASTRUCTURE DEPARTMENT REPORTS**

- SI15/42 ALCOHOL FREE ZONES RE-ESTABLISHMENT
- SI15/43 TRAFFIC COMMITTEE NO. 4/2015
- SI15/44 GARAGE SALE TRAIL 2015
- SI15/45 DRAFT COFFS COAST REGION RESOURCE RECOVERY & WASTE MANAGEMENT STRATEGY 2015-2027
- SI15/46 EXISTING CONTRACT FOR KERBSIDE WASTE COLLECTION AND RECYCLING
- SI15/47 EXISTING CONTRACT FOR PARKS AND LITTER BIN SERVICES

**TRUSTS REPORTS**

- T15/5 PROPOSED INCLUSION OF ARRAWARRA HEADLAND RESEARCH STATION R82766 INTO THE COFFS COAST STATE PARK TRUST

**QUESTIONS ON NOTICE**

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

- QON15/5 INCOME AND EXPENSES OF THE A LEAGUE MATCH BETWEEN WESTERN SYDNEY WANDERERS AND CENTRAL COAST MARINERS

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

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

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



**COFFS HARBOUR CITY COUNCIL**

**ORDINARY MEETING**

**27 AUGUST 2015**

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

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

**Leave of Absence:** Councillor J Arkan.

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.

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**DISCLOSURE OF INTEREST**

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

<b>Councillor</b>	<b>Item</b>	<b>Type of Interest</b>
Cr D Knight	SC15/34 DA No. 0136/15 - Community Facility (Surf Life Saving Club Alterations & Additions) - Lot 7003 DP 1113530, Crown Reserve 1002970, Fourth Avenue, Sawtell.	Non pecuniary - Less Than Significant Conflict



Cr B Palmer	SC15/34 DA No. 0136/15 - Community Facility (Surf Life Saving Club Alterations & Additions) - Lot 7003 DP 1113530, Crown Reserve 1002970, Fourth Avenue, Sawtell.	Non Pecuniary - Less Than Significant Conflict.
S McGrath, General Manager	MM15/2 General Manager's Performance Review 2015	Pecuniary

**LEAVE OF ABSENCE**

- 189 RESOLVED** (Innes/Degens) that a leave of absence received from Councillor J Arkan for unavoidable absence be received accepted.

**PUBLIC ADDRESS**

Time	Speaker	Item
5.00pm	Mark Benson	BS15/40 - Rebates for Solar Installations on Commercial Properties

Cr Rhoades arrived at the meeting, the time being 5.12pm.

The General Manager declared an interest in the following item, vacated the chamber and took no part in the discussion, the time being 5.17pm.

The Director Sustainable Infrastructure assumed the Acting General Manager's role.

**MAYORAL MINUTE**

**MM15/2 GENERAL MANAGER'S PERFORMANCE REVIEW 2015**

**Executive Summary:**

To advise Council of the outcome of the General Manager's Performance Review, which was conducted on 29<sup>th</sup> July and 12<sup>th</sup> August 2015.

- 190 RESOLVED** (Knight) that the outcome of the General Manager's Performance Review be noted.

The General Manager returned to the meeting, the time being 5.18pm.

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**CONFIRMATION OF MINUTES**

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- 191 RESOLVED** (Townley/Palmer) that the minutes of the Ordinary meeting held on 13 August 2015 be confirmed as a true and correct record of proceedings.

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**NOTICES OF MOTION**

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**NOM15/13 CAVANBAH CENTRE**

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- 192 RESOLVED** (Cowling/Townley) to seek a report outlining the historical arrangements and outlining mechanisms for achieving an equitable rental for Coffs Harbour Senior Citizens Inc.

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**BUSINESS SERVICES DEPARTMENT REPORT**

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**BS15/40 REBATES FOR SOLAR INSTALLATIONS ON COMMERCIAL PROPERTIES**

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**Executive Summary**

The purpose of this report is to provide Council with information to consider the use of Council funds allocated to the Renewable Energy Fund to offer a rate rebate as an incentive for owners of commercial properties to install solar power systems. The report will include consideration of allocating \$3,000 to \$5,000 per applicant, with a minimum system size of greater than 10kW.

- 193 RESOLVED** (Townley/Palmer) that Council:
1. Expand the Renewable Energy Fund to include the possibility of expenditure on recipients external to Council;
  2. Endorse in principle that four rate rebates of \$5,000 each to be made available for commercial property owners for solar installations of over 10kw;
  3. Have the above included for recommendation in Year 1 of the CHERP expenditure plan as a trial.

## SUSTAINABLE COMMUNITIES DEPARTMENT REPORTS

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### SC15/34 DEVELOPMENT APPLICATION NO. 0136/15 COMMUNITY FACILITY (SURF LIFE SAVING CLUB ALTERATIONS AND ADDITIONS) - LOT 7003 DP 1113530, CROWN RESERVE 1002970, FOURTH AVENUE, SAWTELL

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#### Executive Summary

This report provides an assessment of Development Application 136/15 for a Community Facility (Surf Life Saving Club Alterations and Additions) at Lot 7003 DP 1113530, Crown Reserve 1002970, Fourth Avenue, Sawtell. The application was advertised and notified with opportunity to make public submissions. A total of two (2) submissions were received both objecting to the proposed development. It is recommended that the application be approved subject to a number of conditions.

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 substantial non-compliance with relevant strategic controls (building height increasing from 9.17m to 10.14m above ground level).

#### 194 RESOLVED (Sultana/Degens):

1. That the request made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the maximum building height under Clause 4.3(2) of Coffs Harbour Local Environmental Plan 2013 be supported in this particular case.
2. That Development Application No. 0136/15 for Community Facility (Surf Life Saving Club Alterations and Additions) at Lot 7003 DP 1113530, Crown Reserve 1002970, Fourth Avenue, Sawtell be approved subject to the conditions provided in Attachment 3.
3. That persons who made a submission on Development Application No. 0136/15 be informed of Council's decision.

**The Motion on being put to the meeting was carried unanimously.**

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**SC15/35 2014-2018 DELIVERY PROGRAM - SIX MONTHLY PROGRESS REPORT**

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**Executive Summary**

Under the Local Government Act, Council is required to report six-monthly on its progress and performance in implementing strategies to help achieve the objectives of the *Coffs Harbour 2030* Community Strategic Plan.

The *Six-Monthly Progress Report (for the period 1 January to 30 June 2015) on the Coffs Harbour City Council 2014-2018 Delivery Program* is tabled at this time. The Six-Monthly Progress Report identifies achievements and challenges recorded during the reporting period and provides updates on Council services, projects and key operational activities.

Of Council's 41 Services, all are identified as being *On Track* during the reporting period.

The report represents the considerable record of achievement by Council and its workforce in delivering positive outcomes for the Coffs Harbour community. The reporting period saw many highlights including:

- The completion of the Spagnolos Road flood detention basin
- The opening of new lifts and public amenities at the Castle Street carpark
- Significant progress of the Jetty4Shores walkway construction
- The commencement of the harbour boat ramp upgrade
- Extensive road, bridge and cycleway works
- Delivery of environmental and sustainability initiatives
- Delivery of a range of community, economic and sporting programs.

The Six-Monthly Progress Report for the period 1 January to 30 June 2015 incorporates a number of delegation adjustments arising from changes to Council's operational organisation structure under the Transformation to Sustainability (T2S) project. As a 'step-change' program of continuous improvement, T2S will result in ongoing adjustments in reporting, particularly through a review of actions and measures in the Delivery Program.

- 195 RESOLVED** (Degens/Palmer) that the *Six-Monthly Progress Report (for the period 1 January to 30 June 2015) on the Coffs Harbour City Council 2014-2018 Delivery Program* be adopted for public release.

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**SC15/36 PROVISION OF ANIMAL POUND FACILITIES - AGREEMENT RENEWAL WITH THE ROYAL SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

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**Executive Summary**

Council's current contract arrangement with the Royal Society for the Prevention of Cruelty to Animals (RSPCA) for the provision of impounding facilities and a range of associated services has reached the end of the current contract period.

A review has been undertaken to determine the most appropriate means to fulfill Council's statutory obligations in respect to the provision of animal impounding facilities and associated required services.

In reviewing and determining the best option available to Council for the continued provision of impounding facilities, Council must have due regard to the requirements under Section 55 of the Local Government Act which requires Council to tender for services under certain conditions. The nature of the service and associated cost of the agreement would place Council in a position that would normally require a tender to be called. However Section 55 (3) does provide exceptions to that rule.

Following consideration of Section 55 of the Local Government Act, a review of the available service options and the contract service arrangements being offered by the RSPCA, it is considered that the acceptance of a new contract proposal offered by the RSPCA is the most appropriate and beneficial means to fulfill Council's statutory obligations at this time.

**196 RESOLVED (Innes/Degens):**

1. That Council, in accordance with Section 55(3) of the Local Government Act, resolve not to call tenders for the proposed impounding services contract due to an unavailability of providers within the local area to provide the services to the degree required.
2. That Council enter into a five year agreement with the Royal Society for the Prevention of Cruelty to Animals for the provision of companion animal impounding facilities at Dowsett Drive, Coffs Harbour, as per the confidential attachment.
3. That Council call for 'expressions of interest' within a period of 24 to 18 months prior to the expiration of the new five year agreement with the Royal Society for the Prevention of Cruelty to Animals to allow interested parties the opportunity to position themselves to provide alternative impounding service facilities and associated service options for Council's consideration.

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**SC15/37 COMMITTEE MEMBERSHIP - EASTERN DORRIGO SHOWGROUND AND COMMUNITY HALL COMMITTEE**

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**Executive Summary**

To recommend to Council the appointment of a community member to facility management or advisory committees.

- 197 RESOLVED** (Palmer/Townley) that Ms Cherie Mundkowski be appointed to the Eastern Dorrigo Showground and Community Hall Committee.

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**BUSINESS SERVICES DEPARTMENT REPORTS**

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**BS15/38 DEVELOPER CONTRIBUTIONS PLANS REVIEW SECONDARY DWELLINGS**

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**Executive Summary**

The purpose of the report is to present amended Section 94 Developer Contributions Plans and Section 64 Development Servicing Plans to Council for consideration as a result of the Council resolution on 25 June 2015 (BS15/33) Removal of Developer Contributions for Secondary Dwellings. The 13 attached plans have been updated to include the waiver of Section 64 contributions, section 94 contributions contained in release area specific plans and to charge the LGA wide minimum Section 94 contributions for the construction of Secondary Dwellings 60 square metres or less only. The Draft Plans were placed on public exhibition for a period of 30 days concluding on 14 August 2015. One submission was received which is addressed in the "issues" section of this report. This report recommends that the plans be adopted.

- 198 RESOLVED** (Sultana/Townley) that the following Section 94 Developer Contributions Plans and Section 64 Development Servicing Plans be adopted.

1. Coffs Harbour Open Space 2015
2. Hearnes Lake / Sandy Beach Release Area 2015
3. Korora Rural Residential Release Area 2015
4. Moonee Release Area 2015
5. North Coffs Release Area 2015
6. North Boambee Valley (East) Release Area 2015
7. North Bonville 2015
8. Park Beach Area 2015
9. South Coffs 2015
10. West Coffs Harbour 2015
11. West Woolgoolga 2015
12. Water Supply Development Servicing Plan 2015
13. Wastewater Development Servicing Plan 2015

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**BS15/39 ENVIRONMENTAL LEVY PROJECTS REPORT TO 30 JUNE 2015**

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**Executive Summary**

The purpose is to provide Council with a status report to 30 June 2015 on the projects funded under the Environmental Levy (EL) Program and make recommendations regarding revotes for each project. The Environmental Levy Program funds environmental projects that would not otherwise be undertaken with revenue funding.

There were 32 projects including seven revoted projects that were not complete as at last year. As at 30 June 2015 two previous year projects and four current year projects are still incomplete and have requested revoting to next year. All other projects are complete.

**199 RESOLVED** (Palmer/Townley) that Council:

1. Notes the status of Environmental Levy projects as at 30 June 2015 as outlined in the attachment.
2. Approves the following projects' surplus funds to be returned to the Environmental Levy Reserve for allocation to future projects:

<u>Project</u>	<u>Surplus Funds</u>
KPoM Review of Koala Populations -South & West Precincts	\$23,376.62
Impact on Freshwater Ecosystems	\$1,125.42
Sustainable Management of Biodiversity in LGA	\$12,123.11
Strategic Planning - Biodiversity	\$4,390.04
Environmental Levy Coordination	\$10,771.38
Matching Grant Funding Pool	\$31,964.00
Green School Sustainability Fund 1314	\$1,999.07
Coffs Coast Sustainable Living Festival	\$2,278.44
Koala/Wildlife Corridor Bakker Dr Bonville Stage 2	\$2,539.94
Sapphire Beach & Diggers Headland Path Upgrade	\$1,181.51
Botanic Gardens Education Officer	\$1,538.29
Restoration of Grey-headed Flying-Fox Maternity Camp	\$827.15
Various projects with balances under \$10	\$0.60
<b>Total</b>	<b><u>\$94,115.57</u></b>

3. Approves funding of the 2013/14 late expenditure for the following projects from the Environmental Levy Reserve:

Yarrowarra Giriin Team – Bush Regeneration	\$4,916.00
Coffs Harbour Community Seedbank Network	<u>\$1,982.00</u>
<b>Total</b>	<b><u>\$6,898.00</u></b>

4. Notes that the financial result for year ended 30 June 2015 incorporates the Environmental Levy revotes as recommended in this report summarised as follows:

<u>Project</u>	<u>Revote Funds</u>
Culturally Significant Landscapes of the Coffs Harbour LGA	\$34,986.59
KPoM Review of Koala Populations -South & West Precincts (balance after recommendation 2)	\$10,000.00
Green School Sustainability Fund	\$23,186.54
Koala/Wildlife Corridor Bakker Dr Bonville Stage 2	\$2,582.40
Darkum Headland Access Rehabilitation	\$8,337.50
Woolgoolga Beach Rehabilitation Project	<u>\$10,000.00</u>
Total	<u>\$89,093.03</u>

5. Notes the financial result for year ended 30 June 2015 incorporates contribution, revenue and grant revotes as follows:

Orara River Rehabilitation	\$23,699.34
Coffs Coast Sustainable Living Festival	\$6,000.00
Darkum Headland Access Rehabilitation	\$8,337.51
West Coffs to CBD Cycleway (Stage 1)	<u>\$91,001.28</u>
Total	<u>\$129,038.13</u>

## SUSTAINABLE INFRASTRUCTURE DEPARTMENT REPORTS

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### SI15/37 ENCROACHMENTS ONTO LANEWAY AT CORAMBA - NO. 7

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#### Executive Summary

This is the seventh report in relation to this long running matter of some 10 years. Council at its last meeting in 2011 resolved to lodge a road closure application over the section of road upon which encroachments are located in the rear yards of Nos. 16 and 18 Thrower Avenue, Coramba.

Council has recently been notified that the road closure application it lodged in 2011 has now been refused by Crown Lands. The adjoining owner at No. 47 Gale Street still wishes to access the laneway which is his right. This leaves Council with the only option being to direct the owners of Nos. 16 and 18 Thrower Avenue to remove the encroachments from the laneway.

**200 RESOLVED** (Rhoades/Palmer) that Council:

1. Note the refusal by Crown Lands of the road closure application lodged over the section of laneway impacted by the encroachments.
2. Reaffirm that it has no intention to form or construct the laneway to a trafficable condition.



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**SI15/38 CHCC RECYCLED WATER POLICY & RECYCLED WATER MANAGEMENT SYSTEM**

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**Executive Summary**

Council approved the draft Recycled Water Policy for public exhibition at its meeting on 11 June, 2015. The Public Exhibition period ran from 1 July 2015 to 29 July 2015 and no submissions were received from the community.

This report recommends that Council adopt the Recycled Water Quality Policy as exhibited.

- 201 RESOLVED** (Palmer/Sultana) that Council adopt the Recycled Water Policy as attached.

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**SI15/39 WOOLGOOLGA COMMUNITY SPORTS COUNCIL RESERVE TRUST**

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**Executive Summary**

Council resolved to accept appointment as corporate management of the Woolgoolga Community Sports Council Reserve Trust at its Ordinary meeting 3 February 2005. This appointment was made for a period of five years and has since expired.

Staff have sought to obtain agreement in principle from the Department of Lands to rationalise a number of Reserves, in lieu of ongoing administration of individual reserves, so as to be able to present a more efficient management model for the Trusts consideration. The Department however is not amenable to the rationalisation of this Reserve. Accordingly the matter of re-appointment is being addressed.

The term of five years has been adopted by the Department of Trade & Investment Crown Lands as a policy to bring Corporate Managers in line with Community Trust Board appointments.

Upon expiry of the appointment management of the Trust defaults to the Minister administering the Crown Lands Acts. In such circumstances the Minister may elect to dissolve the Trust and devolve the management of the land to Council

- 202 RESOLVED** (Sultana/Innes) that Council request reappointment as Corporate Trust Manager of the Woolgoolga Community Sports Council Reserve Trust (No 140073).

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**SI15/40 CONTRACT NO. RFT-716-TO - GORDON STREET - HARBOUR DRIVE INTERSECTION ROAD RECONSTRUCTION, TRAFFIC SIGNALS & DRAINAGE CONSTRUCTION**

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**Executive Summary**

Council at its meeting of 24 July 2014 allocated funding from the City Wide Flood Mitigation program and from the Road Rehabilitation program to the Harbour Drive – Gordon Street reconstruction project.

At the same meeting Council entered into a Voluntary Planning Agreement with Gowing Bros to deliver the project with a cost share arrangement requiring Council to pay 66% of total project cost.

Tenders were called for the works for a Lump Sum contract with tenders closing 3:30pm on Tuesday 4 August 2015.

A critical assessment criteria for the works was full closure to traffic of the Gordon Street – Harbour Drive intersection after the WRC event (14<sup>th</sup> September 2014) and opening to traffic of the intersection prior to the peak Christmas period.

No conforming tenders were received. One non-conforming Tender was received from;

a) Ryan Earthmoving

The nature of the non-conformance was in the timing of the works.

**203 RESOLVED** (Degens/Innes) that Council:

1. Decline to accept any tender received for the Road reconstruction, traffic signals and drainage construction, Gordon Street-Harbour Drive intersection, Coffs Harbour; in accordance with S178(1)(b) of the Local Government Regulations;
2. Not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable contractors over and above those that have responded to this tender and will delay the project;
3. In accordance with S178(3)(e) of the Local Government Regulations, delegate authority for the General Manager to enter into negotiations with contractors that are suitably qualified and demonstrate a capability to undertake the scope of works with a view to entering into a contract in relation to the subject matter of the tender;
4. Receive a further briefing regarding the process and pathway forward on this project;
5. Receive a report back on the result of negotiations.

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**SI15/41 CONTRACT NO. RFT-712-TO: MACAULEYS HEADLAND AMENITIES**

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**Executive Summary**

The subject of this report is to approve the tender for the supply and installation of the Macauleys Headland Amenities Block

The existing Macauleys Headland Amenities Block at the northern end of Ocean Parade is in need of significant repairs and does not conform to current design, accessibility and safety standards.

A new amenities block has been architecturally designed to replace the existing Macauleys Headland amenities. The design has been developed to be easily reproduced at other locations. The main components are cast concrete to provide significant protection from the elements and vandalism.

**204 RESOLVED** (Innes/Palmer):

1. That Council accept the tender of Momentum Built Pty Ltd, ABN 32 138 854 618, for the part Lump Sum of \$299,865.28 inclusive of GST on the basis that:
  - a) The tender is the most advantageous tender following the application of Council's Tender Value Selection System
  - b) The Tenderer has the necessary experience in similar works and its ability and performance are satisfactory
  - c) The Tenderer's financial capacity is acceptable
2. That the contract documents be executed under the Seal of Council.

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**REQUESTS FOR LEAVE OF ABSENCE**

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No requests for leave of absence.

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**MATTERS OF AN URGENT NATURE**

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**MUN15/11 Carols by Candlelight**

Cr Knight advised that, after consultation with the CBD Masterplan Committee, the Carols by Candlelight will be held this year, noting that further details/arrangements are to be finalised at the earliest convenience.

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**QUESTIONS ON NOTICE**

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No questions on notice.

This concluded the business and the meeting closed at 6.21pm.

Confirmed: 24 September 2015.

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Denise Knight  
Mayor



## REPORT TO ORDINARY COUNCIL MEETING

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### GOWINGS DA - PIONEER PARK

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#### **Motion:**

Councillor Townley has given notice of her intention to move the following:

That CHCC write to Gowings, asking them to reconsider leaving the temporary road through Pioneer Park out of their current DA and associated Traffic Management Plan.

#### **Rationale:**

Gowings DA (DA .../14) for expansion of their retail complex included significant public civil works including replacement of the Harbour Drive/Gordon Street roundabout with a set of traffic lights as well as installation of flood mitigation works. It also included the option of using Pioneer Park as a temporary bypass while the traffic and construction works occur, with an estimated time period of six to eight weeks.

Council's resolution of (date) affirmed that Council's preferred position is that Pioneer Park remain as parkland. Since then, considerable public sentiment has also been expressed in support of retaining the park.

Further, the approval of the Gowings DA included an assessment that the area was deemed not to be used by Koalas. Since then, several sightings of Koalas have been documented in the Park. This new information could compromise Council's position in relation to its own Koala Plan of Management.

Obviously, it is not possible (or fair) to rescind or withdraw an approval as a result of new information. Therefore, it is suggested that Council respectfully petition Gowings to reconsider their proposal for the short term use of Pioneer Park as a roadway during their construction project.

#### **Staff Comment:**

Whilst Council staff can write to Gowings regarding Pioneer Park, staff do not have the delegation to withdraw the approval.

Council's Traffic Asset Team advise:

If, as part of the works undertaken by Gowings at the Harbour Drive and Gordon Street intersection, the works did not include a trafficable connection to Harbour Drive, certain scenarios are envisaged.

**A caveat of uncertainty needs to be placed on the severity and extent on the traffic issues envisaged.**



## REPORT TO ORDINARY COUNCIL MEETING

### Scenario 1: No Duke Street Connection.

#### Impact Assessment:

- a. The existing desire line for southbound vehicles from the Pacific Highway which then use Harbour Drive to move eastbound would be broken at this intersection by the works. It is anticipated that these vehicles would:
  - i. Travel along the Highway past Harbour Drive and turn left at Park Avenue. This would see congestion arising adjacent to the parking arrangements outside of Woolworths with the through lane currently only one lane.
  - ii. Travel on to Earl Street and either turn onto Albany Street or Harbour Drive. This would see congestion and pressure on the Earl Street intersection.
  
- b. The desire line for west / northbound traffic from Harbour Drive (or East CBD) to the highway, would see a heavy reliance on Park Avenue and potential congestion backing up from the Pacific Highway/Park Avenue traffic signals
  - i. As there is no set turning arrangements at the Earl Street - Park Avenue intersection, it is anticipated that there will be an increase in the risk of turning conflicts (close calls and collisions) during peak hour traffic flows.
  - ii. The roundabout at Gordon Street and Park Avenue will see additional traffic volumes. The increase is likely to be of a magnitude which is manageable.
  - iii. However, the vehicles travelling eastbound on Park Avenue and wanting to turn right or go straight ahead may become excessive at the roundabout with queues backing up towards the Pacific Highway Intersection.
  
- c. Vehicles parking within Duke Street, Vernon Street, Coffs Street, Castle Street, (Including Castle Street Carpark) would be limited exclusively to accessing these areas via the Pacific Highway. Conversely, to access any part of the City from these streets vehicles would need to travel via the Pacific Highway.
  - i. It is anticipated that the queue lengths into Coffs Street from the Pacific Highway will interfere with Pacific Highway through traffic during peak hour volumes.
  - ii. It is suggested that queue lengths may interfere with the roundabout at Castle and Coffs Street during peak hour traffic.
  
- d. Consideration needs to be allowed for:
  - i. Impacts on the Taxi Rank in Vernon Street – as this would become isolated, ie only accessed via the Pacific Highway
  - ii. Impacts on Bus Timetables due to additional traffic on Park Avenue
  - iii. Potential loss of trade eg. Woolworths (potentially to Coles) because of difficult access and parking



## REPORT TO ORDINARY COUNCIL MEETING



**Scenario 2: No Duke Street Connection, however Gowings provide for staged construction of the intersection, allowing for partial (one way - single lane only) traffic movements through the worksite during the Works.**

Impact Assessment:

- a. The works could potentially take up to 4 times as long
- b. Additional costs would fall to Council (indirectly)
- c. The worksite would still be a restriction to traffic, and the issues above will still occur, however impacts will be mitigated to some degree.





## REPORT TO ORDINARY COUNCIL MEETING

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### FOOTPATH - MARKET STREET, WOOLGOOLGA

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#### **Motion:**

Councillor Degens has given notice of his intention to move the following:

That Council makes funds available to complete the construction of a footpath along the south side of Market St at Woolgoolga at least between the streets of Nightingale and Queen.

#### **Rationale:**

Market Street at Woolgoolga has increasingly developed to the point where a significant number of important services for the elderly are located along it together with other needs. Woolgoolga in particular has a large number of independent elderly residents where the maintaining of this independence remains a key priority.

The lack of a complete footpath leading to these key services along Market Street, is making conditions difficult for those needing to access these services by foot and as such the construction of a footpath along Market Street in Woolgoolga needs to be set at high priority with consideration of wheel chair accessibility also.

The footpath budget in general for Council needs to be reviewed is also implied by this notice of motion since the current setting of zero funds annually for footpath construction is unable to account for emergencies such as the Market Street footpath in Woolgoolga.

#### **Staff Comment:**

In 2011 Council approved a Pedestrian Access Mobility Plan (PAMP) which identified and prioritised numerous projects to improve pedestrian access throughout the city. Approximately \$7.2M (2011) worth of works was identified in the PAMP which sought to address the following pedestrian priorities across the City:

1. New footpath construction to facilitate missing links and existing desire lines.
2. Pram ramps not to the current/appropriate standard.
3. Pedestrian crossing points where traffic or access is an issue.
4. Connectivity and access at Bus Stops
5. Upgrade requirements to existing Zebra Crossings

In 2012 Council relinquished capital revenue funding for both the Footpath and the Cycleway Programs for fiscal austerity reasons. The natural result of this decision was that expenditure control was achieved. But there was also a consequential:

- Limiting of Council's ability to address the above work types; and,
- Limiting of Council's ability to apply for matching grants funding.





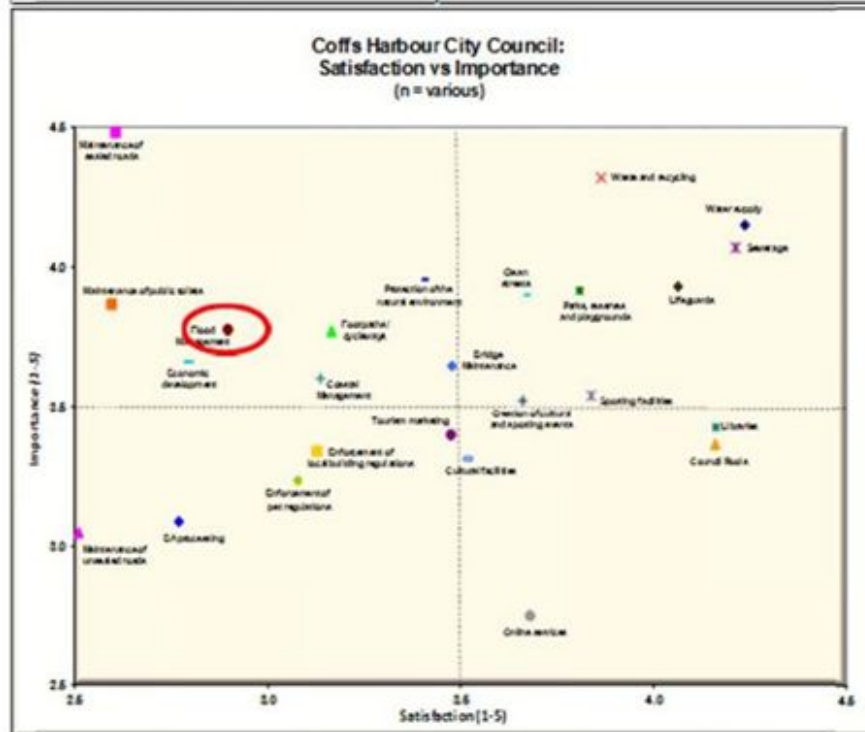
**REPORT TO ORDINARY COUNCIL MEETING**

Council, in 2012, commissioned a community survey to measure satisfaction and priorities with regard to Council-managed facilities and services in the Coffs Harbour LGA.

The survey found that... *“the facilities and services which rated “high importance/low satisfaction” included (in no particular order) maintenance of sealed roads, protection of the natural environment, public toilet maintenance, economic development, footpaths/cycleways, flood management, coastal management and bridge maintenance.*

*While the question was not asked specifically, these would hence seem to represent priorities for any future funding increases.”*

Higher importance/lower satisfaction	Higher importance/higher satisfaction
Maintenance of sealed roads	Water supply
Protection of the natural environment	Waste and recycling
Maintenance of public toilets	Sewerage
Economic development	Parks, reserves and playgrounds
<b>Footpaths/cycleways</b>	Cleanliness of streets
Flood management	Life guards
Coastal management	Sporting facilities
Bridge Maintenance	Creation and attraction of cultural/sporting events
Lower importance/lower satisfaction	Lower importance/higher satisfaction
Tourism marketing	Libraries
Enforcement of local building regulations	Council Pools
Enforcement of pet regulations	Cultural facilities
Development application processing	Online services
Maintenance of unsealed roads	



In summary, there is a sound basis for Council to reconsider its previous decision to cease footpath and cycleway funding. The assessed community view is that these particular asset classes are highly valued by residents who, at the same time, indicate a low satisfaction level with the quantity of footpaths and cycleways currently provided.



## REPORT TO ORDINARY COUNCIL MEETING

If Council decides to re-fund footpath and cycleway budgets, staff would recommend works to be funded should be selected utilising the approaches identified in Council's existing 2011 PAMP and Council's Bike Plan.

The total quantity of future works already identified in the current PAMP is \$7.2m. Assuming an equivalent amount of \$7M was allocated for works identified in the Bike Plan a total funding package of \$14.2m would be required.

An annual revenue based allocation of \$500K for each of these programs would see the existing PAMP and Bike works programs completed over a 15 year horizon assuming that no matching grant funding from external sources was found. Council's success rate in finding dollar for dollar matching grants is reasonably high. On that basis it is not unreasonable to expect that a \$500K annual allocation could be articulated into an shortened delivery horizon utilising matching grants.

Concurrently however, there would be a need to ensure that Operational, Maintenance and Depreciation expenses are brought to account when deciding upon funding arrangements. Ideally, this should be articulated clearly within the Transport Asset Management Plan.

If an annual allocation of capital funding was made available it would be appropriate to reallocate the funding from existing capital budgets rather than place extra demand upon Council's finances.

Council's strategic asset teams currently prioritise between competing works requirements by taking into account factors such as risk & safety, usage, connectivity, future development, and social equity.

Staff encourage Councillors to consider a footpath program and budget for Coffs Harbour LGA based on priority. Whilst there may be a genuine demand for a footpath in Market Street, Council needs to consider:

- Other locations of higher priority,
- The possibility of a lost opportunity for development contribution funded works, or
- The possibility of the footpath requiring removal in the medium term due to town-centre improvement / place making works within Market Street.

The estimated cost for 1.5m wide standard footpath for the southern section of Market Street between Queen Street and Nightingale Street is \$40,000.



## REPORT TO ORDINARY COUNCIL MEETING

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### WRC EVENT SURVEY FOR CBD BUSINESS OPERATORS

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**Motion:**

Councillor Palmer has given notice of his intention to move the following:

That all businesses in CBD and stall operators from Thursdays City Centre Markets be surveyed regarding positive/negative effect of the WRC events with CBD on business operations.

**Rationale:**

Standard practice after special events such as WRC.

**Staff Comment:**

In terms of the lead up to WRC 2015, Rally Australia's Community Engagement Officer was proactive in discussing the WRC 2015 City Centre activities with the CBD Masterplan Committee, CBD businesses and Growers Market stall holders.

An independent survey can also be undertaken with businesses in the CBD and Coffs Growers Market stall holders.

This independent survey can be considered in the context of the Destination NSW FIA World Rally Championships - Summary of Results report which examines the economic impact of the event.



## REPORT TO ORDINARY COUNCIL MEETING

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### ELECTION OF DEPUTY MAYOR 2015/16

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<b>REPORTING OFFICER:</b>	General Manager
<b>DIRECTOR:</b>	General Manager
<b>COFFS HARBOUR 2030:</b>	LC 3.1 Council supports the delivery of high quality sustainable outcomes for Coffs Harbour
<b>ATTACHMENTS:</b>	ATT Local Government Act 1993 – Sect 231 – Election of Deputy Mayor

---

#### Recommendation:

1. Council resolve to elect a Deputy Mayor for the ensuing twelve (12) months.

And in the event that Council resolves recommendation 1 in the affirmative:

2. Nominations for the position of Deputy Mayor be called and the method of election be by open ballot (show of hands).

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### EXECUTIVE SUMMARY

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Coffs Harbour City Council's custom practice has been to elect a Deputy Mayor on an annual basis. This report provides the opportunity for Council to continue its custom and practice.

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## REPORT

### Description of Item:

Council's practice is to elect a Deputy Mayor each year for a 12 month period.

The role of Deputy Mayor is to assist the Mayor with the performance of ceremonial duties and to exercise the functions of the Mayor during periods of absence. Council must now determine if it wishes to elect a Deputy Mayor and if so, by what method.

### Issues:

This is not applicable to this report.

### Options:

Section 231 of the Local Government Act 1993 clearly states that Council "may" elect a person from among their number to be the deputy mayor. There is no compulsion on Council to have a deputy mayor.

Therefore the options available to Council are:

1. Council resolve not to have deputy mayor for the twelve month term commencing 24 September 2015.
2. Council resolve to elect a deputy mayor for the twelve month term commencing 24 September 2015. Should Council support this option, it will also need to resolve the method of voting for the deputy mayor.

### Sustainability Assessment:

- **Environment**

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

- **Social**

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

- **Civic Leadership**

Council's election of a Deputy Mayor is consistent with the 2030 plan strategy LC 3.1 *Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.*

- **Economic**

#### **Broader Economic Implications**

No additional fee applies to the position of Deputy Mayor.

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

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

There are no implications for the Delivery Program/Operational Plan.

**Risk Analysis:**

This is not applicable to this report.

**Consultation:**

This is not applicable to this report.

**Related Policy, Precedents and / or Statutory Requirements:**

Section 231 of the Local Government Act provides the power to elect a Deputy Mayor and clause 394 and schedule 7 of the Local Government (General) Regulations cover the procedures relating to the conduct of the election.

Attached to this report is a copy of these provisions and Council's attention is drawn to the provisions relating to nominations and the methods of election.

Should there be more than one nomination for the position; Council is required, in accordance with clause 3 of schedule 7, to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting. Ballot has its normal meaning of secret ballot and open voting is a show of hands.

**Implementation Date / Priority:**

Implementation is immediate.

**Conclusion:**

Given the content of this report, it is now appropriate for Council to resolve whether to have Deputy Mayor. Further, should this resolution be in the affirmative, Council will need to decide the method of voting.

**LOCAL GOVERNMENT ACT 1993 - SECT 231**

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**231 Deputy mayor**

- (1) The councillors may elect a person from among their number to be the deputy mayor.
- (2) The person may be elected for the mayoral term or a shorter term.
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

**Local Government (General) Regulation 2005**

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**394 Election of mayors by councillors**

If a mayor or deputy mayor is to be elected by the councillors of an area, the election is to be in accordance with Schedule 7.

**Schedule 7 Election of mayor by councillors**

**Part 1 Preliminary**

**1 Returning officer**

The general manager (or a person appointed by the general manager) is the returning officer.

**2 Nomination**

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

**3 Election**

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:

**ballot** has its normal meaning of secret ballot.

**open voting** means voting by a show of hands or similar means.

**Part 2 Ordinary ballot or open voting**

**Attachment**

**4 Application of Part**

This Part applies if the election proceeds by ordinary ballot or by open voting.

**5 Marking of ballot-papers**

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

**6 Count—2 candidates**

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

**7 Count—3 or more candidates**

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

**Part 3 Preferential ballot**

**8 Application of Part**

This Part applies if the election proceeds by preferential ballot.

**9 Ballot-papers and voting**

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.



**Attachment**

**10 Count**

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, **absolute majority**, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

**11 Tied candidates**

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

**Part 4 General**

**12 Choosing by lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

**13 Result**

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.



## REPORT TO ORDINARY COUNCIL MEETING

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### ADOPTION OF CODE OF MEETING PRACTICE

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**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 Code of Meeting Practice

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**Recommendation:**

**That Council adopts the attached Code of Meeting Practice.**

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### EXECUTIVE SUMMARY

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Council approved the draft Code of Meeting Practice for public exhibition at its meeting on 25 June 2015, for a public exhibition period of 42 days.

This report recommends that Council adopt this document, with amendments, following submissions received during this exhibition period.

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## REPORT

### Description of Item:

The Code of Meeting Practice sets out the conduct for meetings of council and committees. Section 360 of the Local Government Act states:

*s360 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.*

On 25 June 2015 Council resolved:

*134 RESOLVED (Innes/Arkan) 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.*

### Issues:

During the exhibition period 16 submissions were received. All submissions, with the exception of one related to clause 8.13. As a result of the submissions, and further discussions with stakeholders, clause 8.13 has been amended to read:

#### *8.13 Participating in the Debate and the Reading of Speeches*

The common law rules of natural justice or procedural fairness require Councillors to approach their administrative decision making with an open mind to ensure that they act fairly and impartially, in good faith, listening to both sides of any argument that is put to them for consideration. With this in mind:

- 8.13.1 Reading of speeches is to be kept to a minimum. Councillors are bound to bring an open mind to the debate on an issue and an indicator of this is that despite having a preference for a particular outcome, the merits of the debate and individual views are considered within decision making and included in speeches.
- 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

A reference document published in 2013 by Local Government Victoria titled 'Ensuring *Unbiased Democratic Council Decision Making*' has provided guidance and also provided case law relevant to Council decision making. While this is a Victorian publication, strong similarities can be drawn. The link to the publication is:

[http://www.dtpli.vic.gov.au/\\_data/assets/pdf\\_file/0009/244791/2013-Ensuring-Unbiased-Democratic-Council-Decision-Making-April-2013.pdf](http://www.dtpli.vic.gov.au/_data/assets/pdf_file/0009/244791/2013-Ensuring-Unbiased-Democratic-Council-Decision-Making-April-2013.pdf)

A summary of the submissions received are:

	<b>Issue Raised</b>	<b>Response</b>
1.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Councillors should be able to read prepared speeches</li> <li>▪ Prepared to avoid excluding relevant facts</li> <li>▪ Must be able to present our thoughts and requests through prepared speeches</li> </ul>	Clause 8.13 has been amended
2.	<ul style="list-style-type: none"> <li>▪ Support clause 8.13.1</li> <li>▪ Councillors should debate for &amp; against motions &amp; not listen to prepared speeches</li> </ul>	Clause 8.13 has been amended
3.	<ul style="list-style-type: none"> <li>▪ Support clause 8.13.1</li> <li>▪ Do not support prepared speeches</li> <li>▪ Difficult to ascertain the provenance of the prepared speech</li> </ul>	Clause 8.13 has been amended
4.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Clause aimed at 'gagging' Cr Cowling</li> <li>▪ Cr Cowling goes to trouble to ensure her speeches include all relevant issues</li> <li>▪ Clause fails to recognise that the Councillor may be the first person to speak on a motion</li> <li>▪ Cr Cowling's pertinent issues will not be raised</li> <li>▪ Other Councillors and senior staff unhappy with Cr Cowling's level of research</li> <li>▪ Clause an attempt to limit free speech and democracy</li> </ul>	Clause 8.13 has been amended
5.	<ul style="list-style-type: none"> <li>▪ Opposed clause 8.13.1</li> <li>▪ Councillors should not be required to commit everything to memory</li> <li>▪ Refusing note reading will result in information not being presented or expressed in correct detail</li> <li>▪ Members of boards or CEO's go to meetings with prepared material</li> <li>▪ May stop the presentation of complex issues</li> <li>▪ Proposed action may leave the Councillors open to potential legal action</li> </ul>	Clause 8.13 has been amended
6.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Read speeches represent community concerns</li> </ul>	Clause 8.13 has been amended

7.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Support Cr Cowling's request to read from written notes</li> <li>▪ Important her views &amp; opinions can be aired at Council meetings</li> </ul>	Clause 8.13 has been amended
8.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Prepared speech makes for clarity and ensures topic is completely stated</li> <li>▪ Speeches could be submitted to other Councillors beforehand, so that the Councillor then only needs to read a summary.</li> </ul>	Clause 8.13 has been amended
9.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Believes it is aimed at Cr Cowling</li> <li>▪ Implicit right to read to read speeches, made up of requests, information etc from community</li> <li>▪ Represents the voters</li> </ul>	Clause 8.13 has been amended
10.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Reading of notes shows Councillors have read their papers and care enough to respond to people's wishes</li> </ul>	Clause 8.13 has been amended
11.	<ul style="list-style-type: none"> <li>▪ Oppose clause 8.13.1</li> <li>▪ Appears to be a personality clash between Councillors</li> <li>▪ Cr Cowling one of the most prepared for Council meetings</li> <li>▪ Cr Cowling thoroughly researches agenda topics</li> <li>▪ Relays the communities' concerns succinctly</li> </ul>	Clause 8.13 has been amended
12.	<ul style="list-style-type: none"> <li>▪ Support clause 8.13.1</li> <li>▪ Where Councillors read from or giving a speech during ordinary meetings – difficult to determine whose views are being expressed.</li> <li>▪ Speeches could give political parties an avenue to express a set agenda.</li> </ul>	Clause 8.13 has been amended
13.	<ul style="list-style-type: none"> <li>▪ Support clause 8.13.1</li> <li>▪ Councillors reading from a speech – may not be expressing their own personal opinions.</li> <li>▪ Expressing a pre-determined argument that may come from an outside source.</li> </ul>	Clause 8.13 has been amended
14.	<ul style="list-style-type: none"> <li>▪ Support clause 8.13.1</li> <li>▪ People reading from speeches during Council meetings may not reflect the thoughts &amp; opinions of the individual but can be influenced by political parties.</li> </ul>	Clause 8.13 has been amended
15.	<ul style="list-style-type: none"> <li>▪ Support clause 8.13.1</li> <li>▪ Disagree with speeches being read at Council meetings</li> <li>▪ Will result in hearing the views of political parties rather than the opinion of the individual</li> <li>▪ Feels a recent speech may have been influenced by a political party</li> </ul>	Clause 8.13 has been amended



- **Economic**

**Broader Economic Implications**

There are no broader economic implications 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 Councillors and Executive Team to prepare the Draft Code of Meeting Practice. In accordance with resolution no. 134, the draft was put on public exhibition. Council received 17 submissions during the exhibition period.

**Related Policy, Precedents and / or Statutory Requirements:**

s360 and s361 *Local Government Act (1993)* set out the statutory requirements of Council in adopting a Code of Meeting practice.

The Office of Local Government has also released Practice Note 16 and Circular 10/10 as reference material for Councils in drafting a Code.

**Implementation Date / Priority:**

Immediate.

**Conclusion:**

The attached policy is presented following the statutorily required exhibition period. The policy has been amended to accommodate submissions received and is now presented for final determination.

Attachment



# Code of Meeting Practice





<p><b>TABLE OF CONTENTS</b></p>
---------------------------------

<b>1.0</b>	<b>The Code of Meeting Practice</b>	<b>1</b>
1.1	Application of the Code.....	1
1.2	Preparation of the Code of Meeting Practice .....	1
1.3	Adoption of the Code.....	1
1.4	Public Availability of the Code.....	2
<b>2.0</b>	<b>Before Council Meetings</b>	<b>3</b>
2.1	Frequency of Meetings .....	3
2.2	Notice of Meetings to Councillors.....	3
2.3	Notice for Extraordinary Meeting.....	4
2.4	Public Notice of Meetings .....	4
2.5	Security Arrangements at Meetings .....	5
<b>3.0</b>	<b>Quorum and Attendance</b>	<b>6</b>
3.1	Quorum for a Meeting.....	6
3.2	Councillor Presence at Council Meetings.....	6
3.3	Quorum not Present .....	6
3.4	Councillor Attendance at Meetings .....	7
3.5	Application for Leave of Absence .....	7
3.6	Meeting Attendance while on Leave of Absence.....	7
3.7	Tendering an Apology.....	8
3.8	Who is Entitled to Attend Council Meetings .....	8
3.9	Attendance of General Manager .....	8
3.10	Attendance of Council Employees .....	8
<b>4.0</b>	<b>Presiding over Meetings of Council</b>	<b>9</b>
4.1	Chairperson and Deputy Chairperson of Council .....	9
4.2	Councillors to be Elected to Preside at Certain Meetings.....	9
4.3	Chairperson to have Precedence .....	10
4.4	Chairperson's Duty with Respect to Motions.....	10
4.5	Recognition of Chairperson .....	10
4.6	Mode of Address .....	10
4.7	Protocols for Elected Members during Council Meetings .....	11
<b>5.0</b>	<b>Meeting Agenda and Business Papers</b>	<b>12</b>
5.1	Order of Business.....	12
5.2	Business Paper for Council Meetings .....	13
5.3	Removal of Items from the Agenda and Business Papers .....	14
5.4	Distribution of Business Papers .....	14
5.5	Public Access to Correspondence and Reports .....	15
5.6	Giving Notice of Business .....	15
5.7	Dealing with Matters Without Notice .....	16
5.8	Mayoral Minute .....	16
5.9	Agenda for Extraordinary Meeting .....	17
5.10	Dealing with Matters Without Notice at an Extraordinary Meeting .....	17
5.11	Members of the Public Addressing Council.....	17
5.12	Public Recording of Meetings Prohibited Without Council Authority.....	19
<b>6.0</b>	<b>Declarations of Interests</b>	<b>20</b>
6.1	What is a Pecuniary Interest.....	20
6.2	Pecuniary Interest and Conflicts of Interest.....	20

6.3	Interests that do not Require Disclosure .....	21
6.4	Pecuniary Interest – Determination of Whether One Exists.....	22
6.5	Disclosure of Pecuniary Interests and Presence in Meetings.....	23
6.6	Sufficient General Disclosure.....	23
6.7	Disclosure by Advisor .....	24
6.8	Circumstances where Disclosure Rules are not Breached.....	24
6.9	Disclosure to be Recorded in Minutes .....	24
6.10	Disclosures to be in Writing and Tabled at Meetings .....	24
<b>7.0</b>	<b>Questions and Tabling of Matters</b>	<b>25</b>
7.1	Questions to Councillors and Employees.....	25
7.2	Questions on Notice .....	25
7.3	Matters for Tabling – Pecuniary Interests.....	25
7.4	Tabling a Report of Departmental Representative .....	26
<b>8.0</b>	<b>Motions – Process of Motions Flowchart</b>	<b>27</b>
8.1	Notice of Motion.....	28
8.2	Notice of Motion - Absence of Mover .....	28
8.3	Motions to be Seconded .....	28
8.4	Speaking to Motions .....	29
8.5	Speaking to a Misrepresentation or Misunderstanding.....	29
8.6	Variations to Motions .....	29
8.7	Variations by Consent.....	29
8.8	Amendments to Motions .....	30
8.9	How Subsequent Amendments may be Moved .....	30
8.10	Foreshadowed Motions or Amendments.....	31
8.11	Motions Without Notice.....	31
8.12	Motions following a Question on Notice .....	31
8.13	Reading of Speeches .....	32
<b>9.0</b>	<b>Procedural Motions</b>	<b>33</b>
9.1	Motions of Dissent .....	33
9.2	Putting the Motion or Amendment.....	33
<b>10.0</b>	<b>Order at Meetings</b>	<b>34</b>
10.1	Questions of Order .....	34
10.2	Act of Disorder by Councillor .....	34
10.3	Act of Disorder by Others not being Councillors.....	35
10.4	Disorder at Meetings – Adjournment/Expulsion .....	35
10.5	Effect of Expulsion.....	35
10.6	Power to Remove Persons from Council Meeting.....	35
<b>11.0</b>	<b>Closed Meetings</b>	<b>37</b>
11.1	Motion to Close Part of the Meeting.....	37
11.2	Grounds to Close Meetings .....	37
11.3	Limitations to Closing Meetings .....	38
11.4	Discussion of Legal Matters.....	38
11.5	Motions to Close other Parts of a Meeting .....	38
11.6	Matters of Public Interest .....	38
11.7	Department Guidelines for Meeting Closure .....	39
11.8	Representation by Public Before a Council Meeting is Closed.....	39
11.9	Specifying Grounds for Closing Meetings .....	39
11.10	Notice of Closure not required in Urgent Cases .....	40
11.11	Conclusion of Closed Meeting .....	40
11.12	Resolutions to be Made Public .....	40
<b>12.0</b>	<b>Voting and Decisions of Council</b>	<b>41</b>
12.1	What Constitutes a Decision of the Council? .....	41
12.2	Invalidation of Council and Committee Decisions .....	41

12.3	Voting Entitlements of Councillors and Chairperson's Casting Vote.....	41
12.4	Abstentions to be Counted .....	42
12.5	Divisions .....	42
12.6	Planning Decisions – Division Required.....	42
12.7	Voting at Council Excepting Elections.....	42
12.8	Items by Exception (en globo) .....	43
12.9	Voting at Committees .....	43
12.10	Rescinding or Altering Resolutions of the Council.....	43
<b>13.0</b>	<b>Committees of Council</b>	<b>45</b>
13.1	Committee of Whole of Council .....	45
13.2	Committee of the Whole .....	45
13.3	Functions of the Committees .....	45
13.4	Notice of Committee Meetings to be Given .....	46
13.5	Councillors Entitled to Attend Committee Meetings .....	46
13.6	Chairperson and Deputy Chairperson of Committees .....	46
13.7	Representation by Public Before Closure of Committee Meeting .....	47
13.8	Absence from Committee Meetings .....	47
13.9	Disorder in Committee Meetings.....	47
13.10	Certain Persons may be Expelled from Council Committee meetings.....	47
13.11	Committees to Keep Minutes.....	48
13.12	Reports of Committees .....	48
<b>14.0</b>	<b>Minutes and Access to Information</b>	<b>49</b>
14.1	Minutes of Meeting .....	49
14.2	Matters to be included in Minutes of Council Meeting .....	49
14.3	Inspection of the Minutes of a Council or Committee Meeting.....	50
14.4	Disclosure and Misuse of Information .....	50
14.5	Recording of Meetings by the Council .....	51
<b>15.0</b>	<b>Workshops/Briefings</b>	<b>52</b>
15.1	Attendance at Workshops.....	52

## **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

Attachment

- 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](http://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

### **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.

CHCC Policy/Protocol

## 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



## 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
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](http://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.

Attachment

- 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.

CHCC Policy/Protocol

**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.

Reg 273

- 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."

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.
- LGAs.451(2)
- 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.

#### 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.

Attachment

- 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**

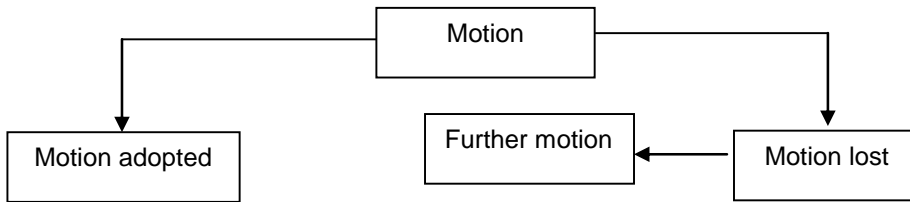
When a report of a Departmental representative has been presented to a meeting of a council in accordance with section 433 of the Act (*that is, investigation of council ordered by the Director General of the Department of Local Government*), the council must ensure that the report:

- 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.

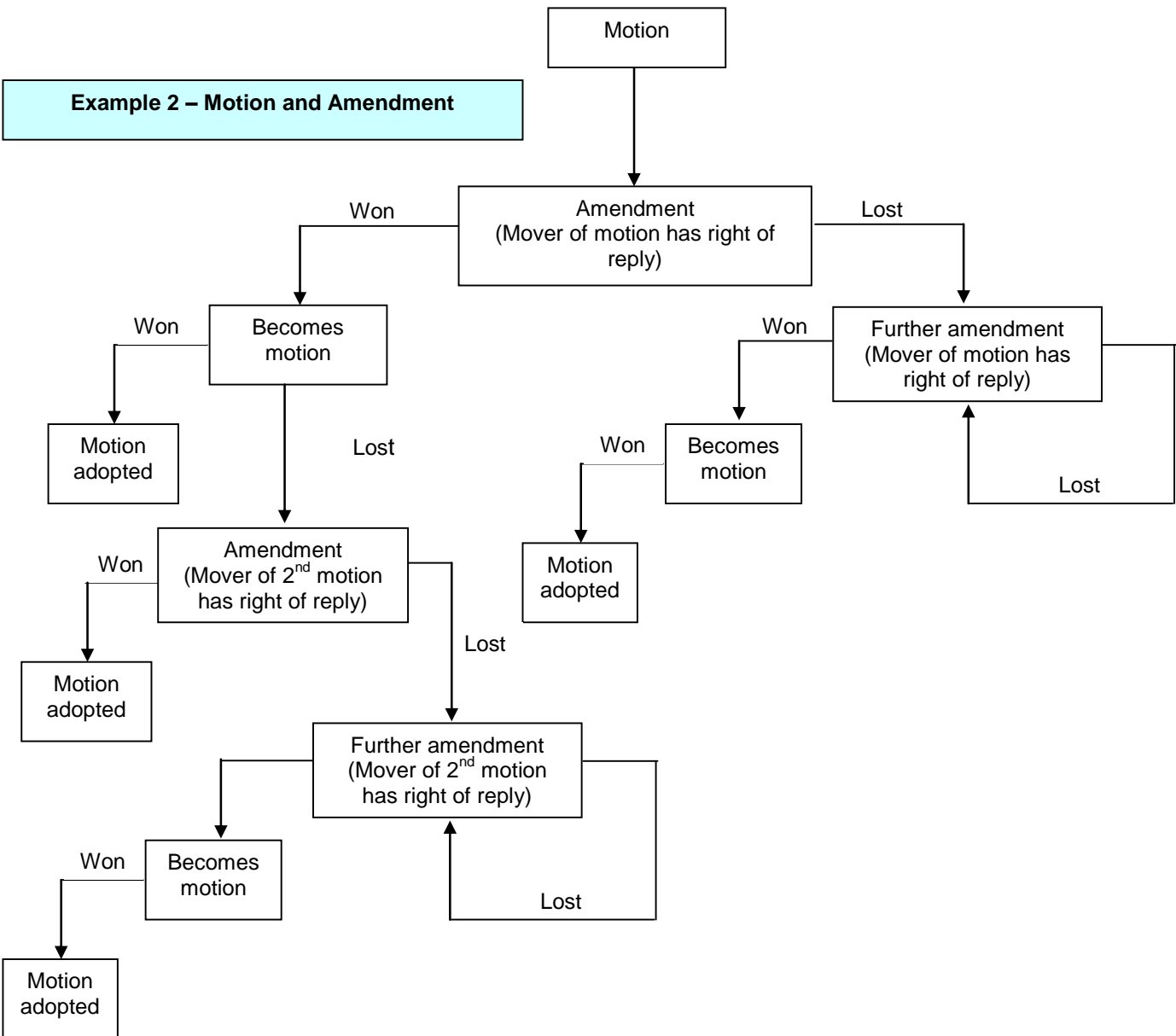
Reg 244

**8.0 Motions – Process of Motions Flowchart**

**Example 1 – Motion Only**



**Example 2 – Motion and Amendment**





**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.

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#### **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 *Participating in the Debate and the Reading of Speeches***

The common law rules of natural justice or procedural fairness require Councillors to approach their administrative decision making with an open mind to ensure that they act fairly and impartially, in good faith, listening to both sides of any argument that is put to them for consideration.<sup>1</sup> With this in mind:

- 8.13.1 Reading of speeches is to be kept to a minimum. Councillors are bound to bring an open mind to the debate on an issue and an indicator of this is that despite having a preference for a particular outcome, the merits of the debate and individual views are considered within decision making and included in speeches.
- 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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<sup>1</sup> Ensuring Unbiased Democratic Council Decision Making – 2013, cl F. Published by Local Government Victoria

## 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



Attachment

- 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.

LGA s.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.

LGA's.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.



Attachment

- 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

## **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

## 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](http://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.

Attachment

- 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



## REPORT TO ORDINARY COUNCIL MEETING

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### FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT

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<b>REPORTING OFFICER:</b>	General Manager
<b>DIRECTOR:</b>	General Manager
<b>COFFS HARBOUR 2030:</b>	LC 3.1 Council supports the delivery of high quality sustainable outcomes for Coffs Harbour MA 2.1 Ensure adequate maintenance and renewal of roads, footpaths and cycleways
<b>ATTACHMENTS:</b>	Nil

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#### Recommendation:

#### That Council:

1. **Acknowledges the importance of federal funding through the Financial Assistance Grant program for the continued delivery of councils services and infrastructure;**
  2. **Acknowledges that Council will receive \$6.99 million in 2014/15; and**
  3. **Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.**
- 

### EXECUTIVE SUMMARY

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Financial Assistance Grants (FAG) are a vital part of the revenue base of all councils, and this year councils will receive \$2.3 billion from the Australian Government under this important program.

The Government's decision in the 2014 Federal Budget to freeze the indexations of FAGs for three years beginning in 2014-15 will unfortunately cost councils across Australia an estimated \$925 million by 2017-18.

ALGA and the state local government associations are seeking the support of Council for advocacy to have the Federal Government reverse the decision to freeze the indexation of FAGs

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## REPORT

### Description of Item:

By correspondence dated 1 July 2015, the Australian Local Government Association (ALGA) sought assistance in ensuring Council passes a resolution acknowledging the Commonwealth Financial Assistance Grants (FAGs) for local government, as part of a campaign to restore the indexation of FAGs and to address their adequacy. It is understood that similar correspondence has been sent to every Council in Australia.

FAGs funding is not currently keeping pace with demand for service and infrastructure in local communities, and the freeze of indexation will worsen this. Freezing FAGs at their current level until 2017-18 will result in a permanent reduction in the FAGs base by 13%.

ALGA is calling for FAGs indexation to be restored immediately and for the Federal Government to consider the adequacy of the quantum of FAGs and the indexation methodology in the future.

### Issues:

The reality is that the freezing of the indexation of FAGs effectively reduces the amount of general purpose revenue Council has available to enable the delivery of services to the community. Even when indexation has been allowed to occur, the reality is that the indexation of FAGs has not in the past kept up with the real term increases incurred on expenditure.

The impact of real term decreases in funding for services, the current freezing of indexation of FAGs and rate pegging of general purposes rates all adds up to an impact on Council's long term ability to maintain sustainable service delivery to the community.

At the time of writing the correspondence, about 25% of councils nationally had passed the resolution sought by ALGA.

### Options:

1. Support the request by ALGA and pass the resolution.
2. Do not support the request by ALGA and therefore not support the resolution.

### Sustainability Assessment:

- **Environment**

There are no environmental impacts associated with this report.

- **Social**

There are no environmental impacts associated with this report.

- **Civic Leadership**

Council's election of a Deputy Mayor is consistent with the 2030 plan strategy LC 3.1 *Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour and* MA 2.1 Ensure adequate maintenance and renewal of roads, footpaths and cycleways.

Council would be demonstrating support for its community and the local government sector by supporting ALGA in its endeavours.

- **Economic**

**Broader Economic Implications**

In the longer term any freezing of the indexation of FAGs will impact on the ability of Council to maintain sustainable service delivery. This may impact on the level of service provided to the community.

**Delivery Program/Operational Plan Implications**

Ultimately, it is estimated that the impact of the indexation freeze on FAGs in each year of the 3 year freeze for Coffs Harbour City Council is in the vicinity of \$170,000 per annum. This ultimately means that Council's revenue base is reduced by this amount and ultimately other sources of funding are required to be found to maintain services to the community.

**Risk Analysis:**

The risk associated with doing nothing on this matter is that the funding available to Council from traditional Federal sources continues to decrease. This in turn will challenge Council's sustainable service delivery.

**Consultation:**

Extensive consultation between ALGA, state local government associations, the Federal Government and all Australian local authorities occurred at the time the Federal Government announced the freezing of the indexation of FAGs.

**Related Policy, Precedents and / or Statutory Requirements:**

The provision of financial assistance to local government by the Federal Government is achieved by the Commonwealth Local Government (Financial Assistance) Act 1995. In NSW, the Local Government Grants Commission makes recommendations to the NSW Minister for Local Government on the allocation of general purpose grants to local governing bodies in NSW.

**Implementation Date / Priority:**

Not applicable.

**Conclusion:**

Given the financial impact on the Coffs Harbour community and communities across Australia, it would seem entirely appropriate for Coffs Harbour City Council to pass the resolution requested by ALGA.



**REPORT TO ORDINARY COUNCIL MEETING**

**PROPOSED REVOTES FOR YEAR ENDED 30 JUNE 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:** ATT Summary of Revotes by Directorate

**Recommendation:**

That Council adopts the revotes from 2014/2015 to 2015/2016 as detailed in Attachment 1 and summarised below.

Summary	Revote \$	Funding			
		Revenue \$	External \$	Environmental Levy \$	Restricted Equity \$
General Fund	14,548,396	2,147,306	3,797,648	89,093	8,514,349
Water Fund	4,145,261	20,503			4,124,758
Sewer Fund	4,801,418	10,511	121,000		4,669,907
<b>TOTAL</b>	<b>23,495,075</b>	<b>2,178,320</b>	<b>3,918,648</b>	<b>89,063</b>	<b>17,309,014</b>

**EXECUTIVE SUMMARY**

This report summarises the proposed unspent funds to be revoted from the 2014/15 Operational Plan budgets into the 2015/16 Operational Plan budgets. These revotes are necessary due to a variety of reasons including timing (project spans financial years), contractual obligations, commitments or monies held aside for specific purposes. Councils Executive, Group Leader team and section leaders have undergone a rigorous screening of all revotes to minimise their extent.

## REPORT

### Description of Item:

Although not a statutory requirement under any legislation it is normal practice for Councils to carry forward unspent money from one financial year to the next. The majority of the revotes requested in this report are tied to grants and contributions from external bodies, Developer Contributions (Section 94), reserve funds held for specific purposes, special rate variation funds as approved by IPART or Environmental Levy funds.

### Issues:

All revotes have been considered with Council's strategic plan in line with the Long Term Financial Plan. Council has been vigilant in ensuring its commitments are met in a timely manner and have reduced its revote burden from that approved in previous years:

13/14      \$51,149,864

12/13      \$45,521,953

11/12      \$62,123,114

### Options:

Council's options in relation to this report are to:

1. Adopt the recommendations provided to Council.
2. Amend the recommendations provided to Council and then adopt.
3. Reject the recommendation provided to Council. This would revert the Operational Plan budgets back to its original position prior to the recommendation being sought.

### Sustainability Assessment:

- **Environment**

Environmental impacts in relation to expenditure being revoted in this report would have been dealt with at the time the original funds were allocated.

- **Social**

The provision of basic infrastructure and community services is an essential requirement of maintaining community wellbeing.

- **Civic Leadership**

Council has provided sound civic leadership in striving for a surplus as budget in the 2014/15 Operational Plan. It will continue to endeavour to maintain similar forecasts in future years in line with the 2030 Community Strategic Plan.

- **Economic**

#### **Broader Economic Implications**

When dealing with increased community demands Council has to focus on the balance of providing services with the limited funds available. Council must also ensure that a healthy financial position is maintained to ensure ongoing viability of the organisation.

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

This report provides Council with an overview of the outcomes unable to be achieved this financial year but will be met in the subsequent year.

#### **Risk Analysis:**

Not applicable.

#### **Consultation:**

The Group Leader Team met to review the numerous requests for revotes which were put forward by each Directorate. Each request was assessed against the revote criteria as outlined in the Interim Budget Preparation and Review Procedure, namely:

- No revotes for operational funding will be considered unless the funds are under contract, an order has been raised or they are linked to sources of funding such as, grants, contributions, loans, etc or other significant reasons such as event planning and implementing and funding for venue operations covering reporting periods.
- Any Capital Revote must provide a justification and be assessed by the Executive and then by Council. This justification must demonstrate that the capital funds are required for a project that extends over financial years, that there are orders raised, the project is under contract, the funds directly relate to the expenditure of Section 94 or grant funding, or other significant matters.

Attachment 1 is a list of revotes which are for works that have not commenced or were incomplete at 30 June 2015 and assessed against the criteria and recommended for revote.

#### **Related Policy, Precedents and / or Statutory Requirements:**

As outlined the Director of Business Services has provided guidelines to staff regarding their responsibilities relating to effective and transparent budget review and assessment processes. This framework provides guidance in achieving the objective of a year-end balanced budget in the General Fund.

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

Management will continue to monitor the organisation's performance with a view to improving service delivery.

#### **Conclusion:**

This report summarises the proposed revotes from the 2014/15 Operational Plan budgets to the 2015/16 Operational Plan budgets.

## **Summary of Revotes by Directorate**

### **GENERAL FUND**

#### **Office of the General Manager**

##### **Financial Sustainability**

A revote of the following projects funded by the Special Rate Variation approved in June 2014 is required:

- Buildings Maintenance of \$84,121 – earmarked to upgrade the air conditioning at the Jetty memorial Theatre
- Road Pavement Renewals of \$29,354 – works at Jordan Esplanade, Coffs Harbour
- Buildings Renewal of \$32,335 – works on amenities at Lowanna Reserve and Bayldon community centre retaining wall

##### **Business Transformation**

A revote of unrealised savings of \$499,354 is required. These savings are forecast to be identified in 15/16 and this revote reflects that timing issue. It is expected that all savings projection will be met over the 3 year life of the program.

##### **Governance & Risk**

Revotes are necessary to meet costs related to:

- Insurance Rebate Risk Mitigation projects of \$33,245 – main project to be finalised is the Toormina Oval spectator safety, there has been a delay in receiving the lights from the supplier

##### **Community Facilities**

A revote of the following projects funded by the Community Facilities reserve is required:

- Community grants funding pool of \$77,000, for committed allocations to:
  - Englands Parks Tennis for refurbishment of amenities
  - Woolgoolga Netball for fencing and groundworks in conjunction with resurfacing works
  - Conservatorium of Music for construction of seating and performance space
  - Sawtell Toormina Sport Recreation Club for construction of an awning
  - Coffs Baseball association for netting relocation
- Public Amenities Upgrade of \$708,619 – partly grant funded and earmarked for works at:
  - Macauleys, pending finalisation of Diggers Beach master plan
  - Diggers Beach, in conjunction with regional park staff
- Woolgoolga netball courts upgrade of \$254,270, also partly grant and loan funded along with a contribution from the netball association.

##### **CBD Masterplan**

In June 2014 Council secured ministerial approval to extend its CBD special rate a further 9 years. The City Centre works program has been developed through the city centre masterplan as identified through the community consultation process. All revotes of \$1,226,667 are part of Councils ongoing commitment and development of these revitalisation works.



## Attachment

### **Jetty Foreshores Project**

In October 2013 Council adopted the Jetty4Shores Project Concept Plan which included an implementation plan and budgets. All revotes of \$1,187,046 are part of Councils ongoing commitment and development of these revitalisation works.

### **Business Services**

#### **Airport**

The only revote necessary is for capital infrastructure, being:

- RPT Apron Overlay & Resurfacing of \$261,620 – funds held over due to the opportunity to apply for funding through RTIF. If this funding application is unsuccessful these funds will be used for patching and upgrades to sustain the current aircraft traffic.

#### **Business Systems**

The following comments relate to these recommended revotes:

- Computer hardware and software of \$208,724 - additional tablets, hardware and software will be required for the effective implementation of the Enterprise Resource Planning (ERP) project.
- Mobile tablets of \$55,000 – tablets related to ERP project not yet procured
- Asset Management System of \$162,764 - project commenced and due to be completed June 2016.
- DataWorks Software Upgrade of \$40,229 – project commenced and due to be completed March 2016

#### **Financial Management**

This section is comprised of financial planning and support, plant management and program support

##### Financial Planning & Support

The only revote necessary is for Events Seed Funding of \$19,578 and is earmarked for several regional events in 2015/16. It has been funded by a special rate.

##### Plant

The only revote necessary relates to the plant fund contribution of \$11,511 towards the mechanical and electrical section office upgrade to house additional staff. See the infrastructure construction and maintenance section request further in report.

#### **Customer Services**

One revote requested of \$70,759 to complete the scanning of hard copy Development Application files.

### **Sustainable Communities**

#### **Local Planning**

Revotes for this program include:

- Residential Control Review of \$50,000 - Reported to council 28/5/15 as part of the Local Growth Management Strategy Part 2 (Resolution NO. 106). Expressions of interest have been called in accordance with councils procurement policy. Council is currently undertaking the consultant selection process, with a view to engaging the successful applicant by October
- Placemaking (Woolgoolga Master Plan Review) of \$65,000 - Ongoing consultant engagement not yet completed, with extensions to engagement currently being negotiated

## Attachment

- Bonville Rural Residential Studies of \$18,411 - Ongoing contract not yet completed. Some minor additional works have been required by NSW Department of Planning and Environment prior to exhibition of the planning proposal
- Local Growth Management Strategy of \$148,744 - Reported to Council 28/5/15 as part of the Local Growth Management Strategy Part 2 (Resolution NO. 106). Expressions of interest have been called in accordance with Procurement Policy. Council is currently undertaking consultant selection process, with view to engaging by October
- Local Environment Study of West Sapphire and West Korora of \$148,606 - reported to Council on 27 November 2014 RESOLUTION NO. 349. Contracts were finalised and signed in July 2015.
- Jetty Foreshores Precinct Planning Exercise of \$100,000 - reported to council on 24 October 2013 RESOLUTION NO. 267, Item 9 states: That a project plan for a Precinct Planning exercise (incorporating a community participation plan) for the wider Jetty and Foreshores area be brought back to Council in 2014, aimed at developing a long term community vision for future land uses and associated planning provisions in the locality.
- North Boambee Valley Release Area of \$30,000 - Most recently reported to Council 18 December 2014 RESOLUTION NO. 368. Draft planning proposal has been exhibited, and a number of outstanding matters have been raised which will require resolution prior to reporting the draft document back to council for finalisation.
- LEP Review (Coastal Hazards Planning Controls) of \$8,000 - Additional works required by consultants to review public submissions and present findings to councillors at a briefing session.
- The revotes of \$44,987 for Environmental Levy funded projects have been tabled in a separate report to Council
- The revotes of \$531,061 for all grant funded projects are in line with the conditions of each grant

### Development Assessment

The following comments relate to these revotes:

- Development Assessment tracking upgrade of \$2,535 – primarily grant funded project for software implementation;
- ePlanning of \$35,000 – Funds required to upgrade Icon Development Application software for track, lodge and plan (to version 9.2 )

### Compliance and Regulatory Enforcement

This section is comprised of environmental services, public health and safety and ranger services

#### Environmental Services

The only revote is for ongoing Coramba fuel remediation works of \$320,367 funded by an Office of Environment & Heritage grant

### Industry / Destination Development & Stadium / Major Events

This section is comprised of Coffs Coast tourism / marketing, economic development and the sports unit.

#### Coffs Coast Tourism & Marketing

The following items require revoting:

- Business Events Support of \$61,710 – this funding has been raised through the business community with a commitment from Council that it would contribute to the attraction of major events

## Attachment

- Events Marketing of \$180,000 - for existing contracted commitments
- Key Destinations Campaign of \$66,767 – to complete project co-funded by Destination NSW

### Community Programs

This section is comprised of sustainability, lifeguard services, library, cultural services and community services

#### Sustainability

Revotes requested are:

- Sustainability program of \$10,000 – to be used in conjunction with 2015/16 allocation to meet program objectives, including the Sustainable Living Festival
- The revotes of \$23,187 for Environmental Levy funded projects have been tabled in a separate report to Council

#### Lifeguard Services

Revotes requested are:

- Beach safety education expenses of \$2,446 - Need for beach education in multicultural sectors of Coffs LGA following near miss incident with young children in July 2015 at creek adjacent to Park Beach.
- S94 beach patrol storage facilities of \$56,277 – works in progress for Diggers Beach per masterplan

#### Library

Revotes for the library include:

- Library resources of \$18,439 - used for purchasing new material for the library's collections which are currently well below state standards
- Local priority projects of \$102,038 – committed work per grant approval, including library refurbishment, local studies development, public service desk upgrade, public entrance automatic turnstiles and improvement to public service points
- Radio Frequency Identification project of \$40,918 – committed work per grant approval under the Country Libraries state government program for implementation of bar code readers. This request includes council funds from staff and office surpluses to be used to cover additional and unexpected tagging staff costs subsequent to the grant funded program being implemented

#### Cultural Services

Revotes for the library include:

- ANZAC Centenary Local Grants Program of \$1,349 – project linked to approved grant
- Cultural Facilities Plan of \$40,000 - existing agency staff contract in place for cultural facility researcher as Stage 1 of the Cultural Facilities planning process.
- Jetty theatre improvements of \$2,964 - for community art exhibition space fittings, identified through the Bunker Cartoon Gallery handover process regarding loss of hanging space for community artists.

## Attachment

### Community Services

The majority of community services revotes are primarily funded by grants of \$9,281 from various state and federal bodies. The only revenue revote is:

- Multicultural Festival / Harmony of \$5,006 - planning for events 10th Anniversary

### **Sustainable Infrastructure**

#### **Asset Planning & Projects**

This section is comprised of property and facilities management, swimming pools, waste management and asset planning.

#### Property & Facilities Management

The requested revotes are:

- Valuation of Coffs Harbour commercial property of \$4,000 – funded by Open Space reserve
- Sawtell pool upgrade of \$44,000 – works are underway to repair drainage in the pool grounds and surrounding caravan park

#### Waste Management

In relation to this budget, all surpluses and deficits are reflected through the Waste Management Reserve. All revotes requested of \$305,044 are funded through either grants or the waste reserve. They are all in line with the waste strategy as adopted by Council.

#### **Infrastructure Construction and Maintenance**

This section is comprised of numerous asset construction and maintenance programs, including:

- City Infrastructure Support & Operational Administration  
The only revote request is to fund the mechanical and electrical section office upgrade of \$34,532 to house additional staff.
- Open Space  
\$1,169,123 of the revotes are funded by Section 94 reserves, the Environmental Levy or tied to grants and contributions made by external parties. The only fully revenue funded item for revote is:
  - External Business works of \$15,797 – prepaid income for contracted works yet to be completed
  - Botanic gardens co-ordinator of \$4,149 – this is Councils unspent co funding towards this position in conjunction with the friends group
  - Estuary plans of \$517 – to complete works tied to an acquitted grant project
- Regional Roads  
The majority of revotes totalling \$116,589 are unspent block grants for traffic facilities, Orara Way road rehabilitation, Eastern Dorrigo Way road renewal and culvert relining works across the LGA.
- Local Roads  
Regular programming meetings are held to ensure we meet our spend responsibilities in relation to grant funded projects and Councils minimum revenue component spend in relation to Roads to Recovery grant income.

## Attachment

Revotes of \$648,846 are related to either Section 94, contribution or grant funds. The only revenue funded revotes of \$57,731 is for sealed road reseals which will assist in enhancing and maintaining asset integrity.

- Bridges  
The only revote requested of \$50,090 is for major repairs on Kelletts bridge which is entirely funded by Council's special rate as approved by the Office of Local Government
- Footpaths and Cycleways  
Revotes requested are:
  - Cycleways design of \$10,086 which is 50% grant funded for Diggers Beach Road to Korora
  - Cycleways construction of \$531,539 which is partially funded by Environmental Levy along with some grant funding as well as a contribution from the RMS for handover works as part of the Sapphire to Woolgoolga highway upgrade. Works include West Coffs to CBD, Coral St at Red Rock and Lyons Rd in Sawtell, Bucca Rd, Hoys Rd and Headland Rd
  - Pedestrian Access Mobility works (PAMPS) of \$38,964 – to finalise pedestrian facilities at Arthur St and Park Beach Rd
  - Bus shelters construction of \$96,738 which is wholly grant funded
  - The completion of the Coffs transport interchange construction at Park Ave and Vernon St of \$508,546

### Parking

Revotes requested are:

- Castle St car park extension design of \$28,535 which is Section 94 funded
- Castle St car park improvements of 223,556 – to complete the project which is funded by loans
- Drainage  
Council has a program of flood mitigation works of almost \$14 million which includes funding from:
  - Natural Disaster Resilience Grants;
  - \$6m loan over 20 years of which repayments are funded from the stormwater levy;
  - A further \$6m loan over 10 years per Council resolution 11/3/10 of which repayments are funded by special rate variation;
  - The majority of these funds are currently held in reserve, however some allocations needs to be revoted, including works at Spagnolos Rd of \$588,884 and the contribution to the Harbour Drive / Gordon St intersection redevelopment of \$845,100

### Design & Technical Services

This section is comprised of design services, street lighting and contract/subdivision services.

#### Design Services

Majority of these revotes are tied to external grants, Environmental Levy and Section 94 funding, totalling \$2,978,979. The solely revenue funded revotes requested are:

## Attachment

- Stormwater and flood mitigation works unallocated funding of \$100,154 – available for matching grant funding as they are approved during the course of the year
- Coastal works unallocated funding of \$57,316 - available for matching grant funding as they are approved during the course of the year

### **WATER FUND**

#### **Management Expenses**

The only revote is for the water funds contribution of \$13,910 to the mechanical and electrical section office upgrade to house additional staff as discussed above.

#### **Maintenance and Operating**

The solitary requested revote of \$6,593 is required to meet outstanding invoices and committed works for operating expenses funded by a contribution.

#### **Capital Expenditure**

All revotes are funded through loan funds unexpended and committed Section 64 contributions. These funds are needed to complete works in progress including design, land matters and construction for capital infrastructure projects, including:

- Woolgoolga water distribution improvements of \$215,583
- Coramba water main \$60,000
- Karangie Dam to Red Hill tank duplication \$1,169,278
- Moonee to Emerald trunk main \$2,270,275

### **SEWER ACCOUNT**

#### **Management Expenses**

The only revote is for the water funds contribution of \$10,511 to the mechanical and electrical section office upgrade to house additional staff as discussed above.

#### **Capital Program**

Majority of these revotes are funded through loan funds unexpended and committed Section 64 contributions. These funds are needed to complete works in progress for capital infrastructure projects, including:

- Morgans Road farm subdivision works of \$74510
- Reclaimed water pipelines of \$1,548,245
- Sawtell sewer treatment plant demolition of \$1,000,000
- Corindi rising main of \$241,287
- Rising main upgrade in North Bonville of \$1,496,763

The only exception being the Sawtell Pump Station and Pipework renewal which is part funded 11.1% by a federal grant through the Country Town Water scheme.



**REPORT TO ORDINARY COUNCIL MEETING**

**DONATION AND RATES SUBSIDY PROGRAM 2015/2016**

**REPORTING OFFICER:** Accountant – Special Projects  
**DIRECTOR:** Director Business Services  
**COFFS HARBOUR 2030:** PL 2.2 Provide public spaces and facilities that are accessible and safe for all  
**ATTACHMENTS:** Nil

**Recommendation:**

**That the Donations and Rate Subsidy Program for 2015/2016 as detailed in the report, totaling \$138,627 be adopted.**

<b>Donations and Contributions</b>	
<b>Recipient</b>	<b>Amount(\$)</b>
Donations Unallocated (Mayor & GM)	11,850
Westpac Rescue Helicopter	500
Schools Annual Presentations	5,300
Relay for Life (Cancer Council)	2,500
North Coast Academy of Sport	5,500
Event Subsidies (Road Closures for Anzac Day Parades)	1,000
Southern Cross University Presentations	300
TAFE Presentations	300
Woolgoolga Volunteer Sea Rescue (Rates + Lease Fee)	1,100
D A Fees	4,000
Other Health Services – Life Education Van	6,500
Hope Bears Charity	250
TS Vendetta (Access Charge)	500
Reimbursement of Legal Fees for Lease Preparation	2,500
Variety Special Children’s Christmas Party	250
Special Need Support Group Inc. (Early Childhood Intervention)	460
Coffs Harbour Spring Garden Festival	1,000
Coffs Ladies Silks Day	600
Rotary Club Coffs Coast Cycle Challenge	2,000
Coffs Harbour Agricultural Show	5,000
New Year’s Eve Fireworks	3,000
Christmas Carols	5,000
<b>Total</b>	<b>59,410</b>
<b>Rates Subsidy – Sporting and Cultural Groups</b>	<b>Amount(\$)</b>
Advocate Park	13,393
Sawtell Toormina Sports & Recreation Club	11,954
Coffs Harbour Rugby Club	7,708
Coffs Harbour Hockey Fields	5,193



**REPORT TO ORDINARY COUNCIL MEETING**

Coffs Harbour Kart Racing Track	1,309
Coffs Harbour Motor Cycle Club	2,598
Coffs Harbour Pistol Club	671
Woolgoolga Art Group (first instalment)	927
Coffs Harbour & District Aero Club	2,560
Nana Glen Hall	2,051
Bonville Hall	1,668
Ayrshire Park	171
Upper Orara Hall	1,966
Upper Orara Recreational Ground	616
Eastern Dorrigo (Ulong) Hall & Showground	16
Coramba Community Centre	1,945
Lower Bucca Community Centre	616
Woolgoolga Neighbourhood Centre	3,494
Nana Glen Sportsground	632
Girl Guide Associate (Waste Service)	600
<b>Total</b>	<b>60,088</b>
<b>Rates Subsidy – Surf Life Saving Clubs</b>	<b>Amount(\$)</b>
Coffs Harbour Surf Club	6,395
Woolgoolga Surf Club	4,253
Red Rock Corindi Surf Club	1,492
Sawtell Surf Club	6,989
<b>Total</b>	<b>19,129</b>
<b>Total Rates Subsidy</b>	<b>79,217</b>
<b>Total Donations &amp; Rates Subsidy</b>	<b>138,627</b>

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**EXECUTIVE SUMMARY**

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Each financial year, Council is required under Section 356 of the Local Government Act to assess and approve applications submitted under the Donations Program.

Careful examination of each submission to this program ensures that funds are allocated in the most effective manner. This enables Council to be more accountable to the community in regard to the spending of Council funds and in being transparent about the level of financial support to community events and organisations.

Council's adopted 2015/2016 Operational Plan provides for \$60,000 in direct donations and sponsorships, and \$78,627 for rates subsidies. The actual rates subsidy component, now that the rates and charges are determined, is \$79,217 which leaves \$59,410 available for general donations.

It is recommended that the Donations and Rate Subsidy Program for 2015/2016 as detailed in the table, totaling \$138,627 be adopted.

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**REPORT**

**Description of Item:**

Section 356 of the Local Government Act requires Council to annually assess and approve applications submitted under the Donations Program.

The Donations by Council Policy prescribes a process of assessing submissions submitted to the Donations Program based on merit. This process ensures that Council is accountable and transparent about the level of financial support to community events and organisations.

Council has a long history of making donations to support community organisations, with many of the organisations receiving annual funding for a period of greater than 10 years. Other community groups have received funding on a more intermittent basis. Council has been willing to support these organisations to achieve their goals wherever possible and has committed limited funds in the budget for that purpose.

In September 2012, a review of the Donations Program was requested by the General Manager and Mayor with a view to re-assessing the aims, objectives and goals of the program. This review also coincided with a review of Council's Donations Policy, which was adopted in May 2013.

Council's adopted 2015/2016 Operational Plan provides for the following donations:

General Fund – Donations Program

Donations	\$ 60,000	
Rates subsidy – sporting and cultural groups	35,300	
Rates subsidy - Surf Clubs	14,000	
Other	<u>4,379</u>	<u>113,679</u>

Other Funds

Water (Rates)	7,751	
Sewerage (Rates)	<u>17,197</u>	<u>24,948</u>

**Total** **\$138,627**

The actual rates subsidy component, now that the rates and charges are determined, is \$79,217 which leaves \$59,410 available for general donations.

The following table lists the recipients of the 2015/2016 Donations Program. Total amount recommended to be contributed/donated under Section 356 of the Local Government Act 1993:

<b>Donations and Contributions</b>	
<b>Recipient</b>	<b>Amount(\$)</b>
Donations Unallocated (Mayor & GM)	11,850
Westpac Rescue Helicopter	500
Schools Annual Presentations	5,300
Relay for Life (Cancer Council)	2,500
North Coast Academy of Sport	5,500
Event Subsidies (Road Closures for Anzac Day Parades)	1,000
Southern Cross University Presentations	300

TAFE Presentations	300
Woolgoolga Volunteer Sea Rescue (Rates + Lease Fee)	1,100
D A Fees	4,000
Other Health Services – Life Education Van	6,500
Hope Bears Charity	250
TS Vendetta (Access Charge)	500
Reimbursement of Legal Fees for Lease Preparation	2,500
Variety Special Children’s Christmas Party	250
Special Need Support Group Inc. (Early Childhood Intervention)	460
Coffs Harbour Spring Garden Festival	1,000
Coffs Ladies Silks Day	600
Rotary Club Coffs Coast Cycle Challenge	2,000
Coffs Harbour Agricultural Show	5,000
New Year’s Eve Fireworks	3,000
Christmas Carols	5,000
<b>Total</b>	<b>59,410</b>
<b>Rates Subsidy – Sporting and Cultural Groups</b>	<b>Amount(\$)</b>
Advocate Park	13,393
Sawtell Toormina Sports & Recreation Club	11,954
Coffs Harbour Rugby Club	7,708
Coffs Harbour Hockey Fields	5,193
Coffs Harbour Kart Racing Track	1,309
Coffs Harbour Motor Cycle Club	2,598
Coffs Harbour Pistol Club	671
Woolgoolga Art Group (first instalment)	927
Coffs Harbour & District Aero Club	2,560
Nana Glen Hall	2,051
Bonville Hall	1,668
Ayrshire Park	171
Upper Orara Hall	1,966
Upper Orara Recreational Ground	616
Eastern Dorrigo (Ulong) Hall & Showground	16
Coramba Community Centre	1,945
Lower Bucca Community Centre	616
Woolgoolga Neighbourhood Centre	3,494
Nana Glen Sportsground	632
Girl Guide Associate (Waste Service)	600
<b>Total</b>	<b>60,088</b>
<b>Rates Subsidy – Surf Life Saving Clubs</b>	<b>Amount(\$)</b>
Coffs Harbour Surf Club	6,395
Woolgoolga Surf Club	4,253
Red Rock Corindi Surf Club	1,492
Sawtell Surf Club	6,989
<b>Total</b>	<b>19,129</b>
<b>Total Rates Subsidy</b>	<b>79,217</b>
<b>Total Donations &amp; Rates Subsidy</b>	<b>138,627</b>

**Issues:**

Since 2011, applicants currently receiving funding under the Donations Program have been required to submit an application form requesting details of the organisations funding arrangements and how the donation is to be spent. The application form enables an examination of the proposed use of the donation and any alternative funding sources available to the organisation.

The Donations Program was advertised locally on 22 and 29 July 2015; with a closing date of 28 August 2015.

The current Donations by Council Policy excludes special funds for “significant achievements which relates to ambassadorial roles in the community”, and as such, given the large number of sporting and cultural organisations in the local government area; Council does not support fundraising efforts for which there may be alternative sources of community support available.

Due to the large number of requests received; letters for financial support from charities and ‘special days’ are referred to the Coffs Harbour City Council Social Club for consideration. The exception to this rule has been events such as the Relay for Life, or events conducted by service organisations that raise monies for charities specific to the local government area.

With regard to specific requests for funding, particularly capital funding, Council has historically not fully funded any application.

**Options:**

There are several options that may be considered by Council including:

1. Adopt the recommendation provided to Council. This option provides for the optimal distribution of donations and sponsorships based on the submissions received by Council.
2. Amend the recommendation provided to Council and then adopt. As a budget is established in the Operational Plan for this Program, amendment of the recommended list of donations may impact on the donations available to other community organisations.
3. Reject the recommendation provided to Council. Selection of this option requires that Council cannot distribute donations and sponsorships to the community. As a consequence, all sporting and cultural groups for whom Council pays the rates as a donation would be required to do so from their organisation’s funds.

**Sustainability Assessment:**

• **Environment**

There are no perceived environmental impacts.

• **Social**

Although the Donations Program is relatively small, the individual contributions assist in maintaining the viability of a number of community organisations and assist others with providing specific community events.

- **Civic Leadership**

The Donations and Rates Subsidy Program enables Council to identify and respond to community aspirations and to ensure that Council has an equitable and transparent process to respond to requests for donations.

This is consistent with the *Coffs Harbour 2030 Community Strategic Plan strategy LC1.3: We live in a safe, caring and inclusive community.*

- **Economic**

**Broader Economic Implications**

The donation funds made available by Council (being \$60,000 in 2015/2016) are, in many cases added to by community organisations to carry out their activities. This has a positive economic impact in the community.

**Delivery Program/Operational Plan Implications**

The total cost of \$113,679 (General Fund) and \$24,948 (Water and Sewerage Funds) is provided for in Council's budget.

**Risk Analysis:**

There are no perceived risks from this program.

**Consultation:**

The Donations Committee has considered the submissions and supports the recommended program for 2015/2016.

**Related Policy, Precedents and / or Statutory Requirements:**

Donations by Council Policy adopted May 2013.

Section 356 of the Local Government Act 1993 states that:

- (1) *A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) *A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) *However, public notice is not required if:*
  - (a) *the financial assistance is part of a specific program, and*
  - (b) *the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) *the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - (d) *the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*

**Implementation Date / Priority:**

Donations will generally be forwarded to recipients following approval by Council. Some will be held until the appropriate time to forward. In the case of Temporary Road Closures (\$1,000), Life Education Van (\$6,500) and DA Fees (\$4,000) which are Council programs, costs will be allocated as they occur.

**Conclusion:**

Whilst, this report satisfies a legislative requirement, the Donations Program ensures that Council has a consistent, equitable and transparent process to respond to requests for donations. All applications received which meet the policy requirements, are given equitable consideration for donation funding.

Consideration by the Donations Committee ensures that the money allocated is done so in the most effective manner. This enables Council to be accountable to the community in regard to the spending of Council funds and in being transparent about the level of financial support to community events and organisations.

It is recommended that the Donations and Rate Subsidy Program for 2015/2016 as detailed in this report, totaling \$138,627 be adopted.



## REPORT TO ORDINARY COUNCIL MEETING

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### JRPP – ASSESSMENT REPORT FOR DEVELOPMENT APPLICATION NO.1031/14 – LOT 198 DP 1191172, LOT 98 DP 1191172, 1452 SOLITARY ISLANDS WAY, SANDY BEACH

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**REPORTING OFFICER:** Development Assessment Planner  
**DIRECTOR:** Director, Sustainable Communities  
**COFFS HARBOUR 2030:** LP3.2 Develop the city centre as a social and cultural focus for Coffs Harbour  
PL1.5 Encourage innovative development that embrace our climate and local environment  
LE 3.1 Manage land use to conserve the region’s unique environmental and biodiversity values  
**ATTACHMENTS:** ATT JRPP Development Assessment Report

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#### Recommendation:

**That the content of this report be noted.**

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#### EXECUTIVE SUMMARY

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To advise that a development assessment report, prepared by Council, for Development Application 1031/14 has been lodged with the Joint Regional Planning Panel (Northern Region).

As the proposal involves a 123 lot residential subdivision on land partly mapped as a ‘sensitive coastal location’, the application is required to be determined by the Joint Regional Planning Panel (Northern Region) and not Council, in accordance with the provisions of *State Environmental Planning Policy (State and Regional Development) 2011*.

A copy of the development assessment report that has been provided to the Panel is appended to this report. It is recommended that the content of this report be noted.

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## REPORT

### Description of Item:

The purpose of this report is to advise that Development Application 1031/14 for subdivision (123 residential lots, roads and dedication of public reserves) is scheduled for consideration by the Joint Regional Planning Panel (Northern Region).

The Joint Regional Planning Panel has advised that the application would be appropriate for an electronic meeting, as the application when advertised and notified did not receive any submissions and Council intends to recommend approval for the application, as submitted. In this regard, Council staff have requested that the application be considered following Council's meeting of the 24 September 2015 to allow Councillors to provide a submission to the Panel should they wish to do so. The Panel has advised that the application will be considered after the 28 September.

### Issues:

- **Proposed Development**

The proposed development involves a 123 lot residential subdivision, roads and the dedication of two public reserves.

The development proposes three stages, being stages as follows:

Stage 3	51 lots (lots 301 - 351 and public reserve lots 299 and 300)
Stage 4	39 lots (lots 401 – 439)
Stage 5	33 lots (lots 501 – 533)

The proposed residential lots range in size from 431m<sup>2</sup> to 1345m<sup>2</sup>, while the two reserve lots to be dedicated to Council are 4905m<sup>2</sup> and 22.16 hectares in size.

Stages 1 and 2, which have already been developed, were approved under two previous development consents (Development Consent No.1349/07 and Development Consent No. 0093/08).

In this regard, Development Consent No. 1349/07 approved Stage 1, being a 24 residential lot subdivision plus residue and also provided a concept for the remaining stages. Development Consent No. 0093/08, submitted as a subsequent development application, approved Stage 2, being an 18 lot residential subdivision and residue.

The proposed development is considered to be consistent with the concept endorsed as part of Development Consent No. 1349/07.

It is proposed that all access be gained via two access points off Solitary Island Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development. To allow the proposed development to occur, the existing southern access will be required to be upgraded prior to the release of any lots as part of Stage 3.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent No. 0128/15).

- **Joint Regional Planning Panel Determination**

Clauses 20 and 21 of *State Environmental Planning Policy (State and Regional Development) 2011* specify that Council consent functions are to be exercised by regional panels for developments of a class or description included in Schedule 4A of the *Environmental Planning and Assessment Act 1979*.

Schedule 4A 9(b)(ii) 'Coastal Subdivisions' includes subdivisions of land for residential purposes into more than 100 lots where the land is located wholly or partly within a 'sensitive coastal location'.

As the proposal involves a 123 lot residential subdivision on land partly mapped as a 'sensitive coastal location', the application is required to be determined by the Joint Regional Planning Panel (Northern Region) and not Council.

- **Process for Development Applications Determined by the Joint Regional Planning Panel**

Development applications which are determined by the Joint Regional Planning Panel are lodged with Council in the normal manner. Staff assess these applications following the normal processes, as required by the Environmental Planning and Assessment Act and Regulations.

Staff then provide a development assessment report, with recommendations, to the Panel for determination.

- **Assessment Report**

The Assessment Report is provided to the Panel Secretariat. The report is placed on Council's website (via a link) and the Regional Panel website prior to the Regional Panel meeting. A copy of the Assessment Report is appended to this report.

**Options:**

- **The Role of Councillors**

A number of operational procedures and fact sheets have been developed by the Joint Regional Planning Panel. The following information is relevant to Councillors role in applications determined by the Panel.

*"The elected council has no role in approving, authorising or endorsing the assessment report."*

*"The elected Council has the opportunity to provide a submission to the Regional Panel on matters being determined in its area. Councillors (except any councillors that have been appointed to the Regional Panel) as members of the council, can determine to provide a submission to the Regional Panel about the matter to be determined. The Council is able to be represented at the Regional Panel meeting to address the meeting about its submission."*

**Sustainability Assessment:**

- **Environment**

The purpose of this report is to advise that Development Application 1031/14 is scheduled for consideration by the Joint Regional Planning Panel. Matters relating to environmental impact associated with the proposed development are addressed in the development assessment report appended to this item.



- **Social**

The purpose of this report is to advise that Development Application 1031/14 is scheduled for consideration by the Joint Regional Planning Panel. Matters relating to social impacts associated with the proposed development are addressed in the development assessment report appended to this item.

- **Civic Leadership**

Council staff have undertaken their role in assessment of this application.

- **Economic**

**Broader Economic Implications**

There are no economic implications that will result from Council's consideration of this matter and adoption of the recommendation.

**Delivery Program/Operational Plan Implications**

There are no implications for Council's Delivery Program or adopted Operational Plan.

**Risk Analysis:**

Risk analysis matters have been considered. The recommendation is that Council note the content of this report and adoption of this recommendation will not result in any significant risk to Council.

**Consultation:**

The application was advertised and notified in accordance with the provisions of Council's Notification Development Control Plan 2000 between 26 June 2015 and 8 July 2015. No submissions were received.

The application was referred to the NSW Rural Fire Service (RFS) for review and comment as 'integrated development' and to the NSW Office of Environment & Heritage (OEH) for advice in relation to Aboriginal cultural heritage matters. The NSW RFS has issued a conditional Bushfire Safety Authority and the NSW OEH has provided advice to Council regarding the need for an Aboriginal Heritage Impact Permit (AHIP). The General Terms of Approval from the RFS and the recommendations from OEH have been incorporated into recommended conditions of consent.

**Related Policy, Precedents and / or Statutory Requirements:**

The process for assessment of development applications is a statutory process defined by the *Environmental Planning and Assessment Act 1979*. This includes the statutory provisions which determine that the application will be determined by the Joint Regional Planning Panel. A number of operational procedures that have been developed by the Joint Regional Planning Panel, specify procedural matters for the Panel and its decisions.

The statutory considerations with respect to assessment of the development application have been addressed in the development assessment report that is appended to this item.

**Implementation Date / Priority:**

As mentioned above, the Joint Regional Planning Panel has advised that Development Application 1031/14 is appropriate for consideration and determination via an electronic

meeting. The development assessment report appended to this report has been provided to the Panel and the Panel has advised that the application will be considered after 28 September 2015.

**Conclusion:**

This report provides some detail of Development Application 1031/14 and the process of consideration of application by the Joint Regional Planning Panel. It is appropriate that Council note that Development Application 1031/14 will be considered by the Joint Regional Planning Panel via an electronic meeting after 28 September 2015.

**JOINT REGIONAL PLANNING PANEL REPORT**

**DEVELOPMENT ASSESSMENT REPORT  
DEVELOPMENT APPLICATION NO. 1031/14**

**Subdivision (123 residential lots, roads and dedication of public reserves)**

**1452 Solitary Islands Way (Lot 198, DP 1191172 and Lot 98, DP 1165173), Sandy Beach**

**PURPOSE:**

This report provides an assessment of Development Application 1031/14 for a residential subdivision (123 lots, roads and dedication of public reserves).

Approval of the application, subject to conditions, is recommended.

**THE PROPOSAL**

The proposed development involves a 123 lot residential subdivision, roads and the dedication of two public reserves.

The development proposes three stages, being stages as follows:

- Stage 3        51 lots (lots 301 - 351 and public reserve lots 299 and 300)
- Stage 4        39 lots (lots 401 – 439)
- Stage 5        33 lots (lots 501 – 533)

The proposed residential lots range in size from 431m<sup>2</sup> to 1345m<sup>2</sup>, while the two reserve lots to be dedicated to Council are 4905m<sup>2</sup> and 22.16 hectares in size.

Stages 1 and 2, which have already been developed, were approved under two previous development consents (Development Consent no.1349/07 and Development Consent no.0093/08). In this regard, Development Consent no.1349/07 approved Stage 1, being a 24 residential lot subdivision plus residue and also provided a concept for the remaining stages. Development Consent no.0093/08, submitted as a subsequent development application, approved Stage 2, being an 18 lot residential subdivision and residue.

The proposed development is considered to be consistent with the concept endorsed as part of Development Consent 1349/07.

It is proposed that all access be gained via two access points off Solitary Island Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development. To allow the proposed development to occur the existing southern access will be required to be upgraded prior to the release of any lots as part of Stage 3.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection site will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent no.0128/15).

**THE SITE:**

The development site consists of two lots, comprising approximately 32.14 hectares. The property is surrounded by the Pacific Highway to the east, Sandy Beach village to the south and Solitary Islands Way to the west. The site is located approximately 12km north of Coffs harbor and 1.5km south of Woolgoolga.

At its meeting on the 13 December 2012 Council resolved to defer certain lands from the Coffs Harbour Local Environmental Plan 2013. The subject land is part of this deferred area.

The development site is zoned a combination of 2E Tourist Residential, 7B Scenic Buffer and 7A Environmental Protection Habitat and Catchment under the Coffs Harbour Local Environmental Plan 2000.



## **CONSULTATION:**

### **Statutory Advertising and Notification**

The application was advertised and notified in accordance with the provisions of Council's Notification Development Control Plan 2000 between 26 June 2015 and 8 July 2015.

No submissions were received.

### **State Government Referrals**

The application was referred to the NSW Rural Fire Service (RFS) for review and comment as 'integrated development' and to the NSW Office of Environment & Heritage (OEH) for advice in relation to Aboriginal cultural heritage matters. The NSW RFS has issued a conditional Bushfire Safety Authority and the NSW OEH has provided advice to Council regarding the need for an Aboriginal Heritage Impact Permit. The General Terms of Approval from the RFS and the recommendations from OEH have been incorporated into recommended conditions of consent.

### **Council Departments**

Council internal departments have provided comment on the development proposal and their recommended conditions/actions have been incorporated into the evaluation process. No comments were provided that prevent approval of the application.

### **Further Consultation**

No further consultation was undertaken.

## **STATUTORY MATTERS:**

The following Environmental Planning Instruments are relevant to assessment of this application.

- State Environmental Planning Policy No 55 - Remediation of Land
- State Environmental Planning Policy No 71 - Coastal Development
- State Environmental Planning Policy (State & Regional Development) 2011
- Coffs Harbour Local Environmental Plan 2000
- Draft Coffs Harbour Local Environmental Plan 2013

Coffs Harbour Development Control Plan 2000 is also relevant to assessment of this application.

The application is identified as "regional development" under State Environmental Planning Policy (State and Regional Development) 2011 and as a consequence the application is to be determined by the Joint Regional Planning Panel (Northern Region).

Section 79C of the Environmental Planning & Assessment Act 1979 specifies the matters which a consent authority must consider when determining a development application. The consideration of matters is limited in so far as they must be of relevance to the particular application being examined. All of the planning instruments and development control plans specified above are considered in detail in the Section 79C Evaluation provided Appended to this report.

**ISSUES:****Flora and Fauna**

A flora assessment and a fauna assessment have been submitted with the application. These assessments are revisions of assessments completed as part of the original staged development application.

The original flora assessment identified the presence of seven vegetation communities. No threatened flora species were identified on the site. Three of these vegetation communities, located in the north-eastern section of the site, are likely to constitute Endangered Ecological Communities (Subtropical Coastal Floodplain Forest and Swamp Sclerophyll Forest). The identified vegetation communities occupy approximately 19.4 hectares, of which 15.6 hectares are to be dedicated to Council as public reserve.

The proposed subdivision will involve the removal of 9.2 hectares of vegetation, 2.9 hectares of this being exotic vegetation, with 24 hectares of vegetation retained. The retained vegetation is proposed to be accommodated within two public reserves to be dedicated to Council.

It is considered that the proposal will not have a significant impact on any threatened species, populations or endangered communities, or their habitats, given the highly modified condition of the vegetation to be removed and the fact that the majority of vegetation remaining on the site is proposed to be dedicated to Council.

The proposed development is not expected to have any significant impacts to the biodiversity values of the land.

**Aboriginal Cultural Heritage**

A revised Salvage Management Plan was submitted as part of the current application. This revised Plan follows a cultural heritage assessment that was prepared as part of the original staged development application and a subsequent Salvage Management Plan. The original assessment and subsequent salvage management plans assess the impact of both the first two stages and the remaining stages considered under this application to Aboriginal cultural heritage values.

The original archaeological assessment located three sites consisting of two artefact scatters and an isolated artefact. All three sites occur within the development footprint. In 2010 the NSW Office of Environment & Heritage issued an Aboriginal Heritage Impact Permit (AHIP) under the *National Parks and Wildlife Act 1974* for the collection and relocation of these artefacts. The artefacts were subsequently collected and handed over to the Coffs Harbour and District Local Aboriginal Land Council. The Land Council has since requested that the items be relocated back to the site, in proximity to their original location.

As part of the assessment process the NSW Office of Environment & Heritage has advised that this Permit has now expired and that the developer would be required to seek a new Permit to enable the management strategies to be utilised in the remaining stages of the development, subject to this application (including the relocation of the already collected items). Further, the assessment reports completed for the site indicate that there is a likelihood of additional items, not subject to the original Permit, being found on the site.

Given that the application was not nominated as 'integrated development' for the purposes of the *National Parks & Wildlife Act 1974*, a recommended advisory note has been imposed on the development consent advising the applicant that they will require an AHIP for the development.

## Attachment 1

The proposed development is not expected to result in any significant adverse impacts to Aboriginal cultural heritage values, subject to the applicant obtaining any necessary permits under the *National Parks & Wildlife Act 1974*.

### Noise

Given that the development site is within close proximity to the Pacific highway the application was accompanied by an acoustic assessment. The assessment concludes that acoustic treatment will need to be incorporated into the design of future dwellings to ensure that road traffic noise will be within acceptable internal levels.

To ensure that future dwellings meet the requirements outlined in the Environmental Criteria for Road Traffic Noise and AS 2107-2000 a recommended condition of consent requires that a 'restriction as to user' be created for all lots, which requires that future residential development utilise Category 1 building materials in accordance with Appendix E of the '*Development Near Rail Corridors and Busy Roads – Interim Guideline 2008*', prepared by the Department of Planning.

### Traffic

It is proposed that access to the development be gained via two access points off Solitary Islands Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development.

The proposed development will generate the need for the existing southern intersection to be upgraded. This upgrading work will be required as part of Stage 3 works. Once this intersection upgrade is completed the intersection will have the appropriate capacity to cater for the whole development.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent no.0128/15).

The proposed internal roads all provide for appropriate links to the adjoining approved subdivision and to the existing stages 1 and 2 of the development. The road design provides for the functional and efficient movement of vehicles and pedestrians.

The proposed development is not expected to result in any significant adverse impacts.

### SUMMARY:

The proposal represents a significant residential development in the Sandy Beach locality.

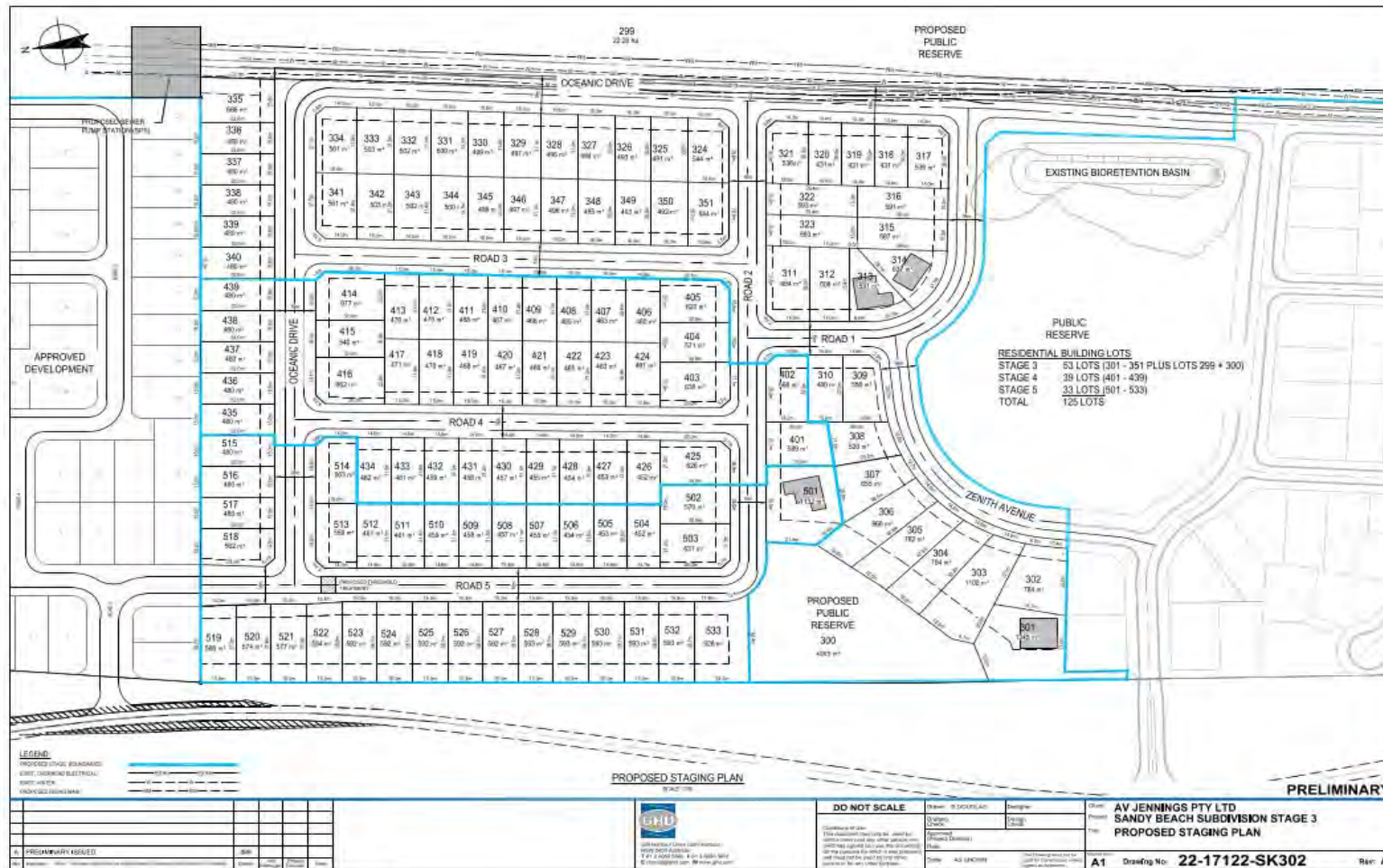
The proposed development is consistent with current planning controls that apply to the site. The main issues for the development are flora and fauna, traffic, noise and Aboriginal cultural heritage values. The application is considered suitable for approval subject to conditions.

### RECOMMENDATION:

- 1. That Development Application No. 1031/14 for Subdivision (123 residential lots, roads and dedication of reserves) be approved, subject to conditions as appended to this report.**



Plans of Proposed Development





**Section 79C Evaluation  
Development Application 1031/14**

a. the provisions of,

i. any environmental planning instrument, and

- **State Environmental Planning Policy No 55—Remediation of Land**

The policy specifies that the consent authority must not consent to the carrying out of any development unless it has considered whether the land on which the development is proposed is contaminated and/or is required to be remediated for its intended use.

A small part of the land located in the western section of the site, where the original dwelling was located, is mapped as former banana lands. A Preliminary Soil Assessment was submitted with the application, which assessed the potential for contamination in this area. The assessment concluded that the land is not contaminated to a degree that would require remediation in accordance with the Plan.

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

The subject land is located within the 'coastal zone' and part of the site is also mapped as a 'sensitive coastal location'.

The proposed development is considered to be consistent with the aims of the policy and satisfies the relevant matters for consideration and development control provisions. Clauses of particular relevance are discussed further below:

**Clause 18 – Master Plan Required Before Certain Consents Can be Granted**

Clause 18 requires that Council not grant consent to a residential subdivision where the subject land, or part thereof, is located within a 'sensitive coastal location' unless the minister has adopted a master plan for the land or has waived the requirement for such a Plan.

The applicant has submitted evidence with the application that the Minister has waived the requirement for the preparation of a master plan.

**Clause 7 – Application of Clause 8 Matters**

Clause 7 requires that the consent authority 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 proposal is considered to meet the aims of the Policy.
- The proposal will not impede or diminish public access to and along the coastal foreshore.
- The development is considered suitable given its type, location and design and its relationship with the surrounding area.
- Matters pertaining to aboriginal cultural heritage have been appropriately considered as part of the assessment of the application.

- There are no matters pertaining to items of heritage, archaeological or historic significance of relevance for assessment of the application.
- The proposed development will not adversely impact upon the scenic quality of the surrounding locality.
- The development is unaffected by issues of coastal hazards.
- The proposal will not result in significant impacts to flora and fauna present on the site.

**Clause 16 – Stormwater**

Clause 16 specifies that the consent authority must not grant consent to development where stormwater will, or is likely to, be discharged untreated into the sea, a beach, an estuary, a coastal lake, a coastal creek or other similar body of water.

Stormwater will be directed to Council's reticulated stormwater system and the development is required to accord with Council's WSUD (Water Sensitive Urban Design) Policy. A recommended condition of consent requires the submission and approval of detailed design information for the management of stormwater on the site.

- **State Environmental Planning Policy (State & Regional Development) 2011**

Clause 20 and 21 of this policy state that Council consent functions are to be exercised by regional panels for developments of a class or description included in Schedule 4A of the *Environmental Planning and Assessment Act*.

Schedule 4A 9(b)(ii) 'Coastal Subdivisions' includes subdivisions of land for residential purposes into more than 100 lots where the land is located wholly or partly within a 'sensitive coastal location'.

As the proposal involves a 123 lot residential subdivision on land partly mapped as a 'sensitive coastal location' the application is required to be determined by the Joint Regional Planning Panel (Northern Region) and not Council.

- **Coffs Harbour Local Environmental Plan 2000**

The proposed development is defined as 'subdivision of land'.

**Part 2 - Zoning Controls**

The subject land is zoned 2E Tourist Zone, 7B Scenic Buffer Zone and 7A Environmental Protection Habitat and Catchment Zone and the 'subdivision of land' is identified as permitted with consent in each zone.

**Clause 12 – Koala Habitat**

Parts of the subject land are mapped as secondary and tertiary koala habitat. These areas are contained to the northern, southern and eastern sections of the site. The majority of this habitat is incorporated in two reserve areas, which will be dedicated to Council.

Although the revised assessment considers that there is no core koala population existing on the site, there are local records of their occasional presence. The submitted assessment suggest that the proposal would not involve the removal of any habitat mapped under Council's Koala Plan of Management, however, Council's assessment has determined that some secondary habitat adjoining proposed Lot 300 (one of the reserve lots) and some adjoining the existing reserve area would need to be removed to create lots, roads and associated infrastructure.

The subdivision is considered unlikely to adversely affect koala habitat populations and it is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site.

This is subject to dedication of the large areas of land for public reserves and any secondary koala habitat proposed to be removed being replaced at a ratio of 1:1.

**Clause 14 – Services**

All necessary services are available to the land.

**Clause 23 – Environmental Hazards**

The subject land is mapped as potential acid sulfate soils classes 3, 4 and 5. A preliminary acid sulfate soil assessment was submitted with the application. The assessment did not find any acid sulfate soils within the proposed development site. An acid sulfate soil management plan is, therefore, not required.

**Clause 23A – Flood Prone Land**

Clause 23A specifies that a number of matters relating to flooding must be considered before consent can be granted.

Part of the subject site is mapped as flood prone land, with the extent of this being limited to the northern portion of the site adjacent to Double Crossing Creek. This part of the development site will not be used for residential development and forms part of a proposed public reserve to be dedicated to Council.

The development satisfies the provisions of the Clause.

**ii. The provisions of any draft environmental planning instrument**

- **DRAFT Coffs Harbour Local Environmental Plan 2013**

At its meeting on the 13 December 2012 Council resolved to defer certain lands from the Coffs Harbour Local Environmental Plan 2013. The subject land is part of this deferred area.

**Part 2 – Permitted or Prohibited Development**

The subject land is zoned R2 Low Density Residential, E2 Environmental Conservation and RE1 Public Recreation. The proposed development is permitted with consent pursuant to Clause 2.6 – Subdivision Requirements.

**Clause 2.6 - Subdivision Requirements**

Clause 2.6 specifies that land to which the Plan applies can be subdivided with development consent.

**Clause 4.1 - Minimum subdivision lot size**

The minimum lot size, as shown on the Minimum Lot Size Map, is 400m<sup>2</sup> and 40 hectares. All of the proposed residential lots meet the 400m<sup>2</sup> minimum lot size requirement. The area of land shown as a 40 hectare minimum is proposed to be dedicated to Council as public reserve.

**Clause 5.5 - Development within the coastal zone**

The matters under this clause have been addressed above under State Environmental Planning Policy 71 – Coastal Development.

**Clause 7.1 - Acid sulfate soils**

The subject land is mapped as potential acid sulfate soils classes 3, 4 and 5. A preliminary acid sulfate soil assessment was submitted with the application. The assessment did not find any acid sulfate soils within the proposed development site. An acid sulfate soil management plan is, therefore, not required.

**Clause 7.2 - Earthworks**

Clause 7.2 specifies a number of matters that must be considered for development proposals that involve earthworks. The proposed development will involve some cut and fill to address the potentially high watertable in places. The proposed earthworks are considered to be consistent with the requirements of the Clause.

**Clause 7.3 – Flood planning**

Clause 7.3 specifies that a number of matters relating to flooding must be considered before consent can be granted.

Part of the subject site is mapped as flood prone land, with the extent of this being limited to the northern portion of the site adjacent to Double Crossing Creek. This part of the development site will not be used for residential development and forms part of a proposed public reserve to be dedicated to Council.

The development satisfies the provisions of the Clause.

**Clause 7.8 – Koala Habitat**

Parts of the subject land are mapped as secondary and tertiary koala habitat. These areas are contained to the northern, southern and eastern sections of the site. The majority of this habitat is incorporated in two reserve areas, which will be dedicated to Council.

Although the revised assessment considers that there is no core koala population existing on the site, there are local records of their occasional presence. The submitted assessment suggest that the proposal would not involve the removal of any habitat mapped under Council's Koala Plan of Management, however, Council's assessment has determined that some secondary habitat adjoining proposed Lot 300 (one of the reserve lots) and some adjoining the existing reserve area would need to be removed to create lots, roads and associated infrastructure.

The subdivision is considered unlikely to adversely affect koala habitat populations and it is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site.

This is subject to dedication of the large areas of land for public reserves and any secondary koala habitat proposed to be removed being replaced at a ratio of 1:1.

**Clause 7.11 - Essential services**

All services that are essential for the development are available and adequate as required by this provision.

**iii. any Development Control Plan (DCP)**

- **Coffs Harbour Development Control Plans 2000**

***Notification Development Control Plan***

The proposed development has been advertised and notified in accordance with the requirements of this component for a period of 14 days and no submissions were received.

***Subdivision Development Control Plan***

The proposed development is consistent with the relevant provisions of the Plan.

- *Subdivision and Road Design*

The proposed subdivision recognises the environmental constraints of the land. In this regard a large part of the land parcel, which is zoned 7A Environmental Protection will be dedicated to Council as public reserve.

The proposed road layout provides for appropriate links to the adjoining approved subdivision and to the existing stages 1 and 2 of the development. The road design provides for the functional and efficient movement of vehicles and pedestrians.

- *Energy Efficiency – Lot Orientation*

The majority of the proposed internal road lengths run in a north south direction. It is considered that the proposed lots can easily accommodate future residential development that could achieve appropriate energy efficiency.

- *Density (Minimum Lot Size)*

All proposed lots have a minimum frontage of 4 metres to a public road.

- *Residential 2B, 2C, 2D, 2E*

The proposed residential lots range in size from 431m<sup>2</sup> to 1345m<sup>2</sup>. Having regard to the residential housing provisions contained within the Hearnese Lake / Sandy Beach Development Control Plan, it is considered that the proposed lots are of an appropriate size to accommodate future residential development.

- *Services*

The proposed development can be adequately serviced with necessary services.

- *Sediment and Erosion Control*

Details of proposed sediment and erosion measures have been provided with the application. Recommended conditions ensure that appropriate sediment and erosion measures are maintained at appropriate points during the development.

- *Street Tree Masterplan*

A recommended condition requires the submission of a detailed landscape plan, which would detail street tree plantings.

- *Developer Contributions*

Relevant contributions for the development are detailed in the recommended conditions.

### ***Hearnes Lake / Sandy Beach Development Control Plan***

The relevant provisions of the DCP are discussed below:

- *Density*

The subject land is located within the western precinct and the DCP shows a target density of 141 lots across the whole parent land parcel.

The proposed development with 123 lots, plus the lots already created as part of the two previous stages will bring the density to 165 residential lots. Whilst this represents more lots than originally envisaged, it is considered that the lot layout responds appropriately to the site attributes and constraints. The proposed variation to the target density is considered to be appropriate in the circumstances.

- *Housing Mix*

It is considered that the proposed lots will allow for the appropriate siting of future dwellings and ancillary structures.

- *Urban Design*

The proposed subdivision layout provides for a legible and efficient layout, providing for appropriate links to adjacent proposed public reserves. A recommended condition of consent requires the submission of a detailed landscape plan.

- *Timing of Development*

Recommended conditions of consent will ensure that the development does not proceed until necessary infrastructure is in place.

- *Water Quality*

Recommended conditions of consent will ensure that appropriate sediment and erosion measures are maintained throughout the development construction stages.

A Stormwater Management Plan that addresses the discharge and treatment of stormwater was submitted with the application. Stormwater will be discharged via two points along Oceanic Drive, one being the existing bio-retention basin constructed as part of the first two stages and the other to a proposed new bio-retention basin near the eastern boundary (in land to be dedicated to Council). The proposed development will also incorporate swale drainage. It is considered that the proposed measures will satisfactorily address stormwater quantity and quality.

- *Energy Efficient Design*

The majority of the proposed internal road lengths run in a north south direction. It is considered that the proposed lots can easily accommodate future residential development that could achieve appropriate energy efficiency.

- *Floodplain Management*

Part of the subject site is mapped as flood prone land, with the extent of this being limited to the northern portion of the site adjacent to Double Crossing Creek. This part of the development site will not be used for residential development and forms part of a proposed public reserve to be dedicated to Council.

- *Potentially Contaminated Land*

A small part of the land located in the western section of the site, where the original dwelling was located, is mapped as former banana lands. A Preliminary Soil Assessment was submitted with the application, which assessed the potential for contamination in this area. The assessment concluded that the land is not contaminated to a degree that would require remediation.

- *Cultural Heritage*

The subject site is located within the western precinct area and the application was accompanied by a Revised Salvage Management Plan. Aboriginal cultural heritage matters are discussed further below under section (b).

- *Natural and Habitat Areas*

The proposed development involves the dedication to Council of a large area of land that is considered to have biodiversity values. Where practicable, perimeter roads have been provided to separate the future residential areas from the natural areas. A recommended condition requires the submission of an addendum to the Vegetation Management Plan, approved as part of the original staged development application, for the land proposed to be dedicated to Council as public reserve.

- *Bushfire Hazard*

The application was accompanied by a bushfire assessment report, which was referred to the NSW Rural Fire Service as 'integrated development'. The Service has issued a conditional Bushfire Safety Authority.

- *Noise*

Given the proximity of the land to the Pacific highway the application was accompanied by an acoustic assessment. Acoustic considerations are discussed further below under section (b).

- *Road Design and Access Control*

The proposed roads and access arrangements are considered to be consistent with those shown in the masterplan.

- *Road Design for Bus Access*

Whilst the DCP shows a bus shelter within the development footprint, a bus stop has already been constructed along Solitary Islands Way. The development does not propose any additional bus shelters. Given the proximity of the existing stop, this is considered satisfactory.

- *Pedestrian and Cycleway Paths*

The DCP shows the western precinct cycleway going through the site. This cycleway, which will adjoin one of the proposed internal roads and one of the reserves to be dedicated to Council, will be constructed by Council under the applicable contributions plan.

**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,**

The Regulations do not prescribe any matters relevant to the proposed development.

**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 adopted the Coffs Harbour Coastal Zone Management Plan at its meeting of 14 February 2013. The plan provides the basis for future management and strategic land use planning of the Coffs Harbour coastal zone. The development site is within the study area of the plan but is not within any area covered by specific management strategies contained within the plan.

The Coffs Harbour Coastal Processes and Hazard Definition Study 2010 was prepared prior to, and informed the Coastal Zone Management Plan and identified likelihood of hazards occurring, such as beach erosion, coastal inundation and the impacts of sea level rise on these hazards by 2100. The Hazard Study does not identify any coastal processes that would impact on the development site.

**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,**

*Flora and Fauna*

A flora assessment and a fauna assessment have been submitted with the application. These assessments are revisions of assessments completed as part of the original staged development application.

The original flora assessment identified the presence of seven vegetation communities. No threatened flora species were identified on the site. Three of these vegetation communities, located in the north-eastern section of the site, are likely to constitute Endangered Ecological Communities (Subtropical Coastal Floodplain Forest and Swamp Sclerophyll Forest). The identified vegetation communities occupy approximately 19.4 hectares, of which 15.6 hectares are to be dedicated to Council as public reserve.



The proposed subdivision will involve the removal of 9.2 hectares of vegetation, 2.9 hectares of this being exotic vegetation, with 24 hectares of vegetation retained. The retained vegetation is proposed to be accommodated within two public reserves to be dedicated to Council.

Whilst there are direct impacts associated with the removal of 9.2 hectares of vegetation, and indirect impacts associated with the development, the revised assessment submitted with the current application concludes that the proposal will not have a significant impact on any threatened species, populations or endangered communities, or their habitats, given the highly modified condition of the vegetation to be removed and that the majority of vegetation remaining on the site is proposed to be dedicated to Council.

The original fauna assessment recorded seven threatened species on the site, including the osprey, masked owl, grey headed flying-fox, hoary wattled bat, little bent-wing bat and greater broad-nosed bat. The following migratory species, as listed under the EPBC Act, were also recorded on the site: Australian wood duck, cattle egret, brown goshawk, brahminy kite, whistling kite, osprey, masked lapwing, rainbow bee-eater and cicadabird.

The original assessment concluded that the proposed subdivision would not have a significant impact on threatened fauna species, populations or endangered communities, or their habitats, or critical habitat.

The revised fauna assessment identified an additional three threatened fauna species as likely to occur and confirmed the presence of another (varied sittella). The revised assessment also confirmed that the development would involve the removal of two hollow-bearing trees and one farm dam, which are believed to be providing shelter and a water source for fauna recorded on the site.

Parts of the subject land are mapped as secondary and tertiary koala habitat. These areas are contained to the northern, southern and eastern sections of the site. The majority of this habitat is incorporated in two reserve areas, which will be dedicated to Council.

Although the revised assessment considers that there is no core koala population existing on the site, there are local records of their occasional presence. The submitted assessment suggest that the proposal would not involve the removal of any habitat mapped under Council's Koala Plan of Management, however, Council's assessment has determined that some secondary habitat adjoining proposed Lot 300 (one of the reserve lots) and some adjoining the existing reserve area would need to be removed to create lots, roads and associated infrastructure.

The subdivision is considered unlikely to adversely affect koala habitat populations and it is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site.

This is subject to dedication of the large areas of land for public reserves and any secondary koala habitat proposed to be removed being replaced at a ratio of 1:1.

A Vegetation Management Plan (VMP) was submitted with the original staged development application and a further addendum was prepared as part of the subsequent development application for stage 2. A recommended condition of consent requires the submission and approval of an addendum to the approved VMP to cover the stages subject to this application. This addendum will be required to address, amongst other things, details of required offset plantings.

The proposed development is not expected to have any significant impacts to the biodiversity values of the land.

#### *Aboriginal Cultural Heritage*

A revised Salvage Management Plan was submitted as part of the current application. This revised Plan follows a cultural heritage assessment that was prepared as part of the original staged development application and a subsequent Salvage Management Plan. The original assessment and subsequent salvage management plans assess the impact of both the first two stages and the remaining stages considered under this application to Aboriginal cultural heritage values.

The original archaeological assessment located three sites consisting of two artefact scatters and an isolated artefact. All three sites occur within the development footprint. In 2010 the NSW Office of Environment & Heritage issued an Aboriginal Heritage Impact Permit (AHIP) under the *National Parks and Wildlife Act 1974* for the collection and relocation of these artefacts. The artefacts were subsequently collected and handed over to the Coffs Harbour and District Local Aboriginal Land Council. The Land Council has since requested that the items be relocated back to the site, in proximity to their original location.

As part of the assessment process the NSW Office of Environment & Heritage has advised that this Permit has now expired and that the developer would be required to seek a new Permit to enable the management strategies to be utilised in the remaining stages of the development, subject to this application (including the relocation of the already collected items). Further, the assessment reports completed for the site indicate that there is a likelihood of additional items, not subject to the original Permit, being found on the site.

Given that the application was not nominated as 'integrated development' for the purposes of the *National Parks & Wildlife Act 1974*, a recommended advisory note has been imposed on the development consent advising the applicant that they will require an AHIP for the development.

The proposed development is not expected to result in any significant adverse impacts to Aboriginal cultural heritage values, subject to the applicant obtaining any necessary permits under the *National Parks & Wildlife Act 1974*.

#### *Noise*

Given that the development site is within close proximity to the Pacific highway the application was accompanied by an acoustic assessment. The assessment concludes that acoustic treatment will need to be incorporated into the design of future dwellings to ensure that road traffic noise will be within acceptable internal levels.

To ensure that future dwellings meet the requirements outlined in the Environmental Criteria for Road Traffic Noise and AS 2107-2000 a recommended condition of consent requires that a 'restriction as to user' be created for all lots, which requires that future residential development utilise Category 1 building materials in accordance with Appendix E of the *'Development Near Rail Corridors and Busy Roads – Interim Guideline 2008'*, prepared by the Department of Planning.

*Traffic*

It is proposed that access to the development be gained via two access points off Solitary Islands Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development.

The proposed development will generate the need for the existing southern intersection to be upgraded. This upgrading work will be required as part of Stage 3 works. Once this intersection upgrade is completed the intersection will have the appropriate capacity to cater for the whole development.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent no.0128/15).

The proposed internal roads all provide for appropriate links to the adjoining approved subdivision and to the existing stages 1 and 2 of the development. The road design provides for the functional and efficient movement of vehicles and pedestrians.

The proposed development is not expected to result in any significant adverse impacts.

**c. the suitability of the site for the development,**

The attributes of the site are considered to be conducive to the proposed residential subdivision.

**d. any submissions made in accordance with this Act or the regulations,**

The application was advertised and notified in accordance the Council's Notification Development Control Plan 2000 for a period of 14 days and no submissions were received.

The application was referred to the NSW Rural Fire Service (RFS) for review and comment as 'integrated development' and to the NSW Office of Environment & Heritage (OEH) for advice in relation to Aboriginal cultural heritage matters. The NSW RFS has issued a conditional Bushfire Safety Authority and the NSW OEH has provided advice to Council regarding the need for an AHIP. The General Terms of Approval from the RFS and the recommendations from OEH have been incorporated into recommended conditions of consent.

**e. the public interest:**

The proposed development does not present any issues that are contrary to the public interest.

**Proposed Conditions Development Application 1031/14**

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**ADMINISTRATIVE CONDITIONS**

**1. Development Description:**

Development consent is granted only to carrying out the development described in detail below:

- (1) Subdivision (123 residential lots, roads and dedication of public reserves)

**2. Prescribed Conditions:**

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.

**3. Development in Accordance with Plans:**

The development is to be implemented in accordance with the plans set out in the following table except where modified by any conditions of this consent (Development Consent No 1031/14).

Plan No.	Prepared by	Dated
Proposed Staging Plan	GHD	7 September 2015

In the event of any inconsistency between conditions of this development consent and the plans referred to above, the conditions of this development consent prevail.

The approved plans endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

**4. Development in Accordance with Documents:**

The development shall be undertaken in accordance with the following documents:

- (1) Statement of Environmental Effects, prepared by GHD and dated June 2014 (including any amendments to);
- (2) Flora Assessment, prepared by Idyll Spaces, dated 2014;
- (3) Fauna Assessment, prepared by Kendall and Kendall Environmental Consultants, dated 2014;
- (4) Road Traffic Noise Assessment, prepared by GHD Pty Ltd, dated May 2015;
- (5) Traffic Impact Study, prepared by Roadnet, dated 2005;
- (6) Stormwater Management Plan, prepared by GH, dated June 2015;
- (7) Cultural Heritage Documentation, Archaeological Surveys Pty Ltd;
- (8) Management Plan for the Salvage of Artefactual Material, prepared by John Appleton, July 2007;
- (9) Revised Salvage Management Plan, prepared by John Appleton, July 2015;
- (10) Acid Sulfate Soil Assessment, prepared by Coffey Geotechnics, dated 2007;
- (11) Preliminary Soil Assessment, prepared by GHD, dated 2008;
- (12) Bushfire Hazard Assessment, prepared by GHD, dated 2014;

**5. Inconsistency between Documents:**

In the event of any inconsistency between:

- (1) The conditions of this approval and the drawings/documents referred to in conditions 3 and 4, the conditions of this approval prevail; and
- (2) Any drawing/document listed in conditions 3 and 4 and any other drawing/document listed in conditions 3 and 4, the most recent document shall prevail to the extent of inconsistency.

**6. Staging of Development:**

This development consent acknowledges that the construction of the project will be staged.

**Stage three works to comprise:**

- 51 residential lots (Lots 301 – 351);
- Public reserves; and
- Associated roads and infrastructure

**Stage four works to comprise:**

- 39 residential lots (Lots 401 – 439); and
- Associated roads and infrastructure

**Stage five works to comprise:**

- 33 residential lots (Lots 401 – 439); and
- Associated roads and infrastructure.

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

**7. Construction Certificate:**

No subdivision works are to commence on site until a Civil Works Construction Certificate has been issued for the work and Council has been notified that a Principal Certifying Authority has been appointed.

**8. Stormwater and Drainage Works Design:**

Design plans of the stormwater drainage systems and treatment measures within the proposed subdivision, prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Council, shall be submitted to and approved by the Certifying Authority **prior to the issue of a Construction Certificate.**

A plan of any required interallotment drainage and easements to facilitate this drainage is to be approved by Council. Design details are to include consideration of the impact of concentration of stormwater on receiving land parcels.

**9. Stormwater Management Plan:**

A Stormwater Management Plan complying with the relevant controls of Council's Water Sensitive Urban Design Policy being submitted to and approved by Council **prior to issue of the Construction Certificate.**

Please refer to the WSUD Information Sheet, Policy and Guideline available on Council's web site [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au).

The design is to incorporate a detention system that achieves compliance with the Coffs Harbour City Council WSUD Policy targets. Design details are to include calculations showing the effect of the proposed development on design stormwater run-off flow rates and the efficiency of proposed measures to limit the flows.

The design shall be accompanied by an Operation and Maintenance Plan for the system.

**10. Road Design and Services:**

The following works:

- (a) roads;
- (b) footpaths and pathways;
- (c) water supply;
- (d) sewerage;
- (e) stormwater drainage, including WSUD requirements;
- (f) interallotment drainage;

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).

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.

**11. Intersection Upgrade:**

Access to the development from the existing southern access (intersection of Seacrest Boulevard and Solitary Islands Way) being upgraded by the construction of an roundabout **prior to issue of the Subdivision Certificate for Stage 3 of the development.**

Plans and specifications of the works are to be submitted to and approved by Council **prior to issue of the Construction Certificate for Stage 3.**

**12. Street Names:**

A street name application being submitted to Council **prior to issue of the Construction Certificate.**

**13. Fill:**

Contour plans indicating the location of proposed fill areas in the subdivision being submitted and approved by Council **prior to issue of the Construction Certificate**.

Contour plans are to include a clear description of impact of changes proposed on water movement both to and from the site on all adjacent land and to show stormwater discharge points.

**14. Tree Protection Plan:**

A Tree Protection Plan, prepared in accordance with the Australian Standard AS 4970-2009 '*Protection of Trees on Development Sites*', shall be submitted to and approved by Council **prior to issue of a Construction Certificate**. The plan shall address the interface between areas of retained vegetation and the subdivision footprint.

**15. Landscape Plan:**

A Landscape Plan for the proposed public reserves shall be submitted to and approved by Council **prior to the issue of a Construction Certificate**. The Plan shall contain details of:

- Boundary treatment to the reserve areas, which is consistent with the existing reserve; and
- Bio retention basin planting and area rehabilitation.

**16. Vegetation Management Plan:**

An addendum to the existing approved Vegetation Management Plan March 2010 (VMP) for the proposed Stages 3-5 shall be submitted to and approved by Council **prior to issue of a Construction Certificate**. The addendum shall be prepared in accordance with and detail the following:

- Councils standards for drafting Preliminary Vegetation Management Plans (<http://www.coffsharbour.nsw.gov.au/places-for-living/land-use/Pages/InformationSheets.aspx>);
- The recommendations detailed within the approved Updated Flora Assessment, prepared by Idyll Spaces June 2014 and Reviewed Fauna Assessment by Kendall & Kendall May 2014;
- Planning for Bushfire Protection NSW Rural Fire Service requirements;
- Details of any proposed Aboriginal artefact relocation into public reserves;
- Proposed compensatory plantings (for loss of mapped Koala Habitat subject to Coffs Harbour Koala Plan of Management 1999):
  - i. Replacement ratios;
  - ii. Habitat enrichment requirements (increased diversity of resource species)
- any proposed artificial hollow replacement (replaced at a ratio of 1:4). Details to include design, placement location and target species specifics.

**PRIOR TO COMMENCEMENT OF WORKS**

**17. Site Notice:**

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.

**18. Erosion and Sediment Control:**

Prior to commencement of work on the site for each stage of the development, erosion and sedimentation control measures are to be installed and operational including the provision of a “shake down” area where required to the satisfaction of the Principal Certifying Authority.

**DURING CONSTRUCTION**

**19. Approved Plans to be On-Site:**

A copy of the approved and certified plans, specifications and documents incorporating the 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 Council or the Principal Certifying Authority.

**20. Importation of Fill:**

The only fill material that may be received at the development is:

- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);
- b) Any other waste-derived material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material, excluding waste tyre.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material’s compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

**21. Erosion and Sediment Control:**

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.



**22. Cultural Heritage:**

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.

**23. Temporary Protection Fencing:**

**Prior to commencement of construction works** all temporary protection fencing shall be installed and sign posted 24 hours prior to work commencing. Installation of fencing shall be undertaken in accordance with the approved Tree Protection Plan.

**24. Dust Control Measures:**

Adequate measures being taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) Physical barriers being erected at right angles to the prevailing wind direction or being placed around or over dust sources to prevent wind or activity from generating dust emissions;
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed;
- (3) All materials shall be stored or stockpiled at the best locations;
- (4) The work area being dampened slightly to prevent dust from becoming airborne but not to the extent that runoff occurs;
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other materials;
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive through washing bays (if applicable);
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth; and
- (8) Cleaning of footpaths and roadways shall be carried out regularly by manual dry sweep or by use of a cleaning vehicle.

**PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

**25. Part 4A Certificate:**

Prior to the registration of the final subdivision plan at Land and Property Information NSW a Part 4A Certificate (Subdivision Certificate) shall be obtained from Council under section 109D(1)(d) of the *Environmental Planning and Assessment Act 1979*.

**26. Restriction on Title:**

A restriction on title under Section 88B of the Conveyancing Act 1919, being registered on the title of all lots, to the effect that:

- a. any application for future residential development on these affected lots be accompanied by information that demonstrates that the buildings will be constructed using Category 1 building materials, in accordance with Appendix E of the 'Development Near Rail Corridors and Busy Roads – Interim Guideline 2008', prepared by the Department of Planning.

Any section 88B instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of carriageway to be revoked, varied or modified only with the consent from Council.

Details of the Restriction(s) are to accompany the application for Subdivision Certificate.

**27. Section 94 Monetary Contributions:**

Payment to Council of contributions, at the rate current at the time of payment, towards the provision of the following public services or facilities:

**Note 1** - The contributions are to be paid **prior to release of any Subdivision Certificate** unless other arrangements acceptable to Council are made.

**Note 2** - The rates will be adjusted in accordance with the procedures set out in Council's Section 94 Contributions Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at least annually.

**Note 3** - If the development is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.

<b>The current contribution rate is:</b>	<b>Per Lot</b>
Coordination and Administration	\$ 520.08
Coffs Harbour Road Network	\$527.15
Surf Rescue Facilities	\$71.31
District Open Space	\$3,740.84
Neighbourhood Open Space	\$1,378.26
Transport and Traffic	\$2,009.36
Development Studies	\$30.48
Sub-district Open Space	\$1,137.51
Roads and Traffic Facilities – Western Precinct	\$4,684.93

**The Section 94 contribution is currently \$1,720,190.24 for the 122 additional lots proposed in the subdivision.**

**Contributions have been imposed under the following plans:**

- Coffs Harbour Open Space 2014.
- Coffs Harbour Road Network 2014.
- Surf Rescue Facilities 2013.
- Coffs Harbour Administration Levy 2014
- Hearnes Lake/Sandy Beach Release Area 2014

The Contribution Plans may be inspected at the Council Administration Offices, 2 Castle Street, Coffs Harbour or on Council's web site, [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au).

**28. Water and Sewerage Services – Developer Services Charges:**

The **Subdivision 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.

**29. Access and Services:**

The following works:

- (a) roads;
- (b) footpaths and pathways;
- (c) water supply;
- (d) sewerage;
- (e) stormwater drainage, including WSUD requirements;
- (f) interallotment drainage;

being constructed in accordance with the approved plans and specifications and completed **prior to issue of the Subdivision Certificate.**

**30. Connecting Road Construction:**

Roads connecting the development to being constructed in accordance with Council’s Technical Guidelines for Subdivision and Development. The construction works are to be completed (or satisfactory arrangements for their completion being made with Council) **prior to the issue of Subdivision Certificate.**

**31. Services:**

The Subdivision being provided with underground reticulated electricity and telephone cables. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity and a letter from Telstra stating that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council **prior to release of the Subdivision Certificate.**

Street lighting being provided to the requirements of the relevant electricity energy provider with all work being completed **prior to release of the Subdivision Certificate.**

**32. Vehicle Access Restriction:**

Vehicle access to lots 519 to 533 from Solitary Islands Way being prohibited. A restriction as to user which requires Council’s consent to any variation or removal is to be imposed on the title of these lots and clearly shown by notation on the Subdivision Certificate.

**33. Stormwater Management Certification:**

**Prior to issue of Subdivision Certificate** the consultant design engineer / landscape architect shall issue a certificate to the Principal Certifying Authority to the effect that the stormwater treatment system has been installed and complies with the approved design.

**34. Work as Executed Plan:**

**Prior to the issue of Subdivision Certificate**, a work as executed plan endorsed by a Registered Surveyor or Consulting Engineer (hard or digital format) being submitted to Council certifying that:

- All drainage lines, sewer lines, services, and structures are wholly contained within the relevant easement;
- The plans accurately reflect the work as executed.

**35. Water Services and Sewer Junction:**

A water service and sewer junction being provided (or being available) within each lot **prior to issue of Subdivision Certificate**, with the works conforming to the requirements of Coffs Water.

**36. Fill - Certification:**

**Prior to the release of the Subdivision Certificate**, a fill report along with a final contour plan is to be submitted to Council showing the location, depth, and type of fill located on the site. Alternatively, where no fill has been placed on the site, a written statement to that effect is to be submitted to Council.

**37. Sediment and Erosion Control:**

**Prior to the issue of a Subdivision Certificate** the site shall be stabilised to the Principal Certifying Authority's satisfaction, which as a minimum, shall be at least 50% grass cover or application of mulch or hydroseeding to all disturbed areas.

**38. Dedication of Land to Council:**

The proponent must make necessary arrangements for the dedication to Council at no cost to Council of the land shown as lots 299 and 300 on the 'Proposed Staging Plan', date stamped 7 September 2015 at the time of registration of the Subdivision Certificate.

**Prior to the issue of a Subdivision Certificate** for the relevant stage of the subdivision, a deed of agreement must be prepared with Council to allow the proponent to carry out management and maintenance works on the open space area for two years after the dedication of the land. All necessary rehabilitation work must be undertaken to the satisfaction of Council prior to management passing to Council.

All costs are to be born by the proponent.

**39. Dedication of Internal Roads:**

All internal roads shall be constructed by the proponent and dedicated to Council as public roads following registration of the Plan of Subdivision. Upon dedication and at the end of the maintenance period Council will be responsible for the on-going maintenance of the roads.

**40. Vegetation Management plan**

**Prior to issue of Subdivision Certificate** prescribed initial works (other than maintenance works) in accordance with Vegetation Management Plan (VMP) and associated addendums shall be completed. A Certificate of Completion shall be submitted with any Subdivision Certificate application.

**GENERAL TERMS OF APPROVAL**

**NSW Rural Fire Service**

**Asset Protection Zones**

1. At the issue of subdivision certificate and in perpetuity the entire property of lots 301-616 shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
2. At the issue of subdivision certificate and in accord with the Proposed Lot Layout Plans, prepared by GHD, reference 22-17122-SK105, revision A, undated, a section 88B easement under the 'Conveyancing Act 1919' is to be created for each lot requiring an asset protection zone. The easement is to provide an asset protection zone (APZ) and is to restrict the user from constructing any dwelling within the area as follows;
  - Lot 301, lots 303-306 inclusive shall provide a 15m easement from the North Western boundary,
  - Lot 301 and lot 501 shall provide a 15m easement from the Western boundary,
  - Lots 515-528 inclusive and lot 616 shall provide a 9m easement from the Western boundary,
  - Lot 528 shall provide a 9m easement from the Southern boundary,
  - Lot 601 shall provide a 9m easement from the Eastern boundary.

The easement shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

**Water and Utilities**

3. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

**Access**

4. The Eastern portion of Oceanic Drive is considered a perimeter road, where the roadway is adjacent to proposed Lot 299, and shall meet perimeter road requirements.
5. Public road access shall comply with the following requirements of section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.
  - (a) Urban perimeter roads are two-way, with a carriageway 8 metres minimum kerb to kerb.
  - (b) The perimeter road is linked to the internal road system at an interval of no greater than 500 metres.
  - (c) Traffic management devices are constructed to facilitate unobstructed access by emergency services vehicles.
  - (d) Public roads have a cross fall not exceeding 3 degrees.
  - (e) Non perimeter road widths comply with Table 4.1 in 'Planning for Bush Fire Protection 2006'.

- (f) Curves of roads (other than perimeter roads) are a minimum inner radius of 6 metres.
- (g) The minimum distance between inner and outer curves is 6 metres.
- (h) Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient.
- (i) There is a minimum vertical clearance to a height of 4 metres above the road at all times.
- (j) The capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles (approximately 15 tonnes for areas with reticulated water, 28 tonnes or 9 tonnes per axle for all other areas). Bridges clearly indicate load rating.
- (k) Public roads greater than 6.5 metres wide locate hydrants outside of parking reserves to ensure accessibility to reticulated water supply for fire suppression.
- (l) Public roads between 6.5 metres and 8 metres wide are 'No Parking' on one side with services (hydrants) located on this side to ensure accessibility to reticulated water for fire suppression.
- (m) Public roads 5.5 to 6.5 metres wide (kerb to kerb) provide parking within parking bays located outside the kerb to kerb space and located services outside of the parking bays to ensure accessibility to reticulated water for fire suppression.
- (n) Parking bays are a minimum of 2.6 metres wide from kerb to edge of road pavement. No services are located within the parking bays.
- (o) Public roads directly interfacing the bush fire hazard vegetation provide roll top kerbing to the hazard side of the road.

#### **ADVISORY NOTES**

1. The NSW Office of Environments & Heritage has advised that the subdivision works will require an Aboriginal Heritage Impact Permit (AHIP) issued under the *National Parks & Wildlife Act 1974*. This permit is required to be obtained prior to any work commencing on site.



## REPORT TO ORDINARY COUNCIL MEETING

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### COFFS HARBOUR DEVELOPMENT CONTROL PLAN 2015

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<b>REPORTING OFFICER:</b>	Project Officer – DCP Review
<b>DIRECTOR:</b>	Director, Sustainable Communities
<b>COFFS HARBOUR 2030:</b>	LP3.2 Develop the city centre as a social and cultural focus for Coffs Harbour. LE3.1 Manage land use to conserve the region's unique environmental and biodiversity values. PL1.1 Promote higher densities in our urban centres. PL1.5 Encourage innovative development that embraces our climate and local environment.
<b>ATTACHMENTS:</b>	ATT1 Coffs Harbour Development Control Plan 2015 ATT2 Summary of Submissions ATT3 CONFIDENTIAL Submissions ATT4 Final Background Report and Recommended Actions

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#### Recommendation:

1. That in accordance with Part 3, Division 3 of the Environmental Planning and Assessment Regulation 2000, Council adopt Coffs Harbour Development Control Plan 2015 as provided online (Attachment 1).
  2. That public notice of Council's decision is given in accordance with Part 3, Division 3 of the Environmental Planning and Assessment Regulation 2000 and that the Coffs Harbour Development Control Plan 2013 take effect 14 days from the date of that notice.
  3. That in accordance with Part 3, Division 4 of the Environmental Planning and Assessment Regulation 2000, Council repeals Coffs Harbour Development Control Plan 2013.
  4. That parties who made a submission to draft Coffs Harbour Development Control Plan 2015 during the submission period be informed of Council's decision.
  5. That Council notes the recommended future follow-up actions contained within Attachment 4 to this report.
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#### EXECUTIVE SUMMARY

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The purpose of this report is to present to Council the results of the public exhibition of draft Coffs Harbour Development Control Plan (DCP) 2015 and to seek adoption of the finalised Coffs Harbour DCP 2015 in accordance with Part 3, Division 3, of the Environmental Planning and Assessment (EP&A) Regulation 2000.

This report includes a summary of submissions received and issues raised by the community and Government agencies (Attachment 2). An assessment of all submissions has been undertaken and is provided within Attachment 2.

Following adoption by Council, the DCP will apply to the entire Coffs Harbour Local Government Area (LGA), excluding land that is shown as a deferred matter under Coffs Harbour Local Environmental Plan (LEP) 2013.

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## REPORT

### Description of Item:

Coffs Harbour LEP 2013 was formally made on 27 September 2013 to accord with the State Government's requirement for all NSW Council's to prepare a comprehensive LEP based on the Standard Instrument (Local Environmental Plans) Order 2006.

Coffs Harbour DCP 2013 subsequently became operational on 2 October 2013 to give effect to Coffs Harbour LEP 2013 and to further satisfy the State Government's requirement that only one DCP per planning authority may apply to the same land.

Despite its recent inception, it was determined that a comprehensive review of Coffs Harbour DCP 2013 was required to provide a more cohesive and user friendly guideline for carrying out development within the Coffs Harbour LGA and to address legislative requirements, policy changes and to integrate the DCP with Council's online planning enquiry platform.

Coffs Harbour City Council, at its Ordinary Meeting 23 April 2015, resolved:

1. *That Council adopts, for the purpose of public exhibition, the draft Coffs Harbour Development Control Plan 2015 as provided online (Attachment 1).*
2. *That Council in accordance with the Environmental Planning and Assessment Act, 1979, publicly exhibit and invite submissions on the draft Coffs Harbour Development Control Plan 2015 for a minimum period of 28 days.*
3. *That Council notes the Background Report on Draft Coffs Harbour Development Control Plan 2015 (Attachment 2)*
4. *That a further report be presented to Council, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000, following public exhibition of the draft Coffs Harbour Development Control Plan 2015.*

Draft Coffs Harbour DCP 2015 was publicly exhibited in accordance with the Environmental Planning and Assessment (EP&A) Act 1979 and Regulation 2000 from the 6 May 2015 to 5 June 2015.

Nine submissions were received during the submission period, comprising three submissions from individuals, one submission from a community organisation and five submissions from Government agencies. A summary of the matters raised and in what manner they have been addressed is provided in Attachment 2 and the submissions are provided in full in Attachment 3 of this report (confidential item).

### Issues:

As detailed above, three submissions were received from individual community members and one from a community organisation, all of which have been addressed in the summary of submissions provided in Attachment 2 of this report.

The remaining five submissions to the draft DCP were from Government agencies, and were generally supportive of the DCP with minor matters raised, all of which have been addressed in Attachment 2 of this report.

Coffs Harbour DCP 2015 has been amended post-exhibition in response to the nine submissions either via updated definitions, additional and/or amended DCP controls, or the inclusion of advisory notes. Attachment 2 provides details in relation to the specific amendments made to the DCP in response to these submissions. A summary of the issues raised in submissions and how they have been addressed is as follows:



- ***Richmond Drive should be connected through to Arthur Street***

**Comment**

During the making of the former Coffs Harbour City Centre Plan (incorporating Coffs Harbour City Centre LEP 2011 and associated DCP), the issue of connectivity of Richmond Drive was addressed. Residents within the Macauley Headland area identified safety issues associated with a link up of Richmond Drive and maintained that the Arthur Street East Precinct should be serviced only via an internal road. A report to Council's Ordinary meeting of 16 December 2010 noted that the Masterplan for the Arthur Street East Precinct was a concept only and that further detail in relation to road safety would be addressed as part of any future development proposal for the site.

The Masterplan for the Arthur Street East Precinct within Coffs Harbour DCP 2015 remains as adopted by Council (Resolution No. 219 and 220) 16 December 2010 with an internal service road. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.

- ***On-site parking requirements should accord with updated traffic and parking analysis undertaken by NSW Roads and Maritime Services***

**Comment**

A review of the updated traffic and parking analysis undertaken by NSW Roads and Maritime Services (RMS) and a comparison with onsite car parking rates contained within Coffs Harbour DCP 2015 is outside the scope of the DCP review project. Notwithstanding this, a follow up action is recommended to be undertaken as a separate land use planning project where funding permits to review and compare the results of the analysis undertaken by NSW RMS with Council's off street parking rates. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.

- ***Exemptions for boundary fencing on land zoned E2 Environmental Conservation should mirror the exemptions provided within the Native Vegetation Act 2003***

**Comment**

Coffs Harbour DCP 2015 has been amended to contain an exemption to enable the clearing of prescribed vegetation on land zoned E2 Environmental Conservation under Coffs Harbour LEP 2013 for a distance of 3m either side of a boundary fence (for construction and maintenance purposes) where the land adjoins rural zoned land. This exemption is not provided for under the current planning controls and has been included to enable more flexibility for agricultural land uses. Whilst this exemption does not align with the exemptions under the *Native Vegetation Act 2003* for routine agricultural management activities (6m either side of a permanent boundary fence), it does enable the maintenance and construction of boundary fencing based on a standard 3m tractor blade width, whilst still recognising the high biodiversity values of the land.

- ***Front setback controls should mirror those provided within State Environmental Planning Policy (Exempt and Complying Development Codes) 2008***

**Comment**

Street setbacks are important, as the setback of buildings from a street edge affects how uses relate to the public space of the street. Front setbacks, or the absence of them, are an important aspect of neighbourhood character. In this regard, front building setback controls have been applied consistently in residential areas within the Coffs Harbour LGA since the inception of LEP 2000 and associated DCPs.

To maintain such consistency, Coffs Harbour DCP 2015 provides for a 6m front setback for buildings less than 8.5m in height (generally two stories) and a 9m front setback for buildings greater than 8.5m in height. In line with up-to-date planning principles, Coffs Harbour DCP 2015 includes an exception to allow for an articulation zone for lots that have at least a 4.5m setback area from a primary road. Articulation zones are based on contemporary planning principles which seek to provide a better connection between the street and housing developments and better use of open space areas around housing developments. Notwithstanding this, it is acknowledged that a requirement for a setback varies from place to place depending on local context, the character of the street and desired built form for the area.

This matter will be investigated as part of the Local Growth Management Strategy (LGMS) Review Stage 2 Residential Strategy. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.

- ***Due to the steep nature of “The Summit” development land, flexibility is required with regard to front, side and rear setbacks***

**Comment**

Given that “The Summit” land has existing operational development consent for a significant and unique multi-unit housing and strata title subdivision development, any future development proposals for this land would be benchmarked against this consent. It is appropriate that a merit assessment for setback requirements is applied to the land. The corresponding map sheets in the DCP have been amended accordingly.

- ***Setback requirements for the Big Banana residential land should be based on a merit assessment to accommodate a range of development types on a varying topographical landform***

**Comment**

As part of the DCP review process a number of inconsistencies and anomalies with various built form controls for certain land parcels were identified, including the Big Banana residential land. The Big Banana residential land was zoned R1 General Residential under *Coffs Harbour LEP 2013* along with other land within the North Coffs Urban Release Area. The North Coffs DCP which was subsequently prepared identified the Big Banana residential land as a residential precinct with a tourism component consistent with The Summit land and medium density housing. This is further evidenced by the maximum building height for the land which is 17.5m. However the land has a minimum lot size of 400m<sup>2</sup> under *Coffs Harbour LEP 2013*, which is inconsistent with a medium density character.

This matter will be investigated as part of the LGMS Review Stage 2 Residential Strategy. The character of the Big Banana residential land should be clarified as part of that process and associated built form controls applied. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.

- ***Private open space and landscaping requirements for low density housing types on small lots is unachievable***

**Comment**

Private open space and landscaping requirements are important within low density residential areas to ensure that building footprint and site coverage is appropriate for the low density character of the zone and to ensure that sufficient unbuilt upon areas are

reserved for deep soil planting, permeable surfaces and open recreational and service areas. Further, landscaping assists in visually integrating development with the streetscape and wider neighbourhood, it also provides for trees, shade, and plays a screening function for privacy and visual amenity between development.

The allowable site coverage for development within a low density zone should ensure that the mass and scale of any building will not form a detracting feature compromising the streetscape character.

The private open space controls within Coffs Harbour DCP 2015 have been amended to apply to development types rather than land use zones to provide equity and consistency for various development types permissible in more than one residential land use zone. An exception has also been incorporated into the private open space requirements to allow for the use of an open deck to satisfy open space requirements on very steep lots.

This matter will be investigated as part of the LGMS Review Stage 2 Residential Strategy, currently underway. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.

- ***Latest environmental data should be used to inform the Preservation of Vegetation Map***

**Comment**

The use of Council's latest environmental data (such as the fine scale vegetation mapping prepared for the LGA in conjunction with the NSW Office of Environment and Heritage) to inform the Preservation of Vegetation Map (POV) is outside the scope of the DCP review process given that the use of such data is subject to detailed environmental analysis which is not currently finalised. In this regard, a follow up action is recommended to update the POV map to reflect high conservation biodiversity values within the Coffs Harbour LGA derived from the environmental analysis currently being undertaken in regard to biodiversity assets. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.

- ***A LGA wide Aboriginal cultural heritage study should be prepared to inform DCP provisions in relation to avoiding and managing impacts on that cultural heritage***

**Comment**

Council is currently in the process of preparing an Aboriginal cultural heritage study (or the like) to inform LEP and DCP provisions for the Coffs Harbour LGA. Such project involves extensive consultation with the local Aboriginal community and is likely to take considerable time to finalise. It is therefore outside the scope of the DCP review process to include this body of work. Following finalisation of this project, additional LEP and DCP amendments may be undertaken if required. No amendment has been made to Coffs Harbour DCP 2015 in relation to matter.

- **Amendments to State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Apartment Development**

A comprehensive review of *SEPP No. 65 – Design Quality of Residential Flat Development* has just been completed by the NSW Department of Planning and Environment which has resulted in amendments to the SEPP and a new Apartment Design Guide. The amending SEPP, titled *SEPP 65 - Design Quality of Residential Apartment Development* and the amending Regulations which commenced on the 17 July 2015 introduce a new clause that makes the objectives, design criteria and certain design guidance of the Apartment Design Guide prevail over a DCP. Accordingly, Coffs Harbour DCP 2015 has been reviewed to ensure that there are no inconsistencies with the amending SEPP. Additional notes have also been incorporated within the DCP to note that where inconsistencies occur between DCP controls and provisions within an Environmental Planning Instrument (EPI), the provisions of the EPI prevail.

**Options:**

1. Adopt the recommendations provided in this report. This will ensure that the planning controls for the Coffs Harbour LGA align with legislative requirements and will also ensure that a more user-friendly guideline and reliable planning enquiry service is available for proponents of development within the LGA.
2. Reject the recommendations provided in this report. This option will result in outdated planning controls continuing to apply across the LGA and complex guidelines for development within the Coffs Harbour LGA.

**Sustainability Assessment:**

- **Environment**

Coffs Harbour DCP 2015 has been prepared in accordance with Part 3, Division 6 of the EP&A Act 1979 and Part 3, Division 1-4 of the EP&A Regulation 2000. In this regard, the planning controls have been developed to give effect to the aims of Coffs Harbour LEP 2013 and to achieve the objectives of the land use zones under this instrument. As such, DCP controls relating to various environmental matters have been integrated into the Plan to support related provisions within Coffs Harbour LEP 2013, and to assist in achieving positive environmental outcomes within the Coffs Harbour LGA.

A number of future follow-up actions have also been recommended for future policy documents and controls to further improve the environmental controls within the LGA (refer to Attachment 4 to this report).

- **Social**

Coffs Harbour DCP 2015 has been designed to support Coffs Harbour LEP 2013 in its aim to provide a high level of social, physical and cultural amenity within the LGA.

DCP controls have been incorporated into the Plan to support a mix of housing types and to ensure that the existing and future needs of the community are met. In addition, built form controls have been refined within the DCP to ensure that design excellence is achieved in all elements of the built environment and public domain in line with a broader aim to create a highly livable urban place.

- **Civic Leadership**

Coffs Harbour DCP 2015 is consistent with the aims of Coffs Harbour 2030 Plan and will aid the plan in achieving the following objectives:

- Promotion of the City Centre as a central focus for Coffs Harbour;
- conservation of the natural environment and wildlife for future generations by supporting Coffs Harbour LEP 2013 in managing land use and protecting catchments, waterways and marine areas;
- a lively and diverse City where people live, work and play;
- sustainable living by using best practice urban design and infrastructure development to create attractive buildings;
- urban spaces that are functional, accessible and useable by all the community; and
- an integrated, accessible and eco focused transport system via cycleways and footpaths.

- **Economic**

#### **Broader Economic Implications**

To support the aims of Coffs Harbour LEP 2013, DCP controls have been integrated within the Plan to maintain the primacy of the Coffs Harbour Central Business District and to support the objectives of other business zones within the LGA.

DCP controls have also been incorporated within the Plan to provide an improved and more efficient use of future infrastructure resulting from new development and to minimise exposure of development to natural hazards and natural risks.

The new format of the DCP will provide improved services to proponents of development via a more transparent and reliable online planning enquiry system. The online planning enquiry system will enable proponents of development to independently determine applicable planning controls and will indirectly free up assessment staff resources to facilitate and approve applications currently within the system in a timelier manner.

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

During the course of the DCP Review Project, a number of inconsistencies and discrepancies with existing planning controls have come to light that require more detailed planning studies and investigation. Attachment 4 to this report contains a number of recommended follow-up actions in relation to this matter.

Adoption of the recommendations within Attachment 4 will require the provision of additional resources and funds to facilitate this work. It is noted in this instance that most of this work overlaps with the work required to be undertaken for Stage 2 of the LGMS endorsed at Council's Ordinary Meeting of 12 March 2015 via the following resolution:

1. *Council note the findings of the Local Growth Management Strategy Review Stage 1 Land Capacity Assessment Audit (Attachment 1) and Local Growth Management Strategy Review Stage 1 Issues Report (Attachment 2).*
2. *Council confirm Stage 2 of the Local Growth Management Strategy Review as being the Residential Strategy.*
3. *Council confirm Stage 3 of the Local Growth Management Strategy Review as being the Rural Lands Strategy.*

4. Council confirm Stage 4 of the Local Growth Management Strategy Review as being the Industrial Lands Strategy.
5. A further report be presented to Council outlining the framework for the Local Growth Management Strategy Review which will include detailed project plans for both the Local Growth Management Strategy Stage 2 - Residential Strategy and Local Growth Management Strategy Stage 3 - Rural Lands Strategy.

#### **Risk Analysis:**

A risk analysis has been undertaken and it is considered that the adoption of Coffs Harbour DCP 2015 as recommended does not pose a significant risk to Council. Extensive internal consultation with specialist staff and external public consultation has been undertaken to significantly reduce risks to Council.

Failure to adopt the recommendations provided within this report will result in potential inconsistencies with existing planning controls.

#### **Consultation:**

Extensive consultation has been undertaken throughout the duration of the DCP review project in accordance with the requirements of the EP&A Act and Regulation.

#### ***Initial consultation***

Initial consultation included the establishment of two internal working groups. The first working group comprised senior planning staff who undertook a detailed review of built form controls across the LGA with a particular focus on density and setback controls. The second working group comprised development assessment staff who reviewed Council's existing DCP controls relating to key sites and urban release areas.

Consultation also occurred with various stakeholders across the organisation to review specific chapters and controls relating to subdivision, parking, flooding, biodiversity, contaminated land, environmental health, heritage, landscaping and waste management.

An initial draft of Coffs Harbour DCP 2015 was referred internally within the organisation and three comprehensive workshops were facilitated with planning and building staff to refine specific controls and to test the draft Plan against the development application process.

#### ***Formal exhibition***

Following endorsement by Coffs Harbour City Council at its Ordinary Meeting 23 April 2015, draft Coffs Harbour DCP 2015 was publicly exhibited in accordance with Part 3, Division 2 of the EP&A Regulation 2000 to seek community input into the Plan.

Nine submissions were received during the submission period (Attachment 3). A summary of the matters raised and in what manner they have been addressed is provided in Attachment 2 of this report. The primary matters raised in submission were detailed in the Issues section of this report.

A number of modifications have been made to draft DCP 2015 as exhibited, taking into account submission feedback. Additionally, a set of follow-up actions has been identified in Attachment 4 to be undertaken by Council as funds become available.

**Related Policy, Precedents and / or Statutory Requirements:**

• **Related Policy**

- Coffs Harbour Our Living City Settlement Strategy 2008;
- Coffs Harbour Rural Residential Strategy 2009;
- Coffs Harbour Employment Lands Strategy 2009;
- Coffs Harbour Industrial Lands Strategy 2009;
- Coffs Harbour Business Lands Strategy 2010;
- Coffs Harbour Business Centres Hierarchy Review 2011;
- Coffs Harbour DCP 2013;
- Coffs Harbour City Centre Masterplan;
- Mid North Coast Regional Strategy;
- Coffs Harbour Water Sensitive Urban Design Guideline and Policy;
- Coffs Harbour Developer Contributions Plans (various); and
- Coffs Harbour Developer Servicing Plans.

• **Statutory Planning Controls**

The statutory instruments relevant to Coffs Harbour DCP 2015 include the following:

- EP&A Act 1979;
- EP&A Regulation 2000;
- State Environmental Planning Policies (various); and
- Coffs Harbour LEP 2013.

**Implementation Date / Priority:**

If adopted by Council, Coffs Harbour DCP 2015 will commence on the date that public notice of its approval is given in a local newspaper, or on a later date specified in the notice.

**Conclusion:**

Coffs Harbour DCP 2015 provides for a more cohesive and user friendly guideline for carrying out development within the Coffs Harbour LGA. Importantly the DCP addresses legislative requirements, policy changes and integrates with Council's online planning enquiry platform, thereby providing improved services to proponents of development via a more reliable online planning enquiry system.

**Attachment 1**

**Coffs Harbour Development Control Plan 2015**

<http://datracking.coffsharbour.nsw.gov.au/ICON/Pages/plan/book.aspx?vid=10601>



No.	Issues Raised	Comments / Recommendations
<b>Individual Submissions</b>		
1.	<ul style="list-style-type: none"> <li>The draft DCP shows a circular set of new streets and bulk traffic diversion along Brunswick Avenue.</li> <li>Could somebody please clarify this scenario for me and if I read your proposal correctly, I object, and request that the draft plans be changed to reflect the completion of Richmond Drive.</li> </ul>	<ul style="list-style-type: none"> <li>The Arthur Street East Precinct Masterplan contained within G2.1 of Draft DCP 2015 has not been updated as part of the DCP review process and therefore remains the same as currently adopted within the Coffs Harbour DCP 2013. The concept plan includes an internal service road and no connectivity through to Arthur Street. No amendment has been made to Coffs Harbour DCP 2015 in relation to this matter.</li> <li>During the making of the former Coffs Harbour City Centre Plan (incorporating Coffs Harbour City Centre LEP 2011 and associated Development Control Plan), the issue of connectivity of Richmond Drive was addressed. Residents within the Macauley Headland area identified safety issues associated with a link up of Richmond Drive and maintained that the Arthur Street East Precinct should be serviced only via an internal road. A report to Council's Ordinary meeting 16 December 2010 noted that the Masterplan for the Arthur Street East Precinct was a concept only and that further detail in relation to road safety would be addressed as part of any future development proposal for the site.</li> </ul> <p>The Masterplan for the Arthur Street East Precinct within Coffs Harbour DCP 2015 remains as adopted by Council (Resolution No. 219 and 220) 16 December 2010 with an internal service road. Similar to the previous discussion in relation to this matter, the Masterplan for Arthur Street East precinct is a concept plan for this land therefore road safety is required to be addressed in further detail as part of any future development proposal for the site. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</p>
2.	<p>Suggestions that may assist in making houses more affordable and quicker to approve:</p> <ul style="list-style-type: none"> <li>Gutter guard requirement in house approvals has come about from a recommendation of the RFS; it is not required in the Australian Standard so why adopt it here in Coffs?</li> <li>Relevant DCP has 6.0m setback as the agreed requirement. State-wide adopted complying development regime has adopted 4.5m minimum setback. This means that if you adopt complying development way to go then you can have 4.5 m setback but if you go through the DA process then you can only have 6.0m setback. It doesn't make sense.</li> <li>Adoption of sound consultant's report instead of referring to other Council departments. This is slowing the process. Need to accept consultant's reports which were adopted when DA for subdivision was adopted.</li> </ul>	<ul style="list-style-type: none"> <li>Coffs Harbour DCP 2015 does not contain a requirement for the use of gutter guard in dwellings. The requirement for the use of gutter guard in dwellings is determined as part of an assessment undertaken in accordance with Section 79BA of the <i>Environmental Planning and Assessment Act 1979</i> ('EP&amp;A Act'). Section 79BA of the EP&amp;A Act provides that development consent cannot be granted for the carrying of development for any purpose on bush fire prone land unless the Consent Authority is satisfied that the development conforms to the specifications and requirements of the document entitled <i>Planning for Bush Fire Protection</i> prepared by the NSW Rural Fire Service. The requirement for the use of gutter guard in dwellings is therefore determined as part of the assessment undertaken in accordance with this provision of the Act and not as a result of a DCP control. No amendment has been made to Coffs Harbour DCP 2015 in response to this matter.</li> <li>Street setbacks are important, as the setback of buildings from a street edge affects how uses relate to the public space of the street. Front setbacks, or the absence of them, are an important aspect of neighbourhood character. In this regard, front building setback controls have been applied consistently in residential areas within the Coffs Harbour LGA since the inception of LEP 2000 and associated development control plans. To maintain such consistency, Coffs Harbour DCP 2015 provides for a 6m front setback for buildings less than 8.5m in height (generally two stories) and a 9m front setback for buildings greater than 8.5m in height. In line with up-to-date planning principles, Coffs Harbour DCP 2015 does however include an exception to allow for an articulation zone for lots that have at least a 4.5m setback area from a primary road. Articulation zones are based on contemporary planning principles which seek to provide a better a connection between the street and housing development and better use of open space areas around housing development.</li> </ul> <p>A number of building elements are permitted within the articulation zone provided that they do not comprise more than 25% of the area within the articulation zone. Based on an average allotment size within the LGA, this will allow an area of approximately 30m<sup>2</sup> for permitted building elements such as entry features, porticos, balconies, decks, patios, pergolas, terraces, verandahs, and sun shading features.</p> <p>It is noted that matching existing setbacks within an established landscape setting contributes to the proportions of the street and to the streets character. This is evidenced by the development standards provided within the General Housing and Rural Housing Code contained within <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> which require a setback distance based on the average distance of the setbacks of the nearest two dwelling houses with the same primary road boundary.</p> <p>Notwithstanding the above, it is acknowledged that a requirement for a setback varies from place to place depending on local context, the character of the street and desired built form for the area.</p> <p>This matter will be investigated as part of the Local Growth Management Strategy Review Stage 2 Residential Strategy, currently underway. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</p> <ul style="list-style-type: none"> <li>Council has a duty of care to ensure that Consultant's reports submitted in support of development applications satisfy legislative and policy requirements. Council's current process will remain unchanged. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</li> </ul>
3.	<p>Summit Development Land ( Former Lot 1 DP 119058)</p> <ul style="list-style-type: none"> <li>Due to the steep nature of the site, flexibility is required with regard to front and side setbacks as evidenced by the existing approvals for development on the land (DA 1053/04 &amp; DA</li> </ul>	<ul style="list-style-type: none"> <li>Given that the "Summit Land" has an existing operational development consent for a significant and unique multi-unit housing and strata title subdivision development, any future development proposals for this land would be benchmarked against this consent. In this regard, it is appropriate that a merit assessment for setback requirements is applied to the land. The corresponding map sheets have been amended</li> </ul>

No.	Issues Raised	Comments / Recommendations
	<p>1937/05). It is more appropriate to include this land as requiring Merit Assessment;</p> <p>Big Banana Residential Land (Part of Lot 4 DP 270533)</p> <ul style="list-style-type: none"> <li>Dual Occupancy and Semi Detached Dwellings are significantly impacted by the proposed front, side and rear setback controls. Small scale residential development of this kind is significantly impacted to the extent that the feasibility of dual occupancy development on a 400m<sup>2</sup> lot could not be reasonably achieved when also accounting for the private open space requirements, accordingly the setback controls are not considered compatible with the varied housing forms which are permitted by the zone. The site should be included into Merit Assessment to accommodate the range of development types on a varying topographical landform.</li> </ul> <p>Private Open Space – Dual Occupancy Development</p> <ul style="list-style-type: none"> <li>Where small lot housing such as dual occupancy development is proposed, the requirements for private open space on small lots (i.e. 400m<sup>2</sup>) is unachievable. The private open space requirements for attached dwellings and multi dwelling housing is more appropriate for such development. The table for ‘Private Open Space’ should be amended to relocated dual occupancy and semi-detached dwellings to require the same open spaces requirements as per attached dwellings and multi dwelling housing or an appropriate exception to this control could be included.</li> </ul>	<p>accordingly.</p> <ul style="list-style-type: none"> <li>As part of the DCP review process a number of inconsistencies and anomalies with various built form controls for certain land parcels were identified, including the Big Banana Residential Land. The Big Banana Residential Land was zoned R1 General Residential under Coffs Harbour LEP 2013 along with other land within the North Coffs Urban Release Area. The North Coffs DCP which was subsequently prepared identified the Big Banana Residential land as a residential precinct with a tourism component consistent with the Summit Land and medium density housing. This is further evidenced by the maximum building height for the land which is 17.5m. However the land has a minimum lot size of 400m<sup>2</sup> under Coffs Harbour LEP 2013, which is inconsistent with a medium density character.</li> </ul> <p>Given that development of the Big Banana Residential land has not been tested by any development proposals, it is equitable to retain the setback controls for similar medium density housing zones. Notwithstanding this, such matter will be investigated as part of the Local Growth Management Strategy Review Stage 2 Residential Strategy, currently underway. The character of the Big Banana residential land should be clarified as part of that process and associated built form controls applied. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</p> <ul style="list-style-type: none"> <li>Similar to front building setback controls, open space and landscaping requirements have been applied consistently in residential areas within the Coffs Harbour LGA since the inception of LEP 2000 and associated development control plans.</li> </ul> <p>Private open space and landscaping requirements are important within low density residential areas to ensure that building footprint and site coverage is appropriate for the low density character of the zone and to ensure that sufficient unbuilt upon areas are reserved for deep soil planting, permeable surfaces and open recreational and service areas. Further, landscaping assists in visually integrating development with the streetscape and wider neighbourhood, it also provides for trees, shade, and plays a screening function for privacy and visual amenity between development.</p> <p>The allowable site coverage for development within a low density zone should ensure that the mass and scale of any building will not form a detracting feature compromising the streetscape character.</p> <p>Clause 4.1B of Coffs Harbour LEP 2013 requires a minimum area of 800 square metres for development on a lot in Zone R2 Low Density Residential for the purposes of a dual occupancy. Whilst this clause does not apply to all land use zones in which dual occupancies are permissible, it demonstrates the need to minimise site coverage to achieve planned low density residential development. Given that floor space ratio controls under Coffs Harbour LEP 2013 do not currently apply to residential zoned land within the Coffs Harbour LGA, the retention of sufficient setback, private open space and landscaping requirements are necessary.</p> <p>The private open space controls within the exhibited draft Coffs Harbour DCP 2015 have been amended to apply to development types rather than land use zones to provide equity and consistency for various development types permissible in more than one residential land use zone. An exception has also been incorporated into the private open space requirements to allow for the use of an open deck to satisfy open space requirements on very steep lots. Notwithstanding this, it is acknowledged that private open space and landscaping requirements require review in conjunction with a review of minimum lot size and building height controls to ensure that they are appropriate for the objectives of the zone. This matter will be investigated as part of the Local Growth Management Strategy Review Stage 2 Residential Strategy, currently underway. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</p>
<b>Community Organisation Submissions</b>		
4.	<ul style="list-style-type: none"> <li>NSW Farmers has concerns with some of the content surrounding land use and vegetation management, specifically E1.1 Preservation of Trees and Vegetation and generally, the E2 zoning in Coffs Harbour LEP 2013.</li> <li>The Branch objects to the exception to the DCP requirements in E1.1 that “the works are restricted to a 2.5 metres corridor either side of an external boundary fence” in an E2 Zoning. This is vastly restrictive and significantly less than the 6 metre corridor either side of a boundary fence prescribed in the Native Vegetation Act. A 2.5 metre corridor is not practical for the replacement or maintenance of boundary fence lines. This is barely the width of a medium sized tractor and would greatly restrict the operation of machinery such as post drivers. Quality boundary fences are vital for restricting the movement of livestock to the properties concerned. Vegetation management is part and parcel of maintaining workable fences.</li> <li>The Branch is concerned with the fact that the requirements of E1.1 do not apply to land zoned RU2 Rural Landscape under Coffs Harbour LEP 2013. The clearing of native vegetation on land</li> </ul>	<ul style="list-style-type: none"> <li>Land use zoning provisions for land in the Coffs Harbour Local Government Area are contained within Coffs Harbour LEP 2013 and not the associated Development Control Plan. The matters raised in relation to the E2 Environmental Conservation zone cannot therefore be addressed as part of the DCP review process. No amendment has been made to Coffs Harbour DCP 2015 in relation to matter.</li> <li>Coffs Harbour DCP 2015 has been amended to contain an exemption to enable the clearing of prescribed vegetation on land zoned E2 Environmental Conservation under Coffs Harbour LEP 2013 for a distance of 3 metres either side of a boundary fence (for construction and maintenance purposes) where the land adjoins rural zoned land. This exemption is not provided for under the current planning controls and has been included to enable more flexibility for agricultural land uses. Whilst this exemption does not align with the exemptions under the <i>Native Vegetation Act 2003</i> for routine agricultural management activities (6m either side of a permanent boundary fence), it does enable the maintenance and construction of boundary fencing based on a standard 3m tractor blade width, whilst still recognising the high biodiversity values of the land.</li> </ul> <p>E1.1 of DCP 2015 does not apply to land zoned RU2 Rural Landscape as approval is not required under Coffs Harbour LEP 2013 for activities authorised under the <i>Native Vegetation Act 2003</i> (i.e. routine agricultural management activities). The Coffs Harbour LGA does not contain</p>

No.	Issues Raised	Comments / Recommendations
	<p>zoned RU2 Rural Landscape under Coffs Harbour LEP 2013 is subject to the <i>Native Vegetation Act 2003</i> administered by Local Land Services. The branch questions the council does not apply this to RU1 zoned land, which supplies a significant portion of our local food.</p> <ul style="list-style-type: none"> <li>Land zoned Environmental Protection 7A (Habitat and Catchment) under the former Coffs Harbour LEP 2000 was amended to an E2 Environmental Conservation land use zone under Coffs Harbour LEP 2013 without consultation with the farming community.</li> </ul> <p>Previously under Coffs Harbour LEP 2000, agriculture (not involving the clearing of bushland or construction of buildings) was permitted without consent on land zoned 7A including Routine Agricultural Management Activities (RAMAs) such as slashing and maintaining fence lines.</p> <p>Under Coffs Harbour LEP 2013, RAMAs are excluded from land zoned E2 Environmental Conservation unless there is a property vegetation plan (PVP), resulting in immediate implications for local farmers in terms of boundary fence lines, pasture maintenance, farm diversity and private native forestry.</p> <p>There are currently a number of environmental restrictions placed on farmers. Local planning can further restrict this through the imposition of environmental zones (E2-E4) over farm land. 'E-zones' purport to allow existing uses to continue, however existing use rights do not suffice for the purposes of supporting and promoting a healthy farming sector and expire if not used in 12 months. The NSW Farmers Coffs Harbour branch urges the Council to undertake a dialogue with the farming community to ascertain shared values, goals and achievable outcomes.</p>	<p>any land zoned RU1 Primary Production. No amendment has been made to Coffs Harbour DCP 2015 in relation to this submission.</p> <ul style="list-style-type: none"> <li>As mentioned above, land use zoning provisions for land within the Coffs Harbour LGA are contained within Coffs Harbour LEP 2013 and not the associated development control plan. The matters raised in relation to Coffs Harbour LEP 2013 cannot therefore be addressed as part of the DCP review process.</li> </ul> <p>Council is currently in the process of undertaking the LGMA Review Stage 3 Rural Lands. This strategy will address a number of issues raised in this submission and is a more appropriate mechanism to resolve these issues. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</p>
<b>Government Agency Submissions</b>		
5.	<ul style="list-style-type: none"> <li>Definition of High Conservation Land should include references to Solitary Islands Marine Park, E1 and E2 zoned land and also W1 and W2 zoned land.</li> <li>Definition of Riparian Zone needs to define what riparian zone is i.e. does it have a width. Widths could be different depending on order of stream.</li> <li>C1.10 – Steep land and highly erodible soils may require special conditions if sediment and erosion control measures are to perform adequately – needs to be recognised in DCP.</li> <li>C1.11(3)(f) – consideration should be given to excluding all infrastructure, included roads, from riparian zones; at least the E2 zone.</li> <li>DCP should include special requirements (in Parts E, F, G or as an appendices) that may exist when developing within or adjacent to lands that fall under the W zones.</li> <li>DCP should have some guidance on how intensive agriculture, both irrigated and no-irrigated, should be developed. Impacts include sediment transport and chemical contamination in streams, estuaries and inshore reefs.</li> </ul>	<ul style="list-style-type: none"> <li>The definition of High Conservation Value Land provided in Part A6 of Coffs Harbour DCP 2015 has been amended to include land zoned E1 National Parks and Nature Reserves, W1 Natural Waterways, W2 Working Waterways and land declared a Marine Park under Division 1 of Part 5 of the <i>Marine Estate Management Act 2014</i>.</li> </ul> <p>It is noted in this instance that land declared as a Marine Park under the <i>Marine Estate Management Act 2014</i> within the Coffs Harbour LGA is not completely captured by the W1 Natural Waterways land use zone under the <i>Coffs Harbour Local Environmental Plan (LEP) 2013</i>, hence the inclusion of a specific reference to a Marine Park within this definition.</p> <ul style="list-style-type: none"> <li>E1.3 Riparian zone requirements of Coffs Harbour DCP 2015 contains requirements for riparian zone buffer distances. No amendment has been made to Coffs Harbour DCP 2015 in relation to this matter.</li> <li>An advisory note has been provided within C1.10, D1.14, D2.13, D3.20, D4.21 and D5.19 of Coffs Harbour DCP 2015 in relation to a requirement for specific sediment and erosion control measures for steep land and highly erodible soils that occur within the Coffs Harbour LGA.</li> <li>C1.11(3)(f) and E1.4(2) of Coffs Harbour DCP 2015 have been amended to ensure that all infrastructure associated with development and subdivision proposals do not impact on high conservation value land.</li> <li>An advisory note is provided within E1.5 of Coffs Harbour DCP 2015 which references Clause 56 of the <i>Marine Estate Management Act 2014</i> as a relevant consideration for development in the area of a Marine Park.</li> <li>An advisory note has been included within D4.21 Rural Land Use Conflict of Coffs Harbour DCP 2015 in relation to the potential for intensive agricultural land uses to result in significant land use conflicts and/or environmental impacts if not managed appropriately. A hyperlink to various agricultural land use guidelines prepared by the NSW Department of Primary Industries is also provided to assist proponents on such matters. Definitions for intensive livestock agriculture and intensive plant agriculture have also been provided within Part A6 of the Plan.</li> </ul>
6.	<ul style="list-style-type: none"> <li>Key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure assets and the integration of land use and transport.</li> <li><i>State Environment Planning Policy (Infrastructure) 2007</i> makes it the Consent Authority's responsibility to ensure that development fronting a classified road does not impact on the</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>An advisory note has been included within F1 Access and Parking of Coffs Harbour DCP 2015 relating to the provisions of Clause 101 of <i>State Environmental Planning Policy (Infrastructure) 2007</i> which apply to development on land that has frontage to a classified road.</li> </ul>

No.	Issues Raised	Comments / Recommendations
	<p>safety and efficiency of the classified road. This Policy also makes it the Consent Authority's responsibility to ensure access is to be to roads other than the classified road where practicable.</p> <ul style="list-style-type: none"> <li>The notes for Part F.1.5 onsite parking, of the draft DCP, refers to the RMS Guide to Traffic Generating Developments for parking studies. The guide does not include information about carrying out a parking study. The best reference in this case would be AUSTRROADS Guide to Traffic Management, Part 3, Traffic Studies and analysis.</li> <li>With regards to Part F, onsite parking, Roads and Maritime have been updating traffic and parking analysis for different land use activities. These updates have been released as Technical Directions, some of the more recent data can be found at: <a href="http://www.rms.nsw.gov.au/trafficinformation/downloads/td13-04a.pdf">http://www.rms.nsw.gov.au/trafficinformation/downloads/td13-04a.pdf</a></li> </ul>	<ul style="list-style-type: none"> <li>The advisory notes associated with F1.5 On-Site Parking of Coffs Harbour DCP 2015 have been amended to include a requirement for parking studies to be undertaken in accordance with AUSTRROADS Guide to Traffic Management, Part 3, Traffic Studies and Analysis.</li> <li>A review of the updated traffic and parking analysis undertaken by the NSW Roads and Maritime Services and comparison with the onsite car parking rates contained within the Coffs Harbour DCP 201 is outside the scope of the DCP review project. Notwithstanding this, a follow up action is recommended to be undertaken as a separate land use planning project where funding permits to review and compare the results of the analysis undertaken by the NSW RMS with Council's off street parking rates. No amendment has been made to Coffs Harbour DCP 2015 in response to this submission.</li> </ul>
7.	<ul style="list-style-type: none"> <li>No comment with respect to the draft Development Control Plan.</li> <li>Council needs to assess the consistency of the development standards contained in the draft instrument with the 'specifications and requirements' of Planning for Bush Fire Protection 2006 and associated documents.</li> <li>It is noted that the DCP does not reference bush fire requirements associated with lands mapped bush fire prone.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>The controls within Coffs Harbour DCP 2015 are not inconsistent with the specifications and requirement of <i>Planning for Bush Fire Protection 2006</i> and associated documents. No amendment has been made to Coffs Harbour DCP 2015 in relation to this matter.</li> <li>The following note has been included within E1.4 Environmental design requirements – general: <i>Development on bush fire prone land is subject to the provisions of the Rural Fires Act 1997. In this regard, Sections 79BA and 91 of the Environmental Planning and Assessment Act 1979 may be relevant considerations for development and/or subdivision proposals.</i></li> </ul>
8.	<ul style="list-style-type: none"> <li>Agriculture NSW provides assessment guidelines, statistics and other useful resources that may support your Council in future planning and local development assessments via the following link <a href="http://www.dpi.nsw.gov.au/agriculture/resources/lup">www.dpi.nsw.gov.au/agriculture/resources/lup</a></li> <li>We support the inclusion of the Land Use Conflict Risk Assessment guidelines within Part C1.5, however in addition we strongly recommend that the NSW DPI Farm Subdivision Assessment Guideline also be referred to within this section of the DCP to ensure future development applications are fully assessed against our Departments requirements.</li> </ul>	<ul style="list-style-type: none"> <li>An advisory note has been included within D4.21 Rural Land Use Conflict of Coffs Harbour DCP 2015 in relation to the potential for intensive agricultural land uses to result in significant land use conflicts and/or environmental impacts if not managed appropriately. A hyperlink to various agricultural land use guidelines prepared by the NSW Department of Primary Industries has been provided to assist proponents on such matters. Definitions for intensive livestock agriculture and intensive plant agriculture have also been provided within Part A6 of the Plan.</li> <li>A new objective has been included within C1.5 Subdivision – Design Requirements for Rural and Large Lot Residential Zones of Coffs Harbour DCP 2015 in relation to minimising impacts from rural subdivisions on primary industry production and development opportunities. A new requirement has also been included within this control to ensure that subdivision proposals for land zoned RU2 Rural Landscape under Coffs Harbour LEP 2013 are designed to minimise impacts on primary industry production and development opportunities with reference to the Farm Subdivision Assessment Guideline (NSE Department of Industry and Investment 2009).</li> </ul>
9.	<ul style="list-style-type: none"> <li>With respect to development controls, OEH commends Coffs Harbour City Council (CHCC) for its efforts in preparing draft DCP 2015, and for including specific provisions relating to the protection and management of the environment and heritage. In addition specific provisions are supported for inclusion within draft DCP 2015 which require applicants to consider the environmental consequences of their proposed developments, and in doing so, incorporate elements into their subdivision and development design and construction to avoid and mitigate environmental impacts.</li> <li>The word 'substantial' should be removed from clause C1.4 and clause E1.5, as it is a subjective term.</li> <li>Clauses C1.4 and E1.5 should state that any 'unavoidable' works that adversely affect areas identified and mapped as E2 should require a comprehensive ecological assessment, which should include identifying actions to avoid (including modification of proposed subdivision works), mitigate or offset the anticipated impacts.</li> <li>The application of a Section 5A Assessment (the seven part test) using the information provided in the ecological assessment should be identified in clauses C1.4 and E1.5 as the appropriate methodology to consistently determine the significance of any anticipated impact on threatened species, populations, ecological communities, or their</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Controls C1.4 and E1.5 have been amended to remove references to subjective terms such as 'substantial'.</li> <li>An additional requirement has been incorporated into controls C1.4 and E1.5 of Coffs Harbour DCP 2015 to ensure that ecological assessment reports identify actions to avoid, mitigate or offset likely impacts from development.</li> <li>E1.5 of Coffs Harbour DCP 2015 contains a note relating to Section 5A of the EP&amp;A Act and the requirement to take the matters specified in this Section of the Act into consideration when determining whether there is likely to be a significant impact on threatened species, populations or endangered ecological communities.</li> </ul>

No.	Issues Raised	Comments / Recommendations
	<p>habitats.</p> <ul style="list-style-type: none"> <li>A note should be included in clause C1.10 to reference both the provisions of the <i>National Parks and Wildlife Act 1974</i>, as it relates to Aboriginal objects, and the <i>Heritage Act 1977</i> as it relates to relics and to require an Aboriginal heritage assessment where the potential exists for Aboriginal objects to occur.</li> <li>In addition to requiring future roads to be located outside riparian zones, requirement 3(f) of clause C1.11 should be strengthened to require the exclusion of all new infrastructure from riparian zones such as, but not limited to, power, water and sewer, as well as stormwater detention structures and bushfire asset protection zones.</li> <li>A note should be included at clauses C1.14, E1.2 and E1.6 to inform applicants and land owners that additional mechanisms exist for the in-perpetuity management of land, such as the making of a BioBanking Agreement. A link to the OEH BioBanking website at this note would be beneficial for those individuals seeking further information- <a href="http://www.environment.nsw.gov.au/biobanking/">www.environment.nsw.gov.au/biobanking/</a></li> <li>The POV Map should be updated as soon as possible to better reflect vegetation of high biodiversity conservation value within the Coffs Harbour LGA as proposed to be derived by Council in a Terrestrial Biodiversity Assets and Ecological Significance Layer.</li> <li>Specific design requirements for areas mapped as Koala habitat as well as areas that adjoin Koala habitat should be included in clause E1.4, such as street lighting, fencing that allows for the free movement of Koalas, traffic calming and speed restrictions for new streets and roads, as per the Coffs Harbour Koala Plan of Management (Part A).</li> <li>Clause F2.1 should state that application of the OEH Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales should be documented as the Aboriginal cultural heritage assessment for proposals.</li> <li>An Aboriginal cultural heritage study, underpinned by a comprehensive and culturally appropriate consultation protocol should be undertaken for the Coffs Harbour LGA to inform the preparation of LEP provisions and/or DCP protocols for avoiding and managing impacts on that cultural heritage.</li> <li>The DCP should include clauses to protect heritage values in situ and to require management of those values in culturally appropriate ways in consultation with the local Aboriginal community.</li> <li>Clauses F2.2, F2.3 and F2.4 should include reference to the <i>Heritage Act 1977</i>, specifically the Act's provisions that aim to conserve the environmental heritage of NSW, including those that identify and register items of State heritage significance, the interim protection of items of State heritage significance and functions relating to the management of the State's heritage.</li> </ul>	<ul style="list-style-type: none"> <li>C1.10, D2.13, D3.20, D4.14, and D5.19, of Coffs Harbour DCP 2015 have been amended to remove references to cultural heritage values as this matter is addressed in F2.1 of the DCP which applies to the whole Coffs Harbour LGA. The main objective of the above controls is to ensure that development applications are accompanied by sufficient information in relation to erosion and sediment controls.</li> <li>C1.11(3)(f) and E1.4(2) of Coffs Harbour DCP 2015 have been amended to ensure that all infrastructure associated with development and subdivision proposals does not impact on high conservation value land.</li> <li>An advisory note has been included within C1.14, E1.2, E1.6 of Coffs Harbour DCP 2015 to inform applicants of additional mechanisms for the in-perpetuity management of high conservation value land, such as the Biodiversity Banking and Offsets Scheme administered by the NSW Office of Environment and Heritage.</li> <li>The use of Council's latest environmental data (such as the fine scale vegetation mapping prepared for the LGA in conjunction with OEH) to inform the Preservation of Vegetation Map (POV) is outside the scope of the DCP review process given that the use of such data is subject to detailed environmental analysis which is not currently finalised. In this regard, a follow up action is recommended to update the POV to reflect high conservation biodiversity values within the Coffs Harbour LGA derived from the environmental analysis currently being undertaken in regard to biodiversity assets. No amendment has been made to Coffs Harbour DCP 2015 in relation to this matter.</li> <li>E1.4 of Coffs Harbour DCP 2015 has been amended to incorporate an additional requirement relating to specific design requirements for land to which Clause 7.8 Koala Habitat of Coffs Harbour LEP 2013 applies. E1.5(5) of the DCP also requires that development applications are accompanied by sufficient information to demonstrate compliance with the <i>Coffs Harbour City Koala Plan of Management 1999</i>.</li> <li>F2.1 of Coffs Harbour DCP 2015 requires development applications to be accompanied by an archaeological assessment where the Due Diligence Code of Practice for the Protection of Aboriginal Object sin New South Wales(DECW 2010) identifies that such an assessment should be undertaken.  A6 - Definitions of Coffs Harbour DCP 2015 defines an archaeological assessment as follows: '<i>Archaeological assessment has the same meaning as a Heritage Impact Statement as defined in the Coffs Harbour LEP 2013, including a written report prepared in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (Office of Environment &amp; Heritage 2011)</i>'. In this regard, the Due Diligence Code is simply the trigger for when an archaeological assessment is required and is not used as the assessment. No changes are therefore required to F2.1 of the DCP.</li> <li>Coffs Harbour City Council is currently in the process of preparing an Aboriginal cultural heritage study (or the like) to inform LEP and DCP provisions for the Coffs Harbour LGA. Such project involves extensive consultation with the local Aboriginal community and is likely to take considerable time to finalise. It is therefore outside the scope of the DCP review process to include this body of work. Following finalisation of this project, additional LEP and DCP amendments may be undertaken if required. No amendment has been made to Coffs Harbour DCP 2015 in relation to this matter.</li> <li>F2.1 of Coffs Harbour DCP 2015 has been amended to incorporate an additional requirement for the in situ protection and management of cultural heritage values in consultation with the local Aboriginal community.</li> <li>F2.2 of Coffs Harbour DCP 2015 has been amended to incorporate an advisory note relating to the <i>Heritage Act 1977</i> and provisions pertaining to items of State heritage significance and the interim protection of items of State heritage significance.</li> </ul>



Attachment 4

# Final Background Report and Recommended Actions

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*Coffs Harbour Development Control Plan 2015*

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## DCP REVIEW

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*Coffs Harbour Local Environmental Plan (LEP) 2013* was formally made on the 27 September 2013 to accord with the State Government's requirement for all NSW Council's to prepare a comprehensive LEP based on the *Standard Instrument (Local Environmental Plans) Order 2006* (also known as the 'Standard Template').

*Coffs Harbour Development Control Plan (DCP) 2013* subsequently became operational on the 2 October 2013 to give effect to *Coffs Harbour LEP 2013* and to further satisfy the State Government's Requirement that only one DCP per planning authority may apply to the same land.

Despite its recent inception, it was determined that a comprehensive review of *Coffs Harbour DCP 2013* was required to address the following matters:

### *Legislative requirements*

Pursuant to s74BA of the *Environmental Planning and Assessment Act 1979* (EP&A Act) planning authorities may prepare a DCP only:

- to give effect to the aims of an environmental planning instrument (EPI); and
- to facilitate development that is permissible under an EPI, and
- to achieve the objectives of land use zones under an environmental planning instrument.

*Coffs Harbour DCP 2013* has been reviewed to ensure that it accords with these legislative requirements in relation to the purpose and status of DCPs.

### *Deferred areas*

Council at its Ordinary Meeting of 13 December 2012 resolved to defer certain lands at Hearnese Lake/Sandy Beach, Emerald Beach and Moonee from *Coffs Harbour LEP 2013*.

Council's decision to defer such land was based on submissions from land owners during the exhibition of the draft *Coffs Harbour LEP 2013* which suggested that the land use zones proposed for this land were not evidenced based or supported by a comprehensive Local Environmental Study.

*Coffs Harbour DCP 2015* has been designed so that the findings of environmental and planning investigations undertaken for the deferred areas can be easily integrated into the DCP following endorsement by Council.

Importantly, *Coffs Harbour DCP 2015* incorporates controls for certain land parcels within the Moonee and Hearnese Lake / Sandy Beach urban release areas that are not deferred from *Coffs Harbour LEP 2013* and inadvertently do not have any applicable planning controls under *Coffs Harbour DCP 2013*.

### *ePlanning*

The structure and content of *Coffs Harbour DCP 2013* has been reviewed to ensure that Council's DCP integrates with ePlanning processes that Coffs Harbour City Council has been implementing across the organisation, with the aim to facilitate online planning enquiries via Council's ePlanning platform.

## DIFFERENCE BETWEEN DCP 2013 AND DCP 2015

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*Coffs Harbour DCP 2013* is essentially a compilation of multiple DCPs that were previously adopted by Council to support the former *Coffs Harbour City LEP 2000*, with some modifications to reflect changes in legislation and new Council policy.

*Coffs Harbour DCP 2015* has further developed the 2013 DCP to provide a more cohesive and user friendly guideline for carrying out development within the Coffs Harbour Local Government Area (LGA).

The revised format of the DCP includes mapped based controls and the ability to easily interact between chapters within the Plan and with relevant legislation, policies and guidelines external to the Plan.

## SIGNIFICANT CHANGES

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Many aspects of the DCP have changed, with the most significant changes relating to:

- the structure and layout of the Plan;
- updates to specific controls such as density and setbacks; and
- updates to controls that apply to urban release areas.

A detailed discussion in relation to modifications to the DCP is provided in [Appendix 1 - Key Changes](#) of this background report.

## LIMITATIONS

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Due to time constraints and limited budget allocations provided for the DCP Review, a number of matters have been identified during the course of the DCP Review which require further investigation and resolution.

A detailed discussion in relation to matters requiring further investigation and resolution is provided in [Appendix 1 – Key Changes - Element No. 8 Recommended Actions](#) of this report.

## APPLICATION OF DCP 2015

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Coffs Harbour DCP 2015 will apply to all land to which *Coffs Harbour LEP 2013* applies.

*Note: Coffs Harbour DCP 2015 has been designed so that controls relating to deferred areas and coastal hazards can be easily integrated into the structure of the plan.*



## DCP STRUCTURE

The structure of the DCP has been revised to provide for a more user friendly guideline and to assimilate with Council's ePlanning platform. The new structure is summarised below:

Coffs Harbour DCP 2015	Overview
Part A - Introduction	This part outlines administrative processes of the Plan, including how the chapters work and provides overall objectives of the Plan, definitions and abbreviations.
Part B – Public Consultation	This part identifies which development applications are to be publicly notified and how they are to be publicly notified.
Part C – Subdivision Controls	This part includes controls specific to the subdivision of land.
Part D – Built Form Controls	This part includes controls for various types of development: <ul style="list-style-type: none"> <li>• D1 Commercial Development</li> <li>• D2 Industrial Development</li> <li>• D3 Residential Development</li> <li>• D4 Rural and Large Lot Residential Development</li> <li>• D5 Tourist Development</li> </ul>
Part E – Environmental Controls	This part includes controls for development on land with environmental constraints: <ul style="list-style-type: none"> <li>• E1 Biodiversity</li> <li>• E2 Coastal Hazards - Deferred</li> <li>• E3 Contaminated Land</li> <li>• E4 Flooding</li> </ul>
Part F – General Development Controls	This part includes controls that have a broad application to various types of development throughout the LGA: <ul style="list-style-type: none"> <li>• F1 Access and Parking</li> <li>• F2 Heritage Conservation</li> <li>• F3 Landscaping</li> <li>• F4 Sex Services</li> <li>• F5 Signage</li> <li>• F6 Waste Management</li> </ul>
Part G – Special Area Controls	This part includes controls for development within urban release areas and/or special areas within the LGA: <ul style="list-style-type: none"> <li>• G1 Boambee Creek</li> <li>• G2 Coffs Harbour Arthur Street Precinct</li> <li>• G3 Coffs Harbour City Core Precinct</li> <li>• G4 Coffs Harbour Jetty Business Precinct</li> <li>• G5 Coffs Harbour Victoria Street Precinct</li> <li>• G6 Coffs Harbour Regional Airport - Deferred</li> <li>• G7 East Moonee, Emerald Beach, Hearnese Lake/Sandy Beach</li> <li>• G8 Korora Large Lot Residential</li> <li>• G9 North Boambee Valley East</li> </ul>

Coffs Harbour DCP 2015	Overview
	<ul style="list-style-type: none"> <li>• G10 North Bonville</li> <li>• G11 Sawtell Village Precinct</li> <li>• G12 South Coffs</li> <li>• G13 West Coffs</li> <li>• G14 West Moonee</li> <li>• G15 West Woolgoolga</li> </ul>
<p><b>Part H – Appendices</b></p>	<p>This part contains various guidelines to supplement specific chapters within the DCP:</p> <ul style="list-style-type: none"> <li>• Appendix 1 Coastal Hazard Scenarios and Reports (Deferred)</li> <li>• Appendix 2 Preparing Vegetation Management Plans</li> <li>• Appendix 3 Landscaping &amp; Weed Species</li> <li>• Appendix 4 Waste Management Examples</li> </ul>
<p><b>Part I – Schedule of Amendments</b></p>	<p>This part contains a schedule of amendments made to the DCP.</p>

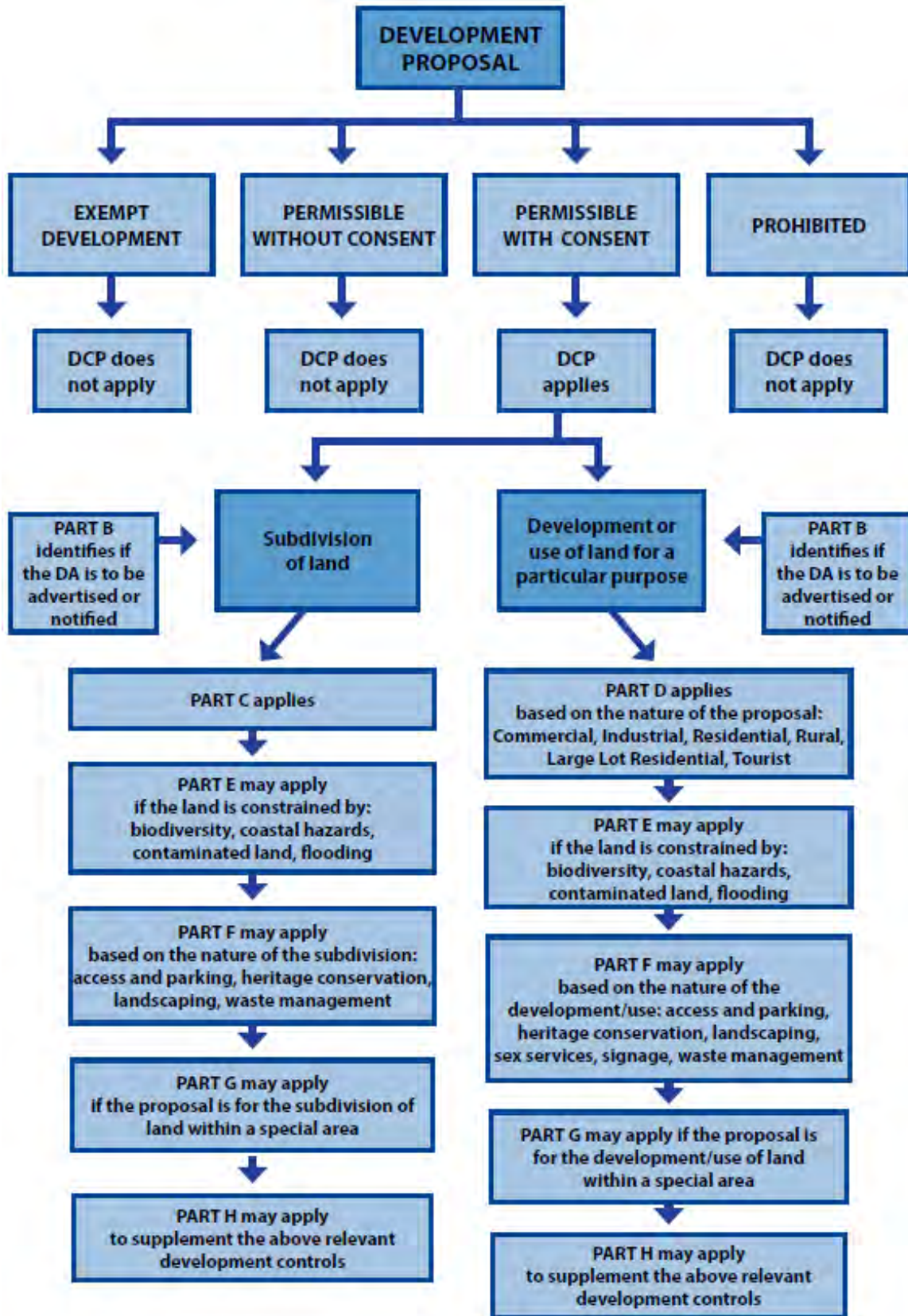
The format within each chapter of *Coffs Harbour DCP 2015* has been designed to ensure that the Plan is clearly understood and to enable the Plan to integrate with Council’s ePlanning processes. The layout within each chapter is consistent through the use of the following:

**DCP Control**

- Applies to Land*
- Objectives*
- Requirements*
- Exceptions (if applicable)*
- Notes (if applicable)*

Development applications are required to demonstrate that the proposed development satisfies the objectives and requirements of each relevant DCP control. The exceptions may identify particular situations where a requirement does not apply, or where additional requirements apply. Notes are also included for certain controls to provide further guidance to proponents or to alert proponents of other relevant considerations external to the Plan.

The steps in determining how the DCP applies to development are provided in the following flow chart:



## Attachment 4

The way that the DCP has been structured means that controls within more than one chapter can apply to a proposed development.

For example, the following chapters may need to be addressed in a development application for a dwelling house:

- Chapter D3 – Residential Development
- Chapter E1 – Biodiversity
- Chapter F1 – Access and Parking
- Chapter F2 – Heritage Conservation
- Chapter F6 – Waste Management

Council's online planning enquiry system will assist proponents in ascertaining which chapters and controls are relevant considerations for their development proposal.

The ePlanning software provides the ability to filter controls from the DCP specific to development types, thereby enabling proponents to easily determine the controls that are applicable to their proposal.

## TERMS USED WITHIN DCP 2015

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To enable proponents to easily interact between chapters within the DCP and with relevant legislation, guidelines and policies external to the Plan, some terms within the DCP are coloured and provide hyperlinks to the original source.

Terms which are defined within the DCP are also coloured and enable proponents to view the definition of the term within the body of the chapter without having to manually refer to the dictionary within Part A of the Plan.

## COMMENCEMENT OF DCP 2015

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If approved by Council, *Coffs Harbour DCP 2015* commences on the date that public notice of its approval is given in a local newspaper, or on a later date specified in the notice.

## ATTACHMENT 1 – KEY CHANGES

Element	Key Change
<b>1. Structure</b>	
<b>1(a) General Layout</b>	<p>The structure of <i>Coffs Harbour Development Control Plan (DCP) 2015</i> is significantly different to <i>Coffs Harbour DCP 2013</i> ('DCP 2013') as it has been designed to be more accessible and to facilitate online planning enquiries.</p> <p>The revised format of the Plan includes mapped based controls and the ability to easily interact between chapters within the Plan and with relevant legislation, policies and guidelines external to the Plan.</p> <p><b>Part A</b> of <i>Coffs Harbour DCP 2015</i> has been simplified to contain administrative functions of the Plan including objectives, definitions and abbreviations. The controls relating to public consultation have been moved to Part B of <i>Coffs Harbour DCP 2015</i>.</p> <p><b>Part B</b> of <i>Coffs Harbour DCP 2015</i> contains controls exclusive to public consultation (notification and advertising requirements). The purpose of this is to distinguish the function of this part in providing controls in contrast to administrative functions which are now contained within Part A of <i>Coffs Harbour DCP 2015</i>.</p> <p><b>Part C</b> of <i>Coffs Harbour DCP 2015</i> contains controls exclusive to the subdivision of land. Such controls are currently contained within Land Use Specific Information, Component B1 – Subdivision Requirements under DCP 2013.</p> <p>The purpose of separating controls specific to the subdivision of land from other development types is to recognise that the subdivision of land is an 'activity' and not a land use – as reflected within the <i>Coffs Harbour Local Environmental Plan 2013</i> ('LEP 2013') within which the subdivision of land is not contained within the land use tables and is addressed in a separate part of the instrument.</p> <p><b>Part D</b> of <i>Coffs Harbour DCP 2015</i> contains controls specific to development within certain land use zones: commercial, industrial, residential, rural and large lot residential and tourist. This is similar to Part B of DCP 2013 (Land Use Specific Information) however each chapter is now more self-contained, comprising controls that are currently within other chapters of DCP 2013. The purpose of this is to ensure that the Plan is easily navigated and to minimise the need for proponents to consult with a myriad of other chapters within the Plan.</p> <p><b>Part E</b> of <i>Coffs Harbour DCP 2015</i> contains controls for specific environmental matters such as: biodiversity, coastal</p>

Element	Key Change
	<p>hazards (deferred), contaminated land and flooding. Controls relating to erosion and sediment control are now contained within Parts C and D of <i>Coffs Harbour DCP 2015</i>.</p> <p><b>Part F</b> of <i>Coffs Harbour DCP 2015</i> contains controls that have a broad application across the Coffs Harbour Local Government Area (LGA) such as: access and parking, heritage conservation, landscaping, sex services, signage and waste management. This Part is similar to Part C – Issue Specific Information of DCP 2013 however controls contained within Components C1 – Design Requirements and C8 Integrated Natural Water Cycle Management Requirements are now contained within Part D of the Plan. Further, Component C6 – Minor Earthworks has been deleted from the Plan as the controls within this component are required to be included within <i>Coffs Harbour LEP 2013</i> (refer to element 5(b) below for further discussion on this matter).</p> <p><b>Part G</b> of <i>Coffs Harbour DCP 2015</i> contains controls which are unique to specific localities and urban release areas within the LGA. This Part is similar to Part E – Locality Based Special Information of DCP 2013 as it includes provisions for urban release areas and key sites. However this part has been simplified to only contain controls that are not captured elsewhere within the Plan.</p> <p><b>Part H</b> of <i>Coffs Harbour DCP 2015</i> contains appendices which supplement various chapters within the Plan to provide further guideline on certain matters.</p> <p><b>Part I</b> of <i>Coffs Harbour DCP 2015</i> provides a schedule of amendments to the Plan so that any future changes to the Plan are recorded and can be tracked.</p>
<p>1(b) Chapter Layout</p>	<p>Excluding Parts A, B, H and I of <i>Coffs Harbour DCP 2015</i>, each chapter within the Plan has the same layout so that proponents and assessment officers can easily determine for each DCP control: the land to which it applies, the objectives of the control, the requirements of the control and any exceptions to the control. Notes are also provided in some instances to assist in the interpretation of the control or to highlight other relevant legislation, guidelines or policies that may apply.</p> <p>For example, each DCP control is structured as follows:</p> <p><i>DCP Control</i></p> <ul style="list-style-type: none"> <li>• <i>Applies to Land</i></li> <li>• <i>Objectives</i></li> <li>• <i>Requirements</i></li> </ul>



Element	Key Change
	<ul style="list-style-type: none"> <li>• <i>Exceptions (if required)</i></li> <li>• <i>Notes (if required).</i></li> </ul> <p>Each chapter no longer contains general objectives or general text relating to background information. Objectives are now specific to each DCP control. Additional information that may assist in the interpretation of certain DCP controls is provided as a note at the end of the control.</p> <p>This structure has been developed to operate within ePlanning software currently being implemented by Council so that online planning enquiries can be undertaken by proponents. The software provides the ability to filter controls from <i>Coffs Harbour DCP 2015</i> specific to a type of development or for development within a certain land use zone, thereby enabling proponents to easily determine the controls that are applicable to their proposal.</p>
1(c) Chapter Functions	<p>As discussed above, <i>Coffs Harbour DCP 2015</i> has been designed to operate efficiently within ePlanning software so that online planning enquiries can be undertaken by proponents. One of the benefits of using this software is the ability to view definitions within each chapter of the Plan without having to manually navigate to the definitions contained within Part A of the Plan. Proponents can also easily access external legislation, guidelines and policies via hyperlinks embedded within the content of the Plan.</p>
1(d) Maps	<p>Maps are no longer imbedded within the content of the Plan as hard copies. The new structure of the Plan has been designed so that maps are accessed electronically from hyperlinks within the Plan.</p>
<b>2. Chapters</b>	
2(a) Part A - Introduction	<p>The layout of this chapter is similar to Part 1 of <i>Coffs Harbour LEP 2013</i>. The purpose of this is to provide consistency for proponents and to ensure that the administrative functions of <i>Coffs Harbour DCP 2015</i> are clearly presented.</p> <p>The definitions within <i>Coffs Harbour DCP 2015</i> have been revised so that standard terminology is provided within the Plan, utilising standard definitions from relevant legislation such as the <i>Environmental Planning and Assessment Act 1979</i> ('the Act'), the <i>Environmental Planning and Assessment Regulation 2000</i> ('the Regulation') and environmental planning instruments, including state policies and <i>Coffs Harbour LEP 2013</i>. Some new definitions have been developed specifically for the purposes of <i>Coffs Harbour DCP 2015</i>.</p>
2(b) B1 - Public Consultation	<p>DCP controls relating to the public consultation of development applications are currently contained within</p>

Element	Key Change
	<p>Component A2 – Notification and Public Participation of DCP 2013.</p> <p>Under <i>Coffs Harbour DCP 2015</i>, requirements for when and how a development application is to be publicly notified are contained within Chapter B1 – Public Consultation.</p> <p>The public consultation requirements are essentially the same as per DCP 2013 save a few minor updates, however the layout of the controls has been improved so that they can be easily interpreted and to assimilate with Council’s ePlanning software.</p> <p>Further, the controls in this Part have been revised so that they only address development that is advertised and notified for the purposes of <i>Coffs Harbour DCP 2015</i>.</p> <p>In this regard, additional advertising and notification requirements under the Act and the Regulation are only provided as notes, to inform proponents of additional provisions that may apply under separate statute.</p>
<p><b>2(c) C1 - Subdivision of Land</b></p>	<p>DCP controls relating to the subdivision of land are currently contained within Component B1 - Subdivision Requirements of DCP 2013. The controls within this component have been reviewed and revised in consultation with Council’s Sustainable Infrastructure and Sustainable Communities Departments to ensure that they reflect current statute and contemporary engineering/planning principles.</p> <p>The revised controls are contained within Chapter C1 – Subdivision of Land of <i>Coffs Harbour DCP 2015</i>.</p> <p>To ensure that this chapter is largely self-contained, a number of controls that are currently contained within Component C1 – Design Requirements of DCP 2013 have also been incorporated within this revised Chapter as well as the inclusion of controls relating to erosion and sediment control which are currently contained within Component D1 – Erosion and Sediment Control Requirements of DCP 2013.</p>
<p><b>2(d) D1 - Commercial Development</b></p>	<p>DCP controls relating to commercial development are currently contained within Component B3 - Business Development Requirements of DCP 2013. The controls within this component have been reviewed and revised in consultation with various stakeholders within Council to ensure that they reflect current statute and contemporary planning principles.</p> <p>The revised controls are contained within Chapter D1 – Commercial Development of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes to this chapter include:</p>



Element	Key Change
	<ul style="list-style-type: none"> <li>- the use of electronic maps for density and setback requirements, similar to those under <i>Coffs Harbour LEP 2013</i> in relation to height and floor space ratios (refer to elements 7(a) and 7(b) below for further details);</li> <li>- the introduction of specific setback and landscaping controls for certain land zoned B6 Business Enterprise Corridor under <i>Coffs Harbour LEP 2013</i> (refer to element 7(b)(vi) below for further details);</li> <li>- the introduction of a specific setback control for land zoned B5 Business Development under <i>Coffs Harbour LEP 2013</i> adjoining the Pacific Highway south of the Coffs Harbour CBD (refer to element 5(f) below for further details);</li> <li>- the inclusion of controls relating to erosion and sediment control which are currently contained within Component D1 – Erosion and Sediment Control Requirements of DCP 2013;</li> <li>- the inclusion of design requirements which are currently contained within Component C1 – Design Requirements and Component E3 Coffs Harbour City Centre of the DCP 2013; and</li> <li>- changes to the requirements for the provision of awnings on land zoned for business purposes under <i>Coffs Harbour LEP 2013</i>.</li> </ul>
<p><b>2(e) D2 - Industrial Development</b></p>	<p>DCP controls relating to industrial development are currently contained within Component B4 - Industrial Development Requirements of DCP 2013. The development controls within this component have been reviewed and revised in consultation with various stakeholders within Council to ensure that they reflect current statute and contemporary planning principles.</p> <p>The revised controls are contained within Chapter D2 – Industrial Development of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes to this chapter include:</p> <ul style="list-style-type: none"> <li>- the use of electronic maps for density and setback requirements, similar to those under LEP 2013 in relation to height and floor space ratios (refer to elements 7(a) and 7(b) below for further details);</li> <li>- a change from a 3m side and rear setback to a merit assessment, except for where buildings adjoin sensitive land (residential, community or environmental land uses);</li> <li>- the inclusion of controls relating to erosion and sediment control which are currently contained within Component D1 – Erosion and Sediment Control Requirements of DCP 2013; and</li> <li>- the inclusion of design requirements which are currently contained within Component C1 – Design Requirements of DCP 2013.</li> </ul>
<p><b>2(f) D3 - Residential</b></p>	<p>DCP controls relating to residential development are currently contained within Component B2 - Residential</p>

Element	Key Change
<p><b>Development</b></p>	<p>Development Requirements of DCP 2013. The controls within this component have been reviewed and revised in consultation with various stakeholders within Council to ensure that they reflect current statute and contemporary planning principles.</p> <p>The revised controls are contained within Chapter D3 – Residential Development of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes to this chapter include:</p> <ul style="list-style-type: none"> <li>- the use of electronic maps for density and setback requirements, similar to those under LEP 2013 in relation to height and floor space ratios (refer to elements 7(a) and 7(b) below for further details);</li> <li>- changes to density requirements for land zoned R3 Medium Density Residential and R4 High Density Residential under <i>Coffs Harbour LEP 2013</i> (refer to elements 7(a)(iii) and 7(a)(iv) below for further details);</li> <li>- changes to front setback requirements for land zoned R3 Medium Density Residential and R4 High Density Residential under <i>Coffs Harbour LEP 2013</i> (refer to elements 7(b)(iii) and 7(b)(iv) below for further details);</li> <li>- the reintroduction of setback controls for corner lots;</li> <li>- the inclusion of controls relating to erosion and sediment control which are currently contained within Component D1 – Erosion and Sediment Control Requirements of DCP 2013; and</li> <li>- the inclusion of design requirements which are currently contained within Component C1 – Design Requirements and Component E3 Coffs Harbour City Centre of DCP 2013.</li> </ul>
<p><b>2(g) D4 - Rural and Large Lot Development</b></p>	<p>DCP controls relating to rural and large lot residential development are currently contained within Component B2 – Residential Development Requirements and Component B5 - Rural Development Requirements of DCP 2013.</p> <p>The controls within these components have been reviewed and revised in consultation with various branches within Council to ensure that they reflect current statute and contemporary planning principles.</p> <p>The revised controls are contained within Chapter D4 – Rural and Large Lot Development of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes to this chapter include:</p> <ul style="list-style-type: none"> <li>- the use of electronic maps for setback requirements, similar to those under <i>Coffs Harbour LEP 2013</i> in relation to height and floor space ratios (refer to element 7(b) below for further details);</li> <li>- changes to front, side and rear setback requirements for land zoned RU2 Rural Landscape under <i>Coffs Harbour LEP 2013</i> (refer to element 7(b)(vii) below for further details);</li> <li>- revised controls for ancillary development to reflect legislative changes to exempt development provisions;</li> </ul>

Element	Key Change
	<ul style="list-style-type: none"> <li>- the inclusion of controls relating to erosion and sediment control which are currently contained within Component D1 – Erosion and Sediment Control Requirements of DCP 2013; and</li> <li>- the inclusion of design requirements which are currently contained within Component C1 – Design Requirements of DCP 2013.</li> </ul>
<p><b>2(h) D5 - Tourist Development</b></p>	<p>DCP controls relating to development on land zoned for residential/tourist purposes are currently contained within Component E15 - Tourist Development Precincts of DCP 2013. The controls within this component have been reviewed and revised in consultation with various stakeholders within Council to ensure that they reflect current statute and contemporary planning principles.</p> <p>The revised controls are contained within Chapter D5 – Tourist Development of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes to this chapter include:</p> <ul style="list-style-type: none"> <li>- the use of electronic maps for density and setback requirements, similar to those under <i>Coffs Harbour LEP 2013</i> in relation to height and floor space ratios (refer to elements 7(a) and 7(b) below for further details);</li> <li>- changes to density requirements for development on land zoned R1 General Residential under <i>Coffs Harbour LEP 2013</i> (refer to element 7(a)(i) below for further details);</li> <li>- changes to setback requirements for development on land zoned R1 General Residential under <i>Coffs Harbour LEP 2013</i> (refer to element 7(b)(i) below for further details);</li> <li>- the reintroduction of setback controls for corner lots;</li> <li>- the inclusion of controls relating to erosion and sediment control which are currently contained within Component D1 – Erosion and Sediment Control Requirements of DCP 2013; and</li> <li>- the inclusion of design requirements which are currently contained within Component C1 – Design Requirements and Component E3 Coffs Harbour City Centre of DCP 2013.</li> </ul>
<p><b>2.(i) E1 - Biodiversity</b></p>	<p>DCP controls relating to the preservation of biodiversity within the LGA are currently contained within Component B7 - Biodiversity Requirements of DCP 2013.</p> <p>The controls within this component have been reviewed and revised in consultation with Council’s Sustainable Places Branch to ensure that they reflect current statute and contemporary environmental/planning principles.</p> <p>The revised controls are contained within Chapter E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i>.</p> <p>The controls within this chapter have been revised to accord with relevant statute. In this regard, such controls have</p>

Element	Key Change
	<p>been developed in accordance with legal advice that was obtained by Council specific for this purpose.</p> <p>Key changes to this chapter include:</p> <ul style="list-style-type: none"> <li>- the controls have been revised so that they support Clause 5.9 Preservation of Trees or Vegetation of <i>Coffs Harbour LEP 2013</i>, which aims to preserve biodiversity values through the preservation of trees and other vegetation;</li> <li>- the use of an electronic map similar to the Terrestrial Biodiversity Map of <i>Coffs Harbour LEP 2013</i> (refer to element 7(c) below for further details) for prescribed vegetation;</li> <li>- the inclusion of endangered ecological communities and primary and secondary koala habitat within the vegetation prescribed for the purposes of Clause 5.9(2) of LEP 2013 (refer to element 7(c) below for further details); and</li> <li>- the use of standard definitions to ensure consistency between controls within <i>Coffs Harbour DCP 2015</i>.</li> </ul>
<p><b>2(j) E2 - Coastal Hazards</b></p>	<p>DCP controls relating to coastal hazards are currently contained within Component D3 - Flooding and Coastal Hazards of DCP 2013.</p> <p>As an independent project to the DCP Review, Council engaged consultant Mike Svikis to develop a specific DCP chapter for coastal hazards to integrate the findings of recently endorsed coastal hazard studies and management plans into Council’s planning framework.</p> <p>The structure of <i>Coffs Harbour DCP 2015</i> accommodates this Chapter as, E2 – Coastal Hazards. Consultation has occurred with the consultant engaged for this project to ensure that the layout of this Chapter can easily integrate with <i>Coffs Harbour DCP 2015</i> if it is adopted by Council post exhibition.</p>
<p><b>2(k) E3 - Contaminated Land</b></p>	<p>DCP controls relating to contaminated land are currently contained within Component D2 - Contaminated Land Management of DCP 2013.</p> <p>The controls within this component have been reviewed and revised in consultation with Council’s Sustainable Places Branch to ensure that they reflect current statute and contemporary environmental/planning principles.</p> <p>The revised controls are contained within Chapter E3 – Contaminated Land of <i>Coffs Harbour DCP 2015</i>.</p> <p>The requirements within this revised chapter are essentially the same as per DCP 2013 however the layout of the controls has been improved so that they can be easily interpreted and to assimilate with Council’s ePlanning software.</p>

Element	Key Change
<p><b>2(l) E4 - Flooding</b></p>	<p>DCP controls relating to flood hazard are currently contained within Component D3 - Flooding and Coastal Hazards of DCP 2013.</p> <p>The controls within this component have been reviewed and revised in consultation with Council’s Sustainable Infrastructure Department to ensure that they reflect current statute and contemporary engineering principles.</p> <p>The revised controls are contained within chapter E4 – Flooding of <i>Coffs Harbour DCP 2015</i>.</p> <p>This chapter differs significantly to Component D3 - Flooding and Coastal Hazards of DCP 2013.</p> <p>Key changes to this chapter include the following:</p> <ul style="list-style-type: none"> <li>- controls in relation to coastal hazard are no longer included in this chapter as they are now contained within a separate chapter (refer to element 2(j) above further information on this matter);</li> <li>- flood requirements currently contained within Council’s Floodplain Development and Management Policy have been reviewed, updated and converted into DCP controls within this chapter; and</li> <li>- flood requirements currently contained within the Coffs Creek Floodplain Risk Management Study have been reviewed, updated and converted into DCP controls within this Chapter; and</li> <li>- revised flood requirements taken from the Coffs Creek Floodplain Risk Management Study have been applied uniformly across the LGA.</li> </ul>
<p><b>2(m) F1 - Access and Parking</b></p>	<p>DCP controls relating to access and parking are currently contained within Component C2 - Access, Parking and Servicing Requirements of DCP 2013.</p> <p>Many of the controls within this component relate to the subdivision of land. In this regard, these controls have been reviewed, updated and incorporated within Chapter C1 – Subdivision of Land of this Plan.</p> <p>The remaining controls relating to access and parking have been reviewed and revised in consultation with Council’s Sustainable Infrastructure Department to ensure that they reflect current legislation and contemporary engineering and planning principles.</p> <p>The revised controls are now contained within Chapter F1 – Access and Parking of <i>Coffs Harbour DCP 2015</i>.</p>
<p><b>2(n) F2 - Heritage Conservation</b></p>	<p>DCP controls relating to the conservation of heritage values within the Coffs Harbour LGA are currently contained within Component B6 - Post European Heritage Requirements of DCP 2013.</p>

Element	Key Change
	<p>The controls within this component have been reviewed and revised in consultation with Council’s Sustainable Infrastructure and Sustainable Places Branches to ensure that they reflect current statute and contemporary conservation planning principles.</p> <p>The revised controls are contained within F2 – Heritage Conservation of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes include the following:</p> <ul style="list-style-type: none"> <li>- controls in relation to Aboriginal cultural heritage have been incorporated;</li> <li>- the controls have been revised to support Clause 5.10 Heritage Conservation of <i>Coffs Harbour LEP 2013</i>; and</li> <li>- the layout of the chapter has been improved so that it can be easily interpreted and to assimilate with Council’s ePlanning software.</li> </ul>
<p><b>2(o) F3 - Landscaping</b></p>	<p>DCP controls relating to landscaping requirements are currently contained within Component C3 - Landscaping Requirements of DCP 2013.</p> <p>The controls within this component have been reviewed and revised in consultation with Council’s Sustainable Infrastructure Department and Sustainable Places Branch to ensure that they reflect current statute and contemporary landscape design/planning principles.</p> <p>The revised controls are contained within F3 – Landscaping of <i>Coffs Harbour DCP 2015</i>.</p> <p>The landscaping requirements are generally the same as per DCP 2013 however the revised controls are more flexible with respect to the quantity and combination of plants within landscaping proposals to enable innovative design within certain fixed parameters.</p>
<p><b>2(p) F4 - Sex Services</b></p>	<p>DCP controls relating to sex services premises are currently contained within Component C5 – Sex Services Premises Requirements of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary planning principles.</p> <p>Essentially the controls within this chapter remain the same as per DCP 2013 however the layout of the chapter has been improved so that the controls can be easily interpreted and assimilate with Council’s ePlanning software.</p> <p>The revised controls are contained within Chapter F4 – Sex Services of <i>Coffs Harbour DCP 2015</i>.</p>

Element	Key Change
<p><b>2(q) F5 - Signage</b></p>	<p>DCP controls relating to signage are currently contained within Component C4 – Signage Requirements of DCP 2013. The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary planning principles.</p> <p>The revised controls are contained within Chapter F5 – Signage of <i>Coffs Harbour DCP 2015</i>.</p> <p>Signage requirements have changed significantly in <i>Coffs Harbour DCP 2015</i> as a result of the Advertising and Signage Exempt Development Code contained within <i>State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008</i>, which came into force on 22 February 2014.</p> <p>As a result of this Policy, commonly used types of signs for businesses and other purposes are now ‘exempt development’ (works that do not require approval under the NSW planning system). In this regard, many of the existing DCP controls relating to signage have not been included within <i>Coffs Harbour DCP 2015</i> as they are now redundant.</p> <p>Signage requirements within <i>Coffs Harbour DCP 2015</i> have been developed to capture only those commonly used types of signs that are not captured as exempt development by the Advertising and Signage Exempt Development Code, such as projecting wall signs, freestanding pylon signs and directory board signs.</p> <p>The requirements for such signage within <i>Coffs Harbour DCP 2015</i> mirror the complying development standards contained within <i>SEPP (Exempt and Complying Development Codes) 2008</i>. The purpose of this is to achieve a satisfactory and consistent outcome for signage within the LGA regardless of the approval pathway.</p>
<p><b>2(r) F6 - Waste Management</b></p>	<p>Controls relating to waste management are currently contained within Component C7 - Waste Management Requirements of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary waste management principles.</p> <p>Essentially the controls within this chapter remain the same as per DCP 2013 however the layout has been improved so that the controls can be easily interpreted and assimilate with Council’s ePlanning software.</p> <p>The revised controls are contained within Chapter F6 – Waste Management of <i>Coffs Harbour DCP 2015</i>.</p> <p>Waste management examples have been removed from the body of the chapter and are now contained within</p>

Element	Key Change
	Appendix 3 of <i>Coffs Harbour DCP 2015</i> to reduce the length and complexity of this chapter.
<b>3. Urban Release Areas / Key Sites</b>	
<b>3(a) G1 Boambee Creek</b>	<p>DCP controls specific to the Boambee Creek Urban Release Area are currently contained within Component E2 - Boambee Creek of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p> <p>The revised controls are contained within G1 – Boambee Creek of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes include the following:</p> <ul style="list-style-type: none"> <li>- the controls within this chapter are unique to the Boambee Creek Urban Release Area and are not covered elsewhere within the Plan;</li> <li>- maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from hyperlinks within the chapter;</li> <li>- one Masterplan is provided for the urban release area replacing the six existing maps within DCP 2013; and</li> <li>- controls relating to density have been replaced with a minimum target lot yield for the residential land within the urban release area to ensure that adequate developer contributions are attained for the provision of required services within the release area.</li> </ul> <p><i>Note: density requirements are contained within Chapter D3 – Residential Development of Coffs Harbour DCP 2015.</i></p>
<b>3(b) G2 Arthur Street Precinct</b>	<p>DCP controls specific to the Arthur Street Precinct are currently contained within Component E3 - Coffs Harbour City Centre of DCP 2013.</p> <p>This component has not been retained within <i>Coffs Harbour DCP 2015</i> (refer to element 5(e) below for further discussion on this matter).</p> <p>DCP controls for this precinct are now contained within Chapter G2 – Coffs Harbour Arthur Street Precinct of Coffs Harbour DCP 2015.</p> <p>The controls for this precinct remain the same as per DCP 2013 given that they were developed as part of the <i>Coffs Harbour City Centre DCP 2011</i> specifically to suit this key site.</p>



Element	Key Change
<p><b>3(c) G3 City Core Precinct</b></p>	<p>DCP controls for the City Core precinct (land zoned B3 Commercial Core under <i>Coffs Harbour LEP 2013</i>) are currently contained within Component E3 - Coffs Harbour City Centre of DCP 2013.</p> <p>This component has not been retained within <i>Coffs Harbour DCP 2015</i> (refer to element 5(e) below for further discussion on this matter).</p> <p>Due to the importance of the City Core as the central business district for the LGA, a revised chapter has been provided within <i>Coffs Harbour DCP 2015</i> for this precinct.</p> <p>DCP controls for this precinct are contained within G3 – Coffs Harbour City Core Precinct of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key changes include the following:</p> <ul style="list-style-type: none"> <li>- the removal of street frontage height controls and replacement with a new front setback requirement to maintain winter sun access to major streets and public spaces with outdoor dining (refer to element 7(b)(v) below for further details);</li> <li>- the inclusion of controls to ensure that future development of key sites adjoining the city square maintain the use of this area as a central public space and accord with the principles with the CBD Masterplan; and</li> <li>- the inclusion of controls to facilitate important pedestrian linkages within the City Core in accordance with the Coffs Harbour CBD Masterplan.</li> </ul>
<p><b>3(d) G4 Jetty Business Precinct</b></p>	<p>DCP controls specific to the Jetty Business Precinct are currently contained within Component E3 - Coffs Harbour City Centre of DCP 2013.</p> <p>This component has not been retained within <i>Coffs Harbour DCP 2015</i> (refer to element 5(e) below for further discussion on this matter).</p> <p>Controls relating to this precinct are now contained within Chapter G4 – Coffs Harbour Jetty Business Precinct of <i>Coffs Harbour DCP 2015</i> and remain the same as per DCP 2013.</p> <p>The controls for this precinct were developed as part of <i>Coffs Harbour City Centre DCP 2011</i> specifically to suit this key site. A review of the controls is outside the scope of the DCP Review Project therefore it is recommended that further investigation and review is undertaken for this precinct (refer to Action 2 below).</p>
<p><b>3(e) G5 Victoria Street Precinct</b></p>	<p>DCP controls for the Victoria Street Precinct are currently contained within Component E3 - Coffs Harbour City</p>

Element	Key Change
	<p>Centre of DCP 2013.</p> <p>This component has not been retained within <i>Coffs Harbour DCP 2015</i> (refer to element 5(e) below for further discussion on this matter).</p> <p>Controls for this precinct are now contained within Chapter G5 – Coffs Harbour Victoria Street Precinct of <i>Coffs Harbour DCP 2015</i> and remain the same as per DCP 2013.</p>
<p><b>3(f) G7 Emerald Beach, Hearnes Lake / Sandy Beach, Moonee</b></p>	<p>Council at its Ordinary Meeting of 13 December 2012 resolved to defer certain lands at Hearnes Lake/Sandy Beach, Emerald Beach and Moonee from the LEP 2013. Consequently DCP 2013 does not apply to such land.</p> <p>As an independent project to the DCP Review, Council has engaged consultants Monteath &amp; Powys to develop specific DCP chapters for the deferred lands as part of a larger project to incorporate the deferred areas into <i>Coffs Harbour LEP 2013</i>.</p> <p>The <i>Coffs Harbour DCP 2015</i> structure accommodates the deferred areas as, G7 – East Moonee, Emerald Beach and Hearnes Lake / Sandy Beach; and G14 - Moonee West.</p> <p>Consultation has occurred with the consultants engaged for this project to ensure that the layout of this chapter can easily integrate with <i>Coffs Harbour DCP 2015</i> following its adoption by Council.</p>
<p><b>3(g) G8 Korora Large Lot</b></p>	<p>DCP controls for the Korora Large Lot Residential urban release area are currently contained within Component E5 - Korora Large Lot Residential of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p> <p>The revised controls are now contained within Chapter G8 – Korora Large Lot Residential of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes include the following:</p> <ul style="list-style-type: none"> <li>- the controls within this chapter are unique to the Korora Large Lot Residential urban release area and are not provided elsewhere within the Plan;</li> <li>- maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from hyperlinks within the chapter;</li> <li>- one Masterplan is provided for the urban release area, replacing the six existing maps within DCP 2013;</li> </ul>

Element	Key Change
	<ul style="list-style-type: none"> <li>- controls relating to density have been replaced with a minimum target lot yield for the residential land within the urban release area to ensure that adequate developer contributions are attained for the provision of required services within the release area; and</li> <li>- the urban release area boundary has been revised so that it applies only to land zoned R5 Large Lot Residential and to split zone lots (R5 Large Lot Residential / E2 Environmental Conservation) under <i>Coffs Harbour LEP 2013</i>.</li> </ul> <p><i>Note: density requirements are contained within Chapter D4 – Rural and Large Lot Residential Development of Coffs Harbour DCP 2015.</i></p>
<p><b>3(h) G9 North Boambee Valley East</b></p>	<p>Controls for the North Boambee Valley East urban release area are currently contained within Component E7 - North Boambee Valley (East) of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p> <p>The revised controls are now contained within Chapter G9 – North Boambee Valley East of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes include the following:</p> <ul style="list-style-type: none"> <li>- the controls within this chapter are unique to the North Boambee Valley East urban release area and are not provided elsewhere within the Plan;</li> <li>- maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from hyperlinks within the chapter;</li> <li>- one Masterplan is provided for the urban release area, replacing the seven existing maps within DCP 2013; and</li> <li>- controls relating to density have been replaced with a minimum target lot yield for the entire urban release area to ensure that adequate developer contributions are attained for the provision of required services within the release area.</li> </ul> <p><i>Note: density requirements are contained within Chapter D3 – Residential Development of Coffs Harbour DCP 2015.</i></p>
<p><b>3(i) G10 North Bonville</b></p>	<p>DCP controls for the North Bonville urban release area are currently contained within Component E8 - North Bonville of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p>

Element	Key Change
	<p>The revised controls are now contained within Chapter G10 – North Bonville of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes include the following:</p> <ul style="list-style-type: none"> <li>– the controls within this chapter are unique to the North Bonville urban release area and are not provided elsewhere within the Plan;</li> <li>– maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from hyperlinks within the chapter;</li> <li>– one Masterplan is provided for the urban release area, replacing the nine existing maps within DCP 2013; and</li> <li>– controls relating to density have been replaced with a minimum target lot yield for the entire urban release area to ensure that adequate developer contributions are attained for the provision of required services within the release area.</li> </ul> <p><i>Note: density requirements are contained within Chapter D3 – Residential Development of Coffs Harbour DCP 2015.</i></p>
<p><b>3(j) G11 Sawtell Village Precinct</b></p>	<p>DCP controls for the Sawtell Village Precinct are currently contained within Component E9 - Sawtell Village Precinct of DCP 2013.</p> <p>The controls for this precinct are now contained within Chapter G11 – Sawtell Village Precinct of Coffs Harbour DCP 2015 and are generally the same as per DCP 2013.</p> <p>Controls relating to building height have been deleted from the chapter as maximum building height controls are provided within <i>Coffs Harbour LEP 2013</i>. DCP controls that apply generally across the LGA have also been deleted from the chapter to reduce duplication as they are captured elsewhere in the Plan.</p> <p>Given that the controls for this precinct were originally prepared in 2006 and that a full review of the controls for this precinct is outside the scope of the DCP Review Project, it is recommended that further investigation and review is undertaken for this precinct (refer to Action 2 below).</p>
<p><b>3(k) G12 South Coffs</b></p>	<p>DCP controls for the South Coffs urban release area are currently contained within Component E10 - South Coffs of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p>

Element	Key Change
	<p>The revised controls are now contained within Chapter G12 – South Coffs of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes are as follows:</p> <ul style="list-style-type: none"> <li>– the controls within this chapter are unique to the South Coffs urban release area and are not provided elsewhere within the Plan;</li> <li>– maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from links within the chapter;</li> <li>– one Masterplan is provided for the urban release area, replacing the twelve maps within DCP 2013; and</li> <li>– controls relating to density have been replaced with a minimum target lot yield for the entire urban release area to ensure that adequate developer contributions are attained for the provision of required services within the release area.</li> </ul> <p><i>Note: density requirements are contained within Chapter D3 – Residential Development of Coffs Harbour DCP 2015.</i></p>
<p><b>3(I) G13 West Coffs</b></p>	<p>DCP controls for the West Coffs urban release area are currently contained within Component E11 - West Coffs of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p> <p>The revised controls are now contained within Chapter G13 – West Coffs of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes are as follows:</p> <ul style="list-style-type: none"> <li>– the controls within this chapter are unique to the West Coffs urban release area and are not provided elsewhere within the Plan;</li> <li>– maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from links within the chapter;</li> <li>– one Masterplan is provided for the urban release area, replacing the six existing maps within DCP 2013;</li> <li>– controls relating to density have been replaced with a minimum target lot yield for the entire urban release area to ensure that adequate developer contributions are realised for the provision of required services within the release area; and</li> <li>– the urban release area boundary has been revised so that it accords with the West Coffs Developer Contributions Plan.</li> </ul>

Element	Key Change
	<p><i>Note: density requirements are contained within Chapter D3 – Residential Development of Coffs Harbour DCP 2015.</i></p>
<p><b>3(m) G14 West Woolgoolga</b></p>	<p>DCP controls for the West Woolgoolga urban release area are currently contained within Component E12 - West Woolgoolga of DCP 2013.</p> <p>The controls within this component have been reviewed and revised to ensure that they reflect current statute and contemporary engineering/planning principles.</p> <p>The revised controls are now contained within Chapter G14 – West Woolgoolga of <i>Coffs Harbour DCP 2015</i>.</p> <p>Key Changes are as follows:</p> <ul style="list-style-type: none"> <li>- the controls within this chapter are unique to the West Coffs urban release area and are not provided elsewhere within the Plan;</li> <li>- maps are no longer imbedded within the content of the chapter as hard copies and are accessed electronically from links within the chapter;</li> <li>- one Masterplan is provided for the urban release area, replacing the six existing maps within DCP 2013; and</li> <li>- controls relating to density have been replaced with a minimum target lot yield for the entire urban release area to ensure that adequate developer contributions are realised for the provision of required services within the release area.</li> </ul> <p><i>Note: density requirements are contained within Chapter D3 – Residential Development of Coffs Harbour DCP 2015.</i></p>
<p><b>4. Appendices</b></p>	
<p><b>4(a) Coastal Hazard Scenarios &amp; Management Reporting</b></p>	<p>Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (Deferred)</p> <p>As previously discussed, Council engaged consultant Mike Svikis to develop a specific DCP chapter for coastal hazards as part of a larger project to incorporate coastal hazard considerations into Council’s planning framework.</p> <p><i>Coffs Harbour DCP 2015</i> structure accommodates a specific chapter for this purpose as well as an appendix to support this chapter, comprising coastal hazard development scenarios and guidelines for preparing coastal hazard management reports. Appendix 1 is deferred conditional on the draft Coastal Hazards DCP being adopted by Council at a future date.</p>

Element	Key Change
<p><b>4(b) Guideline for Preparing Vegetation Management Plans</b></p>	<p>Appendix 2 – Guideline for Preparing Vegetation Management Plans (VMPs) replaces the following information sheets: Preliminary Vegetation Management Plans Information Sheet and Comprehensive Vegetation Management Plans Information Sheet.</p> <p>The information contained within each of the current information sheets has been reviewed, revised and compiled into one guideline to reduce complexity for proponents.</p> <p>It is recommended that the superseded appendices be deleted (Refer to Action 10 below).</p>
<p><b>4(c) Landscaping and Weed Species</b></p>	<p>Appendix 3 – Landscaping Species and Undesirable Weed Species supports Chapter F3 – Landscaping to assist proponents in choosing suitable plant species for landscaping proposals.</p> <p>This appendix contains a list of plants preferred for use in landscaping within the Coffs Harbour LGA, as well as a list of plants that are not acceptable for use in landscaping proposals (i.e. environmental and noxious weeds).</p>
<p><b>4(d) Waste Management Examples</b></p>	<p>Appendix 4 – Waste Management Examples supports Chapter F6 – Waste Management of <i>Coffs Harbour DCP 2015</i> and provides detailed guidelines and examples of waste bin storage areas, bin sizes, access design, easement requirements and strata bylaws to assist proponent in designing suitable waste management systems for their development.</p>

Element	Key Change
<b>5. Components not Integrated into DCP</b>	
<b>5(a) C1 - Design Requirements</b>	<p>Component C1 – Design Requirements of DCP 2013 has not been retained in the structure of <i>Coffs Harbour DCP 2015</i>.</p> <p>Many of the controls within this component relate to design requirements for subdivision proposals and for development on land zoned for residential, commercial, industrial and rural / large lot purposes.</p> <p>On this basis, this component has been deleted and the controls from this component have been integrated into Chapter C1 – Subdivision and Part D - Built Form Controls of <i>Coffs Harbour DCP 2015</i> for the relevant land use based chapter.</p> <p>The purpose of this is to ensure that the Plan is easily navigated and to minimise the need for proponents to consult with a myriad of other chapters within the Plan.</p>
<b>5(b) C6 - Minor Earthworks Requirements</b>	<p>Component C6 – Minor Earthworks Requirements of DCP 2013 has not been retained in the structure of <i>Coffs Harbour DCP 2015</i>.</p> <p>The controls contained within this component identify certain types of earthworks of a minor nature that may be undertaken without approval from the Consent Authority.</p> <p>Such controls are however inconsistent with Clause 7.2 Earthworks of <i>Coffs Harbour LEP 2013</i>.</p> <p>Pursuant to Clause 7.2, development consent is required for earthworks unless:</p> <ul style="list-style-type: none"> <li>- the earthworks are exempt development under <i>Coffs Harbour LEP 2013</i> or another applicable environmental planning instrument, or</li> <li>- the earthworks are ancillary to development that is permitted without consent under <i>Coffs Harbour LEP 2013</i> or ancillary to development for which development consent has been given.</li> </ul> <p>In this regard, if Council wishes to identify certain types of earthworks of a minor nature that do not require development consent, then such earthworks should be included in Schedule 2 - Exempt Development of <i>Coffs Harbour LEP 2013</i> (refer to Action 3 below).</p>



Element	Key Change
<p><b>5(c) C8 - Integrated Water Cycle Management</b></p>	<p>Component C8 – Integrated (Natural) Water Cycle Management Requirements of DCP 2013 has not been retained in the structure of <i>Coffs Harbour DCP 2015</i>.</p> <p>This component contains controls relating to water conservation and alternative water supply and treatment options.</p> <p>The controls in relation to water conservation have not been integrated within Coffs Harbour DCP 2015 given that <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies to such matters. It is noted that this Policy does not currently extend to development for non-residential purposes and that Council may choose to offer incentives for water conservation measures within non-residential buildings as an independent project to the DCP until such time as this Policy is extended to cover such development types (Refer to Action 4 below).</p> <p>The requirements relating to alternative water supply and treatment options have not been integrated within <i>Coffs Harbour DCP 2015</i> as they are best placed within Council Water Sensitive Urban Design Policy and Guideline as they relate to Part 4 and Part 5 matters under the EP&amp;A Act, as well as Council’s general operational works (refer to Action 4 below).</p>
<p><b>5(d) D1 - Erosion and Sediment Control Requirements</b></p>	<p>Component D1 – Erosion and Sediment Control Requirements of DCP 2013 has not been retained in the structure of Coffs Harbour DCP 2015.</p> <p>This component contains controls relating to erosion and sediment control requirements and the preparation of erosion and sediment control plans.</p> <p>The controls from this component have been reviewed and revised and integrated into Part D - Built Form Controls of <i>Coffs Harbour DCP 2015</i> for each relevant land use based chapter.</p>
<p><b>5(e) E3 - Coffs Harbour City Centre</b></p>	<p>Component E3 - Coffs Harbour City Centre of DCP 2013 has not been retained in the structure of <i>Coffs Harbour DCP 2015</i> as many of the controls within this component are covered elsewhere in the Plan.</p> <p>DCP controls for key sites such as the Arthur Street Precinct, the City Core Precinct, the Jetty Business Precinct and Victoria Precinct, have however, been integrated into <i>Coffs Harbour DCP 2015</i>.</p> <p>Certain built form requirements from Component E3 - Coffs Harbour City Centre of DCP 2013 have also been integrated into Coffs Harbour DCP 2015.</p> <p>Due to the limitations of the DCP Review Project, it is recommended that further investigation and review is</p>

Element	Key Change
	<p>undertaken for the above key sites as part of a broader review of built form controls across the LGA (refer to Actions 1 and 2 below).</p>
<p>5(f) E13 - Pacific Highway Development Setback Area</p>	<p>The Pacific Highway Development Setback Area is based on the 7(b) Environmental Protection zone under the former <i>Coffs Harbour LEP 1988</i>.</p> <p>Under LEP 1988 this zone extended parallel for 20 metres along the outer edges of arterial road reserves (Pacific Highway, Hogbin Drive, Lyons Road and Coramba / Orara Way) and Creeks.</p> <p>A review of the 7(b) Environmental Protection zone was undertaken as part of the Coffs Harbour Local Environmental Study (1997) for the purposes of informing the subsequent <i>Coffs Harbour City LEP 2000</i>.</p> <p>The Local Environmental Study recommended that the emphasis of the 7(b) zone along the Pacific Highway should relate to its existing and potential scenic function rather than its secondary role as habitat. It was also recommended that the zone should be extended, where possible, to link gaps and to resolve the disjointed nature of the zone.</p> <p>The 7(b) Environmental Protection zone under the former <i>Coffs Harbour LEP 1988</i> was incorporated into the subsequent <i>Coffs Harbour City LEP 2000</i>. The issue in relation to the zone being disjointed was however not resolved, as can be seen in the mapping of the zone under this prior instrument.</p> <p>The 7(b) Environmental Protection zone was not carried over into <i>Coffs Harbour LEP 2013</i> as there is no equivalent zone under the standard instrument for a principle local environmental plan under the <i>Standard Instrument (Local Environmental Plan) Order 2006</i>.</p> <p>Due to the lack of an equivalent zone, the 7(b) Environmental Protection zone was integrated into <i>Coffs Harbour DCP 2013</i> as a Pacific Highway Development Setback Area – Component E13.</p> <p>An assessment of the Pacific Highway development setback area has been undertaken as part of the <i>Coffs Harbour DCP 2015</i> Review Project. The following conclusions are made:</p> <ul style="list-style-type: none"> <li>- the use of a development setback control to the Pacific Highway for the protection of biodiversity is no longer required given that the protection of biodiversity within the LGA is dealt with by <i>Coffs Harbour LEP 2013</i>, Chapter E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i> and the <i>Native Vegetation Act 2003</i>;</li> <li>- sections of the Pacific Highway constructed as part of the Pacific Highway Bypass Project have adequate scenic function for the travelling public via extensive road widths and landscape treatments. Hence a development setback is not required for any upgraded sections of the Pacific Highway;</li> </ul>

Element	Key Change
	<ul style="list-style-type: none"> <li>- there is little merit in applying a development setback to bypassed sections of the Pacific Highway that have been (or are proposed to be) reclassified as a secondary road, when the scenic function of the bypassed sections is adequately addressed via existing zone based setback controls and via land use controls under <i>Coffs Harbour LEP 2013</i>; and</li> <li>- there is merit in applying a development setback control to the Pacific Highway south of the Coffs Harbour CBD for land zoned B5 Business Development under <i>Coffs Harbour LEP 2013</i> given that setback controls for this zone are assessed on merit and on the basis that this section of the road will remain an important local gateway to Coffs Harbour regardless of its eventual bypass.</li> </ul> <p>In light of the above conclusions, Component E13 – Pacific Highway Development Setback Area of DCP 2013 has not been retained in the structure of <i>Coffs Harbour DCP 2015</i>. A setback control has however been applied to land zoned B5 Business Development under Coffs Harbour LEP 2013 adjoining the Pacific Highway to the south of Coffs Harbour CBD.</p> <p>Regardless of the assessment of the Pacific Highway development setback area undertaken for the DCP Review Project, further investigation and review should be undertaken by Council to ensure that adequate setback controls exist for land adjoining main roads within the LGA (refer to Action 5 below).</p>
<p><b>5(g) E14 - Halls Road Business Precincts</b></p>	<p>Component E14 – Halls Road Business Precinct was originally developed to ensure that certain intersection works were undertaken to service development off Halls Road.</p> <p>Following consultation with Council’s Sustainable Infrastructure Department it has been determined that the type of works required for this intersection is now unclear.</p> <p>Given the uncertainty associated with intersection works in this location, Component E14 – Halls Road Business Precinct of DCP 2013 has not been retained in <i>Coffs Harbour DCP 2015</i>.</p> <p>Intersection works will therefore be determined by the NSW Roads and Maritime Services in consultation with Council during the assessment of development applications which trigger the need for intersection upgrading.</p>
<p><b>5(h) Glossary</b></p>	<p>Component F1 - Glossary has not been retained within <i>Coffs Harbour DCP 2015</i> as definitions are now contained within Part A of the Plan.</p>
<p><b>5(i) Appendix 1</b></p>	<p>Component F2 - Appendix 1 has not been retained within <i>Coffs Harbour DCP 2015</i> as links to relevant legislation,</p>

Element	Key Change
	guidelines and policies are provided throughout the Plan.
<b>6. Information Sheets not Integrated into DCP</b>	
<b>6(a) Access and Mobility Requirements</b>	<p>Most of the matters addresses within the Access and Mobility Requirements Information Sheet have been superseded by the <i>Disability (Access to Premises Buildings) Standards 2010</i> that came into force in May 2010.</p> <p>Matters relating to accessibility not captured within the above standards have been integrated into Part D - Built Form Controls of <i>Coffs Harbour DCP 2015</i> for relevant land use based chapter as DCP controls. It is recommended that the Access and Mobility Requirements Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(b) Acid Sulfate Soil Requirements</b>	<p>The matters addressed within the Acid Sulfate Soil Requirements Information Sheet have not been integrated into <i>Coffs Harbour DCP 2015</i>.</p> <p>Development controls relating to Acid Sulfate Soils are contained within the <i>Coffs Harbour City LEP 2013</i>. In this regard, advisory notes have been provided within Part D - Built Form Controls of <i>Coffs Harbour DCP 2015</i> to inform proponents of the LEP 2013 provisions.</p> <p>It is recommended that the Acid Sulfate Soil Requirements Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(c) Arborist Assessment Reports</b>	<p>The matters addressed within the Arborist Assessment Reports Information Sheet have been reviewed, updated and integrated into E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i>.</p> <p>It is recommended that the Arborist Assessment Reports Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(d) Arborist Cover Notes</b>	<p>Requirements for Arborist Assessments have been integrated into E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i>. It is therefore recommended that the Arborist Cover Notes Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(e) Coastal and Hinterland Rural Lands</b>	<p>The Coastal and Hinterland Rural Lands Character Statement Information Sheet provides a place management strategy for rural land from the Northern Beaches to Bonville and for Lowanna and Ulong.</p> <p>The place management strategy provides broad character statements for these localities however it does not identify specific mechanisms for how the character statements are to be implemented within Council’s planning framework.</p>

Element	Key Change
	<p>On this basis, the information sheet has not been integrated into <i>Coffs Harbour DCP 2015</i> and is no longer required. It is recommended that the place management strategy for these localities is revisited and reviewed as part of Council's strategic place making program (refer to Action 1 below). It is also recommended that that the Coastal and Hinterland Rural Lands Character Statement Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(f) Compensatory Planting Requirements</b></p>	<p>The matters addressed within the Compensatory Planting Requirements Information Sheet have been reviewed, updated and integrated into E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i> as DCP controls.</p> <p>It is recommended that the Compensatory Planting Requirements Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(g) Comprehensive Ecological Assessments</b></p>	<p>The matters addressed within the Comprehensive Ecological Assessments Information Sheet have been reviewed, updated and integrated into E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i> as DCP controls.</p> <p>It is recommended that the Comprehensive Ecological Assessments Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(h) Comprehensive Vegetation Management Plans</b></p>	<p>Appendix 2 – Guideline for Preparing Vegetation Management Plans (VMPs) replaces the Comprehensive Vegetation Management Plans Information Sheet.</p> <p>It is recommended that the Comprehensive Vegetation Management Plans Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(i) Context and Site Analysis</b></p>	<p>Revised guidelines for preparing and lodging a development application are currently being developed for inclusion on Council's website. These guidelines will contain information to assist proponents in undertaking a context and site analysis.</p> <p>It is recommended that the Context and Site Analysis Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(j) Coramba-Karangi-Upper Orara</b></p>	<p>The Coramba/Karangi/Upper Orara Character Statement Information Sheet contains a place management strategy for land within these localities.</p> <p>The place management strategy provides a broad character statement for these localities however it does not identify specific mechanisms for how the character statements are to be implemented within Council's planning</p>

Element	Key Change
	<p>framework.</p> <p>On this basis, the information sheet has not been integrated into <i>Coffs Harbour DCP 2015</i> and is no longer required. It is recommended that the place management strategy for these localities is revisited and reviewed as part of Council's strategic place making program (refer to Action 1 below). It is also recommended that that the Coramba/Karang/Upper Orara Character Statement Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(k) Ecological Assessment Report Structure</b></p>	<p>The matters addressed within the Ecological Assessment Report Structure Information Sheet have been reviewed, updated and integrated into E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i> as DCP controls.</p> <p>It is recommended that the Ecological Assessment Report Structure Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(l) Heritage</b></p>	<p>Development controls relating to the conservation of heritage values within the Coffs Harbour LGA are contained within Coffs Harbour LEP 2013.</p> <p>In this regard, revised DCP controls relating to heritage conservation have been incorporated into <i>Coffs Harbour DCP 2015</i> as chapter F2 – Heritage Conservation of <i>Coffs Harbour DCP 2015</i> to support Clause 5.10 of <i>Coffs Harbour LEP 2013</i>.</p> <p>It is recommended that the Heritage Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(m) Lodging a Development Application</b></p>	<p>Revised guidelines for preparing and lodging a development application are currently being developed for inclusion on Council's website.</p> <p>It is recommended that the Lodging a Development Application Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(n) Minor Development Ecological Assessments</b></p>	<p>The matters addressed within the Minor Development Ecological Assessments Information Sheet have been reviewed, updated and integrated into E1 – Biodiversity of <i>Coffs Harbour DCP 2015</i> as DCP controls.</p> <p>It is recommended that the Ecological Assessment Report Structure Information Sheet is repealed (Refer to Action 10 below).</p>
<p><b>6(o) Preliminary Vegetation</b></p>	<p>Appendix 2 – Guideline for Preparing Vegetation Management Plans (VMPs) replaces the Preliminary Vegetation</p>

Element	Key Change
<b>Management Plans</b>	<p>Management Plans Information Sheet.</p> <p>It is recommended that the Preliminary Vegetation Management Plans Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(p) Rural Lands Conflict</b>	<p>DCP controls relating to rural land use conflicts are now contained within chapter D4 – Rural and Large Lot Residential Development of <i>Coffs Harbour DCP 2015</i>.</p> <p>It is recommended that the Rural Lands Conflict Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(q) Safer by Design</b>	<p>DCP controls relating to crime avoidance have been integrated into relevant land use based chapters of Coffs Harbour DCP 2015.</p> <p>It is recommended that the Safer by Design Information Sheet is repealed (Refer to Action 10 below).</p>
<b>6(r) Statement of Environmental Effects</b>	<p>Revised guidelines for preparing and lodging a development application are currently being developed for inclusion on Council’s website. Such guidelines will contain information to assist proponents in preparing a Statement of Environmental Effects.</p> <p>It is recommended that the Statement of Environmental Effects Information Sheet is repealed (Refer to Action 10 below).</p>
<b>7. Changes to Specific Development Controls</b>	
<b>7(a) Density Requirements</b>	<p>Existing controls within DCP 2013 relating to density are overly complex. To reduce some of this complexity for proponents, density controls within Coffs Harbour DCP 2015 are shown on a Density Map, similar to Coffs Harbour LEP 2013 Minimum Lot Size and Floor Space Ratio Maps.</p> <p>In addition to converting the density controls to a mapped based format, the controls have also been reviewed and revised by a working group established as part of the DCP Review Project, comprising senior planning staff from Council’s Sustainable Places branch.</p> <p>The aim of this working group was to undertake a review of density controls across the LGA with a view to providing uniformity within land use zones and to ensure that the controls are easily interpreted by proponents.</p>

Element	Key Change
	<p>Consultants Bennell &amp; Associates were also engaged by Council to further support the working group in this review.</p> <p>Whilst the resulting densities provide for a more uniform approach across the LGA, it is recommended that further investigation and review is undertaken by Council with respect to the relationship between density, setbacks, maximum building height and minimum lot size controls as there is still further work to be done that is outside the scope of the DCP Review Project (refer to Action 1 below).</p>
<p>7(a)(i) R1 General Residential</p>	<p>Density controls for land zoned R1 General Residential under <i>Coffs Harbour LEP 2013</i> are currently contained within Component E15 Tourist Development Precincts of DCP 2013.</p> <p>The density controls are based on various autonomous planning projects that have been undertaken over many years. The outcome is a mix of density controls within the R1 zone regardless of similar land use objectives.</p> <p>In light of the above, the density controls have been reviewed and revised by the working group established as part of the DCP Review Project (see element 7(a) above).</p> <p>Revised density controls are contained within Chapter D5 – Tourist Development of <i>Coffs Harbour DCP 2015</i> and are shown on <i>Coffs Harbour DCP 2015</i> Density Map.</p> <p>Similar to the existing density controls within DCP 2013, separate density controls are provided within <i>Coffs Harbour DCP 2015</i> for residential accommodation and tourist and visitor accommodation. Whilst this approach has been retained within DCP 2015, it is recommended that further investigation is undertaken to ascertain the suitability of such approach as the investigations required for this are outside the scope of the DCP Review Project (refer to Action 1 below).</p> <p>The revised density controls for tourist and visitor accommodation have been standardised across the R1 zone based on two typical tourist development densities, whilst the density controls for residential accommodation are based on adjoining land use zones within similar objectives.</p> <p>The following list outlines changes that have been made to density controls for certain R1 precincts within the LGA:</p> <p><b>Woolgoolga</b></p> <p>Current: 1 unit / 300m<sup>2</sup> Tourist and Visitor Accommodation  1 dwelling / 400m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 dwelling / 150m<sup>2</sup> Tourist &amp; Visitor Accommodation</p>



Element	Key Change
	<p>1 dwelling / 400m<sup>2</sup> Residential Accommodation</p> <p><b>Sapphire</b></p> <p>Current: 1 unit / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 200m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 dwelling / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 400m<sup>2</sup> Residential Accommodation</p> <p><b>Korora</b></p> <p>Current: 1 unit / 300m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 400m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 dwelling / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 400m<sup>2</sup> Residential Accommodation</p> <p><b>North Coffs (Former Big Banana Land)</b></p> <p>Current: Nil</p> <p>Amended: 1 dwelling / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 200m<sup>2</sup> Residential Accommodation</p> <p><b>North Coffs (Pacific Bay Western Lands)</b></p> <p>Current: Nil</p> <p>Amended: 1 / 400m<sup>2</sup> Residential Accommodation</p> <p><b>Boambee Bay</b></p> <p>Current: 1 unit / 100m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 300m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 dwelling / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 400m<sup>2</sup> Residential Accommodation</p> <p><b>Sawtell</b></p>

Element	Key Change
	<p>Current: 1 / 200m<sup>2</sup> Tourist and Visitor Accommodation 1 / 400m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 / 400m<sup>2</sup> Residential Accommodation</p> <p><b>Coffs Harbour CBD</b></p> <p>Current: 1 / 80m<sup>2</sup> Tourist and Visitor Accommodation 1 / 100m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 / 50m<sup>2</sup> Tourist and Visitor Accommodation 1 / 50m<sup>2</sup> Residential Accommodation</p> <p><b>Park Beach East</b></p> <p>Current: 1 unit / 40m<sup>2</sup> buildings &lt; 50 m<sup>2</sup> 1 unit / 50m<sup>2</sup> buildings &lt; 55 m<sup>2</sup> 1 unit / 60m<sup>2</sup> buildings 55 -70m<sup>2</sup> 1 unit / 80m<sup>2</sup> buildings &gt; 70m<sup>2</sup></p> <p>Amended: 1 dwelling / 50m<sup>2</sup></p> <p><b>Park Beach West</b></p> <p>Current: 1 unit / 150m<sup>2</sup> Tourist and Visitor Accommodation 1 dwelling / 200m<sup>2</sup> Residential Accommodation</p> <p>Amended: 1 dwelling / 100m<sup>2</sup> buildings ≤ 8.5m in height 1 dwelling / 200m<sup>2</sup> buildings &gt; 8.5m in height</p> <p><i>Note: an exception is also provided for this precinct permitting a higher density where setback controls are satisfied. The density controls for this precinct reflect the density controls for adjoining land zoned R3 Medium Density Residential under LEP 2013.</i></p> <p><b>Bonville</b></p> <p>Current: 1 dwelling / 550m<sup>2</sup> – low density areas 35 dwellings / ha – west/east medium density areas 25 dwellings / ha – central medium density area</p>

Element	Key Change
	<p>Maximum 3000m<sup>2</sup> – golf resort                      Maximum 5000m<sup>2</sup> – neighbourhood centre</p> <p>Amended: 1 dwelling house / 550m<sup>2</sup> – low density areas                      35 dwellings / ha – west/east medium density areas                      25 dwellings / ha – central medium density area                      Maximum 5000m<sup>2</sup> – neighbourhood centre</p> <p><i>Note: density controls are not required for the Golf Resort as they are contained within Schedule 1– Additional Permitted Uses of LEP 2013.</i></p> <p><b>Jetty</b></p> <p>Current: Nil</p> <p>Amended: 1 dwelling / 100m<sup>2</sup> buildings ≤ 8.5m in height                      1 dwelling / 200m<sup>2</sup> buildings &gt; 8.5m in height</p> <p><i>Note: an exception is also provided within this precinct permitting a higher density where setback controls are satisfied. The density controls for this precinct reflect the density controls for adjoining land zoned R3 Medium Density Residential under LEP 2013.</i></p>
<p>7(a)(ii) SP3 Tourist</p>	<p>Density controls are not currently provided within DCP 2013 for the Big Banana site.</p> <p>Given that tourist and visitor accommodation is permissible with development consent on land zoned SP3 Tourist under <i>Coffs Harbour LEP 2013</i>, density controls have been incorporated within Chapter D5 – Tourist Development of <i>Coffs Harbour DCP 2015</i> and are shown on <i>Coffs Harbour DCP 2015 Density Map</i> for this use.</p> <p><b>North Coffs (Big Banana)</b></p> <p>Current: Nil</p> <p>Amended: 1 dwelling / 150m<sup>2</sup> Tourist &amp; Visitor Accommodation</p>
<p>7(a)(iii) R3 Medium Density Residential</p>	<p>Density controls for land zoned R3 Medium Density Residential under <i>Coffs Harbour LEP 2013</i> are currently contained within Component B2 - Residential Development Requirements of DCP 2013.</p> <p>The density controls are currently based on a sliding scale of various dwelling sizes to encourage a mix of dwelling</p>

Element	Key Change
	<p>types and higher densities to achieve the objectives of this zone.</p> <p>The density controls have been reviewed by consultants Bennell &amp; Associates in consultation with the working group established as part of the DCP Review Project.</p> <p>The revised density controls are based on the findings of this review and are contained within Chapter D3 – Residential Development of <i>Coffs Harbour DCP 2015</i> and are shown on Coffs Harbour DCP 2015 Density Map.</p> <p>The recommendations from the review include the use of a base density standard with an exception as an incentive for more affordable housing, enabling a higher density where proposals satisfy setback controls.</p> <p>On the basis of this review, the following changes have been made to the density controls for land zoned R3 Medium Density Residential under <i>Coffs Harbour LEP 2013</i>:</p> <p>Current:    1 dwelling / 50m<sup>2</sup> buildings &lt; 55 m<sup>2</sup>                             1 dwelling / 75m<sup>2</sup> buildings 55m<sup>2</sup> - 84m<sup>2</sup>                             1 dwelling / 110m<sup>2</sup> buildings 85m<sup>2</sup> - 125m<sup>2</sup>                             1 dwelling / 150m<sup>2</sup> buildings &gt; 125m<sup>2</sup></p> <p>Amended: 1 dwelling / 100m<sup>2</sup> buildings ≤ 8.5m in height                             1 dwelling / 200m<sup>2</sup> buildings &gt; 8.5m in height</p> <p><i>Note: an exception is also provided permitting a higher density where setback controls are satisfied.</i></p> <p>A similar outcome can be achieved in relation to density however the controls are less confusing for proponents.</p>
<p><b>7(a)(iv) R4 High Density Residential</b></p>	<p>Density controls for land zoned R4 High Density Residential under <i>Coffs Harbour LEP 2013</i> are currently contained within Component B2 - Residential Development Requirements of DCP 2013.</p> <p>Similar to the R3 zone, the density controls are currently based on a sliding scale of various dwelling sizes to encourage a mix of dwelling types and higher densities to achieve the objectives of this zone.</p> <p>The density controls have been reviewed by consultants Bennell &amp; Associates in consultation with the working group established as part of the DCP Review Project.</p> <p>The revised density controls are based on the findings of this review and are contained within Chapter D3 – Residential Development of <i>Coffs Harbour DCP 2015</i> and are shown on Coffs Harbour DCP 2015 Density Map.</p>

Element	Key Change
	<p>The recommendations from the review include the use of a base density standard with an exception as an incentive for more affordable housing, enabling a higher density where proposals satisfy setback controls.</p> <p>On the basis of this review, the following changes have been made to the density controls for land zoned R4 High Density Residential under LEP 2013:</p> <p><b>Current:</b> 1 dwelling / 50m<sup>2</sup> buildings &lt; 55 m<sup>2</sup>                      1 dwelling / 75m<sup>2</sup> buildings 55m<sup>2</sup> - 70m<sup>2</sup>                      1 dwelling / 150m<sup>2</sup> buildings &gt; 70m<sup>2</sup></p> <p><b>Amended:</b> 1 dwelling / 50m<sup>2</sup></p> <p><i>Note: an exception is also provided permitting a higher density where setback controls are satisfied.</i></p> <p>A similar outcome can be achieved in relation to density however the controls are less confusing for proponents.</p>
<p><b>7(a)(v) Minimum Target Lot Yield</b></p>	<p>Density controls for urban release areas within the LGA are currently contained within Part E – Locality Based Special Information of DCP 2013. The density controls currently vary from target lot yields to dwelling targets and dwelling yields and thus provide no form of consistency across the LGA.</p> <p>The density controls for urban release areas have been replaced in <i>Coffs Harbour DCP 2015</i> with a minimum target lot yield for only those urban release areas where developer contributions are required to be levied for specific infrastructure or services.</p> <p>The purpose of this is to distinguish the intent of a residential housing density from a minimum lot yield within an urban release area.</p>
<p><b>7(b) Setback Requirements</b></p>	<p>Similar to the density controls, setback controls are currently provided within DCP 2013 as overly complex written controls, which can be difficult for proponents to interpret.</p> <p>The setback controls have been reviewed and revised by a working group established as part of the DCP review project, comprising senior planning staff from Council’s Sustainable Places Branch. Setback controls relating to land zoned R1, R2, R3 and R4 under <i>Coffs Harbour LEP 2013</i> have also been reviewed by Consultants Bennell &amp; Associates.</p> <p>Revised setback controls are shown on <i>Coffs Harbour DCP 2015</i> Front Setbacks Map and Side and Rear Setbacks</p>

Element	Key Change												
	<p>Map.</p> <p>Whilst the resulting setback controls provide for a more uniform approach across the LGA, it is recommended that further investigation and review is undertaken in relation to the relationship between density, setbacks, maximum building height and minimum lot size controls as the detailed investigations required are outside the scope of the DCP Review Project (refer to Action 1 below).</p>												
<p><b>7(b)(i)R1 General Residential</b></p>	<p>Setback controls for land zoned R1 General Residential under <i>Coffs Harbour LEP 2013</i> are currently contained within Component E15 - Tourist Development Precincts of DCP 2013.</p> <p>Similar to the density controls for this land, the setback controls are based on various autonomous planning projects that have been undertaken over many years. The outcome is a mix of different setback controls within the R1 zone regardless of similar land use objectives.</p> <p>The setback controls have been reviewed and revised by the working group established as part of the DCP Review Project.</p> <p>Revised setback controls are contained within Chapter D5 – Tourist Development of <i>Coffs Harbour DCP 2015</i> and are shown on Coffs Harbour DCP 2015 Front Setbacks Map and Side and Rear Setbacks Map.</p> <p>The setbacks have been designed to cater for both residential accommodation and tourist and visitor accommodation uses, whilst providing a more consistent approach across the LGA until such time as a detailed review is undertaken.</p> <p>The following list outlines changes that have been made to setback controls for each R1 precinct within the LGA:</p> <p><b>Woolgoolga</b></p> <table data-bbox="755 1127 1652 1386"> <tr> <td>Current:</td> <td>Front:</td> <td>5m</td> </tr> <tr> <td></td> <td>Side &amp; Rear:</td> <td>1.5m</td> </tr> <tr> <td>Amended:</td> <td>Front:</td> <td>6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone)</td> </tr> <tr> <td></td> <td>Side &amp; Rear:</td> <td>900mm from walls - buildings ≤ one storey 3m for buildings &gt; one storey</td> </tr> </table>	Current:	Front:	5m		Side & Rear:	1.5m	Amended:	Front:	6m for buildings ≤ 8.5m in height 9m for buildings >8.5m in height (including articulation zone)		Side & Rear:	900mm from walls - buildings ≤ one storey 3m for buildings > one storey
Current:	Front:	5m											
	Side & Rear:	1.5m											
Amended:	Front:	6m for buildings ≤ 8.5m in height 9m for buildings >8.5m in height (including articulation zone)											
	Side & Rear:	900mm from walls - buildings ≤ one storey 3m for buildings > one storey											

Element	Key Change
	<p><b>Sapphire</b></p> <p>Current: Front: 20m Pacific Highway 6m to Local Roads Side &amp; Rear: Merit</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone) Side &amp; Rear: 900mm from walls - buildings ≤ one storey 3m for buildings &gt; one storey</p> <p><b>Korora</b></p> <p>Current: Front: 20m Pacific Highway 6m to Local Roads Side: 6m Rear: 1m ≤ one storey, 3m &gt; one storey</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone) Side &amp; Rear: 900mm from walls - buildings ≤ one storey 3m for buildings &gt; one storey</p> <p><b>North Coffs (Summit South)</b></p> <p>Current: Front: 20m Side &amp; Rear: Merit</p> <p>Amended: Front: Merit Side &amp; Rear: Merit</p> <p><b>North Coffs (Summit North)</b></p> <p>Current: Front: Active Frontage</p>

Element	Key Change
	Side & Rear: Merit Ridgeline: 10m Amended: Front: Merit Side & Rear: Merit
	<b>North Coffs (Former Big Banana Land)</b> Current: Nil Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings >8.5m in height (including articulation zone) Side & Rear: 900mm from walls - buildings ≤ one storey 3m for buildings > one storey
	<b>North Coffs (Big Banana Site)</b> Current: Nil Amended: Front: 6m Side & Rear: Merit
	<b>North Coffs (Pacific Bay Western Lands)</b> Current: Nil Amended: Front: 6m for buildings ≤ 8.5m in height (including articulation zone) Side & Rear: 900m- walls 675mm- outer edge of roof gutter & eaves
	<b>South Coffs</b> Current: Front: 20m Pacific Highway 6m to Local Roads Side: 6m Rear: 1m ≤ one storey, 3m > one storey



Element	Key Change
	<p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone)</p> <p>Side &amp; Rear: 900mm from walls - buildings ≤ one storey 3m for buildings &gt; one storey</p> <p><b>Boambee Bay</b></p> <p>Current: Front: 6m Side &amp; Rear: 1m ≤ one storey, 3m &gt; one storey</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone)</p> <p>Side &amp; Rear: 900mm from walls - buildings ≤ one storey 3m for buildings &gt; one storey</p> <p><b>Sawtell</b></p> <p>Current: Front: 6m Side &amp; Rear: 1m ≤ one storey, 3m &gt; one storey</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone)</p> <p>Side &amp; Rear: 900mm from walls - buildings ≤ one storey 3m for buildings &gt; one storey</p> <p><b>Coffs Harbour CBD</b></p> <p>Current: Front: 6m Side &amp; Rear: 1m ≤ one storey, 3m &gt; one storey</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone)</p>

Element	Key Change
	<p>Side &amp; Rear: 3m for buildings ≤ 8.5m in height 6m for buildings &gt; 8.5m in height</p> <p><b>Park Beach East</b></p> <p>Current (South of Park Beach Road): Front: 6m Side and Rear: 1m ≤ one storey, 3m &gt; one storey</p> <p>Current (North of Park Beach Road): Front: As per Figure 1 &amp; 2 Side and Rear: As per Figure 1 &amp; 2</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone) Side and Rear: 3m for buildings ≤ 8.5m in height 6m for buildings &gt; 8.5m in height</p> <p><b>Park Beach West</b></p> <p>Current: Front: 6m Side &amp; Rear: 1m ≤ one storey, 3m &gt; one storey</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone) Side &amp; Rear: 3m for buildings ≤ 8.5m in height 6m for buildings &gt; 8.5m in height 900mm to walls for buildings ≤ one storey</p> <p><b>Bonville</b></p> <p>Current (western and eastern low density): Front 5m Side: 2m for buildings ≤ one storey</p>

Element	Key Change
	<p>3m for buildings ≤ 8.5m in height</p> <p>Rear: Minimum of 20% of average site length</p> <p>Current (western and eastern medium density):</p> <p>Front 6m</p> <p>Side: 3m</p> <p>Rear: 10m</p> <p>Current (central medium density):</p> <p>Front 6m</p> <p>Side: 3m</p> <p>Rear: 10m</p> <p>Amended (low density):</p> <p>Front 6m (including articulation zone)</p> <p>Side &amp; Rear: 900mm- walls 675mm- outer edge of roof gutter &amp; eaves</p> <p>Amended (medium density):</p> <p>Front 6m (including articulation zone)</p> <p>Side and Rear: 3m for buildings ≤ 8.5m in height 6m for buildings &gt; 8.5m in height 900mm to walls for buildings ≤ one storey</p> <p><b>Jetty</b></p> <p>Current: Front: 3.5m for buildings ≤ one storey and an additional 1.5m setback for every additional storey. Additional stories over and above the second story are to be included within a 30° building plane measured from the horizontal and taken from the corner of the second story (as per figure 3).</p> <p>Side and Rear: 3m for buildings ≤ 8.5m in height 6m for buildings &gt; 8.5m in height</p> <p>Amended: Front: 6m for buildings ≤ 8.5m in height 9m for buildings &gt;8.5m in height (including articulation zone)</p>

Element	Key Change
	<p>Side &amp; Rear: 3m for buildings ≤ 8.5m in height 6m for buildings &gt; 8.5m in height 900mm to walls for buildings ≤ one storey</p> <p><i>Note: a similar outcome can be achieved in relation to setbacks for this precinct however the controls are less confusing for proponents.</i></p>
<p><b>7(b)(ii) R2 Low Density Zone</b></p>	<p>Setback controls for land zoned R2 Low Density under <i>Coffs Harbour LEP 2013</i> are currently contained with Component B2 - Residential Development Requirements of DCP 2013.</p> <p>The minimum front setback requirement for dwellings in the R2 zone is currently 6m with a provision for an articulation zone for lots that have at least a 3m setback area from a primary road.</p> <p>A number of building elements are permitted within this articulation zone provided that they do not comprise more than 25% of the area within the articulation zone.</p> <p>This current control effectively enables certain building elements to be built up to the front boundary of low density allotments for 25% of the front setback area.</p> <p>This was never the intent of the control, which is based on the development standards that were contained within the General Housing Code for complying development at the time DCP 2013 was prepared.</p> <p>The development standards at this time contained a definition for the articulation zone, which limited the area of the articulation zone to a horizontal distance of 1.5m forward of the building line. This definition is however not included within DCP 2013.</p> <p>Consultants Bennell &amp; Associates undertook a review of this articulation zone control as part of the DCP review project.</p> <p>Revised front setback controls for land zoned R2 Low Density Residential are contained within Chapter D3 – Residential Development of <i>Coffs Harbour DCP 2015</i> and are based on the recommendations of this review.</p> <p>Articulation zones are based on contemporary planning principles which seek to provide a better connection between the street and housing development and better use of open space areas around housing development.</p> <p>The revised setback control retains an articulation zone in line with current thinking however, the definition for the articulation zone has been refined to minimise impacts on the streetscape and ensure that the permitted building</p>

Element	Key Change
	<p>elements cannot extend up to the front boundary of the allotment.</p> <p>The revised front setback requirement is 6m with a provision for an articulation zone for lots that have at least a 4.5m setback area from a primary road. The articulation zone is defined as follows:</p> <p><i>‘a notional area projecting 3m forward of the 6m front building line within which building elements such as:</i></p> <ul style="list-style-type: none"> <li>- <i>entry features or porticos;</i></li> <li>- <i>balconies, decks, patios, pergolas,</i></li> <li>- <i>terraces or verandahs;</i></li> <li>- <i>awnings or other features over a window; and</i></li> <li>- <i>sun shading features;</i></li> </ul> <p><i>may be incorporated up to a maximum of 50% of the notional area, when viewed from above’.</i></p> <p>An articulation zone that allows for a quarter of the front setback area to be used for specified building elements provides more flexibility and better use of the front setback area. Based on an average allotment size within the LGA, this will allow an area of approximately 22.5m<sup>2</sup> to 30m<sup>2</sup> for those building elements detailed above.</p>
<p><b>7(b)(iii) R3 Medium Density Residential</b></p>	<p>Front setback controls for land zoned R3 Medium Density Residential under <i>Coffs Harbour LEP 2013</i> are currently contained with Component B2 - Residential Development Requirements of DCP 2013.</p> <p>The minimum front setback requirement for land zoned R3 Medium Density Residential under <i>Coffs Harbour LEP 2013</i> is currently 9m with a permitted encroachment to 6m for buildings with a height less than 8.5m.</p> <p>As discussed previously, setback controls applying to certain land use zones within the LGA were reviewed by consultants Bennell &amp; Associates engaged by Council as part of the DCP Review Project.</p> <p>Revised front setback controls for land zoned R3 Medium Density Residential under <i>Coffs Harbour LEP 2013</i> are based on the recommendations of this review. The controls are contained within Chapter D3 –Residential Development of <i>Coffs Harbour DCP 2015</i> and are shown on Coffs Harbour DCP 2015 Front Setbacks Maps.</p> <p>Bennell &amp; Associates recommend that the existing front setback controls for land zoned R3 Medium Density Residential under <i>Coffs Harbour LEP 2013</i> are retained as they generally provide for a two storey building podium height by requiring a stepping of building heights with a 6m setback for two storey buildings and a 9m setback for buildings higher than two storeys.</p>

Element	Key Change
	<p>It is also recommended that articulation zone provisions (similar to those applying to land zoned R2 Low Density Residential) are applied to land zoned R3 Medium Density Residential (including land zoned R1 within the jetty precinct (refer to element 7(b)(i) above) to simplify the implementation of the controls and to provide uniformity across the LGA.</p> <p>The revised front setback controls for land zoned R3 Medium Density Residential are as follows:</p> <ul style="list-style-type: none"> <li>- 6m for buildings ≤ 8.5m in height</li> <li>- 9m for buildings &gt;8.5m in height (including articulation zone)</li> </ul> <p><i>Note: the review undertaken by Bennell &amp; Associates recommends that the maximum building height controls for land zoned R1 General Residential and R3 Medium Density Residential under Coffs Harbour LEP 2013 are reviewed as they may be inappropriate in some areas (particularly at the Jetty) having regard to the established and desired character of these areas (refer to Action 1 below).</i></p>
<p><b>7(b)(iv) R4 High Density Residential</b></p>	<p>Setback controls for land zoned R4 High Density Residential under <i>Coffs Harbour LEP 2013</i> are currently contained with Component E3 - Coffs Harbour City Centre of DCP 2013.</p> <p>The minimum front setback requirement for land zoned R4 High Density Residential is as follows:</p> <ul style="list-style-type: none"> <li>- 9m for buildings over 24m in height;</li> <li>- 6m for buildings over 12m and less than 24m in height;</li> <li>- 3m for buildings up to 12m</li> </ul> <p>To simplify setback controls and to provide uniformity across the LGA, the front setback controls have been reviewed by Consultants Bennell &amp; Associates as part of the DCP Review Project.</p> <p>Revised front setback controls for land zoned R4 High Density Residential are based on the recommendations of this review. The revised controls are contained within Chapter D3 – Residential Development of <i>Coffs Harbour DCP 2015</i> and are shown on Coffs Harbour DCP 2015 Front Setback Map as follows:</p> <ul style="list-style-type: none"> <li>- 6m for buildings ≤ 8.5m in height</li> <li>- 9m for buildings &gt;8.5m in height (including articulation zone)</li> </ul>

Element	Key Change
	<p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>- <i>the revised front setback controls will result in a similar outcome to the current setback controls (having regard to the flexibility provided by the articulation zone) and will ensure uniformity across residential zones within the LGA; and</i></li> <li>- <i>Bennell &amp; Associates recommend that a specific investigation and urban design study is undertaken to develop appropriate built form controls for high density precincts in the LGA, particularly taking into account the known impacts in the Hill Street / Meadow Street precinct. It is further recommended that such investigation should consider the potential for amalgamation and market potential for high rise buildings envisaged by the zoning as this may result in a move from high density to medium density housing to fast track development of the high density precincts (refer to Action 1 below).</i></li> </ul>
<p><b>7(b)(v) City Core - Street Frontage Heights</b></p>	<p>As previously discussed, setback controls relating to the city core are currently contained within Component E3 - Coffs Harbour City Centre of DCP 2013, which has not been retained in the structure of <i>Coffs Harbour DCP 2015</i> (see element 5(e) above).</p> <p>Due to the importance of the city core as the central business district for the LGA, existing controls relating to this precinct have been reviewed during a mini design Charrette comprising senior planning staff and consultants Bennell &amp; Associates engaged by Council to assist with the DCP Review Project.</p> <p>The outcomes from the design Charrette include:</p> <ul style="list-style-type: none"> <li>- the deletion of complex street frontage height controls;</li> <li>- the application of a front setback control to major streets and crossroads within the City Core (as reflected in the CBD Masterplan) to allow for winter sunlight between 10am and 2pm on the 21 June for a distance of 6m from the opposing footpath (30°);</li> <li>- the application of a front setback control to No. 50 -64 and No. 66-90 Harbour Drive based on an active two storey building, with a setback corner splay provided for any part of the building over two stories;</li> <li>- the application of a general control to remaining lots adjoining the city square to ensure that any redevelopment of such lots will not encroach on existing winter solar access within the city square;</li> <li>- the application of a merit assessment for front setbacks to the following streets within the city core: Coff Street, Moonee Street, Earl Street and Duke Street; and</li> <li>- the replacement of street frontage height controls for land zoned B4 Mixed Use at the Jetty with a merit assessment for front setbacks.</li> </ul> <p>Revised development controls for this precinct are based on the outcomes of the design charrette are contained</p>

Element	Key Change
	<p>within Chapter G3 – Coffs Harbour City Core Precinct of <i>Coffs Harbour DCP 2015</i>.</p>
<p><b>7(b)(vi) B6 Enterprise Corridor</b></p>	<p>Coffs Harbour City Council resolved in June 2013 to undertake a masterplanning process to upgrade the Woolgoolga Town Centre Study, which was written in 1996.</p> <p>On 25 September 2013, Council appointed consultants Bennell &amp; Associates as consultant advisor to work with Council staff and the community in developing the draft plan.</p> <p>Background work has been completed for this process, comprising draft controls specific for land zoned B6 Business Enterprise Corridor under <i>Coffs Harbour LEP 2013</i>.</p> <p>To ensure uniformity within the LGA these draft controls have been integrated within <i>Coffs Harbour DCP 2015</i> and applied to land zoned B6 Enterprise Corridor under Coffs Harbour LEP 2013 in Woolgoolga and north of the Coffs Harbour CBD as these localities exhibit similar characteristics.</p> <p>The setback controls have been designed to provide for a flexible approach given the permissible uses within the B6 zone and to promote a tree lined green corridor along the Pacific Highway and Solitary Islands Way.</p> <p>The front setback controls cater for buildings with or without an active street frontage. Where buildings are not built to the street frontage, the front setback area is to incorporate landscaping in accordance with design concepts developed for this land.</p> <p>Rear setback controls vary depending on the sensitivity of adjoining land. Where the land adjoins residential uses, a rear setback of 3m is required to be provided. However, if the land is separated from sensitive uses via a lane or the like, the rear setback controls may be varied on merit.</p> <p>Side setbacks are to be in accordance with the Building Code of Australia.</p>
<p><b>7(b)(vii) RU2 Rural Landscape</b></p>	<p>Setback controls for land zoned RU2 Rural Landscape under <i>Coffs Harbour LEP 2013</i> are currently contained within Component B5 - Rural Development Requirements of DCP 2013.</p> <p>The setback controls have been reviewed and revised by the working group established as part of the DCP Review Project.</p> <p>Revised setback controls are contained within <i>Chapter D4 – Rural and Large Lot Residential Development of Coffs Harbour DCP 2015</i> and are shown on Coffs Harbour DCP 2015 Front Setbacks Map and Side and Rear Setbacks Map.</p>



Element	Key Change								
	<p>The revised setbacks have been designed to support the objectives of the RU2 zone, which aim to maintain the rural landscape character of the land.</p> <p>Changes to the setback controls are as follows:</p> <table data-bbox="755 418 1246 573"> <tr> <td data-bbox="755 418 991 451">Current:</td> <td data-bbox="1024 418 1246 451">Front:10m</td> </tr> <tr> <td></td> <td data-bbox="1024 456 1246 488">Side and Rear: 5m</td> </tr> <tr> <td data-bbox="755 508 991 540">Amended</td> <td data-bbox="1024 508 1246 540">Front: 20m</td> </tr> <tr> <td></td> <td data-bbox="1024 545 1246 578">Side and Rear: 10m</td> </tr> </table>	Current:	Front:10m		Side and Rear: 5m	Amended	Front: 20m		Side and Rear: 10m
Current:	Front:10m								
	Side and Rear: 5m								
Amended	Front: 20m								
	Side and Rear: 10m								
<p><b>7(c) Preservation of Vegetation</b></p>	<p>As discussed previously, the current controls for prescribed vegetation contained within DCP 2013 have been updated and supplemented with an electronic map similar to Coffs Harbour LEP 2013 <i>Terrestrial Biodiversity Map</i>.</p> <p>Coffs Harbour DCP 2015 Preservation of Vegetation (POV) Map prescribes vegetation for the purposes of Clause 5.9(2) of Coffs Harbour LEP 2013. Vegetation prescribed for the purposes of this Clause cannot be removed without prior approval via a tree permit or development consent.</p> <p>The vegetation shown on the POV Map emulates the written controls currently contained within DCP 2013, save the inclusion of endangered ecological communities and primary and secondary koala habitat.</p> <p>Endangered ecological community (EEC) means an ecological community specified in Part 3 of Schedule 1 of the <i>Threatened Species Conservation Act 1995</i> ('TSC Act'). Many ecological communities are listed under this Act as they have been cleared or degraded to such an extent that only a small amount of their original area resembles or functions in its natural state.</p> <p>During the assessment of development applications, a number of factors must be taken into consideration pursuant to Section 5A of the EP&amp;A Act to determine whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats.</p> <p>The inclusion of EECs on the DCP POV map will assist proponents in addressing Section 5A of the EP&amp;A Act given that the EEC mapping is highly evidenced based having been developed from Council's endorsed Fine Scale Vegetation Mapping.</p> <p>There are two types of prescribed vegetation on the POV Map:</p> <ul style="list-style-type: none"> <li>- Prescribed Vegetation (a) comprises freshwater wetlands, heathlands, maritime grasslands, saline wetlands,</li> </ul>								

Element	Key Change
	<p>endangered ecological communities and any primary or secondary <a href="#">Koala Habitat</a> defined under the <a href="#">Coffs Harbour City Koala Plan of Management 1999</a>, and</p> <ul style="list-style-type: none"> <li>- Prescribed Vegetation (b) reflects the current DCP controls which are based on lot size, land use zoning and a definition of a woody stemmed local indigenous plant with either a height greater than 5 metres or a diameter greater than 15 centimetres.</li> </ul> <p>Given that prescribed vegetation (b) is not evidence based, it is recommended that the POV Map is updated in the near future to reflect high conservation biodiversity values within the LGA derived from the most up to date environmental data (refer to Action 9 below).</p>
<p><b>7(d) Steep and Highly Erodible Land</b></p>	<p>As previously discussed, the definitions within <i>Coffs Harbour DCP 2015</i> have been revised so that standard terminology is provided within the Plan, utilising standard definitions.</p> <p>DCP 2013 currently contains various definitions and references to steep land. To provide uniformity across the LGA, a standard term has been provided within Coffs Harbour DCP 2015 for steep land.</p> <p>Steep land is now based on the Vulnerable Land Map for NSW endorsed by the NSW Office of Environment and Heritage. The land shown on this map is especially vulnerable to soil erosion, sedimentation and landslip.</p> <p>Under <i>Coffs Harbour DCP 2015</i> steep land means: land shown on Coffs Harbour DCP 2015 Steep and Highly Erodible Land Map.</p>
<p><b>7(e) Land Dedication</b></p>	<p>The Court of Appeal has ruled that section 94 is the only provision of the <i>Environmental Planning and Assessment Act 1979</i> that can authorise a consent condition requiring the dedication of land (<i>Fairfield City Council v N &amp; S Olivieri Pty Ltd</i> [2003]) or the payment of money.</p> <p>Therefore Consent Authorities can only impose a development consent condition requiring (a) the payment of money and / or (b) the dedication of land free of cost when it is publicly explained and justified in a contributions plan.</p> <p>As previously discussed, Council at its Ordinary Meeting of 13 December 2012 resolved to defer certain lands at Hearnese Lake/Sandy Beach, Emerald Beach and Moonee from <i>Coffs Harbour LEP 2013</i>.</p> <p>As an independent project to the DCP Review, Council engaged consultants Monteath &amp; Powys to develop a specific DCP chapter for the deferred lands. As part of this project brief, Monteath &amp; Powys were requested to review</p>

Element	Key Change
	<p>Council’s land dedication requirements and processes given that Council’s current DCP identifies land to be dedicated to Council free of charge for infrastructure, environmental or community purposes.</p> <p>On the basis of this review Monteath &amp; Powys recommend that Council’s DCP controls are amended to support only the voluntary dedication of land for infrastructure, environmental or community purposes.</p> <p>In accordance with such recommendations, a specific control has been integrated into Part D - Built Form Controls of <i>Coffs Harbour DCP 2015</i> for each land use based chapter. A recommended action is also provided in this report in relation to the preparation of a revised Dedication of Land Policy (refer to Action 8 below).</p>
<b>8. Recommended Actions</b>	
<b>1. Residential Built Form Controls</b>	<p>A follow up action is recommended as a separate land use planning project comprising a specific urban design study of residential built form controls within the LGA (including a review of setback controls), as part of the Local Growth Management Strategy Review Stage 2 Residential Strategy, currently underway, including:</p> <ul style="list-style-type: none"> <li>- A review of maximum building height controls, density controls, setback controls and minimum lot size controls (and their relationship);</li> <li>- A review of built form controls specific to development on land zoned R1 General Residential (residential accommodation vs tourist and visitor accommodation);</li> <li>- A specific urban design review of high density residential precincts including a review of known impacts in the Hill Street / Meadow Street precinct (i.e. the potential for amalgamation and market potential for high rise buildings envisaged by the zoning);</li> <li>- A specific urban design review of the Park Beach East Precinct; and</li> <li>- A specific urban design review of Coramba, Karang, Upper Orara and coastal and hinterland localities.</li> </ul>
<b>2. Key Sites</b>	<p>Undertake a specific urban design study for the following key sites with a view to assimilating development controls into Coffs Harbour DCP 2015 more efficiently:</p> <ul style="list-style-type: none"> <li>- Jetty Business Precinct</li> <li>- City Core Precinct; and</li> <li>- Sawtell Village Precinct</li> </ul>
<b>3. Minor Earthworks</b>	<p>Incorporate development standards for minor earthworks within Schedule 2 – Exempt Development of <i>Coffs</i></p>

Element	Key Change
	<p><i>Harbour LEP 2013</i> as part of the LEP housekeeping review.</p> <p>In drafting such development standards, caution should be applied to ensure that there are no inconsistencies with exempt provisions contained within <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p> <p>Further, standard terminology should be applied as per the definitions within <i>Coffs Harbour LEP 2013</i> and <i>Coffs Harbour DCP 2015</i> particularly for the following terms: steep land, contaminated land, waterfront land, earthworks and fill.</p>
<p>4. Water Sensitive Urban Design Policy</p>	<p>Review and amend Council’s Water Sensitive Urban Design Policy and Guideline to incorporate requirements for alternative water supply and treatment options that are currently contained within Component C8 – Integrated (Natural) Water Cycle Management Requirements of DCP 2013.</p> <p>Investigate the use of incentives for water conservation measures within non-residential buildings as an independent project to the DCP until such time as <i>State Environmental Planning Policy (BASIX) 2004</i> is extended to cover such development types.</p>
<p>5. Main Road Development Setback</p>	<p>Undertake a specific investigation into the need for a main road setback control to provide scenic function for the travelling public, particularly to the gateways into Woolgoolga and Coffs Harbour.</p> <p>This investigation should include major roads such as: Solitary Islands Way, Pacific Highway (not bypassed), Orara Way, Coramba Road, Lyons Road and Hogbin Drive.</p>
<p>6. Urban Release Areas</p>	<p>Undertake a review of urban release areas to ascertain the need for individual chapters within the DCP.</p>
<p>7. Street Trees</p>	<p>Review and update Council’s Street Tree Master Plan to ascertain the need for street trees to be provided as part of multi dwelling housing proposals. Seek formal adoption by Council of the updated Street Tree Master Plan as a strategic guideline applying to Part 4 matters under the <i>Environmental Planning and Assessment Act 1979</i>.</p>
<p>8. Land Dedication Policy</p>	<p>Seek formal adoption by Council of a revised Land Dedication Policy prepared in accordance with the recommendations from consultants Montearth &amp; Powys to support <i>Coffs Harbour DCP 2015</i>.</p>
<p>9. Preservation of Vegetation</p>	<p>Update the Preservation of Vegetation Map to reflect high conservation biodiversity values within the Coffs Harbour</p>

Element	Key Change
<b>Map</b>	LGA derived from the latest environmental data (fine scale vegetation mapping and associated environmental analysis).
<b>10. Repeal of Information Sheets</b>	Repeal the following information sheets: Access and Mobility, Acid Sulfate Soils, Arborist Assessment Reports, Arborist Cover Notes, Coastal and Hinterland Rural Lands, Compensatory Planting Requirements, Comprehensive Ecological Assessments, Comprehensive Vegetation Management Plans, Context and Site Analysis, Coramba-Karangi-Upper Orara, Ecological Assessment Report Structure, Heritage, Lodging a Development Application, Minor Development Ecological Assessments, Preliminary Vegetation Management Plans, Rural Lands Conflict, Safer by Design, Statement of Environmental Effects.
<b>11. Update Website</b>	Update Council’s website to provide guidelines for preparing and lodging development applications, comprising information to assist proponents in preparing Statement of Environmental Effects and undertaking context and site analysis.
<b>12. Aboriginal Cultural Heritage Study</b>	Undertake a LGA wide Aboriginal cultural heritage study underpinned by comprehensive and culturally appropriate protocol to inform the preparation of LEP and DCP provisions for avoiding and managing impacts on cultural heritage.



## REPORT TO ORDINARY COUNCIL MEETING

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### DRAFT ON-SITE SEWAGE MANAGEMENT STRATEGY 2015

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<b>REPORTING OFFICER:</b>	Coordinator On-Site Sewage Management Systems
<b>DIRECTOR:</b>	Director, Sustainable Communities
<b>COFFS HARBOUR 2030:</b>	LC 1.3 Promote a safe community LC 2.1 Promote healthy living LE 3.2 Enhance protection of our catchments, waterways and marine areas LE 4.2 Implement programs which aim to make the Coffs Harbour Local Government Area pollution free
<b>ATTACHMENTS:</b>	ATT Draft On-Site Sewage Management Strategy 2015

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#### Recommendation:

1. That Council endorses release of the updated Draft On-Site Sewage Management Strategy 2015 for public exhibition and invite submissions for a period of 42 days.
2. That a report be brought back to Council on the On-Site Sewage Management Strategy 2015 following public exhibition.

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### EXECUTIVE SUMMARY

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The on-site sewage management strategy (the Strategy) has not been substantially reviewed since 2006. The current review of the Strategy has been undertaken to update and reflect current standards and best practice methods keeping in line with the overall goals of protecting human health and environmental standards.

The Strategy is an overarching document for use by Council staff in association with the assessment of applications, inspection of current on-site sewage management systems (OSSMSs) and all matters that pertain to the operation, installation and maintenance of OSSMSs in the Coffs Harbour Local Government Area (LGA). The document is also used as a valuable reference guide by property owners, system designers and installation and maintenance providers.

With the Strategy having been updated with input from key stakeholders, it is now considered appropriate that consultation be undertaken with the broader community prior to the matter being further considered for adoption.

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**REPORT**

**Description of Item:**

All local governments in NSW are required to have an on-site sewage management strategy which details the requirements for all on-site sewage management facilities in terms of design, installation and maintenance in their respective local government regions.

A comprehensive review of the Strategy has been undertaken to ensure the Strategy is in keeping with the evolving nature of waste water technology and the associated regulatory requirements. The review also addresses a number of matters identified through an internal auditing process.

The on-site sewage management strategy is a reference tool that builds on past learning and provides for performance based outcomes that address quadruple bottom line considerations particularly through the risk assessment tools incorporated into the updated version.

Technical input received through targeted consultation with internal stakeholders along with external consultants, designers and system installers has been incorporated into the updated draft Strategy where appropriate.

The following table identifies the key differences between the existing Strategy and the updated draft Strategy:

<b>Current On-site Sewage Management Strategy 2006</b>	<b>Updated Draft On-site Sewage Management Strategy 2015</b>
Risk based on buffer setback distances A.S. 1547- 2000	Risk based on site/soil/ and buffers extracted from A.S. 1547- 2012
Monitoring of environmentally sensitive areas not included	Monitoring and re-categorisation of environmentally sensitive areas
Aims of strategy focus on generics rather than specifics	Aims of updated strategy provide for a holistic approach integrating legislative requirements with best practice design
System design and reporting requirements not catered for in 2006 Strategy	System design and reporting requirements included in 2015 strategy
Schematics for design of on-site sewage management systems not included	Schematics for design of on-site sewage management included as reference for designers/ installers

**Issues:**

***Risk Classification***

The current Strategy details a two class risk classification scheme that was initially used to determine the inspection frequency review of the system approvals to operate. This was changed in 2010/11 to reflect operational resourcing considerations with a three class risk classification being applied. The Strategy has been updated to reflect the practice being applied, risk categorisation and inspection review frequency.

***Strategic Aims and Direction***

The strategic aims have been updated to reflect the maturity of the document. The initial strategic aims sought to provide direction with respect to the implementation of a management review process for on-site sewage management systems. With these actions having now been in place for many years the strategic focus has moved from an implementation phase to an ongoing management phase with the aims having been updated to reflect same.

The updated draft Strategy provides clear direction and focus on system design and operation considerations serving as a valuable reference for system owners, design consultants, installers and industry.

### ***Variations between local government areas***

With each LGA having been required to adopt a strategy position with respect to the operation and approval of OSSMSs within their local areas, there are marked differences between the approaches taken. These differences often provide for robust discussions between assessment staff and consultants, as well as designers and installers operating within the different LGAs. Whilst acknowledging these variances, every endeavor has been made in the preparation of this document to provide direction and sound consistencies based on best practice guidelines and Australian Standards.

### ***Resources***

The program is designed to minimise any impact on resources. Council conducts inspection reviews of all OSSMS's within the LGA based on one, three and six yearly review frequencies that are determined having regard to risk assessment considerations. The adoption of this Strategy will not impact on the current resources and existing financial budgetary constraints.

### ***Audit issues***

An internal audit review identified that a number of strategic matters recommended by the Office of Local Government were not adequately addressed in the existing Strategy. Issues raised included the need for incorporation of various statements within the Strategy including:

- A statement of on-site sewage management policy
- A statement outlining on-site sewage management programs
- A statement outlining on-site sewage management emergency response
- A statement of the on-site sewage management performance monitoring, measurement and evaluation program
- A statement of Council's commitment to continuing improvement of on-site sewage management systems
- On-site sewage management risk management plan

The draft Strategy has been modified to incorporate a provision that reflects the above matters.

### ***Options:***

1. Retain the existing strategy. This course of action is not recommended for a number of reasons including; the existing Strategy is out dated and does not reference changed Australian Standards, it does not recognise technological improvements introduced since the Strategy was last reviewed; is inconsistent with current operational risk management principles; and does not adequately address strategic matters recommended by the Division of Local Government.
2. Adopt the recommendation provided to Council noting that there will be a further opportunity for community comment prior to finalisation of the updated Strategy.

### ***Sustainability Assessment:***

- **Environment**



The adoption of the Strategy seeks to provide improved environmental outcomes with the design and installation of new and upgraded systems which meet the most current technological standards and are designed to reduce impacts on human health and the environment.

- **Social**

The Strategy will assist the community's understanding of Council's approval and associated monitoring and compliance role with future adoption of the Strategy not expected to cause any detrimental social impacts.

- **Civic Leadership**

The review and updating of the Strategy is demonstrating leadership by providing owners and operators, consultants, system designers, installers and the wider community with the knowledge of the standards that are to be applied in a uniform approach.

- **Economic**

**Broader Economic Implications**

The cost of compliance will be an ongoing issue as new systems are installed and older systems get upgraded to newer standards. However, there will be a net benefit cost to the community in terms of enhanced improvement of environmental and health standards.

It is also envisaged that there will be intergenerational equity benefits with newer systems being designed to have increased operational life spans that will provide significant cost savings in the longer term.

**Delivery Program/Operational Plan Implications**

The public notification and future implementation of the updated Strategy are not expected to cause any impact to the Delivery Program or Operational Plan.

**Risk Analysis:**

The updated draft Strategy reflects current thinking and the application of risk management considerations applied to the assessment and inspection of OSSMSs. The future adoption of the updated Strategy will provide consultants, installation and maintenance contractors and property owners with clear direction and expectation associated with system installation and operation. This in turn will assist Council in risk management associated with its legislative responsibilities for the oversight of these systems.

**Consultation:**

The draft On-site Sewage Management Strategy 2015 has been reviewed and updated following consultation with key internal stakeholders and targeted consultation with external consultants, system designers, installers and maintenance contractors. Stakeholder consultation has generally been focused on the technical aspects of the Strategy with feedback being incorporated into the Strategy where relevant.

The updated draft Strategy is now at a point where consultation with the broader community is considered appropriate prior to the matter being further considered for final adoption by Council.

**Related Policy, Precedents and / or Statutory Requirements:**

The following legislation, Australian Standard and Guidelines are relevant to the updated Strategy:

- Local Government Act 1993
- Local Government Regulation 2005
- Australian Standard 1547( 2012)
- Sydney Catchment Authority: Guidelines for On-Site Sewage Management Systems

**Implementation Date / Priority:**

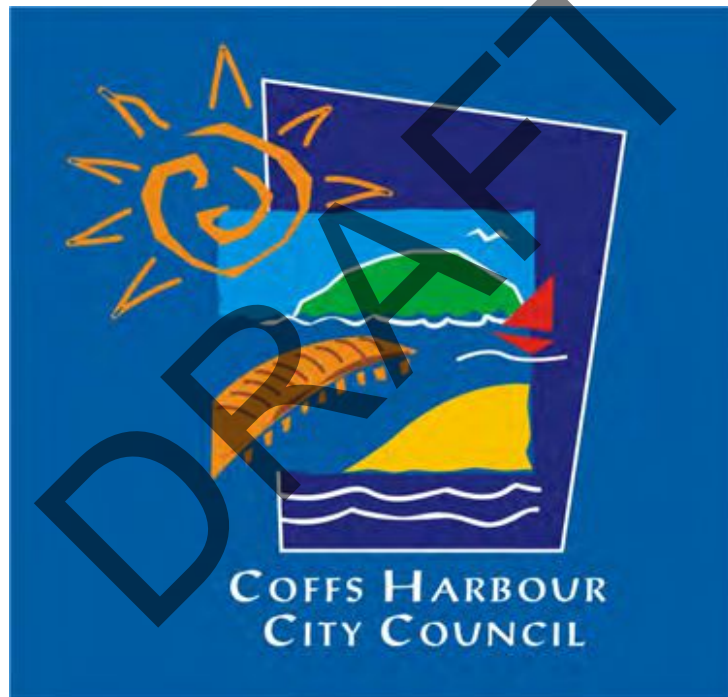
It is proposed that the updated draft Strategy will be placed on public exhibition upon receiving Council's endorsement. A further report will be presented to Council for consideration of any submissions prior to implementation.

**Conclusion:**

The Strategy has been reviewed and updated to reflect current thinking and the application of risk management considerations applied to the assessment and inspection of on-site sewage management systems. In updating the Strategy consideration has been applied to reflect and build upon the learning obtained since the Strategy was first implemented as well as the incorporation of input from internal and external stakeholders.

The updated document provides clear direction and a focus on system design and operation considerations and will serve as a valuable reference for system owners, design consultants, installers and industry. It is considered appropriate that the draft Strategy be placed on public exhibition to enable community input prior to further consideration being given to adopt the document.

# On-site Sewage Management Strategy



**2015**

**Document Control**

Version	Date	Document Administrator
Peer Review Draft	.....2015	
Public Exhibition	.....2015	

**Disclaimer**

This Strategy is a policy document adopted by Council to provide guidance to property owners, plumbers and consultants when designing, installing, inspecting and assessing on-site sewage management systems. The information provided in this document is provided by Council in good faith as a guide only to Council requirements. The information contained herein is current and accurate at the time of publication. At no time should this information be used as a substitute for technical expertise provided by consultants, engineers and plumbers who specialise in on-site wastewater management. Council reserves the right to make amendments of a minor nature to this document.

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## TABLE OF CONTENTS

<b>PART A – STRATEGY DEVELOPMENT AND BACKGROUND INFORMATION .....</b>	<b>2</b>
<b>1 INTRODUCTION .....</b>	<b>2</b>
1.1 SCOPE.....	2
1.2 PRINCIPLES.....	3
1.2.1 <i>Ecologically Sustainable Development</i> .....	3
1.2.2 <i>Water Cycle Management</i> .....	3
1.2.3 <i>Catchment Management</i> .....	3
1.2.4 <i>Protection of Public Health</i> .....	4
1.3 AIMS .....	4
1.4 OBJECTIVES.....	4
1.5 GOALS.....	5
<b>2 STANDARDS AND GUIDELINES .....</b>	<b>5</b>
2.1 LOCAL GOVERNMENT ACT 1993.....	5
2.2 LOCAL GOVERNMENT (GENERAL) REGULATION 2005 .....	6
2.2.1 <i>Local Government (General) Amendment (Domestic Greywater Diversion) Regulation 2006</i> .....	6
2.3 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997.....	7
2.4 AUSTRALIAN STANDARDS / NEW ZEALAND STANDARDS.....	7
2.5 NSW DEPARTMENT OF HEALTH .....	7
2.6 NSW DEPARTMENT OF ENERGY, UTILITIES AND SUSTAINABILITY .....	7
2.7 ON-SITE SEWAGE MANAGEMENT FOR SINGLE HOUSEHOLDS.....	7
<b>3 APPROVAL PROGRAM.....</b>	<b>8</b>
3.2 APPROVAL TO INSTALL ONSITE SEWAGE MANAGEMENT SYSTEM.....	8
3.2.1 <i>Regulatory Requirements</i> .....	8
3.3 APPROVAL TO OPERATE.....	9
3.4 TRANSFER OF TITLE .....	9
<b>4 MONITORING PROGRAM .....</b>	<b>9</b>
4.1 RISK CATEGORIES AND INSPECTION FREQUENCY.....	11
4.2 REVIEW OF AND CHANGES TO CATEGORIES OF RISK.....	12
4.2.1 <i>Re-categorisation of Systems</i> .....	12
4.3 ENVIRONMENTAL SENSITIVE AREAS OR SMALL LOT SIZES .....	13
4.4 MONITORING AERATED WASTEWATER TREATMENT SYSTEMS.....	13
4.5 INSTALLATION AND MONITORING OF PRIVATE SEWER PUMP STATIONS .....	13
4.6 MONITORING PUMP-OUT SYSTEMS.....	14
4.7 UNSATISFACTORY ON-SITE SEWAGE MANAGEMENT SYSTEMS.....	14
4.7.1 <i>Identification of Unsatisfactory Systems</i> .....	14
4.7.2 <i>Impacts of System Failure</i> .....	14
4.7.3 <i>Complaints about Failing Systems</i> .....	15
4.7.4 <i>Owner and Operators Responsibilities</i> .....	15
4.7.5 <i>Enforcement</i> .....	16
<b>5 ADMINISTRATION.....</b>	<b>16</b>
5.2 EDUCATION .....	16
5.3 FINANCIAL HARDSHIP AND UPGRADING FAILING SYSTEMS .....	17
<b>6 RESOURCING.....</b>	<b>18</b>
6.2 STAFFING .....	18
6.3 FEES .....	18
<b>PART C – ON-SITE SEWAGE MANAGEMENT SYSTEM DESIGN AND REPORTING.....</b>	<b>20</b>
<b>7 APPLYING TO UPGRADE OR MODIFY AN ON-SITE SEWAGE MANAGEMENT SYSTEM. 20</b>	
7.2 NEW AND UPGRADED SYSTEMS .....	20
7.3 NEW SUBDIVISIONS, RESIDENTIAL RELEASE PROPOSALS, REZONING AND OTHER DEVELOPMENT APPLICATIONS .....	22

8 REFERENCES ..... 23

9 TABLE OF AMENDMENTS..... 23

APPENDIX A – EFFLUENT DISPOSAL SYSTEM SCHEMATICS..... 24

**LIST OF TABLES**

Table 1 Inspection Frequency ..... 11

Table 2 Determination of Risk Category..... 11

Table 3 Fees and charges for On-site Sewage Management..... 19

Table 4 Minimum soil testing requirements..... 21

**LIST OF FIGURES**

Figure 1 – Flow chart detailing On-site Sewage Management Inspection Program ..... 10

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## HOW TO USE THIS DOCUMENT

There are two main parts to this Strategy:

**PART A:** Strategy development and background information.

This section provides an introduction to relevant legislation, guidelines and standards that influence On-site Sewage Management in Coffs Harbour LGA. Also identifies background information, aims and objectives of the Strategy.

**PART B:** Operational Strategy

This section defines the functional requirements for all parties involved in the installation, maintenance or operation of On-site Sewage Management Systems within Coffs Harbour LGA.

**PART C:** On-Site Sewage Management System Design and Reporting

This section outlines the minimum requirements for submission of applications to modify or upgrade an on-site sewage management system.

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## PART A – STRATEGY DEVELOPMENT AND BACKGROUND INFORMATION

### 1 Introduction

In 1999, the Local Government (Approvals) Regulation was introduced by the NSW State Government in the interests of improvement of environmental and public health issues.

Surveys show that septic tanks and other on-site sewage management systems (OSSMSs) are failing to meet environment and health protection standards in all parts of NSW. The outbreak of Hepatitis A disease linked to the consumption of Wallis Lake oysters, which resulted in 440 reported cases and one death, was attributed to failure of OSSMS.

Coffs Harbour features high rainfall, impervious clay soils, sloping terrain and sensitive catchments. These local factors hinder performance of on-site sewage systems. There are over 5,500 OSSMSs in Coffs Harbour Local Government Area (LGA). Monitoring of local waterways and response to numerous complaints has shown conclusively that septic tanks are failing. Such failures primarily arise due to inadequate design, operation and maintenance.

This strategy was originally prepared in 2000, reviewed in 2006 and updated in 2015 in accordance with the requirements of the Local Government Act 1993, Australian/New Zealand Standard (AS/NZS) 1547, and Department of Local Government Guideline 1998. Since the implementation of the strategy, key government guidelines and standards have been updated, reflecting changes in sewage treatment technology and effluent disposal methods along with a growing understanding of the human and environmental health impacts stemming from poorly managed on-site wastewater systems.

The strategy has now been reviewed and updated to provide this information to the community, plumbers and drainers, service agents, consultants and developers on the requirements for installation, operation and maintenance of OSSMSs.

#### 1.1 Scope

On-site sewage management is a fundamental aspect of environmental assessment, land use planning and development control functions of Local Councils.

This strategy will provide a framework for Council to regulate and manage the selection, design, installation, operation, maintenance and approval of OSSMSs in the Coffs Harbour LGA.

This Strategy encompasses all OSSMSs within the Coffs Harbour LGA. Under the Local Government Act, an OSSMS or a sewage management facility is defined as:

- a human waste storage facility; or
- a waste treatment device intended to process sewage, and includes a drain connected to such a facility or device.

Consequently, this Strategy incorporates the following OSSMSs:

- (a) wet composting closets;
- (b) waterless composting closets;
- (c) septic closets;
- (d) septic tanks;
- (e) waste treatment devices designed to comminute or macerate and discharge sewage to a sewerage system;



- (f) waste treatment devices that treat sewage using a specific process to produce biosolids and disinfected effluent to a standard suitable, either separately or in combination, for recycling by surface or sub-surface irrigation or by internal or external household use;
- (g) any other kind of sewage management facility specified in a notice published in the Gazette by the Director-General for the purposes of cause 40 of the Local Government (General) Regulation, 2005.

The implementation of this strategy will ensure Council meets both its statutory obligations and duty of care in its role as a regulator to provide sustainable development while protecting the environment, public health and community amenity.

## **1.2 Principles**

This Strategy addresses specific treatment systems, management practices, environmental monitoring and regulatory regimes to achieve minimum environmental and public health principles as defined in the Regulation.

Where cumulative effects from failing OSSMSs may result in degradation of the environment, this Strategy incorporates the principles of Ecologically Sustainable Development (ESD), Total Catchment Management (TCM), Water Cycle Management (WCM) and protection of public health to mitigate the long-term impacts.

### **1.2.1 Ecologically Sustainable Development**

Ecologically sustainable development (ESD) is development that seeks to conserve and protect ecological processes, on which all life depends, whilst meeting the wants and needs of the community, ensuring that the total quality of life, both now and in the future can be maintained and improved. Based upon this definition, four principles have been adopted as a method of implementing ESD, these are:

- The precautionary principle – if there are threats of serious irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- Intergenerational equity – the present generation should ensure that the health, diversity and productivity of the environment is maintained and enhanced for the benefit of future generations.
- Conservation of biological diversity and ecological integrity.
- Improving valuation and pricing of environmental resources.

### **1.2.2 Water Cycle Management**

Water cycle management involves decision making which integrates all the natural components of the water cycle including rainfall, rivers, oceans and groundwater and the physical links between these, such as evapotranspiration and surface run-off. It also includes managed components of the water cycle including the supply of water for domestic, industrial and agricultural purposes, and the treatment and release of sewage and stormwater.

OSSMSs can potentially have a significant impact on the water cycle through the contamination of ground and surface waters with microorganisms and nutrients. Consequently all policies and decisions regarding OSSMSs have and should have considered these impacts.

### **1.2.3 Catchment Management**

Catchment management involves the coordination, sustainable use and integrated management of land, water, vegetation and other natural resources on a water catchment basis. Thus the implication of providing and managing wastewater services on a catchment wide basis is considered.

#### **1.2.4 Protection of Public Health**

As water sources are having increasing demands placed upon it, there has been a trend towards wastewater reuse. However, this must not be achieved at the expense of public health. It is essential that wastewater reuse is practiced and managed with the primary concern towards maintaining public health standards.

#### **1.3 Aims**

This strategy aims to:

- provide a standard approach to managing new and existing OSSMSs within the Coffs Harbour LGA;
- provide a framework to manage and regulate the impact of OSSMSs within the Coffs Harbour LGA, and to ensure user accountability;
- assist Coffs Harbour City Council (CHCC) in prioritising resources for efficient regulation and monitoring of on-site sewage management in the area;
- provide appropriate educational information to the wider community, plumbers and consultants to improve the design, installation, operation and maintenance of OSSMSs in the Coffs Harbour LGA;
- apply Total Catchment Management principles to the ongoing management of OSSMSs.

#### **1.4 Objectives**

Improve the quality of OSSMSs in the Coffs Harbour area to ensure the following:

- preventing the spread of disease by micro-organisms;
- preventing the spread of foul odours;
- preventing contamination of water (groundwater/surface waters);
- preventing degradation of soil and vegetation;
- discouraging insects and vermin;
- ensuring that persons do not come into contact with untreated sewage or effluent in their ordinary activities on the premises concerned;
- preventing public health risk;
- maintaining and improving public amenity;
- ensuring ecologically sustainable on-site effluent disposal;
- increasing education and awareness of on-site wastewater management;
- ongoing improvement to existing and sub-standard on-site wastewater treatment and disposal systems;
- monitoring on-site disposal systems and their effects on the environment;
- creating a framework for improved management of on-site wastewater management systems.

### 1.5 Goals

To achieve the objectives outlined above, the following goals have been set:

- maintain a database of all existing OSSMSs;
- initiate a training program for operators and installers of on-site disposal systems;
- to consult with householders on the development and implementation of strategies to eliminate illegal discharge from OSSMSs;
- to ensure that all land application areas comply with environment and public health protection standards and Council operating requirements;
- to reduce the incidence of system failure as a result of householder misuse;
- to ensure that all OSSMSs are inspected at regular intervals and are desludged and maintained as required;
- encourage a partnership approach between householders, service agents and Council which supports continued improvement of on-site sewage management;
- ensure Council's development standards and approval criteria incorporate appropriate provision for sustainable on-site sewage management when residential development occurs in unsewered areas.

**2 Standards and Guidelines** The following Acts, Regulations, Standards, Guidelines, Policies, and Strategies govern the installation, operation and maintenance of OSSMSs within the Coffs Harbour LGA.

- Local Government Act 1993.
- Local Government (General) Regulation 2005.
- Protection of the Environment Operations Act 1997.
- Australian/New Zealand Standard (AS/NZS) 1547:2012 – On-Site Domestic Wastewater Management (as revised).
- NSW Department of Energy, Utilities and Sustainability (2007) Greywater Reuse in Sewered Single Domestic Premises.
- Environmental Health Protection Guidelines (1998) – On-Site Sewage Management for Single Households (“Silver Book”)
- Coffs Harbour City Council’s On-Site Sewage Management Strategy (as revised from time to time).
- Other relevant act or guideline which becomes relevant and in force.

#### 2.1 Local Government Act 1993

The Local Government Act (LGA) 1993 provides the legal framework for the management of on-site sewage systems in New South Wales (NSW). This Act delegates responsibility to Councils for the administration of regulatory systems under this Act, such as the Local Government (General) Regulation 2005. Further, this Act also makes allowances for the issuing of orders and penalties.

In relation to on-site sewage management, Council may issue an order Under Section 124 of the LGA:

- To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition;
- To connect premises to reticulated sewer by a specified date where they are situated within 75m of a Council sewer service;
- Not to use or permit the use of a human waste storage facility on premises after a specified date; or
- To comply with an Approval.

## **2.2 Local Government (General) Regulation 2005**

The Local Government (General) Regulation 2005 governs the operation of on-site sewage management systems in NSW, identifying:

- (a) What information is to be provided to Council to determine an application for Approval to install; providing accreditation of sewage management facilities;
- (b) Minimum performance standards for on-site sewage management systems; and
- (c) Requiring owners:
  - (i) To ensure regular inspections are undertaken on their system and
  - (ii) To apply to Council for an Approval to Operate.

The Regulation also provides information on the Approval and Operation of systems of sewage management as detailed below.

Approval required to operate a system of sewage management:

- Meaning of "operate a system of sewage management".
- Prescribed activity under section 68 of the Act.
- Matters to be taken into consideration in determining an application for approval to operate a system of sewage management.

Operation of system of sewage management:

- Performance standards for operation of system of sewage management.
- Further condition of approval in relation to operation of system of sewage management.
- Approval to operate system of sewage management to extend to concurrent owners and occupiers.
- Transitional provision of temporary exemptions in relation to operation of system of sewage management.
- Transitional provision of temporary exemption for purchaser of land.

### **2.2.1 Local Government (General) Amendment (Domestic Greywater Diversion) Regulation 2006**

The object of this Regulation is to prescribe domestic greywater diversion as an activity requiring prior approval. Domestic greywater diversion means the installation and operation of a system for the diversion of greywater generated on residential premises to a garden or lawn on those premises, but does not include the manual collection and re-use of greywater (for example, by means of a bucket or similar receptacle). The Regulation also provides for an exemption from the requirement for prior approval in relation to domestic greywater if certain conditions are met.

### **2.3 Protection of the Environment Operations Act 1997**

The Protection of the Environment Operations (POEO) Act 1997 came into effect on 1 July 1999, superseding the Clean Waters Act, Clean Air Act, Noise Control Act, Waste Management and Minimisation Act, and the Environmental Offences and Penalties Act.

This Act is the pivotal mechanism for reducing pollution and protecting the environment in NSW, enhancing regulatory powers to Authorised Officers, and augmenting the costs of penalties.

Under this legislation, an on-the-spot fine for pollution of waters can be issued for an individual and for a corporation. Further, it is an offence not to report a pollution incident of which a penalty may apply.

### **2.4 Australian Standards / New Zealand Standards**

Australian New Zealand Standards (AS/NZS) 1546 and 1547 provide design criteria for septic tanks, and the sizing and selection of effluent disposal areas. AS/NZS 1547:2012 (latest revision at time of publication) has been broadened in scope to:

- (a) Include performance statements necessary to define outcomes and to accommodate new technologies.
- (b) Provide the basic performance provisions for septic tanks and introduce performance requirements to cover all types of wastewater-treatment units and land-application systems.
- (c) Set out the administrative and managerial responsibilities, and the education and training needed to ensure that on-site domestic-wastewater systems could be effective long-term options.
- (d) Give guidance on operation and maintenance of on-site domestic-wastewater systems.
- (e) Give guidance for on-site evaluation.
- (f) Give guidance on soil assessment.
- (g) Provide options for on-site domestic wastewater-treatment and land-application systems.
- (h) Give guidance on design, construction and installation.

### **2.5 NSW Department of Health**

The NSW Department of Health issues annual certificates of accreditation for septic tanks, collection well and other wastewater treatment systems. These certificates validate quality assurance, compliance with AS1546 and the Local Government (Approvals) Regulation.

Under the Local Government (General) Regulation, only NSW Health accredited wastewater treatment systems may be installed.

### **2.6 NSW Department of Energy, Utilities and Sustainability**

The NSW Department of Energy, Utilities and Sustainability released a policy for 'Greywater Reuse in Sewered Single Domestic Premises.' This document considers greywater in single domestic premises in sewered areas based primarily on public health considerations according to the characteristics of greywater. However this Policy does not specifically consider the design of land application systems that manage the application of greywater to land.

### **2.7 On-site Sewage Management for Single Households**

The Environment & Health Protection Guidelines developed the 'On-site Sewage Management for Single Households' as a comprehensive management tool for the regulation of OSSMSs.

In developing these guidelines a working group of Government agencies was formed, consisting of:

- NSW Department of Local Government (DLG);
- NSW Environment Protection Authority (EPA);
- NSW Department of Health (DOH);
- NSW Department of Land and Water Conservation (DLWC); and
- NSW Department of Planning and Environment (formerly Planning NSW).

The guidelines focus on on-site sewage management within the scope of Local Government responsibilities, and encourage Council's to develop an on-site sewage management strategy for its LGA that incorporates appropriate regional and catchment management objectives.

### 3 Approval Program

This section of the Strategy sets out the processes for the issuing of Approvals to Operate, risk classification and inspection of OSSMSs. The operational strategy outlined is designed to provide an effective and self-funding approvals and monitoring plan for on-site sewage management in the Coffs Harbour LGA. The approach taken is based on the principles of protection and enhancement of public health and the environment through the co-operative management of on-site sewage systems.

#### **3.2 Approval to Install Onsite Sewage Management System**

Under Section 68 of the Local Government Act 1993, Council approval is required for the installation, construction or alteration of a sewage treatment device or waste storage facility.

In order for Council to assess the adequacy of an application the following standards and guidelines are to be met at a minimum:

- AS/NZS1547:2012 – On-site Domestic Wastewater Management
- Environmental and Health Protection Guidelines – On-site Sewage Management for Single Households (“Silver Book”)
- Coffs Harbour City Council Onsite Sewage Management Strategy 2015 (as revised from time to time); and
- Any other guidelines and standards as they become relevant.

The above information applies to systems of a domestic nature. An application for a commercial system will be defined by an expected wastewater generation rate of between 10EP and 2500EP and is beyond the scope of AS/NZS1547:2012 and DLG (1998) standards and guidelines.

Any commercial sewage management facility is required to be designed by a suitably qualified and experienced environmental engineer or wastewater consultant, making reference to the most relevant up to date guidelines and standards in the design process.

#### **3.2.1 Regulatory Requirements**

All domestic on-site wastewater systems installed in NSW must be accredited by NSW Health. Council cannot approve the installation of a non-accredited wastewater treatment system, however, an exemption does exist under section 41 (2) where council may grant an approval to install or construct a sewage management facility without NSW Health accreditation where the system has been specifically and individually designed for the site and adequate supporting documentation is provided with the design. For a list of accredited wastewater treatment systems refer to the NSW Health website (<http://www.health.nsw.gov.au/environment/domesticwastewater>).

### **3.3 Approval to Operate**

To operate a system of sewage management, as defined in the Act, “means to hold or process, or re-use or discharge, sewage or by-products of sewage (whether or not the sewage is generated on the premises on which the system of sewage management is operated)”.

An Approval to Operate an OSSMS is required in accordance with section 68 and 68A of the Local Government Act, 1993. The operation of a system of sewage management is an activity that requires an Approval from Council (item 10 and Part F of the Table in Section 68 of the Act).

As such, all system owners must have a current approval to operate, and if not, are required to lodge an application for approval to operate with council.

An Approval to Operate is valid for a period of 12 months to 6 years depending on the risk category nominated for the system. The approval will be renewed following an inspection by Council’s inspector who will confirm that the system is being maintained and operated in accordance with the conditions of its current approval.

An Approval to Operate will be issued for new OSSMSs following satisfactory inspection by a Council officer.

### **3.4 Transfer of Title**

The Approval to Operate a system of sewage management extends to the concurrent owners and occupiers of the land on which the sewage management system resides on and therefore needs to be re-applied for with the transfer of title by the new owner. Council is currently notified of transfer of ownership by Land & Property Information and the rate notices are updated weekly. New owners are required to submit to council an Application for Approval to Operate an OSSMS.

The regulation provides that a person who purchases land on which any on-site sewage management facilities are installed, may continue to operate such a system, without the approval so required, for a period of three months from the date on which the property is transferred. It is further provided that, if a person who purchases (or otherwise acquires) land, on which an OSSMS is installed, applies for an approval within two months of the transfer of title, they may continue to operate the system until such time as Council finally determines the application.

There are fees attached to the Application for an Approval to Operate when title is transferred.

## **4 Monitoring Program**

Council is required to develop a monitoring program of existing systems and ensure these systems meet the environmental and health performance objectives set out in this strategy and in the Environmental and Health Protection Guidelines over the long term. This program will involve the monitoring of existing service documentation and routine on-site inspections. A flow chart detailing Council’s adopted monitoring program is provided in Figure 1.

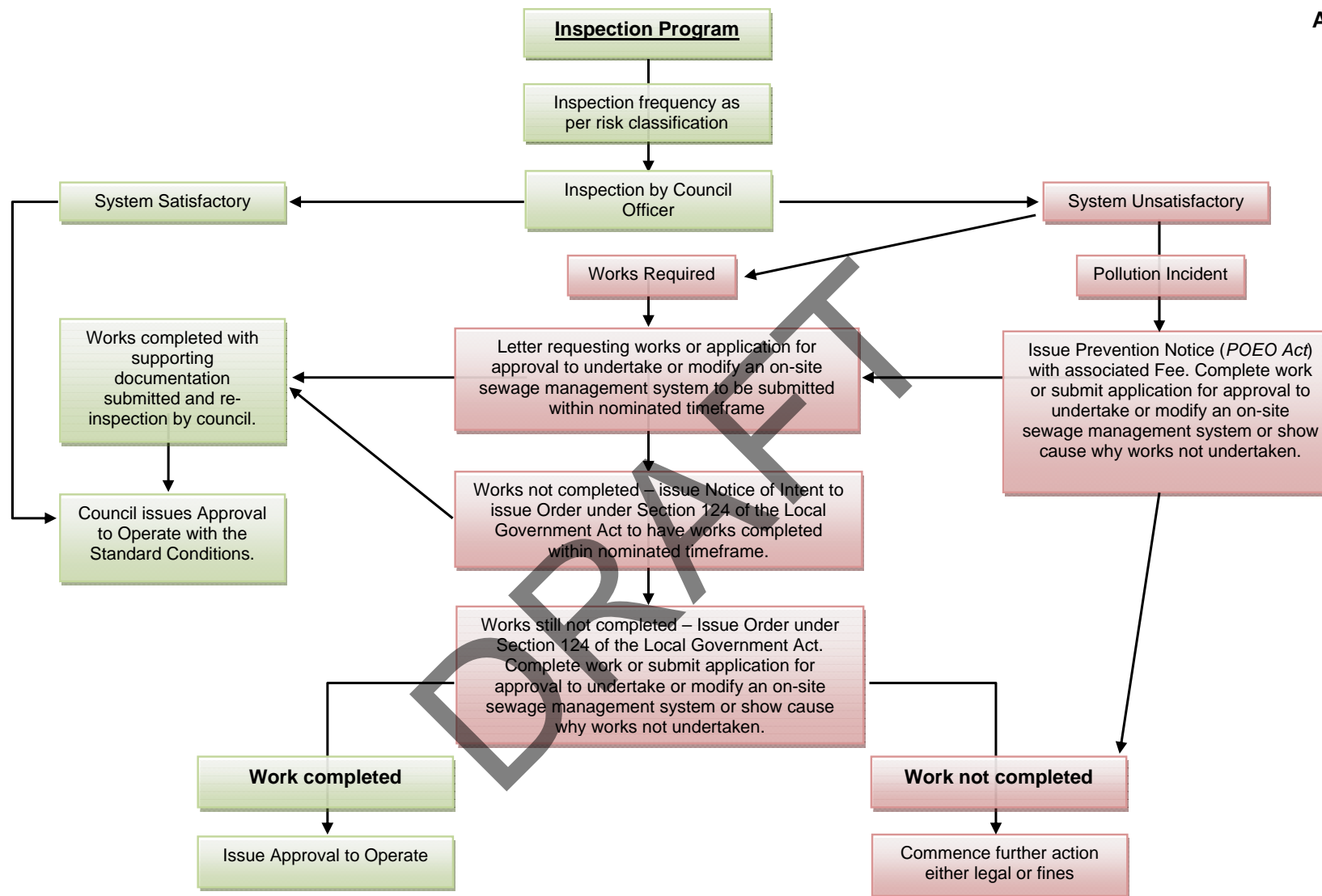


Figure 1 – Flow chart detailing On-site Sewage Management Inspection Program



**4.1 Risk Categories and Inspection Frequency**

In accordance with the monitoring program, existing systems will be periodically inspected along with those subsequent to property transfer, and where council has been notified of an environmental or public health risk associated with the operation of an OSSMS. To carry out effective and ongoing inspections, Council will classify all systems into risk categories. Council will then carry out inspections at intervals appropriate to the nominated risk category for each individual system. A risk classification of low, medium or high will be allocated to a premises or installation upon assessment, by Council, as to the combined effects of issues relating to the installation. Table 1 presents the inspection frequency based on risk categories as determined by Council.

**Table 1 Inspection Frequency**

Risk Category	Inspection Frequency
Class 1 High Risk	Yearly
Class 2 Medium Risk	Every three (3) years
Class 3 Low Risk	Every six (6) years
Note: Aerated Wastewater Treatment Systems and Biolytix Systems are required at approved frequency regardless of the installations risk category.	

In order to encourage appropriate management and maintenance of OSSMSs, Council intends to provide for the re-categorisation of individual systems. Council may increase the risk category of a system following an inspection if that inspection reveals that more frequent monitoring of that system is required such as where a system fails to comply with the performance criteria or any conditions of either the Department of Health or Council. Table 2 details the process for determination of risk category for new and or existing installations.

**Table 2 Determination of Risk Category**

Features	Response			Points
Land area	<2,000m2 <u>5 points</u>	2,000-10,000m2 <u>2 points</u>	>10,000m2 <u>0 points</u>	
Flooding	Below 1in20 Land Application Area  Below 1in100 Treatment system <u>10 points</u>	Above 1in20 but below 1in100  <u>5 points</u>	Above 1in100 <u>0 points</u>	
Slope	>20% <u>2 points</u>	10-20% <u>1 points</u>	<10% <u>0 points</u>	
Buffer distance to permanent water	<50m	50-100m	>100m	

(river/creek etc)	<u>10 points</u>	<u>5 points</u>	<u>0 points</u>	
Buffer distance to intermittent water (intermittent creeks, gullies, drainage alignments, farm dams)	<20 <u>10 points</u>	20-40m <u>5 points</u>	>40m <u>0 points</u>	
Exposure to sun/wind	Low <u>2 points</u>	Average <u>1 points</u>	Good <u>0 points</u>	
Protection from upslope seepage/run-on to disposal field (swales, berms, v-drains)	No <u>2 points</u>		Yes <u>0 points</u>	
Level of wastewater treatment*	Primary <u>5 points</u>		Secondary or better <u>0 points</u>	
Low <17 Medium 17-24 High >24				
* Split treatment systems incorporating the use of a composting toilet in conjunction with a greywater treatment/diversion device will be considered a low risk alternative to septic tanks and as such incur 0 points on risk assessment.				

**4.2 Review of and Changes to Categories of Risk**

When an OSSMS has been assessed and allocated to a category of risk by Council, any owner who believes that such allocation is not appropriate may apply to Council to have the risk assessment reviewed. Such a review may or may not involve the carrying out of a site inspection of the system and may be subject to payment of a fee to Council as determined by Council's adopted Fees and Charges.

**4.2.1 Re-categorisation of Systems**

In order to encourage appropriate management and maintenance of OSSMSs, Council intends to provide for the re-categorisation of systems from the high to low or medium risk category. This may involve re-categorisation of OSSMS from high risk to low or medium risk, where the continuing operation of a particular system has been shown, to Council's satisfaction, to be in accordance with the performance standards set out in the Approval to Operate section of this strategy.

Council may increase the risk rating of any OSSMS if determined upon inspection that more frequent monitoring of the system is required.

It should be noted that where an OSSMS, which is classified as low or medium risk, fails to operate in accordance with the performance standards of its approval, such a system will automatically be re-categorised to a higher risk system. This re-categorisation will not apply where the system is maintained and repaired so that it again meets the performance standards within a nominated period of such failure.

#### **4.3 Environmental Sensitive Areas or Small Lot Sizes**

Coastal villages in the Coffs Harbour LGA have unique environmental and health implications relating to effluent disposal with highly permeable sandy soils, high groundwater/shallow water table, sensitive waterways and wetlands, and increasing development pressures. The provision of reticulated water and sewer has been identified as a high priority strategic means to protect public health and improve environmental outcomes within these locations. The coastal villages have progressively been provided with sewer and water over the past decade with the exception of Red Rock.

Red Rock village has a number of major limitations that impact the sustainable operation of OSSMSs. The village is located on a sand peninsula bounded by the Tasman Sea to the east, Corindi Creek to the north and west and heathland in between. The area generally has a shallow water table, permeable sands, impermeable coffee rock and small lot sizes.

In recognition of site constraints within the Red Rock village, new and upgraded OSSMSs are required to incorporate secondary wastewater treatment with disinfection as a minimum standard of treatment, or comparable treatment and land application combination that is deemed suitable by Council.

In addition to the constraints identified above, Coffs Harbour LGA also has a number of small lot (<3,000m<sup>2</sup>) residential areas that are not connected to Council's reticulated sewer network. The inland villages of Coramba and Nana Glen are examples of these. Due to the constraints of small lot sizes on sustainable effluent management, new and upgraded OSSMSs for small lots are required to incorporate secondary wastewater treatment with disinfection as a minimum standard of treatment, or comparable treatment and land application combination that is deemed suitable by Council.

System design is to be undertaken by a suitably qualified and experienced environmental engineer or wastewater consultant. New and upgraded systems will generally be assigned a medium risk category rating.

#### **4.4 Monitoring Aerated Wastewater Treatment Systems**

Aerated Wastewater Treatment Systems (AWTS) utilise aerobic processes to further polish primary treated effluent to a secondary quality. This is generally achieved via the use of pumps and blowers. These systems are in operation 24 hours a day and as such require routine maintenance and monitoring to ensure all moving parts are in order and that minimum secondary effluent quality standards are achieved. The owner and operator of the system are required to enter into a service contract with a suitably qualified service agent. Council will provide a register of suitably qualified service agents for reference.

Servicing of these systems is generally required on a quarterly basis with service reports to be forwarded to Council within 7 days from the date of service. All quarterly service reports will be reviewed by Council. Any operational or water quality issues identified by the technician will be required to be addressed by the owner. Failure to do so may lead to a breakdown and subsequent failure of the treatment and disposal system.

#### **4.5 Installation and Monitoring of Private Sewer Pump Stations**

Coffs Harbour Council will **only** permit the installation of Private Sewer Pump Stations where all other opportunities to connect to Council sewer by gravity have been exhausted or where the pump station will have environmental or social benefits.

Private sewer pump stations are classified as OSSMSs and as such are required to be monitored to ensure compliance with the performance standards adopted by Council. For further information relating to performance standards and monitoring requirements please refer to Council's adopted policy for Private Sewer Pump Stations.

#### **4.6 Monitoring Pump-out systems**

Historically pump-out systems have been installed in the Coffs Harbour LGA where a combination of site and soil constraints impact on the ability of wastewater to be sustainably managed on site.

The villages of Coramba and Nana Glen have the highest concentration of pump-out systems in the Coffs Harbour LGA. This is generally a result of small residential lot size, connection to mains water supply, and no connection to Councils reticulated sewer network.

In 2005 Council made the decision not to allow any further pump-out systems to be installed in the Coffs Harbour LGA. This was part of an arrangement where Council's sewer fund subsidises the pump-out charges from the contractor to ensure environmental and social outcome are maintained. The annual charge levied through rates will facilitate the ongoing pump-out of these systems.

Existing pump-out systems will not be inspected by Council under the adopted inspection program. The contractor will supply Council with pump-out data for each property serviced during each round of pump-outs. This information will be utilised as a tool for remotely monitoring system performance. Site inspections will **only** be undertaken where inconsistencies in pump-out data are identified, or where a complaint is received from a member of the public relating to the operation of a pump-out system.

Due to the constraints of small lot sizes on sustainable effluent management, new and upgraded OSSMSs for small lots are required to incorporate secondary wastewater treatment with disinfection as a minimum standard of treatment, or comparable treatment and land application combination that is deemed suitable by Council.

#### **4.7 Unsatisfactory On-site Sewage Management Systems**

##### **4.7.1 Identification of Unsatisfactory Systems**

Inspections of OSSMSs are required to ensure they are installed and operated in accordance with the performance standards specified in the Council approval, regulations and this strategy.

OSSMSs are complex and can fail if not designed, sited, installed, operated and maintained correctly. Improper operation and maintenance, possibly through a lack of awareness of how OSSMSs work, are common means by which systems fail.

System failure is deemed to have occurred when a system fails to achieve the prescribed performance standards resulting in the risk of adverse environmental and human health impacts.

The upgrade of failing systems is to be undertaken having regard to this strategy. Details on upgrading OSSMSs are provided in the following sections.

##### **4.7.2 Impacts of System Failure**

On-site sewage management involves the treatment of wastewater followed by the release of effluent (treated wastewater) and solid (compost) products into the environment. Inappropriate use or disposal of these products can have adverse impacts on environmental and human health and can lead to:

- a) the spread of disease by bacteria, virus, parasite and other organisms in the wastewater;
- b) contamination of groundwater and surface water;
- c) degradation of soil and vegetation;
- d) decreased community amenity caused by odours, noise and insects;
- e) alteration of local ecology.

The disposal of effluent via surface irrigation, particularly in close proximity to dwellings, is an activity which can pose a serious threat to public health as a result of pathogen transfer. The mode of disease transmission can be a result of water borne, water contact and aerosol transmission, generally by the faecal oral route. The type of disease is not limited to bacterial origin only, but also includes virus, protozoa and helminth infection.

When the soil profile in the effluent field reaches a maximum hydraulic capacity or begins to degrade to a state where the soil particles begin to clog, aerobic organisms within the drainfield drown and decontamination of wastewater effluent slows or stops. As the soil area becomes more and more limited, effluent may back up, the tank surcharges, flow from the home is impeded and eventually building drains overflow exposing residents to a suite of viruses and pathogens within the wastewater. In many cases partially treated wastewater is forced to the ground surface.

Effluent disposal systems will tend to fail as a result of:

- poor design including inappropriate sizing of disposal field; lack of consideration of soil type, topography, climate conditions, expected hydraulic flows, and inadequate tank size;
- poor installation;
- inadequate maintenance of treatment systems through failure to desludge, maintain pumps and filters;
- inadequate stormwater diversion and siting of disposal field on flood prone and water logging land;
- excessive hydraulic loading and clogging of disposal system, and physical damage from vehicles or livestock.

#### **4.7.3 Complaints about Failing Systems**

A member of the community who has a problem with the operation of an OSSMS is entitled to approach Council about the problem.

Council must regulate the operation of OSSMSs, so that risks to health and the environment do not arise.

Council will investigate complaints relating to system failures irrespective of the priority area. This inspection may replace the next scheduled inspection for any system that is the subject of a complaint and where as a result of that inspection Council requires the owner/operator to take some action. Changes may also be made to the risk categorisation of the systems as a result of any complaint investigation.

#### **4.7.4 Owner and Operators Responsibilities**

It is the responsibility of the owner or occupier of the premises to ensure that OSSMSs are designed, installed and managed, so that environmental nuisance/damage does not occur and there is no risk to public health or likely environmental impact from the operation of the system.

Owners should also ensure that other occupiers of the premises are also aware of the systems operation and maintenance. If a system fails for any reason householders should report this to Council so that Council is aware of action taken to address the problem and can provide input if necessary.

#### **4.7.5 Enforcement**

Adequate powers exist under Section 124 of the Local Government Act, 1993, and the Protection of the Environment Operations Act 1997 to ensure compliance with this strategy and to require that OSSMSs have an Approval to Operate, and that these systems be maintained to an acceptable standard.

Council can:

- Require action to be taken to bring a sewerage system into compliance with relevant standards or requirements (Order No.5).
- Require owners or operators to do or refrain from doing such things to prevent environmental damage or to repair environmental damage (Order No.11).
- Cease conducting an activity on a premises (such as operating an OSSMS), where the activity is or may constitute a treat to public health or safety (Order No.15).
- Require action to maintain a premise in a healthy condition (Order No.21).
- Control waste on premises where the waste is not being dealt with satisfactorily (Order No.22).
- Require the connection to a public sewer, where the sewer is within 75 metres (Order No.24).
- Require owners or operators to use or not to use a human waste storage facility (Order No.25).
- Require compliance with an approval (Order No.30), where considered necessary.
- Require owners to clean-up a pollution incident (Part 4:2 POEO Act)
- Require owners to take measures to prevent a pollution incident (Part 4.3 POEO Act).

The Local Government Act and Regulations allows Council to issue infringement notices (on the spot fines) for two existing offences under the Local Government Act:

- a) Operating a system of sewage management without the prior Council Approval [s.626 (3)]; and
- b) Operating a system of sewage management otherwise than in accordance with the terms of an approval [s.627 (3)].

## **5 Administration**

### **5.2 Education**

An important part of this strategy is to ensure that all parties involved in the installation operation and maintenance of OSSMSs are aware of their responsibilities. The level of knowledge required will depend on the type of sewage management system and the stakeholder's needs.

The operation of a centralised sewage system requires limited input from the individual householder, but householders need to take an active role in the operation of OSSMSs. They should have a broad knowledge of on-site sewage management principles and be able to apply that knowledge responsibly.

Householders need to have a full knowledge of:

- System operation and maintenance requirements
- Their regulatory responsibilities
- System selection and design of effluent application areas

- The health risks involved if systems fail
- Emergency contact numbers to initiate repair of system failure
- Waste and water use minimisation principles and techniques
- Managing the environmental impacts of wastewater
- Where to obtain further information

Council will undertake the following educational activities in relation to OSSMSs:

- Council or nominated agent will ensure that staff are appropriately trained to assess, monitor and OSSMSs.
- Council or nominated agent will conduct public awareness activities for on-site sewage householders to ensure they understand the best and most effective ways to maintain their systems.
- Council will utilise resources developed by the NSW Department of Local Government to assist in the educational process.

### **5.3 Financial Hardship and Upgrading Failing Systems**

Council will only consider providing a loan where it is the lender of last resort. Therefore, before an application will be considered, you should seek to obtain a loan through your financial institution (bank, Credit Union, etc), and others if you are not successful there. If you are unable to obtain a loan from any of these then it will be necessary for you to provide a letter from your financial institution stating they will not lend to you for this purpose.

Council has set out the terms of the financial assistance package below. This will assist you in determining the suitability of the package for your requirements.

#### **Terms and Conditions:**

1. The loan will commence from the date of payment by Council.
2. Interest will be calculated on the loan at 7.5% per annum.
3. The loan will be repaid over a maximum of three (3) years by monthly instalments e.g. \$1000 loan = \$31.11 per month.
4. Repayments are to be made by direct bank transfer to Council's Bank Account.
5. The loan or part of the loan may be repaid earlier than the scheduled terms, with interest calculated to the date of such payment.
6. Should the terms of loan conditions 3 to 5 (inclusive) **not** be complied with, Council will require immediate payment of the total amount outstanding, inclusive of interest, which will accrue on a daily basis on the total principal outstanding.
7. The loan will be treated as a charge on land, similar to rates, and shall be paid in full should the property be sold or transferred.
8. Where an application for a loan is approved, Council will pay the plumber who does the work on behalf of the owner, upon receipt of the plumbers invoice and certified by the owner (borrower) as being approved for payment. Payment will also be dependent on satisfactory final inspection and authorisation of works by Council inspectors.
9. The loan agreement will be way of a signed letter outlining the terms and conditions of the loan. It is not anticipated that there will be a need for any other legal documentation. Should there be a need for any further legal documentation, the cost of this documentation will be met by the borrower.

## Attachment 1

If the above terms and conditions are agreeable, you will need to apply for a loan in writing furnishing the following detail.

- Relevant property detail including name(s) of owners and property address.
- Provide a letter from your financial institution stating they will not lend to you for this purpose.
- Amount of loan required (owner to obtain quotations from plumbers for required works and select preferred quotation).
- The preferred repayment terms. i.e. period of loan and instalment frequency.
- Copy of quotation from plumber including plumber's name, contact address, phone number and licence number.

Personal interviews may or may not be required for final determination of your loan application. You will be advised if an interview is required. If you are offered a loan, a letter of agreement will be drafted and will include the terms and conditions of the loan as negotiated between Council and yourself as the property owner.

## 6 Resourcing

### 6.2 Staffing

Council will assign appropriate staff resource to undertake the functions associated with the implementation of this strategy.

### 6.3 Fees

A fee schedule has been designed to provide Council and users of OSSMSs with a cost-effective program, which will not greatly impact on Council finances and which provides an efficient mechanism to ensure the long term environmental, and public health objectives of this strategy are achieved.

The Approval to Operate fee is to be levied on owners of premises with OSSMSs for ongoing service support such as administration, education and monitoring. The nominated fee on rate notice relates to the specific timeframe of the approval, which includes one inspection within the nominated risk evaluation period.

All fees will be reviewed annually during the preparation of Council's annual budget. Those fees will be included in the required public participation process prior to adoption of Council's Annual Management Plan. Table 3 shows the fees for the implementation of this strategy with the service/activity and associated fees being subject to annual review.



**Table 3 Fees and charges for On-site Sewage Management**

Service/Activity	Fee	Description
<p><b><u>On-site Sewage Management</u></b></p> <p>Administration fee – each onsite sewage system</p> <ul style="list-style-type: none"> <li>- High Risk</li> <li>- Medium Risk</li> <li>- Low risk</li> </ul> <p>Commercial /multiple occupancy systems</p> <ul style="list-style-type: none"> <li>• Administration fees determined having regard to number of systems</li> <li>• Inspection fees time based</li> </ul>	<p>Subjected to annual fees and charges</p>	<p>Fee nominated on rates. Charged per system</p> <p>Administration Fee nominated on rates. Inspection fees invoiced based</p>
<p>Additional re-inspection</p>	<p>Subjected to annual fees and charges</p>	<p>Fee is invoiced and to be paid within the nominated timeframe</p>
<p>OSSM Certificate (Request for review associated with Sale of Property) includes inspection</p>	<p>Subjected to annual fees and charges</p>	<p>Request for Certificates Application Form to be submitted to council. Payment required prior to inspection.</p>
<p><b><u>On-site Sewage Management System Application</u></b></p> <p>Application assessment and approval to operate sewage management</p> <ul style="list-style-type: none"> <li>- New/ Replacement/ System Amendment</li> <li>- Minor System Amendment (No alteration to tank or effluent drain field)</li> </ul> <p>Installation inspection of treatment system and disposal field</p>	<p>Subjected to annual fees and charges</p>	<p>Payment required on submission of application</p>
<p>Source: Coffs Harbour City Council Adopted Fees and Charges (updated annually), <i>Environmental Services</i>. Can be located on Council's website under Council's Corporate Planning and Reporting section.</p>		

## PART C – ON-SITE SEWAGE MANAGEMENT SYSTEM DESIGN AND REPORTING

### 7 Applying to Upgrade or Modify an On-site Sewage Management System

In order for Council to adequately assess an application to upgrade or modify an OSSMS, the applicant must ensure that sufficient information has been provided in the application and that the associated fees have been paid on submission of the application.

#### 7.2 New and upgraded systems

Any new or upgraded OSSMSs must be designed by a suitably qualified environmental consultant or wastewater engineer experienced in on-site wastewater.

A detailed investigation involving a site and soil assessment must be undertaken to identify constraints relating to the sustainable management of treated wastewater on the site. Once the site limitations have been identified, suitable wastewater treatment and land application combinations can be identified to address these appropriately. This information is to be collated in a report and submitted as part of the application.

The information submitted (as a minimum) should include:

- *Complete Site and Soil assessment:* The detailed assessment of a site's features and soil characteristics are critical in designing appropriate and sustainable OSSMSs. The role of a site and soil assessment is to identify the most limiting constraints to sustainable effluent disposal. Information gathered from site and soil assessments provide critical information for determining the most appropriate wastewater treatment and effluent disposal combination to overcome these constraints.

Site features and soil characteristics will influence the type, size and location of OSSMSs. For detailed information on site and soil investigations refer to AS/NZS1547:2012 and DLG 1998 ("Silver Book"). All constraints identified in the investigation process must be acknowledged in the report with details on how these constraints will be mitigated in the design of a suitable OSSMS. Digging and presentation of soil profile to at least one metre (or prior refusal) must be included in the soil assessment.

*Soil Landscapes of the Coffs Harbour* (1999) prepared by the Department of Land and Water Conservation contains useful information to assist in the preliminary assessment. This and similar sources of information **must not** be used as a substitute for site specific soil analysis as variations in mapping may result in the proposal of an inadequate system.

Soil chemistry must be provided for all investigations. Table 4 sets out Council's minimum requirements.

**Table 4 Minimum soil testing requirements**

Soil Test	Subdivision	Single Lot
Soil pH (1:5 soil:water)	Yes	Yes
Electrical conductivity (1:5 soil:water)	Yes	Yes
Cation exchange capacity (CEC) and exchangeable sodium potential (ESP)	Yes	No
Phosphorus sorption	Yes	If suspected a problem
Modified Emerson Aggregate test (SAR5)	Yes	Yes, field test

*Note: Published data for CEC and P<sub>soil</sub> may be used for single lot designs where a nutrient balance is required.*

- **Estimated Wastewater Generation:** Predicted hydraulic loads must be calculated based on the maximum occupancy rate of a dwelling. The predicted hydraulic load will be calculated on the basis of the number of bedrooms multiplied by 1.5 persons per bedroom. For 1 bedroom dwellings, the minimum occupancy will be assumed to be 2 persons. If information suggests more people will be living in the dwelling than the above calculation suggest, then calculations must reflect the expected occupancy rate.  
  
For non-domestic on-site sewage management designs, occupancy/utilisation rates must be based on expected utilisation rates accounting for seasonal variation in peak loading. Table H4 in AS/NZS1547:2012 provides design flows based on domestic wastewater generated from commercial premises in New Zealand. This information should be adopted in lieu of information specific to Australian data.
- **Proposed Wastewater Treatment and Disposal System:** Details of the proposed treatment system should be included in the report submitted to council. This should include the systems accreditation with NSW Health and relevant construction and installation specifications. Details of the proposed disposal system should also be included making reference to specific design/installation requirements set out in AS/NZS1547:2012. Some examples of schematics for numerous types of effluent disposal systems are provided in Appendix A.
- **Detailed Site Plan:** The following site plans are required to be included in the report:
  - Large scale plan highlighting the sites location with respect to surrounding properties.
  - Small scale plan (1:200 or most suitable size) detailing dominant site features (rivers, dams, drainage features, bores, etc); and
  - Small scale plan (1:200 or most suitable size) nominating the proposed treatment and effluent disposal field location, buffers to the disposal field, and 100% nominated reserve area.
- **Setback distances:** Council will assess suitability of buffer setbacks to environmental and public receptors using Table R1, to be used in conjunction with Table R2 in AS/NZS1547:2012. Buffer distances shall be included on scaled site plans.
- **Water and Nutrient Balance:** All On-site wastewater systems must be designed according to AS/NZS1547:2012 and the DLG (1998) "Silver Book". Water and nutrient balances must be used to size appropriate effluent management areas which consider nutrient loading on the environment and wet weather storage capacity.

Water balance: Site specific median rainfall and evaporation data must be utilised in water balance calculations to ensure the rainfall and wastewater loads do not exceed the evapotranspiration rates and absorption capacity of the soil. Median rainfall data must be used to account for Coffs Harbour's high seasonal variation in rainfall. This is critical in designing appropriate effluent disposal systems.

Nutrient balance: Site specific nutrient balance calculations must be undertaken for all disposal system designs. Inputs should include hydraulic load, soil depth, soil bulk density, effluent quality, uptake and phosphorus sorption rates. Often the area required for nutrient assimilation is larger than that required hydraulically. Designs incorporating subsurface irrigation systems should base sizing on most limiting factor (nutrient or hydraulic). A nutrient assimilation envelope must be allocated for absorption systems.

- *Site and Use Considerations*: The type of development and its intended use must be considered in the design process. Where a site receives intermittent loads (holiday houses, caravan parks) certain treatment systems will struggle to effectively manage the variable loads and often result in poor effluent quality. Peak loading of system such as in the case of holiday/caravan parks can drastically reduce the final effluent quality, especially where the volume of wastewater generated exceeds the maximum design daily load of the treatment system. In these cases, the proposed treatment system should be designed to cope with variable wastewater generation rates.
- *Irrigation Design*: Appropriate hydraulic sizing of pumps has been identified by Council as an area requiring further input from designers to ensure systems incorporating pumped systems are installed with appropriate fittings, lateral spacing, emitters, pump size etc, to ensure effluent is distributed evenly across the entire dosing manifold. Pumped systems must be designed and or certified by a Certified Irrigation Designer (CID) or suitably qualified person.
- *Operation and Management Plan*: Council requires that designers provide individualised management plans for each system. A simple operation and maintenance (O&M) plan should be provided for single domestic systems. A more detailed O&M plan should be provided where the system is of a commercial nature and or the system is installed without NSW Health Accreditation under Clause 41 (2) of the Local Government (General) Regulation 2005, and is unique to the premises. An O&M Plan shall provide the occupier/owner or service personnel with all necessary instructions for the operation, maintenance and servicing of the proposed system, and an emergency action plan in the event of system breakdown.

### **7.3 New subdivisions, residential release proposals, rezoning and other development applications**

On-site sewage management plays a major role in determining the suitability of land for residential development. In most cases a Land Capability Assessment (LCA) must be undertaken to demonstrate that each of the proposed lots are capable of sustainably managing on-site wastewater disposal. The assessment is used to identify lot density and lot sizes. It will detail the minimum level of wastewater treatment required for each lot based on information obtained from a detailed site and soil assessment.

The details required in the consultant's report must be in accordance with the requirements of this section and 7.2, except as provided below:

- Full construction, engineering and installation specifications of the treatment systems and land application areas are not required provided that it can be clearly demonstrated that each proposed lot is capable of accepting on-site disposal of wastewater and must comply with all the constraints/limitations determined from the assessment and reporting process.
- Site plans must also include the proposed development layout, recommended Effluent Management Area (EMA) within each of the proposed lots and a 100% nominated reserve area.

## 8 References

Australian/New Zealand Standard AS/NZS 1547: 2012 – On-site Domestic Wastewater Management

NSW Department of Local Government. *Environment and Health Protection Guidelines: On-site Sewage Management for Single Households*, DLG, Sydney, 1998 (the 'Silver Book')

NSW Government, Local Government Act 1993.

NSW Government (General) Regulation 2005.

NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises 2007

Protection of the Environment Operations Act 1997

Sydney Catchment Authority, 2012. *Designing and Installing On-Site Wastewater Systems*. A Sydney Catchment Authority Current Recommended Practice.

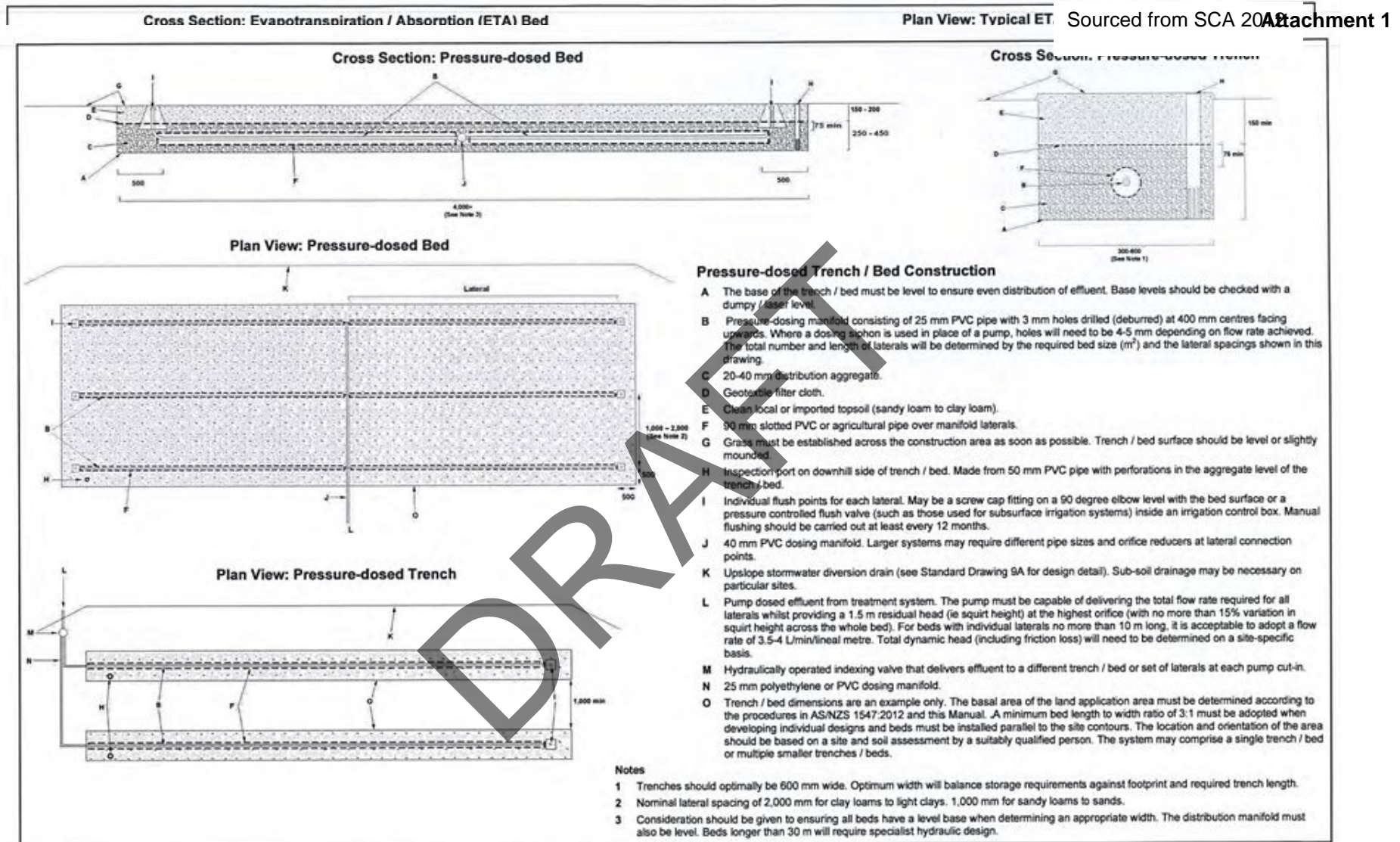
## 9 Table of Amendments

Amendment	Authorised by	Approval reference	Date

DRAFT

**Appendix A – Effluent Disposal System Schematics**

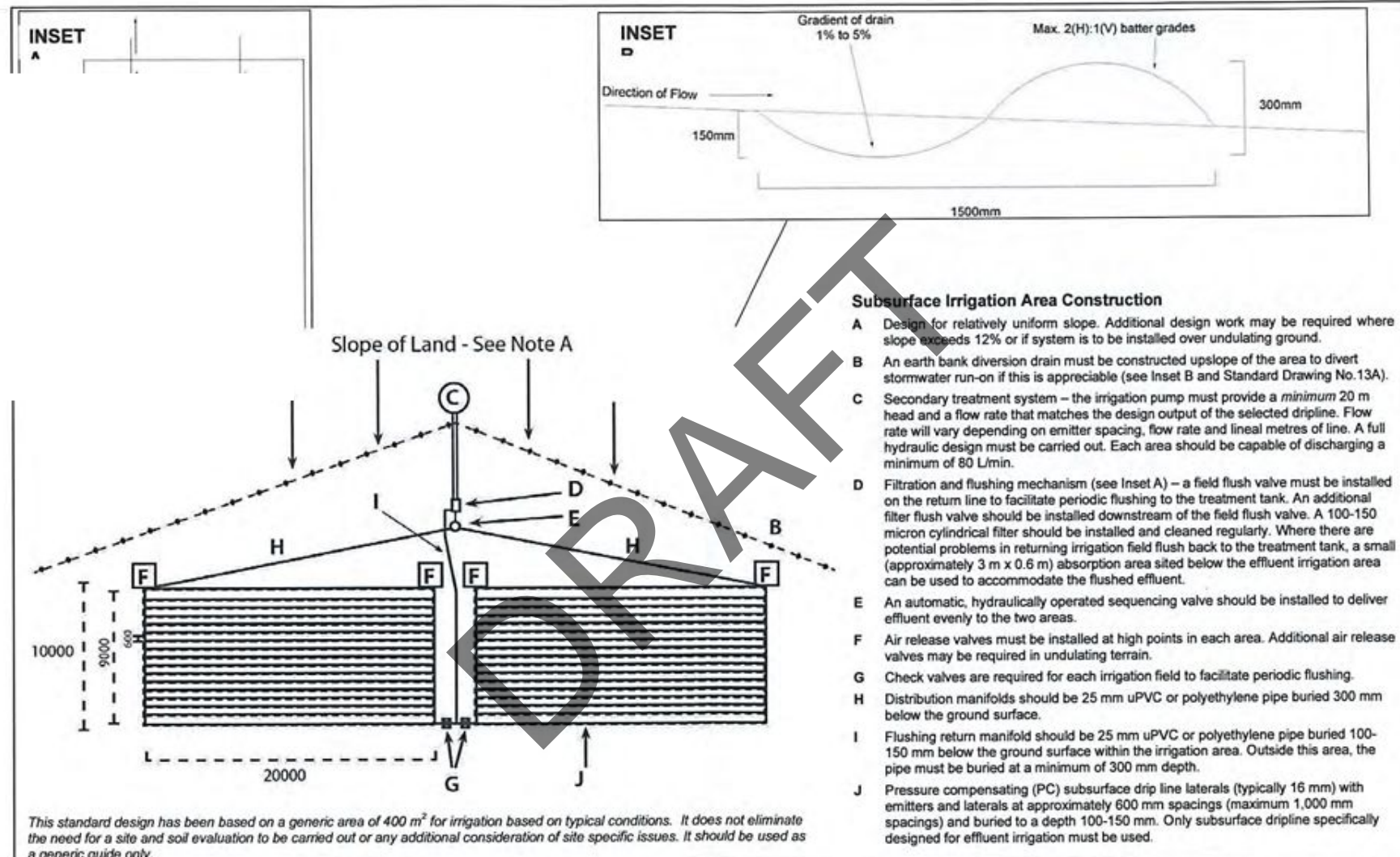
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**Standard Drawing 10C - Pressure-dosed Bed / Trench**  
(not to scale)

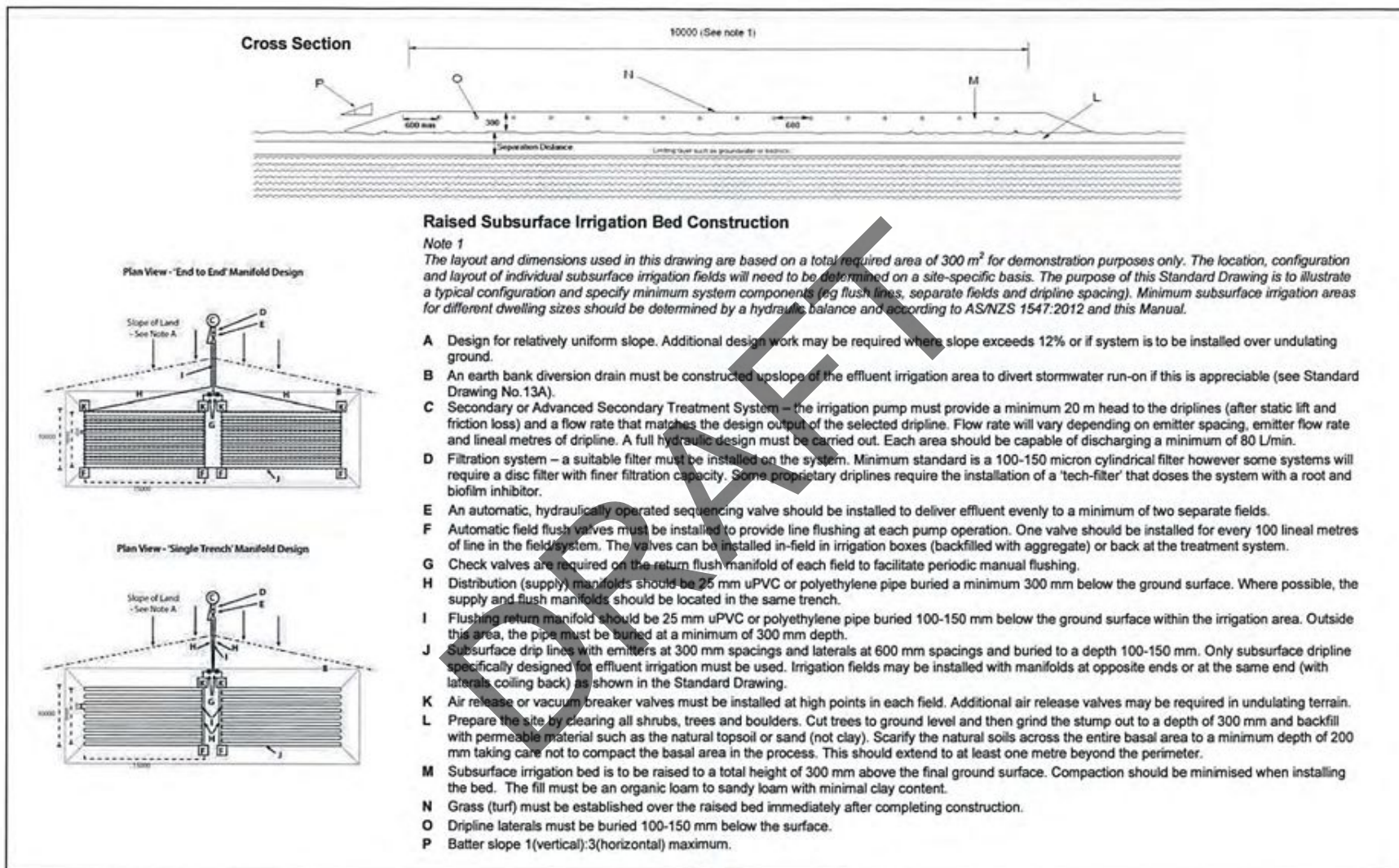
Sourced from SCA 2012 129



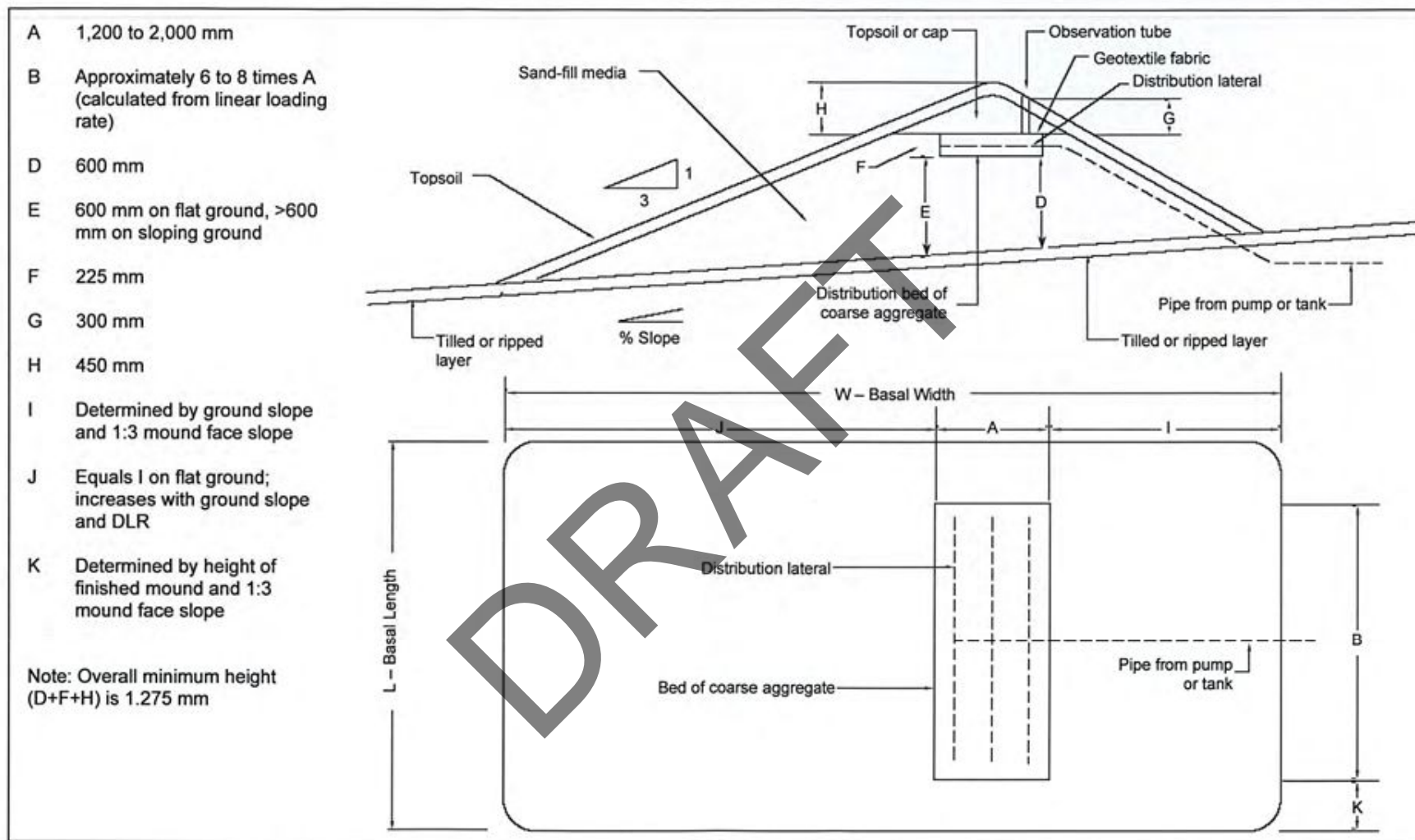


**Standard Drawing 13B - Subsurface Effluent Irrigation**  
(not to scale)





**Standard Drawing 13C - Raised Subsurface Irrigation Bed**  
 (not to scale)



**Standard Drawing 9B - Wisconsin Sand Mound**  
(not to scale)



## REPORT TO ORDINARY COUNCIL MEETING

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### COFFS CREEK FLYING-FOX CAMP STRATEGY AND VEGETATION MANAGEMENT PLAN - FINAL REPORT 2015

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<b>REPORTING OFFICER:</b>	Biodiversity Officer
<b>DIRECTOR:</b>	Director, Sustainable Communities
<b>COFFS HARBOUR 2030:</b>	LE1.1 Identify and promote the region's unique environmental values. LE1.2 Develop programs to actively engage communities on environmental issues and solutions. LE2.1 Maintain Biodiversity in a Changing Climate. LE3.1 Manage land Use to conserve the regions unique environmental and biodiversity values.
<b>ATTACHMENTS:</b>	ATT1 Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan (2007-2012) – Final Report 2015

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#### Recommendation:

1. Council note the Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan – Final Report 2015 as the final implementation report for the Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007 (Attachment 1).
  2. That a future report be presented to Council to develop a new Flying-fox Camp Management Strategy that focuses on operational management of the three local Flying-fox maternity camps and five temporary camps mapped in the Coffs Harbour Local Government Area, when funds become available.
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#### EXECUTIVE SUMMARY

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The Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan (VMP) was adopted by Council on 7 June 2007. The Strategy represented four years of preparation and extensive community involvement and consultation.

The Strategy was delivered to Council by an established working group with representation from the community, Council and the then NSW Department of Environment and Conservation. The aims of the Strategy and VMP were to achieve an equitable balance between biodiversity conservation and the social, aesthetic and environmental health issues in order to assist in the long-term management of the Coffs Creek Reserve.

The attached *Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan – Final Report 2015* documents the achievements made to deliver the Strategy and Vegetation Management Plan over five years of operational implementation from 2007 – 2012. This final report will be included in a report to the Office of Environment and Heritage as part of the completion of a Certificate 95 License issued under the *Threatened Species Conservation Act 1995* conditioning the Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007 implementation.

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## REPORT

### Description of Item:

The attached *Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan – Final Report 2015* has a number of functions:

- To finalise the Certificate 95 License which was issued 18 October 2007 to undertake the works on the habitat of a threatened species listed under the *Threatened Species Conservation Act 1995*.
- To conclude and report on five years of operational implementation of an adopted Strategy and Vegetation Management Plan, by:
  - reporting on the status of the operational implementation of actions listed within the adopted Strategy of Council, and
  - providing financial accountability of \$201,617.00 of public money utilised to complete specified actions, and
  - providing accountability to the community in delivering the actions highlighted as part of an extensive public consultation process.

### Issues:

Council is subject to a considerable legislative and administrative burden regarding the management of Grey-headed Flying-fox maternity camps located on three public reserves in the Coffs Harbour Local Government Area (LGA) (located in Woolgoolga, Coffs Harbour and Toormina). The legislative changes in administration of these lands and associated threatened species have changed considerably since 2007.

It is now proposed to progress to a LGA-wide based Strategy for Flying-fox maternity and temporary camps in the Coffs Harbour Region, when funds become available. The drafting of a LGA-wide Strategy, in relation to the management of the Grey-headed Flying-foxes, will allow Council to address the administrative similarities across land parcels and allow for consistent and flexible operational implementation inclusive of funding allocation for all maternity camps.

### Options:

Council has a legislative obligation to manage the breeding habitat of a State and Federally listed Threatened Species under the *Threatened Species Conservation Act 1995* and *Environmental Protection and Biodiversity Conservation Act 1999*.

### Sustainability Assessment:

#### • Environment

The management of Flying-foxes and their breeding habitat is one of the primary considerations following the adoption of the original Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007. The implementation of the 2007 Strategy has targeted improvements in condition and long-term viability of the maternity function specific to the Coffs Creek camp.

The proposal to draft a new Strategy targeting the management of the identified camps on public land over the LGA aims to deliver similar environmental improvements to all of the identified maternity camps in a consistent manner.

- **Social**

The original Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007 contained extensive community involvement. Many of the actions which arose were focused on alleviating impacts on the community. The attached report articulates the issues raised by the community and how they were managed in the Strategy.

The development of a LGA based plan will have a similar and extensive community role during its drafting and delivery.

- **Civic Leadership**

- LE1.1 Identify and promote the region's unique environmental values (as a provider, facilitator and advocate)
- LE1.2 Develop programs to actively engage communities on environmental issues and solutions (as a provider)
- LE2.1 Maintain biodiversity in a changing climate (as a provider and facilitator)
- LE3.1 Manage land use to conserve the regions unique environmental and biodiversity values (as a provider and facilitator).

- **Economic**

**Broader Economic Implications**

The economic implications are detailed within the attached report *Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan – Final Report 2015*.

**Delivery Program/Operational Plan Implications**

Coffs Harbour City Council 2012-2016 Delivery Program

Looking After our Environment – Projects 2012/2013 to 2015/2016 under Environmental Management as stated “*Implement actions within the Biodiversity Action Strategy 2012 - 2030*”.

Coffs Harbour Biodiversity Action Strategy 2012-2030

Part C (5) Protecting Threatened and Endangered Species (C5.2 Mammals)

- Action 5.2.4 Implement the Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007.
- Action 5.2.5 Implement the Woolgoolga Lake Flying-Fox Camp Strategy and Vegetation Management Plan (not adopted).
- Action 5.2.6 Develop a Council Policy to manage temporary/seasonal Flying-fox Camps in Coffs Harbour.
- Action 5.2.7 Develop a regional strategy for the protection and restoration of Flying-fox camps on the Mid north coast.
- Action 5.2.8 Implement the “Forests need Flying-foxes” school program in all primary schools in Coffs Harbour.
- Action 5.2.10 Develop a heat stress management plan for all the Flying-fox maternity camps in Coffs Harbour.
- Action 5.2.11 Support research into the ecology of the Flying-fox camps and population dynamics in Coffs Harbour.

No funds have been included in the Delivery Program or the 2015/2016 Operational Plan to undertake the required LGA-wide Strategy. It is proposed that a Project Plan for the required works be prepared for reporting to Council when funds are made available to undertake the work.

**Risk Analysis:**

There are significant risks associated with the administration of maternity camps for the Grey-headed Flying-fox. This takes into consideration the legal, community and land management responsibilities of Council and the risks associated with community health, animal welfare and safety aspects of Flying-fox camp administration in situ.

**Consultation:**

The drafting of the attached report *Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan – Final Report 2015* has involved staff from various sections of Council, the Office of Environment and Heritage (OEH) and National Parks and Wildlife Services.

**Related Policy, Precedents and / or Statutory Requirements:**

Council will be compliant with the *Local Government Act 1993* and meet its legislative requirements under the *Threatened Species Conservation Act 1995* and *Environmental Protection and Biodiversity Conservation Act 1999* in managing a State and Federally listed threatened species under its Open Space (Natural Area) requirements.

**Implementation Date / Priority:**

Implementation, in terms of completing the action to finalise and submit the *Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan – Final Report 2015*, will be completed upon issue of correspondence to the OEH seeking endorsement of the report to satisfy the Certificate 95 Licensing under the *Threatened Species Conservation Act 1995*.

**Conclusion:**

Finalising the Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007 and Certificate 95 license under the *Threatened Species Conservation Act 1995* will be a significant achievement for Council. These actions have helped deliver positive outcomes for the protection of Flying-foxes while addressing many of the concerns of the community.

Moving forward, the development of a LGA-wide Strategy for the management of Grey-headed Flying-fox maternity camps will provide a consistent management approach for on-ground deliverables across all camps in Coffs Harbour. A Project Plan for this work will be reported back to Council when funds become available.



**COFFS HARBOUR CITY COUNCIL**  
**Coffs Creek Flying-fox Camp**  
**Strategy and Vegetation**  
**Management Plan**



**FINAL REPORT 2015**



THIS IS A LOOKING AFTER OUR ENVIRONMENT PROJECT  
*Helping to achieve the 2030 Community Vision*



## ACKNOWLEDGEMENTS

The Coffs Creek Flying-fox Camp Strategy and associated Vegetation Management Plan have been prepared with funds from the Coffs Harbour City Council's Environmental Levy Fund Program.

### **Coffs Harbour City Council would like to acknowledge the assistance of:**

Harbour Arbor - Ross Lever who conducted the Arborists Works within private property.

Arborists Works within the Reserve conducted by both Harbour Arbor - Ross Lever and Coffs Harbour City Council Arborists.

Special thanks to Coffs Harbour City Council Bush Regeneration Team - Supervisor Aaron Hartley and his team for all of their work.

NSW National Parks & Wildlife Senior Ranger Martin Smith and Office of Environment and Heritage - Officer Kelly Roche for their support and dedication to Flying-fox Conservation in Coffs Harbour.

The dedicated and wonderful team at WIRES.

The Coffs Harbour community for their ongoing support to urban biodiversity conservation.

Cover Photograph taken by Nigel Costell Biodiversity Team Leader Coffs Harbour City Council

Contacts regarding this report, Coffs Harbour City Council's Biodiversity Unit on:

Phone: (02) 6648 4000  
Fax: (02) 6648 4199  
Postal Address: Locked Bag 155, Coffs Harbour NSW 2450  
email: [biodiversity@chcc.nsw.gov.au](mailto:biodiversity@chcc.nsw.gov.au)  
Website: [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au)



# CONTENTS

<b>Project Reference:</b>	<b>4</b>	<b>9. VMP Zone 1</b>	<b>22</b>	<b>References</b>	<b>38</b>
Australian Government		9.1. Status of Vegetation	22		
NSW Government	4	9.2. Utilisation by Flying-foxes	22	<b>Appendix</b>	<b>39</b>
<b>Coffs Creek Flying-fox Strategy</b>	<b>5</b>	9.3. Objectives	22		
<b>1. Purpose:</b>	<b>5</b>	9.4 Outcomes	22	<b>Maps</b>	
<b>2. In Summary</b>	<b>5</b>	9.5 Works Program Commitment	22	<b>Map 1:</b> Location of Red Cedar Reserve	6
<b>3. Introduction</b>	<b>5</b>	9.6 Works Program Zone 1 (Financial Commitment)	24	<b>Map 2:</b> Koala Habitat over Red Cedar Reserve.	8
3.1 Development History	5	9.7 Issue Management	24	<b>Map 3:</b> Class 5 Fine-scale Vegetation - Plant Communities	9
3.2 Strategy History	5	<b>10. VMP Zone 2</b>	<b>25</b>	<b>Map 4:</b> The Zones allocated as part of the VMP	20
3.3 Timeframes of Operation	5	10.1. Current Status of Vegetation	25	<b>Map 5:</b> VMP Zone 1 with subzones 1 (a & b)	23
3.4 Implementation Financial Summary	7	10.2. Utilisation by Flying-foxes	25	<b>Map 6:</b> VMP Zone 2	26
<b>4. Site Background</b>	<b>7</b>	10.3. Objectives	25	<b>Map 7:</b> Zone 3 with subzones (a & b)	33
4.1. Location	7	10.4 Outcomes	27	<b>Map 8:</b> Zone 4	36
4.2. Ecological / Visual Nature of the Reserve	7	10.5 Works Program Commitments	27		
4.3. Current Issues and Constraints	7	10.6 Works Program Summary of Completion (Financial Commitment)	29		
<b>5. Strategy Action Implementation</b>	<b>10</b>	10.7 Issue Management	30		
5.1 Reserve Management	10	10.8 Coffs Creek Flying-fox Camp Worksite Management (Private Property)	30		
5.2 The Community Actions	12	<b>11. VMP Zone 3</b>	<b>32</b>		
5.3 The Restoration Process	13	11.1. Current Status of Vegetation	32		
5.4 Biodiversity Management	14	11.2. Utilisation by Flying-foxes	32		
5.5 Research	15	11.3. Objectives	32		
<b>6. Additional Community Actions</b>	<b>16</b>	11.4 Outcomes	32		
<b>The Coffs Creek Flying-Fox Camp Vegetation Management Plan</b>	<b>17</b>	11.5 Works Program Commitments	32		
<b>7. Purpose</b>	<b>17</b>	11.6 Works Program Summary of Completion (Financial Commitment)	34		
7.1 Aims	17	11.7 Management Issues	34		
7.2 Objectives	17	<b>12. Zone 4</b>	<b>35</b>		
7.3 Principles for Designing & Implementing Rehabilitation Works	18	2.1. Current Status of Vegetation	35		
7.4 Flying-fox Welfare	19	12.2. Utilisation by Flying-foxes	35		
<b>8. Completion of the VMP Operational Program 2007-2012</b>	<b>21</b>	12.3. Objectives	35		
8.1 Summary of Program	21	12.4 Outcomes	35		
		12.5 Works Program Commitments	35		
		12.6 Works Program Summary of Completion (Financial Commitment)	37		
		12.7 Management Issues	37		



**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

## Project Reference:

### Australian Government Department of Environment and Water Resources Environment Protection and Biodiversity Conservation Act 1999

<b>Project title</b>	Rehabilitation and Re-sculpting of Coffs Creek Flying-fox Camp and Adjacent Reserve.
<b>Site location</b>	Coffs Harbour City Council Reserve: Red Cedar Drive, Coffs Harbour
<b>Proponent</b>	Coffs Harbour City Council Strategy & Sustainability Unit
<b>Project Manager</b>	Jeff Green, Manager of Strategy & Sustainability Coffs Harbour City Council
<b>Contact Person</b>	Rachel Binskin, Biodiversity Officer Coffs Harbour City Council
<b>Phone</b>	Wk: (02) 6648 4662 Mob: 0428 962 823
<b>Licence Information:</b>	Notification of Referral Decision – Not controlled Action EPBC reference: 2007/3771 8 November 2007

### NSW Government Department of Environment & Conservation NSW Threatened Species Conservation act 1995

<b>Project title</b>	Coffs Creek Flying-fox Camp Vegetation Management Plan Implementation
<b>Site location</b>	Coffs Harbour City Council Reserve: Red Cedar Drive, Coffs Harbour
<b>Proponent</b>	Coffs Harbour City Council Strategy & Sustainability Unit
<b>Project Manager</b>	Jeff Green, Manager of Strategy & Sustainability Coffs Harbour City Council
<b>Contact Person</b>	Rachel Binskin, Biodiversity Officer Coffs Harbour City Council
<b>Phone</b>	Wk: (02) 6648 4662 Mob: 0428 962 823
<b>Licence Information:</b>	Certificate pursuant to Section 95(2) of the Threatened Species conservation Act 1995: Certificate No (NC003) Issued 18th October 2007 Expiry Date 18th October 2012. Issued to Mr M Salter Director of LUHD Coffs Harbour City Council.
<b>DECC Contact officer:</b>	Authority John Keats A/Manager, North Coast Region Environment Protection & Regulation Division.

# Coffs Creek Flying-fox Strategy

## 1. Purpose:

This report finalises Coffs Harbour City Council’s Certificate 95 Licence (NC0003 issued 18 October 2007) under the Threatened Species Conservation 1995.

It also concludes five years of implementation of the Coffs Creek Flying-fox Strategy and Vegetation Management Plan 2007

## 2. In Summary

This Report:

- Outlines the implementation of Coffs Harbour City Council’s endorsed Coffs Creek Flying-fox Strategy (**the Strategy**) 2007 and prescribed actions.
- Details the implementation of the Coffs Creek Flying-fox Camp Vegetation Management Plan (**the VMP**) and its relevant conditional requirements.
- Demonstrates Coffs Harbour City Council (**CHCC**) and community’s financial commitment to the project.
- Provides comments on the management, issues faced and experience gained during the course of the Coffs Creek Flying-fox Camp Strategy and Vegetation Management Plan 2007 implementation.

## 3. Introduction

### 3.1 Development History

The land parcel containing the Coffs Creek Flying-fox Camp was subject to an original development proposal in 1992. The application was subsequently approved by Coffs Harbour City Council in 1993. The proponent, NSW Department of Housing, obtained development consent (reference 466/92) for a 225 lot subdivision under Coffs Harbours Local Environmental Plan 1988.

The Schedule of Conditions contained in DA 466/92 held a number of requirements in regard to the Management of the Flying-fox Camp, reference is made to:

- Condition 8: Retention of Habitat
- Condition 10: Retention of Closed Forest
- Condition 11: Vegetation Corridor
- Condition 12: Habitat Improvement Program.

Subsequent variations to DA consent 466/92 in October 1996 and September 2001, were obtained by Raymac Pty Ltd, however the aforementioned conditions remained unchanged. The residual works

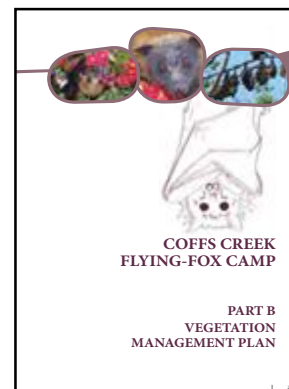
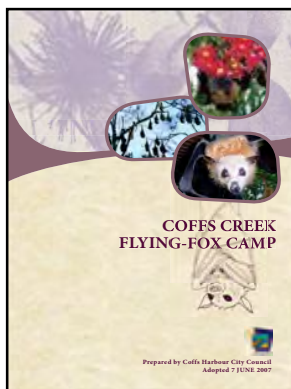
program and funding from the original consent has been included within this report, as the prescribed works were closely intergraded with the Strategy and VMP.

The Flying- fox camp and additional environmentally sensitive land, incorporated with the Development Consent 466/92 determination, known now as Red Cedar Drive Reserve, was transferred to public ownership in 2007. The reserve is now formally owned by Coffs Harbour City Council and managed as community land (Shown Map 1).

### 3.2 Strategy History

The the Strategy and VMP were prepared by CHCC in consultation with relevant government agencies, community groups and other key stakeholders.

***The Strategy and VMP were adopted by Coffs Harbour City Council on 17 June 2007.***



The Strategy and VMP integrated Council’s legal obligations for both operations and management of Red Cedar Drive Reserve, while addressing in part the residential communities concerns. Both the Strategy and VMP formed the basis of the Section 91 application under the Threatened Species Conservation Act 1995.

### 3.3. Timeframes of Operation

The Strategy and VMP timeframes extended over five years in line with the Certificate 95 licensing provisions under the Threatened Species Conservation Act 1995.

This report finalises five years of onground works associated with the Flying-fox Camp Management.





**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

**Map 1: Location of Red Cedar Reserve**





### 3.4 Implementation Financial Summary

Source	Program	Amount
Proponent of DA 466/92	Private	\$47,068
NSW Government	Environmental Trust Grants (ET)	\$54,500
Coffs Harbour City Council	Environmental Levy (EL)	\$100,049

## 4. Site Background

### 4.1. Location

The Coffs Creek Flying-fox Camp reserve shown in **Map 1** is located at the confluence of the north-western and westerly tributaries of Coffs Creek in the suburb of West Coffs Harbour.

The reserve area is surrounded by Red Cedar Drive, Adelines Way, Moreton Bay Avenue, Gundagai Street and boarded by Robin Street and Donn Patterson Drive.

**The total area of the Reserve is 15.9 hectares.**

### 4.2. Ecological / Visual Nature of the Reserve

The reserve has a number of identified ecological and community values, as noted below:

- a permanent resident Flying-fox camp (maternity) containing Grey-headed Flying Fox (GHFF) which is listed as a vulnerable species under the *Threatened Species Conservation Act 1995* and *Environmental Protection and Biodiversity Conservation Act 1999*;
- primary koala habitat under Coffs Harbour's Koala Plan of Management (KPoM) 1999, shown in **Map 2**;
- elements of "Lowland Rainforest in NSW North Coast and Sydney Basin Bioregion", an Endangered Ecological Community under the *Threatened Species Conservation Act 1995*, shown in **Map 3**;
- an identified component of the wildlife link corridor system extending along Coffs Creek;
- numerous recorded threatened fauna which regularly utilise the reserve; and
- visual amenity provisions within the urban landscape.

### 4.3. Current Issues and Constraints

- urbanisation of the surrounding environment;
- ongoing regular disturbance of the Flying-fox camp;
- encroachment of private space;
- an increasing weed presence;
- flood mitigation issues and maintenance impacting on the reserve; and
- canopy dieback due to utilisation of the camp as a permanent roosting site.

Picture 1: Coffs Creek Zone 2

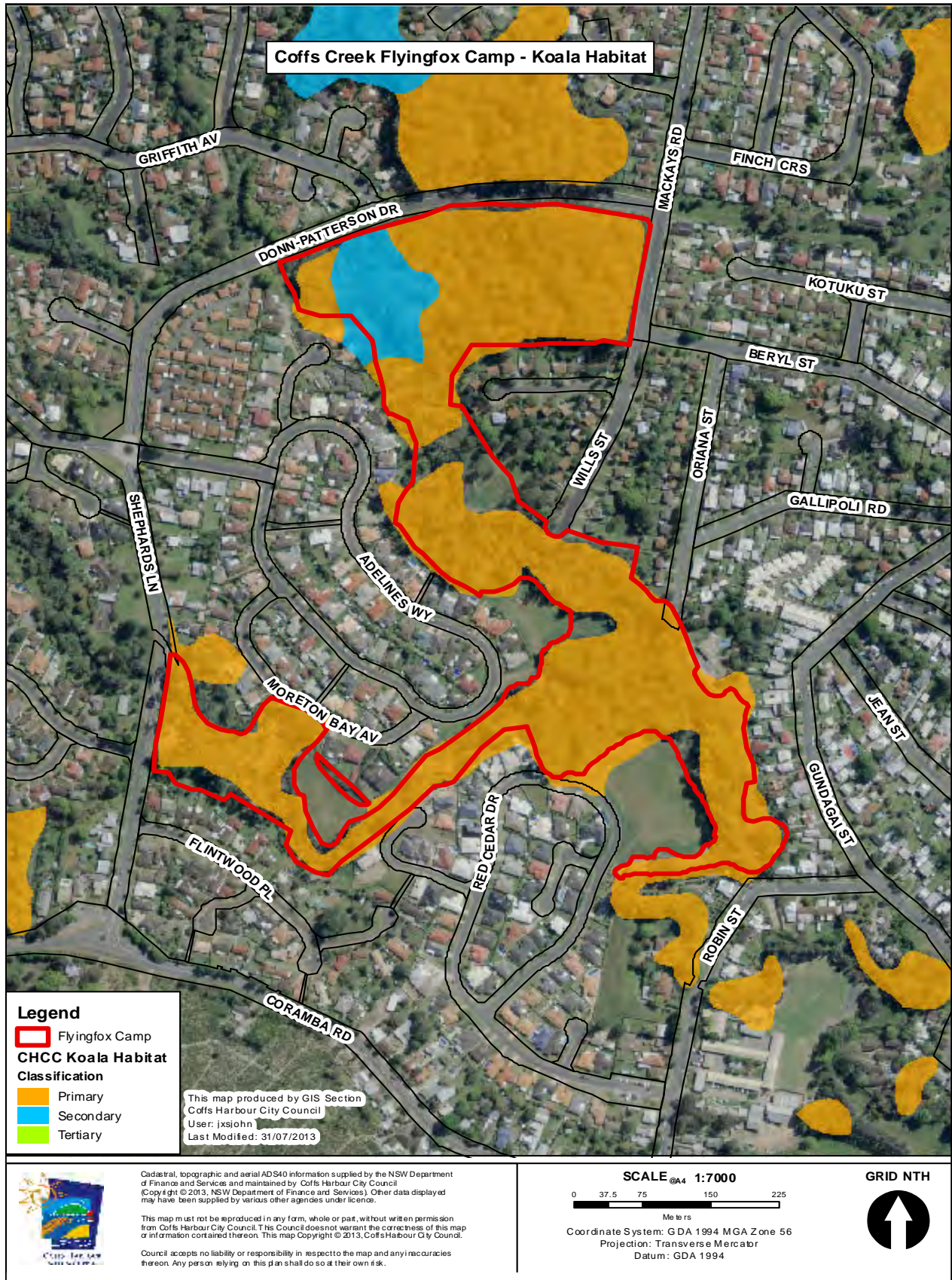






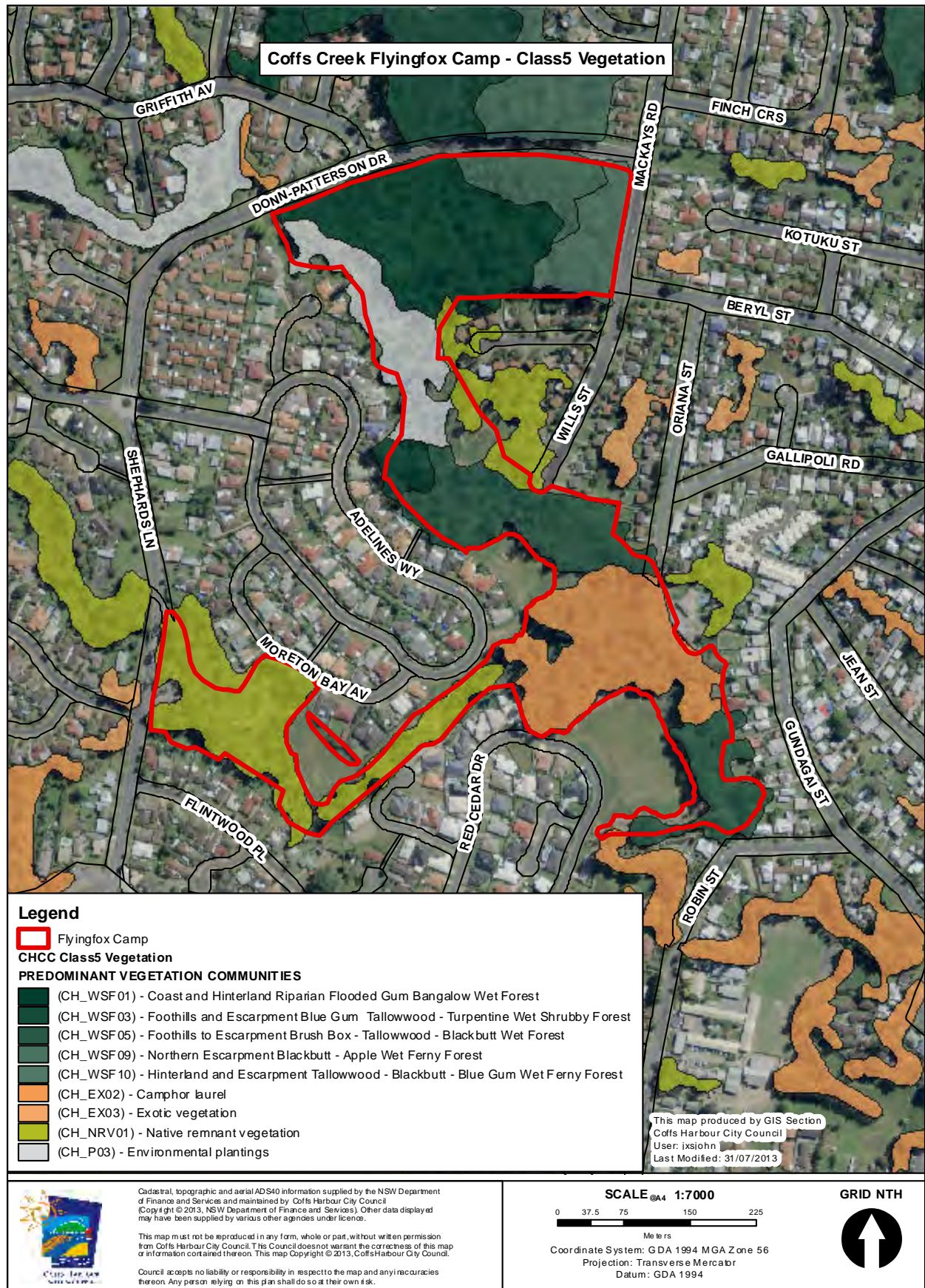
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COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

Map 2: Koala Habitat over Red Cedar Reserve.





Map 3: Class 5 Fine-scale Vegetation - Plant Communities





## 5. Strategy Action Implementation

The Coffs Creek Flying-fox Camp Strategy identified a series of actions required to be undertaken as part of the direct management of the Flying-fox Camp, the surrounding reserve and to address community concerns. The actions are listed under five separate themes and are shown below as they appear directly with the strategy.

### 5.1 Reserve Management

1.1	H	Securing the Tenure of the Coffs Creek Conservation Reserve	Liaise with Raymac Pty Ltd to solve any outstanding issues with the proposed “transfer of title” of the new reserve to facilitate the implementation of the Strategy Action Plan.	Complete
		Sustainable Planning	Reserve transferred under Coffs Harbour City Council on the 17th of September 2007. Red Cedar Drive Reserve now identified as: Lot 88 DP 1115926 –PN 2233335.	
1.2	M	Management as per CHCC Reserve Management System	Manage the new reserve under CHCC Natural Areas Plan of Management, and site specific Reserve Plan of Management in accordance with site-specific requirements under the WCCFFS and VMP.	Complete
		City Services Design Manager/ Operational Parks Manager	Natural Area Bushland under the Local Government Act.	
1.3	M	Re-zoning of lands	Review zoning of the subject land as part of new Standard LEP Template, with appropriate zoning to include Open Space, Asset Protection Zones, and High Conservation Value areas.	Complete
		City Services & City Planning Manager	Processing under the Coffs Harbour Local Environmental Plan 2013 – Zoning E2 Flora & Fauna Conservation Area (Biodiversity).	
1.4	M	Development Control Planning Policy	To prepare a Development Control Planning Policy to guide development in and around existing, seasonal or temporary flying-fox camps within the LGA. The policy should aim to reduce the likelihood of future impacts on urban development through application of the following;  Nomination of areas for possible future acquisition.	Not Commenced
			Development of guidelines on buffer zones and restricted use areas in/around camps.	Partially Complete
			Develop control measures for properties impacted upon by camps to adequately provide for property and life style protection.	Partially Complete
		Sustainable Planning	Processing under the Coffs Harbour Local Environmental Plan 2013 Planning Proposal - Biodiversity Assets Planning Framework 2014/2015	
1.5	M	Inter-agency Conservation Agreement	Consider Voluntary Conservation Agreement (VCA) or sign a Memorandum of Understanding with Department of Environment and Climate Change to secure the conservation tenure of the reserve.	Not Required
		Sustainable Planning	Coffs Harbour City Council Director of Land Use Health and Development determined that substantial protection was given by the re-zoning process and biodiversity assets planning framework sufficient to protect the camp.	
1.6	H	Staff Operational Sensitivity	Prepare Reserve operational procedures for staff dealing with the specific management issues associated with the camp. To include;  delineating the type, magnitude and community impact of issues emanating from the reserve.	Complete
			vegetation exclusion zone maintenance.	Ongoing
			Reporting those issues to appropriate staff members.	Complete
			council information package.	Not Commenced
			the strategy summary of important factors including Coffs Harbour City Council responsibility.	Complete
			legislative requirements in nominating and approving works programs.	Complete
health concerns and contact details.	Complete			
		Sustainable Planning	Actions completed during the consultation process and through the key stakeholder group. The internal procedures and reporting systems sorted prior to commencement of plan in 2007.	



1.7	H	Endorse and Implement the West Coffs Creek Flying-fox Strategy.	Have CHCC and the Working Group endorse the final draft of the Flying-fox Camp Strategy and see to implementation.	Complete
Sustainable Planning			Endorsed Version June 2007	
1.8	H	Endorse and Implement Vegetation Management	Have CHCC and Working Group endorse the Vegetation Management Plan.	Complete
Sustainable Planning			Endorsed Version June 2007	
1.9	H	Finalise all Licensing and referral requirements of both the Strategy & VMP.	Finalise all license and referral applications to initiate restoration and vegetation modification works;	Complete
			Section 91 application with the Department of Environment and Climate Change under the Threatened Species Conservation Act 1995.	
			Referral to the Department of Environmental and Water Resources under the Environmental Protection and Biodiversity Conservation Act 1999	Complete
Sustainable Planning			EPBC ACT Federal Referral / Response (2007/3771) TSC ACT State Referral / Certificate 95(2) NCo03 18 October 2007	
1.10	M	Formalise Implementation of Actions and accountability.	To nominate and record responsible Branches, Managers and Staff to implement the "Action Plan" and on-ground works of VMP under the following;	Complete
			Reserve management and accountability to community.	
			Vegetation modification, regeneration and restoration process.	Complete
			Administration of funding and accountability.	Complete
			Monitoring of biodiversity	Ongoing
			Monitoring of environmental health.	Ceased 2009
			Reporting to CHCC, DECC & DEWR under licensing and plan implementation.	Partially Complete
All Executive Team			Monitoring of Biodiversity Values linked to Biodiversity Monitoring Strategy (under development) and the National Flying-fox Counts. Separate health program ceased in 2009 and monitoring was intergraded into the Coffs Creek Catchment Water Quality Program.	
1.11	L	Implement Conservation Reserve Signage	Implementation of signage at strategic locations within the Conservation Reserve system to inform the public.	Incomplete
			On prohibited acts within the conservation reserve system.	
			Domestic animal restrictions	Incomplete
			Motorised vehicle restrictions	Complete
City Services Design Manager			Motorised vehicle restrictions implemented 2009, other restrictions are under a programmed review of restrictive signage within the Coffs Harbour Natural Area reserve system.	
1.12	H	Identification of Sensitive Areas & Manage Hazards	Identification of Sensitive Areas in / adjacent to the reserve and implement mitigation e.g. Naranga Public School.	Complete
			Identification of hazard/ natural disaster management priorities.	Incomplete
			Establishment of Asset Protection Zone (APZ).	Complete
			Flood mitigation works.	Ongoing
			Environmental health parameters.	Ceased 2009
Sustainable Planning/ City Services			Forests need Flying-foxes education program delivered to priority schools. Water quality monitoring was intergraded into the Coffs Creek Catchment Water Quality Program. APZ reviewed throughout the reserve and mitigated as per Rural Fire Service Recommendations.	



**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

1.13	L	Apply the Adaptive Management Approach	Establish a benchmark process of review in the areas of: On-ground restoration processes.	Complete
			Community perception and understanding.	Complete
			Communication methods and productivity of working group VMP/ licensing requirements.	Partially Complete
			The information from the review is to be used to adjust implementation accordingly.	Partially Complete
Sustainable Planning			Adaptive management processes require additional refining as well as inter-CHCC department communication.	

**5.2 The Community Actions**

2.1	H	Assessing Community Attitudes	CHCC & Working Group to undertake a neighbourhood attitude survey to gauge the community's understanding and concerns associated with the implementation of the Strategy and VMP.	Completed
Sustainable Planning			On-ground actions integrated under the Working Group.	
2.2	H	Involving the community and stakeholders in the management process	Formalise communication with stakeholders/ community via the Working Group to meet quarterly or as the need arises to resolve any community concerns. The main functions of the working group to include but not restricted to;	Ceased 2010
			Monitor and reporting the community's attitude to the implementation of the VMP.	
			Addressing maintenance issues from the community.	Ongoing
			Endorsing open space and parkland designs.	Complete
City Services and Sustainable Planning			Working group established 2005-2010 and involved the monitoring of community concern and providing community feedback linked with the delivery of the strategies actions.	
2.3	H	Cultural Inclusion	Liaise with the Local Aboriginal Land Council to discuss input into the management of the reserve and interpretative material regarding the reserves cultural values.	Partially Complete
City Services			Consultation with the Garlambirla Guyuu Girrwaab Coffs Elders Group regarding naming the reserve system after the tradition name of the Flying-fox. Action of naming not undertaken to date.	
2.4	H	A focused approach to issues expressed by the community.	Correlation of all information and feedback held within CHCC regarding the flying fox camp, surrounding community and scientific references to gauge future priority focus areas. These priorities are to form the main recommendations within the strategy.	Complete
Sustainable Planning			Working group and community consultation processes have been included in the Strategies Actions, they will also be considered as part of the information package on review of the strategy.	
2.5	H	Addressing Community Health Concerns.	To provide specific health information for members of the public, particularly residents adjacent to the Coffs Creek camp;	Complete
			Fact sheet relating to flying foxes health issues and, Councils' website with links to health/medical sites.	Complete
			Department of Health Workshops	Complete
Sustainable Planning			Undertaken as part of the community consultation, follow up workshops and information sessions conducted over 2005-2009. Website information review 2013/2014.	
2.6	M	Communication of Workshop outcomes and monitoring programmes	CHCC commit to regular release of information and updating of website information on;	Ceased 2009
			environmental health monitoring including, water quality and sound.	
			Working group agendas and minutes of meetings.	Ceased 2009
			Working group contacts and direction of comments.	Complete

2.6	M	cont	Update mapping and photography in the strategy and VMP documentation	Complete
Sustainable Planning			Ongoing Agenda/ Minutes of working group. Ongoing Operational Planning Workshop 3/4/07	
2.7	M	Living with Flying-foxes Neighbourhood Information Session/s	Neighbourhood information session/s for the community on appropriate topics and courses of action covering but not restricted to;	Ongoing
			Locating a sick or injured flying-fox in the reserve or at home.	
			Reporting maintenance requirements and enquires to the CCCRWG.	Ongoing
			How to make their properties less attractive to flying foxes. <ul style="list-style-type: none"> <li>• Species selection.</li> <li>• Controlled pruning ideas.</li> <li>• Contact numbers and references in case of an emergency.</li> </ul>	Complete
Sustainable Planning			All ideas to be submitted to the Working Group	Complete
Sustainable Planning			The actions have been delivered during the community workshops, field days set up for the private residents and information presented on CHCC website.	
2.8	H	Endorsing the VMP And Community Open space.	The Working Group to endorse the Vegetation Management Plan and Open space/ Parkland facilities.	Complete
City Services Design Manager			Design Program 2009/2010.	
2.9	M	Monitor the Communities response to the works.	Effectively liaise with the community and major stakeholders on the Strategy Action Plan and the Vegetation Management Plan to improve the implementation process.	Completed
Sustainable Planning			Working Group on ECM under Agenda/ Minutes. Community Workshop Date 18/10/08 Gundagai Street Residents.	

### 5.3 The Restoration Process

3.1	H	Adherence to License and Referral Requirements.	Adherence to the License and “consent conditions” from the Department of Environment, Water, Heritage and Arts (Federal) - referral and Department of Environment and Climate Change (State) license application.	Complete
Sustainable Planning			Certificate pursuant to Section 95(2) of the Threatened Species Conservation Act 1995: Certificate No (NC003) issued 18th October 2007 Expiry Date 18th October 2012.	
3.2	H	Adherence to the Endorsed Arborist’s Works Program.	Finalise and endorse the arborist’s works program for the Gundagai Street area as required under the Strategy stage one priority.	Complete
Sustainable Planning			Program completed 2009	
3.3	M	Works Program Safety Assessment	Have CHCC conduct a hazard assessment of the nominated reserve to identify and report;	Complete
			identify hazards to staff and general public.	
			identify additional trees which pose a threat to life or property ,and	Ongoing
City Services			to deliver a “Site Induction” to all CHCC and contract staff.	Complete
City Services			Completed/ ongoing as part of the operational works program for the VMP and as standard reserve management under the Open Space Strategy.	
3.4	H	Determine level of operational work supported by landowners.	Direct consultation with landowners to minimise community disturbance during the priority stages. Include requirements directly into the works programmes;	Complete
			Protect significant vegetation on request of landowner.	
			Operational hours/ special requirements.	Complete
			Creek stabilisation requirements.	Complete
			Support in buffer creation if requested on private property.	Complete
Sustainable Planning			Outline maintenance requirements.	Complete
Sustainable Planning			In consultation with Private property owners during the 2008/2009 works program.	



**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

3.5	H	Implementation of Vegetation Management Plan	Implement the restoration, regeneration and revegetation objectives within the VMP;	Complete
			Complete “Arborists Works Program” to remove exotic problematic vegetation within, and adjacent to, the reserve in the Gundagai Street Buffer Zone.	
			Maintenance of tree vegetation, with structural issues will also be considered.	Ongoing
			Establish the buffer zone planting areas.	Complete
			Core canopy closure/ Canopy species establishment.	Ongoing
			Encourage natural regeneration (of existing seed source) with ongoing control of exotic ground covers and vines.	Ongoing
		Adhere to the works schedules within each management zone (identified in VMP).	Partially Complete	
Sustainable Planning and City Services			Completed as part of the Vegetation Management Plan objectives and delivery of the prescribed Zone Works (presented in detail as part of this report Sections 8-11).	
3.6	H	Strategy Priority Implementation	Stage 1: Removal of weeds and camphor laurels, which are located nearest to, affected residences in Gundagai and Oriana Streets. This work is programmed to occur mid 2007, subject to approval from the Department of Environment and Conservation.	Complete
			Stage 2: Bat exclusion zone planting – no higher than four metres, using appropriate species to prevent roosting. Buffering between camp core and bat exclusion zone to provide a minimal use zone. Work expected to occur July to October 2007.	Complete
			Stage 3: Vegetation modification, to provide weed control in core roost area. Roost tree planting – low lying rainforest species. Work expected to occur 2008 onwards.	Ongoing
			Stage 4: Flood plain plants, with additional core roost plant, buffer and exclusion zones. Work expected to occur 2008 onwards.	Ongoing
Sustainable Planning and City Services			Designated private property and large weed removal complete as part of the five year program under the VMP. Stage 3 and 4 weed works are ongoing, as are the infill and staged planting to restore the ecological community.	

**5.4 Biodiversity Management**

4.1	H	Monitoring of Restoration Works	To establish effective monitoring techniques of VMP programmed tasks:	Complete
			– Assessment of arborist’s works program.	
			Assessments of buffer zone creation.	Complete
			Volume of infill planting as net gains to site.	Complete
			Measuring the percentage of natural loss	Ongoing
		Percentage of natural regeneration after initial and on-going maintenance works.	Complete	
Sustainable Planning			Assigned to City Services as part of the Bush Regeneration Strategy - to be intergrated into CHCC reserve program.	
4.2	H	Ecological Monitoring Program	Monitoring of the following parameters:	Ongoing
			Monitoring of flying-fox numbers and composition within the West Coffs camp site.	
			Establish a GIS database to keep a current and historical record of the locations of camps and population stats	Complete
			Map area occupied and location of flying-fox core roost areas including satellites if present.	Complete
			Creek health in terms of invertebrate composition and parameters.	Complete
			Monitoring return of faunal diversity	Ongoing
		Monitor current koala population within the reserve system.	Ongoing	

4.2	H	Ecological Monitoring Program.....cont	Weed composition within the camp	Ongoing
			Percentage light reduction with increased canopy cover.	Complete
			Create a photographic diary of the restoration works.	Incomplete
			Level of natural regeneration	Ongoing
Sustainable Planning			Monitoring Program is linked with KPOM.	
4.3	H	Compliance with Biodiversity Planning Policies	Compliance with CHCC Biodiversity Planning/ Strategy documents:	Complete
			Coffs Harbours Koala Plan of Management	
			Coffs Harbours Open Space Strategy	Complete
			Coffs Harbours Natural Areas Plan of Management	Complete
			Coffs Harbours Biodiversity Strategy	Complete
Coffs Harbours Environmental Awareness Strategy	Incomplete			
Sustainable Planning			Compliance with existing Environmental Strategies acknowledged during drafting of Strategy & VMP.	
4.4	H	Compliance with State & Federal Conservation Policies	Compliance with all State and Federal Legislation in regards to Land and Biodiversity Management;	Complete
			Recovery Plans for Threatened Species and Endangered Ecological Communities.	
			Threat Abatement requirements such as identification and mitigation.	Partially Complete
Sustainable Planning			Compliance with existing legislative requirements acknowledged during drafting of Strategy & VMP.	

### 5.5 Research

5.1	H	Alternative Site Investigation	CHCC to conduct research into alternative site selection for the camp:	On Hold.
			Vegetation modelling for alternative sites	
			ID particular areas of importance and grade them according to all community and habitat parameters.	
			Associated threats to each of the sites.	
			Possibility for roost protection into the future	
			Clarification of criteria for humidity & temperature requirements and suitability	
Sustainable Planning			This section has been placed on hold until a Local Government Flying-fox Camp Strategy can be completed.	
5.2	H	Define scientific research required.	Define the level of research required as benchmark and ongoing:	Ceased 2009
			Establish a monitoring regime of basic environmental health parameters.	
			Support national counts of flying-fox numbers.	Ongoing
			Support research into the health impacts of Flying-fox Camp.	Supported
Sustainable Planning			Individual monitoring program ceased in 2009 and water quality included in then larger Catchment Program. The Biodiversity Monitoring Strategy and KPOM will address long-term monitoring of respective ecological values of the site. The National Flying-fox counts will provide long-term monitoring of flying-fox numbers in Coffs Harbour – NSW – East Coast of Australia.	
5.3	M	Establish Regional Planning Contacts	CHCC to create a network of other Councils with similar Flying-fox Management objectives on the North Coast of NSW. The network should include major stakeholder to support the newly formed group.	Ongoing
Sustainable Planning			This section integrated into the drafting of a Local Government Flying-fox Camp Strategy.	



**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

## 6. Additional Community Actions

Event	Action	Status	Costs
Community Events	i) Strategy/VMP briefing ii) (3) Workshops (legal aspects, Health aspects) iii) (2) Community briefings 2008 - 2010 iv) Community tree planting day organised by residents.	Complete	\$800
School Education program	Forests need Flying-Foxes School Education Program: To educate school children on the role of flying-foxes in our forests and the ways of dealing with sick and injured flying-foxes in their environment.	Complete	\$5,600
Hotline of complaints with issues associated with camp management – compliance issues.	Coffs Harbour City Council has an after hours HOTLINE.  The Hotline was informed of the Camp/ Flying-fox issues and given appropriate officers phone numbers to call; (1) after hours (2) in case of emergency (3)	Complete	No cost.
After hours complaints			
Heat stress event planning	Being developed with WIRES, currently in draft.	Actioned	in kind
Motor bikes	Compliance signage developed/ installed in regards to motorised vehicle access and Police informed. CHCC Rangers also conducting inspections and addressing complaints.	Complete	\$ 200
Lack of compliance signage			
Vandalism of plantings	The vandalism was addressed via the Bush Regeneration team and discussions with those responsible for the damage. Vandalism now non-existent.	Complete	in kind
Vertebrate Pest Issues.	Not addressed under this plan.	On hold	in kind
Arson issues	Addressed in residential letter regarding damage to the reserve and penalties which apply.	Complete	\$1,200
Tree poisoning	Currently under Investigation with CHCC	Ongoing	in kind
Mowing into the reserve	Playground surrounds mown fortnightly. Beyond playground surrounds six weekly.	Complete	CHCC Program
Council mowing regime issues with reserve maintenance.			
Re-shooting poisoned camphor's	The issue of re-shooting camphor's predominately in (ZONE 4) has been addressed by CHCC Bush Regeneration team.	Complete	In kind
Formation of CRAFF (Concerned residents against flying-fox)	The group was supported by CHCC with members of CRAFF represented on the Flying-fox Working Group.	Complete	Inkind
Website information on question and answer.	On hold	On hold	in kind
<b>Costs</b>			<b>\$7,800</b>



# The Coffs Creek Flying-fox Camp Vegetation Management Plan

## 7. Purpose

- Ensure all proposed bush regeneration and camp modification works are conducted strictly in accordance with an endorsed program.
- Re-sculpture existing vegetation, through controlled and monitored program of large invasive weed removal followed by designed and targeted planting of indigenous vegetation.
- Reduce future exotic weed incursion throughout the reserve and maximise potential for natural regeneration.
- Design and establish vegetative screens of indigenous vegetation around the periphery of the camp core.
- Establish long-term roosting opportunities for flying-foxes within the inner core of the camp.
- Engage an adaptive management approach through consultation and partnerships.
- Design and establish a screen of native vegetation around the periphery of Management Zone 2 that discourages bat occupation, reduces noise and odour levels while enhancing visual amenity.
- Establish vegetation that will in the long term provide roosting opportunities for Flying-foxes within the inner core of Management Zone 2.
- Establish connectivity between riparian and corridor plantings to the north, south east and south west.
- Engage an adaptive management approach for the entire Reserve in order to accommodate any unforeseen circumstances that may arise, and allow for alternative methods to be incorporated into the VMP.

### 7.1 Aims

- Ensure all works proposed in the VMP are in accordance with the adopted Coffs Creek Flying-fox Camp Strategy and the CHCC Natural Areas Plan of Management.
- Re-sculpture existing vegetation within the proposed Coffs Creek Reserve, through controlled planting of native vegetation.
- Reduce exotic weed incursion throughout the reserve and maximise potential for controlled natural native regeneration to occur.

### 7.2 Objectives

- Identify exotic invasive weed species (noxious, significant and environmental) and provide a detailed weed control strategy for each of the Management Zones specific to their requirements.
- Map and identify areas requiring supplementary plantings of native vegetation with clear strategies for restoration and revegetation works for each of the Management Zones.
- Allocation of appropriate native species for each of the planting areas; core, inner buffer and outer buffer zones.
- Outline a maintenance plan for weed control, habitat manipulation and monitoring.

**Picture 2:** Red Cedar Dr view to Zone 2 - Core of the Flying-fox Camp





### 7.3 Principles for Designing & Implementing Rehabilitation Works

The weed control, regeneration and revegetation works that are presented in this VMP have been designed to address a range of requirements and issues that exist across the Reserve. All works have been carried out following the guidelines and techniques as recommended by the Australian Association of Bushland Regenerators (AABR).

The CHCC Koala Plan of Management (KPoM) has identified the Reserve as Primary Habitat, and therefore any operations under development must comply with the KPoM directions of habitat restoration.	Indigenous species identified as koala primary food resources included.
Create an additional vegetation layer to maintain and enhance a cool, humid and sheltered environment for the FF main camp.	Dense buffers plantings installed, plants are now three to five years old, along with consolidation of fragmented vegetation.
Revegetated areas to promote biodiversity across the site, and reduce the threat of weed incursion.	The restoration process is supported by a regular weed control program. Identified increases in diversity of the redeveloping mid and understorey.
Create a buffer edge with indigenous species to provide for visual enhancement and an effective non-roosting screen for neighbouring residents.	Buffers installed in accordance with VMP. In accordance with the Rural Fires and Environmental Assessment Amendment Act 2002, Council has installed a 20m APZ from the rear of existing dwellings. Where this is not possible due to the proximity of the creek access priorities have been identified.
	Buffers have been established to provide for visual amenity, and effectively reduce the likelihood of roosting opportunities for flying foxes. These will be maintained as part of the VMP.
Spillway Planting	On hold
Revegetation of Riparian Areas to Promote Creek Bank Stability	The riparian areas have been managed in accordance with the VMP, creek bank stability has been an important aspect of the restoration process.
Habitat manipulation through staged removal of canopy, mid storey and ground weed species within main camp to address gap issues and to promote natural regeneration	Initial weed control works within the main camp targeted ground and mid-storey weed species. The staged treatment of canopy weed species programmed to commence in 2009 was placed on hold due to illegal poisoning of camphor laurel within the main camp.
	No canopy removal has occurred as part of the VMP.
Follow up Weed Control Works	Follow up weed control works continued to suppress understorey/ midstorey weeds . Natural regeneration has been monitored/ encouraged as part of the bush regeneration program.
	Native vines have been managed in areas where required to help support quick unsuppressed growth of planted native vegetation.
Monitoring	Monitoring will be undertaken in conjunction with weed control works: <ol style="list-style-type: none"> <li>1. Check for survival rates.</li> <li>2. Check soil moisture and watering if required.</li> <li>3. Check for encroaching weeds or native vines</li> <li>4. Bag/ wire protection is in place correctly</li> <li>5. General health and growth rates.</li> <li>6. Human disturbance/ interference.</li> <li>7. Plant losses addressed.</li> </ol>
	Monitoring and calculations for continued treatment of Camphor Laurel shall be ongoing in conjunction with DECC and CHCC
Tree Removal	All mature canopy weed species have been removed according to the Arborists Works Program (Private Property and as appropriate in Zones 4 & 3).
	Issues associated with Illegal Clearing Activities, <b>NO</b> camphor laurel removal occurred within Zone 2.



## 7.4 Flying-fox Welfare

### 7.4.1 Assessment of the Camp.

Prior to commencement of site works:

- CHCC conducted assessments of camp composition, to ensure no dependant young are present prior to works commencing.
- A Biodiversity officer was present prior to commencement of any works with the potential of direct disturbance to roosting individuals.

### 7.4.2 Animal Welfare Considerations.

The considerations for animal welfare and impacts of site works were managed in accordance with the Strategy and VMP, these main elements are listed below:

- Local vet surgery will be notified of day/ time of nominated operations which, had a direct impact on the camp.
- Wires careers were notified and on call if any issues, such as injury or sick bats were identified during the works.
- All site officers were given appropriate contact details of supervising ecologist, WIRES and NPWS Officers if needed during the extended works program.
- Notification of local residents via newsletter on operational dates on the commencement of the private property Arborist Program- A reporting system was set up during the disturbance phases in case bats caused problems for local residents in the Flying-fox Camp vicinity.
- CHCC officers on call, if issues of disturbance or interference with the camp was reported.

### 7.4.3 Management of Flying-foxes during the regeneration program.

The extended management of the camp, over the entire program included:

- Composition / location/ condition of individuals within the camp was monitored by the supervising ecologist. Bush regenerators had to be issued consent from CHCC Ecologist prior to commencement of yearly works programs. The assessments were based on all young animals flying independently of parent.
- CHCC conducted a desensitisation program, with the initial part of the project works crews had restricted access to the camp (boundary only). Access was increased over two months until the resident Flying-foxes tolerated operational works with very limited flying and unrest.
- Extreme weather conditions were also monitored and works programs arranged in accordance with camp behaviours.

Picture 3: Young Flying-foxes



Picture 4: Roosting Flying-foxes in Zone 2.



Picture 5: Roosting Flying-foxes in Zone 2.







**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

Map 4: The Zones allocated as part of the VMP



## 8. Completion of the VMP Operational Program 2007-2012

### 8.1 Summary of Program

Zone	Area	Indentification	Works Program	Milestone
Zone 1(a)	8.5ha	Cream	No works conducted under this program	CHCC - Bush Regeneration Program
Zone 1(b)			<p>Weed control complete from Developer funded Habitat Improvement Program.</p> <p>VMP included Infill planting to reduce mowing incursions and improve diversity of regeneration.</p>	<b>COMPLETED</b> October 2012 in accordance with VMP.
Zone 2(a)	4.1ha	Army Green	<p>Removal of roost habitat from the rear of selected private properties in Gundagai Street backing onto Zone 2 only.</p> <p>The climbing works have been completed as of June 2008. Rehabilitation /planting works due to commence between Oct 2008 and completed January 2009.</p>	<b>COMPLETED</b> July 2008-2009 in accordance with Arborist Works Program -
Zone 2(b)			<p>No large canopy weed species to be removed as part of the VMP Operational Program.</p> <p>Invasive weed species control (noxious, significant and environmental) within the Zone 2(b) focused on groundstorey weed species ONLY.</p>	<b>COMPLETED</b> October 2012 in accordance with VMP..
Zone 2(c)			<p>No large canopy weed species to be removed as part of the VMP Operational Program.</p> <p>Invasive weed species control (noxious, significant and environmental) within the Zone 2(b) focused on ground storey weed species ONLY.</p>	<b>COMPLETED</b> October 2012 in accordance with VMP
Zone 3(a)	0.5ha	Dark Purple	<p>Gundagai Street (Properties 68, 70 and 72).</p> <p>Complete removal of large canopy weeds such as Camphor Laurel &amp; Celtis from the each property bordering the reserve &amp; flood spillway. The climbing works have been completed 2008.</p> <p>Rehabilitation component completed January 2009.</p>	<p><b>COMPLETED</b> January 2008 in accordance with Arborist Works Program.</p> <p><b>COMPLETED</b> January 2009 in accordance with VMP (Regeneration Program).</p>
Zone 3 (b)			<p>Selected removals of Camphor Laurel and celtis from the Eastern end of the reserve completed Oct 2009</p> <p>Regeneration of Riparian Area completed 2011.</p>	<p><b>COMPLETED</b> December 2009 in accordance with Arborist Works program.</p> <p><b>COMPLETED</b> October 2011 in accordance with VMP (Regeneration Program).</p>
Zone 4 (a)	2.8ha	Lime Green	Follow up weed control from the Developer funded Habitat Improvement Program.	<b>COMPLETED</b> October 2012 in accordance with VMP.





## 9. VMP Zone 1

Zone 1 has an area of 8.5 hectares and is located from Donn Patterson Drive at the north western end of the reserve, following the watercourse south east, to the northern edge of the main camp (VMP Zone 2a/b), adjacent to 44 Adelines Way and 25 Wills Street.

### 9.1. Status of Vegetation

The native vegetation is predominately a mixture of mature forest to regrowth of six to eight years old. Weed incursions have been identified across the site, however the canopy remains predominately native species. Previous works have been undertaken in Zone 1, as a result of the Habitat Improvement Program linked with existing Development Consent and Council’s reserve works programs.

### 9.2. Utilisation by Flying-foxes

Zone 1 is not consistently used as part of the core camp roost site. Historically, however, Zone 1 has been utilised by Flying-foxes when numbers in the main camp site have exceeded carrying capacity. Flying-foxes have also been known to relocate to this area during periods of increased disturbance within the vicinity of the main camp.

### 9.3. Objectives

- Weed control management.
- Removal of exotic garden escapes along the edge of the Reserve.
- Infill planting conducive to koala habitat.

### 9.4 Outcomes

Action	Measure	Onsite change	Outcome (5ys)
Reduced weed mass	Reduction in percentage weed mass.	Reduction in understorey weed composition.	Achieved
Establishment of native species.	Increase native composition	Increasing diversity of rainforest and reduction of weed incursion.	Achieved
Reduce mowable area	Reduction in mowing resources utilised in the reserve.	Mowed areas identified for rehabilitation within the riparian buffer are now regenerating rainforest.	Achieved
Reduction of edge effects	Reduction of weed mass.	Decreased percentage of weeds and garden plantings. Evident thickening of vegetation edge.	Achieved

### 9.5 Works Program Commitment

<b>Weed Control</b>	<ul style="list-style-type: none"> <li>- Considerable weed control and revegetation works have previously been undertaken in VMP Zone 1(b) under the existing Habitat Improvement Program.</li> <li>- Additional weed control has been undertaken as part of the VMP.</li> <li>- Removal of a large number of established exotic garden species along the edge of the native vegetation.</li> <li>- Spot spray of exotic grass species throughout the reserve.</li> </ul>
<b>Restoration of Native Vegetation Community</b>	General infill planting of native species was undertaken to reduce mowed areas.
<b>Maintenance</b>	Spot spraying of weeds around the base of the newly establishing native plants has allowed unrestricted growth.

Map 5: VMP Zone 1 with subzones 1(a & b)



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	<p>This map must not be reproduced in any form, whole or part, without written permission from Coffs Harbour City Council. This Council does not warrant the correctness of this map or information contained thereon. This map Copyright © 2013, Coffs Harbour City Council.</p>	<p>Coordinate System: GDA 1994 MGA Zone 56 Projection: Transverse Mercator Datum: GDA 1994</p>	
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**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

**9.6 Works Program Zone 1 (Financial Commitment)**

Sub	Area	Activity	Funding Source	Costing	Schedule	Status
1(a)		No works proposed	Works within this zone funded under Bush Regeneration Unit works program.			
1(b)		1. General weed control 2. Defining APZ.	Environmental Trust	\$10,300	2008	Complete
			Developer funded	\$16,307	2008 – 2012	Complete
			Environmental Levy	\$1,202	2010 - 2012	Complete
			Environmental Trust	\$5,000	2008	Complete
			Environmental Levy	\$1,650	2009	Complete
			<b>Expenditure</b>	\$16,307	Developer Contributions	
			<b>Expenditure</b>	\$15,300	Environmental Trust	
			<b>Expenditure</b>	\$2,852	Environmental Levy	
			<b>Total Expenditure</b>	\$34,459		

**9.7 Issue Management**

Issue	Area of Responsibility	Resources Allocated
Motor bikes & lack of compliance signage.	City Services – Parks and Recreational Services	Signs now in reserve.
Vandalism of plantings	City Services – Parks and Recreational Services	A period of community consultation was undertaken.
Vertebrate pest problems	Biodiversity Unit	Den searches conducted.
Private Space Extension	City Services – Parks and Recreational Services	Education of residents adjacent reserve & removal of plantings under the VMP.



**Picture 6:** Don Patterson Drive into VMP Zone 1(a)



**Picture 7:** Don Patterson Drive into VMP Zone 1(b)

## 10. VMP Zone 2

VMP Zone 2 is approximately 4.1 hectares in size and comprises mainly remnant Lowland Rainforest on Coastal Floodplain. This Zone also contains the core roost area for the Flying-fox Camp. The Zone has been divided into subzones in order to facilitate the complexities of the VMP works program. Any works carried out in this Zone are to be implemented in a systematic fashion and in accordance with the Licensing conditions.

- o **VMP Zone 2(a)** Western edge from 70 Gundagai Street north to the junction of the two creeks (adjacent to the end of Oriana Street). **Private Property**
- o **VMP Zone 2(b)** Southern side of the waterway to the existing pedestrian bridge (edge of VMP Zone 4), and along to the northern edge of VMP Zone 3. **Reserve Area**
- o **VMP Zone 2(c)** Northern side of the waterway to the existing vegetation edge, to VMP Zone 1 to the north/west. **Reserve Area**

### 10.1. Current Status of Vegetation

The vegetation in this area is continually impacted by roosting Flying-foxes and consists extensively of Camphor Laurel (80%). No previous revegetation program has occurred in the area.

### 10.2. Utilisation by Flying-foxes

Zone 2 represents the centre or core of the Coffs Creek Flying-fox Camp.

### 10.3. Objectives

- Weed control management.
- Planting of native species to enhance and promote the layered characteristics of Lowland Rainforest on Floodplain.
- Planting of native species conducive to Flying-fox roosting.
- Establishment of buffer screen plantings.

Picture 8: Arborist Tree Works Private Property VMP Zone 2(a)



Picture 9: Revegetation VMP Zone 2(b)

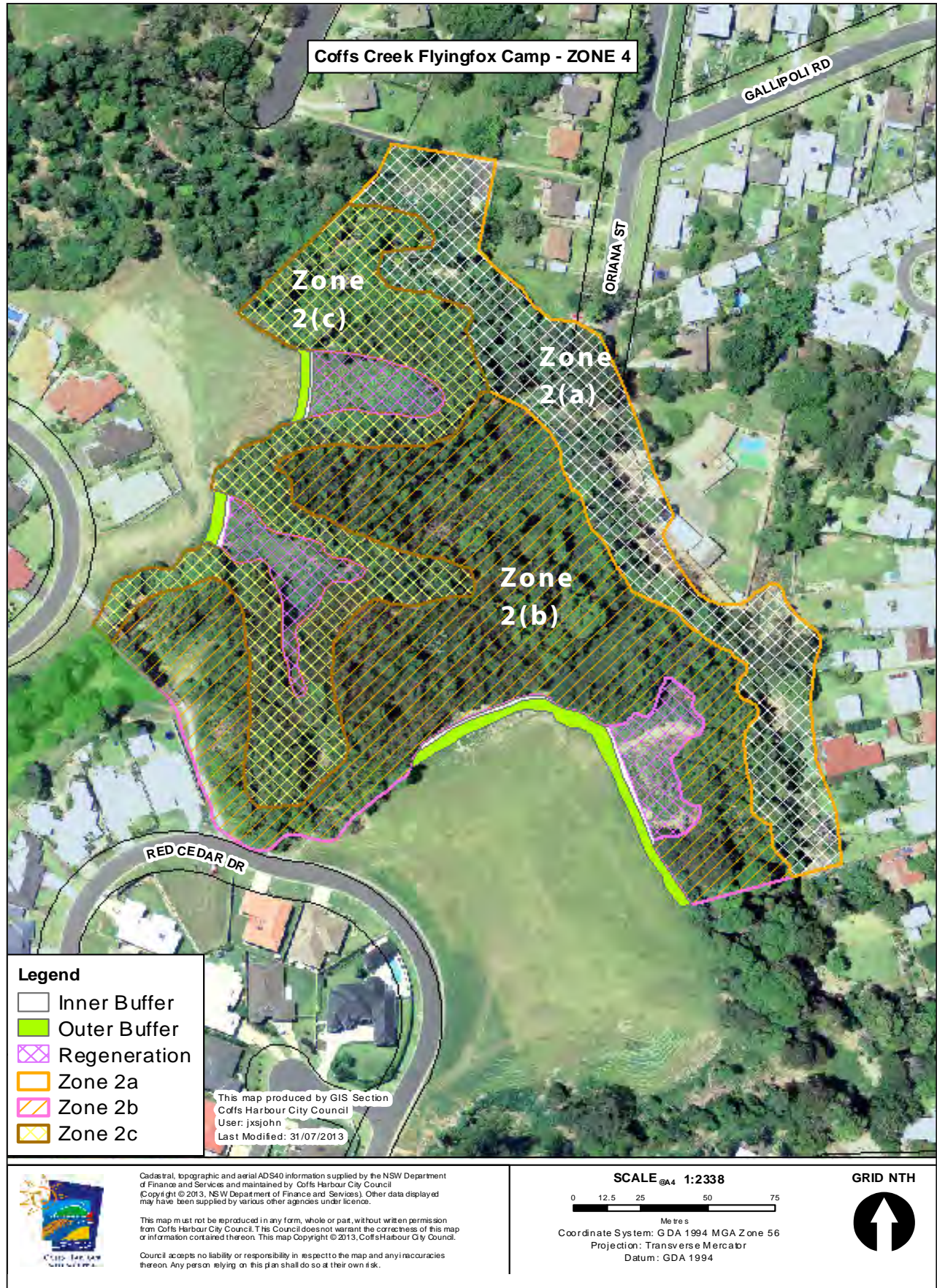






**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

Map 6: VMP Zone 2





### 10.4 Outcomes

Activity	Measure	Onsite Change	Outcome
Reduced weed mass	Percentage weed mass	70% reduction in weed occurrence over the site (figures based on mid/understorey incursions).	Achieved
Establishment of native species in the inner core.	Increased diversity representative of Lowland Rainforest.	Regenerating native understorey/ mid-storey. Supported Canopy development at one to five years of age.	Achieved
Established and maintained buffer screen.	Designated buffers are installed in accordance with the VMP	Dense fenced regrowth is now evident along the designated buffer area down to the foot of the bund wall along the flood mitigation basin.	Achieved
Observable reduction in usable roost area and ground storey weed mass (Gundagai Street ZONE 2a).	Roosting area for Flying-foxes removed on private property.	Flying-foxes are no longer roosting in backyards along Gundagai Street.	Achieved
Rehabilitation of creek bank with low growing and easy to manage species along the Gundagai St boundary (ZONE 2a ONLY)	Area restored to native species.	Four to six metres of riparian area has had Camphor's/ Celtis & other large woody weed species removed. With 650 m <sup>2</sup> planted out with native species with the focus on stabilising the creek bank.	Achieved
75% increase in indigenous natives in the understorey within the inner core of the camp Zone 2(b & c ONLY).	Percentage increase in native species.	Dramatic change in native composition of understorey/ midstorey species.	Achieved
Established and high percentage of survival in the buffer screen plantings.	The survival rates are >80%.	The buffers are now a higher percentage survival rates, estimated at 90% (after initial failures and wallaby predation).	Achieved

### 10.5 Works Program Commitments

Subzone 2(a) Private Property Western edge from 70 Gundagai Street north to the junction of the two creeks (adjacent to the end of Oriana Street).	<ul style="list-style-type: none"> <li>- Camphor Laurel and Chinese Celtis were removal in conjunction with Arborists Works Program.</li> <li>- Understorey weeds were addressed by spot spraying and the riparian area mulched with coarse grade hardwood chips to a minimum depth of 100mm.</li> <li>- Planting of indigenous low growing riparian species in accordance with the VMP'S Inner/ Outer buffer. With residents agreement up to two to four metres of the creek bank was rehabilitated.</li> </ul>
Subzones 2(b) and 2(c) BUFFER Area Weed Control and Restoration Works.	<ul style="list-style-type: none"> <li>- Following the treatment of the weed species, revegetation was undertaken within the areas identified as the Outer Buffer (strip of seven metres) and Inner Buffer (strip of three metres of the newly formed vegetation 'edge'. The limits of which extended to the base of the flood basin bund.</li> <li>- Large camphor's have been removed entirely under arborist program and understorey species control as appropriate.</li> <li>- The areas to be revegetated were mulched with coarse grade hardwood chips to a minimum depth of 100mm.</li> <li>- The buffer planting (creek) adjacent to Red Cedar Drive was undertaken with approx 800 tube stock of riparian species planted at two point five metre centres for canopy species and one metre spacing's with the ground species.</li> <li>- Plants required watering on installation 2008-2010 due to dry weather.</li> <li>- All plants required bagging and staking to minimise damage during follow up maintenance work and reduce wallaby grazing.</li> <li>- Regular spot spraying of weeds has been taking place every eight weeks for the first twoyears and then once every three months until 2012.</li> <li>- Monitoring of plant survival rates was undertaken and losses replaced, heavy initial losses were incurred with Wallaby predation, with the survival rates &lt;10%. The area was been subsequently replanted.</li> </ul>



**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

**10.5 Works Program Commitments...cont**

<p>Subzone 2(c)</p> <p>Southern side of waterway to the existing vegetation edge, and long the western edge of VMP Subzone 2a to Zone 1 on the east.</p>	<ul style="list-style-type: none"> <li>- Large woody weeds treated in accordance with VMP.</li> <li>- Species planted throughout the inner core in accordance with VMP.</li> <li>- The buffer was established with plantings in accordance with VMP and divided into Outer buffer (seven metres) and Inner buffer (three metres) sections.</li> <li>- Selected planting areas have been mulched with coarse grade hardwood chips (minimum size of 20mm x 20mm x 3mm) and to a minimum depth of 100mm.</li> <li>- Regular spot spraying of weeds has occurred around newly established plants and opportunistically in this Zone.</li> </ul>
<p>VMP Subzone 2(b)</p> <p>Inner Core Weed Control &amp; Restoration.</p>	<ul style="list-style-type: none"> <li>- Weed control restricted to understorey and midstorey weeds only and opportunistic with individuals sprayed with herbicide.</li> <li>- Native species protected from spray using targeted techniques.</li> <li>- Any woody weeds greater than one metre (less than three metres) in height have been removed by hand, cut and paint or scrape and paint techniques. Cut branches and saplings shall be left in situ.</li> <li>- Inner core of the camp weed control works focused on establishing a layered vegetation community consistent with 'Lowland Rainforest on Floodplain'.</li> <li>- Any weed control works on the banks of the watercourse were completed using techniques that limited soil disturbance.</li> <li>- The number of Camphor Laurels identified for treatment will be calculated by CHCC and DECC and is dependent on the principle of no net loss of roosting habitat to be greater than 10%. No Camphor Laurels (CANOPY) have been treated under the authorised works program <b>NO CANOPY REMOVAL HAS OCCURRED AS PART OF THIS PROJECT.</b></li> <li>- Hand weeded woody weeds, within a treatment area of approximately 10,000m<sup>2</sup> with 180 hours labour.</li> <li>- Native species used within the restoration process are in accordance with the VMP. Planting has been undertaken as follows                         <ul style="list-style-type: none"> <li>- (1) In areas where the canopy is significantly open, plantings shall take place at two point five metre centres.</li> <li>- (2) In areas where the canopy is relatively intact, plants shall be installed in relation to existing native species and natural regeneration.</li> </ul> </li> <li>- All plants required bagging and staking at the time of installation to minimise damage and exposure and for ease with the follow up and wallaby protection.</li> <li>- The revegetation of two key-hole areas adjacent the camp site.                         <ul style="list-style-type: none"> <li>- (1) The first area is adjacent to the footbridge at Cedar Drive approx 5000m<sup>2</sup> - planted with a total of 1200 mixed riparian rainforest species at two metre centres.</li> <li>- (2) The second area located 100 metres to the north of the footbridge at Red Cedar Drive. This has an area of approximately 2000m<sup>2</sup>. This was planted with a total of 500 riparian rainforest species at two metre centres.</li> </ul> </li> <li>- Both of these areas sustained heavy predation by Swamp Wallabies with the plantings only having approximately a 20% survival rate.</li> </ul>
<p>Maintenance</p>	<ul style="list-style-type: none"> <li>- The buffers are to be maintained through species selection to a maximum height of four metres, and the Inner buffer of twelve metres.</li> <li>- Private property revegetation areas have been handed over to residents to continue maintenance.</li> <li>- Plant survival rates have been monitored and losses replaced where necessary.</li> <li>- Weed control has taken place every eight weeks for the first two years and then once every three months until the end of 2012.</li> </ul>

**10.6 Works Program Summary of Completion (Financial Commitment)**

Sub	Area	Activity	Colour Code	Funding Source	Costing	Schedule	Status
2(a) Priv	unk	1. Weed Control 2. Revegetation	White hatched	Environmental Levy	\$26,478.00	2009	Complete
2(b) Res	1.68ha	Weed Control.	Orange Strip	Environmental Trust	\$15,870	2008	Complete
		Infill planting		Developer funded	\$5,830	2012	
		Buffer Establishment	Purple hatched	Environmental Levy	\$3,835	2010	
2(c) Res	1.42ha	Weed Control.	Yellow Hatched/ Purple hatched	Environmental Trust	\$17,980	2008	Complete
				Environmental Levy	\$3,500	2012	
		Infill planting	Environmental Levy	\$9,222	2012		
		Buffer Establishment	Lime Green	Environmental Trust	\$3,350	2008	
			Environmental Levy	\$2,300	2009		
<b>Expenditure</b>					\$45,335	Environmental Levy	
<b>Expenditure</b>					\$5,830	Developer Contributions	
<b>Expenditure</b>					\$37,200	Environmental Trust	
<b>Total Expenditure</b>					\$88,365		

**Picture 10:** Red Cedar Dr into VMP Zone 2(b)



**Picture 12:** Bridge between Red Cedar Dr & Adelines Way looking into Zone 2(b)



**Picture 11:** Regeneration Area VMP Zone 2(c)





**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

**10.7 Issue Management**

Issue	Area of Responsibility	Resources Allocated
Motor bikes & Lack of compliance signage.	City Services – Parks and Recreational Services	Signs now in reserve & Police notified on issue and details of bikes /owner given to police.
Heavy machinery damage during Arborists works program.	Biodiversity Unit	Machinery affected lawns have been top dressed and damage to private carport has been fixed \$1500.00
Arson issues.	Police, Rural Fire Service and City Services – Parks and Recreational Services	Rangers are aware of issues. More patrols by CHCC, NPWS & NSW Police.
Vandalism of plantings (action/ responsibility).	City Services – Parks and Recreational Services	Fencing resources allocated prior to 2009 Works Program.
State of the Red Cedar Reserve Area; <ul style="list-style-type: none"> <li>- piles of non used mulch a year down the track</li> <li>- grass mowing</li> <li>- edge weed control</li> <li>- buffer planting (timing)</li> </ul>	City Services – Parks and Recreational Services	Maintenance Program Inclusion & 2009 target priorities.
Migration of camp/ as a result of tree poisoning.	City Services	Ongoing monitoring.
Illegal Tree Poisoning; <ul style="list-style-type: none"> <li>- Damage control and active intervention. The repercussions of extensive tree poisoning.</li> <li>- Increased potential and intensity of heat stress.</li> <li>- The product of canopy removal could result in the development of satellite camps throughout the catchment and further afield throughout the LGA.</li> </ul>	Biodiversity and City Services – Parks and Recreational Services	<p><b>RESPONSE</b></p> <ul style="list-style-type: none"> <li>- STOP all Canopy removal under the VMP until further notice.</li> <li>- Media release - offering a reward.</li> <li>- Increased the level of infill planting with fast growing rainforest species.</li> <li>- Complete the buffer plantings to close off the edge of the camp.</li> <li>- Work closely with DECCW to investigate.</li> <li>- Review Management of the site and VMP implementation.</li> <li>- Reassess the status of the VMP. The investigation is ongoing</li> </ul>

**10.8 Coffs Creek Flying-fox Camp Worksite Management (Private Property)**

**10.8.1 Background to Project Site Dispersal to Conduct Works under the Gundagai Street Program 2008.**

Referral to Department of Environment and Climate Change Amendment of Certificate 95 under Threatened Species Conservation Act 1995 to include the following adaptive management approach to disperse flying foxes from current roost sites located entirely within private property (Gundagai Street ONLY) as part of the community amelioration. The recommendations and techniques are based on the Department of Environment and Climate Change Flying Fox Camp Management Policy December 2007 Section 6: Disturbing & Relocating Flying fox Camps.

**10.8.2 Techniques of Disturbances & Prior Planning.**

The programmed works were set to commence with the Arborist Works Plan in 26 May 2008. Plan included the controlled dispersal of Flying-foxes currently roosting in tree designated for removal within private property.

The aim of the dispersal was to move Flying-foxes from areas of operation prior to commencement of the arborist works in Gundagai Street. The intent is to encourage the animals to move into the centre or core of the Flying-fox camp. This will lessen the risk of injury to Flying-foxes and potential difficulties in operation. The techniques and procedures described below will be used as part of the works program within the 2a



Subzone ONLY and as a temporary / short term impact currently involving three houses.

The process involved the use of a Mechtric: ECOBLAST rechargeable signal air horn at 115db hand held unit (used at CHCC during emergency drills by Fire Marshals)

- CHCC Officer will be located within 10 metres of roosting Flying-foxes when causing disturbance.
- First Initial - three second duration air horn blast and monitor the behaviour of the Flying-foxes in close proximity.
- Secondary - (if required) Two - three second duration air horn blasts.
- Tertiary- (last resort) Three - three second duration air horn blasts monitor the behaviour of the Flying-foxes.
- The disturbance will occur during the operational period of the arborists works program within close proximity of the camp but remaining on private property at this stage. Trees within the residential area are currently being used by Flying-foxes as roost areas. The disturbance shall result in Flying-foxes moving from private property to the adjacent reserve. Disturbance periods will not extend beyond three days and will be subject to review of techniques each day.

- This type of disturbance has been approved by CHCC and will be low impact on the community. A process of notification from the working group to the community via newsletter will occur prior to commencement of works.
- CHCC will be responsible for the disturbance with no participation of the general public. DECC officers will be present during the initial trial and will approve methods and level of impact as part of this process.
- WIRES officers will also be present to monitor the disturbance of the private property roost areas prior to works commencing.

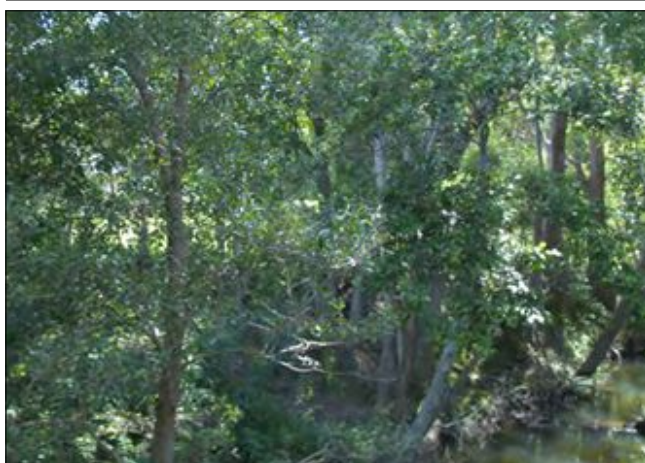
**10.8.3 Implementation of dispersal**

Technique was not required as the Coffs Creek Flying-fox Camp was empty during the winter Arborist Works Program.

**Picture 13:** Spillway in VMP Zone 2(b)



**Picture 14:** Adelines Way side near bridge in VMP Zone 2(c)



**Picture 15:** Flying-foxes in poisoned in Zone 2(c)





## 11. VMP Zone 3

Zone 3 is located from the southern edge of Zone 2, following the watercourse south to Red Cedar Drive and incorporates the existing managed floodway, which is currently maintained as a mown area.

### 11.1. Current Status of Vegetation:

The native vegetation is limited <25% of remaining canopy cover, the residual was dominated by Camphor Laurel. The works undertaken in this zone will link up with proposed revegetation works occurring within Zone 2.

### 11.2. Utilisation by Flying-foxes

Zone 3 is thin strip of riparian vegetation, which is fragmented by the flood spillway. The area will never be suitable for roost provisions due to proximity to residential properties.

### 11.3. Objectives

- Weed control management;
- Planting of native species, and
- Establishment of buffer screen plantings.

Picture 16: Zone 3(a) to spillway



### 11.4 Outcomes

Activity	Measure	Onsite Change	Outcome
Reduced weed mass	Percentage weed mass	Reduction of 92% weed mass on site.	Achieved
Establishment of native species	Percentage of native Rainforest Species.	Increased native species diversity onsite and increased riparian vegetation width of the creek.	Achieved
Establishment of buffer screens	In accordance with VMP buffers	Buffers established, creating a thicker edge transition from VMP Zone 3 to Zone 2.	Achieved

### 11.5 Works Program Commitments

Weed Control Works	<ul style="list-style-type: none"> <li>- Selected Camphor Laurel and Celtis removal was undertaken throughout this zone over a three year period to ensure gradual exposure of residual native species.</li> <li>- Any woody weeds that are greater than four metres in height shall be removed completely under an arborist program for this zone.</li> <li>- Residual weeds (ground/midstorey) involved spraying or treated by cut and paint, or scrape and paint techniques.</li> <li>- Where native seedlings were present a 10- 20 centimetre buffer was left unsprayed (due to their sensitivity to Glyphosate) and hand weeding occurred.</li> <li>- This entire area shall then be mulched with coarse grade hardwood chips (minimum size of 20mm x 20mm x 3mm) and to a minimum depth of 100mm.</li> </ul>
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Map 7: Zone 3 with subzones (a & b)





**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

**11.5 Works Program Commitments....cont**

Revegetation Works	<ul style="list-style-type: none"> <li>- Revegetation work has occurred from the toe of the floodway bank to aid in maintaining bank stability, reduce further weed incursion and provide a natural formed mowing edge.</li> <li>- Planting was conducted at two point five metre centres along;                         <ul style="list-style-type: none"> <li>- (1) the 'edge' of the bund,</li> <li>- (2) as infill planting were native remnant vegetation existed, and</li> <li>- (3) complete areas of restoration were weed removal had occurred.</li> </ul> </li> <li>- Rainforest species were planted with a slow release fertiliser and water retention crystals.</li> <li>- Plants were bagging and staking at the time of installation to minimise exposure, provide for ease of follow up work and wallaby predation.</li> </ul>
Maintenance	<ul style="list-style-type: none"> <li>- Regular spot spraying of any opportunistic weeds in this zone was conducted every eight weeks for the first two years and then once every three months until October 2012.</li> <li>- Where native seedlings are present a ten to twenty centimetre area around them is to be left unsprayed (due to their sensitivity to Glyphosate) and periodic hand weeding used to ensure no secondary poisoning.</li> <li>- Existing management practices of maintaining mown areas on the flood mitigation basin shall continue.</li> </ul>

**11.6 Works Program Summary of Completion (Financial Commitment).**

Sub	Area	Activity	Colour Code	Funding Source	Costing	Schedule	Status
3(a)		Arborist Works Program	Dark Purple	Environmental levy	\$10,000	2008	Complete
		Revegetation		Environmental levy	\$6,344	2008	Complete
3(b)		Arborist Works (three year program)	Dark Purple	Environmental levy	\$10,640	2007-2009	Complete
		Establish buffers	Lime Green	Environmental levy	\$4,917	2008	Complete
		Initial Target Weed Control (follow up required)	Dark Purple	Environmental levy	\$5,500	2012	Ongoing
		Infill planting		Environmental levy	\$750	2009	Complete
		Maintenance		Environmental levy	\$881	2012	Ongoing
		Restoration		Environmental levy	\$300	2008	Complete
<b>Expenditure</b>					\$39,332	Environmental levy	
<b>Total Expenditure</b>					\$39,332		

**11.7 Management Issues**

Issue	Area of Responsibility	Resources Allocated
Access by heavy machinery (mowing etc) Ongoing disturbance of Flying-foxes due to maintenance operations and flood mitigation work.	Strategy and Sustainability Biodiversity Unit	De-sensitising process for the Flying-foxes in relation to heavy machinery operation. Restriction of access into camp area with reduction of mowing practice. Supervising ecologist assigned to activities likely to disturb Flying-foxes.



## 12. Zone 4

The Zone 4 is approximately two point eight hectares and runs from below the south west corner of the main camp (pedestrian bridge) following the watercourse to Shepherds Lane.

### 2.1. Current Status of Vegetation

Zone 4 has had considerable weed and upper canopy removal as part of the Habitat Improvement Program.

### 12.2. Utilisation by Flying-foxes

Zone 4 is very thin and is limited to a few remaining native mature trees. Not known to be used as roosting area for Flying-foxes.

### 12.3. Objectives

- Ongoing weed control management as part of the habitat improvement program.
- Planting of native species.
- Riparian restoration – planting and water quality protection.

### 12.4 Outcomes

Activity	Measure	Onsite Change	Outcome
Reduced weed mass	Percentage weed cover	Weed mass reduction 70% over 5 years, decreasing with emerging canopy cover.	Achieved – improving with maintenance.
Establishment of native species	Number of natives	Extensive planting of rainforest species, with increased vegetative buffer on creek. The emerging canopy is now reducing water temperature leading in increasing macro-invertebrates.	Achieved
Establishment of riparian vegetation and improved water quality			Achieved

### 12.5 Works Program Commitments

Weed Work	<ul style="list-style-type: none"> <li>- Initial weed control works have been undertaken in this one with the removal and treatment of ALL mature Camphor Laurels. The trees have been removed completely with only stumps remaining along the creek bank.</li> <li>- Follow up weed control works have been undertaken targeting poisoning of Camphor Laurel stumps.</li> <li>- Initial work shall require the spraying of all grass/ understorey weed species along the bank.</li> <li>- This area was then mulched with coarse grade hardwood chips (minimum size of 20mm x 20mm x 3mm) and to a minimum depth of 100mm.</li> </ul>
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Picture 17: Behind houses Zone 4



Picture 18: Zone 4 off Donn-Patterson







**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

Map 8: Zone 4





### 12.5 Works Program Commitments... cont

Revegetation Works	<ul style="list-style-type: none"> <li>- A mix of 2300 rainforest species have been planted at two point five metre centres:</li> <li>- Tree are planted with a slow release fertiliser and water retention crystals.</li> <li>- Plants were bagged and staked at the time of installation to minimise exposure and to facilitate follow up work.</li> <li>- Planting along the bank of the flood mitigation basin (behind the dwellings in Moreton Bay Drive) was undertaken with low growing native species.</li> </ul>
Maintenance Works Program	<ul style="list-style-type: none"> <li>- Revegetation areas required regular spot spraying of weeds due to the .</li> <li>- Follow up works will continue spraying of opportunistic weeds.</li> <li>- Monitoring of plant survival rates was undertaken and losses replaced where necessary.</li> </ul>

### 12.6 Works Program Summary of Completion (Financial Commitment).

Sub	Area	Activity	Colour Code	Funding Source	Costing	Schedule	Status
4	5.02ha	1) Ongoing weed control 2) Infill planting 3) Planting visual buffer	Green	Developer funded	\$24,931		Complete
				Environmental Trust	\$2,000		
				Environmental Levy	\$4,730		
<b>Expenditure</b>					\$4,730	Environmental Levy	
<b>Expenditure</b>					\$24,931	Developer Contributions	
<b>Expenditure</b>					\$2,000	Environmental Trust	
<b>Total Expenditure</b>					\$31,661		

### 12.7 Management Issues

Issue	Area of Responsibility	Resources Allocated
None	not required	not required

Picture 19: Zone 4 off Donn-Patterson




**Biodiversity Action Strategy  
COFFS CREEK FLYING-FOX CAMP FINAL REPORT**

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## **Coffs Harbour City Council**

Administration Building 2 Castle Street Coffs Harbour

Locked Bag 155, Coffs Harbour 2450  
phone: (02) 6648 4000  
Fax: (02) 6648 4199  
email: [coffs.council@chcc.nsw.gov.au](mailto:coffs.council@chcc.nsw.gov.au)  
web: [www.coffsharbour.nsw.com.au](http://www.coffsharbour.nsw.com.au)







## REPORT TO ORDINARY COUNCIL MEETING

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### FREEDOM OF ENTRY TO THE CITY OF COFFS HARBOUR - ROYAL AUSTRALIAN NAVY 725 SQUADRON

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<b>REPORTING OFFICER:</b>	Community Services Manager
<b>DIRECTOR:</b>	Director, Sustainable Communities
<b>COFFS HARBOUR 2030:</b>	Looking After our Community LC1.1 Build Pride and identity in Coffs Harbour as a community and a place LC1.4 Promote a caring, inclusive and cohesive community LC3.2 Engage the community and other levels of government in securing outcomes
<b>ATTACHMENTS:</b>	Nil

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#### Recommendation:

**That Council notes the interest and, under the signature of the Mayor, invites the Royal Australian Navy 725 Squadron to be granted Freedom of Entry to the City of Coffs Harbour.**

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### EXECUTIVE SUMMARY

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At its meeting of the 12 March 2015, Council resolved to adopt the Royal Australian Navy (RAN) 725 Squadron.

The 725 Squadron is based at the Naval Air Station at Nowra and in June 2015, Council representatives attended the re-commissioning ceremony for the squadron.

At the time of adopting the squadron, discussions had indicated a desire for the 725 Squadron personnel to support ANZAC services, community initiatives and, at a future date, Council consider granting the Freedom of Entry to the City of Coffs Harbour.

A further request to participate in the Freedom of Entry was made by the 725 Squadron representatives at the re-commissioning in June and this has recently been followed up by initial discussions with staff.

This report seeks to inform Council of this request, outlines details surrounding this event and the associated resourcing implications.

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**REPORT**

**Description of Item:**

To advise Council of the recent request from the Royal Australian Navy 725 Squadron for Freedom of Entry to the City of Coffs Harbour.

**Issues:**

The Freedom of Entry to the City is a traditional ceremonial activity which involves a formal sequence of events.

Typically this would include; RAN personnel form up in an assembly area, inspection and official proceedings, presentation of a freedom of the city scroll, a march/parade by the Squadron then possibly followed by some type of community function. The event normally involves a range of RAN and local dignitaries including the Mayor, elected members and local police as well as community stakeholders. It is also hoped that while the Squadron are in Coffs Harbour they may be able to undertake some local community engagement activities.

Staff are currently negotiating with the RAN regarding the protocols for the event with a view to identifying the particular components of the event which Council would be responsible for.

In relation to resourcing of the event potential indicative costs related to this type of activity are:

Parade road closures & electronic message boards	\$2,000
Contribution to community function	\$1,000
Advertising and promotion	\$1,000
Event set up & sound technician	\$500
Freedom of the City Scroll	\$500
Admin/Incidentals	\$500
<b>Total of Potential Cost</b>	<b>\$5,500</b>

Pending negotiations with RAN and local stakeholders, components of these costs may be able to be shared or provided in kind. The RAN have indicated that they do have a budget allowance for these types of activities.

Timing of the event is currently under negotiation. An initial date of Tuesday 24 November 2015 has been put forward by the RAN. This is currently being assessed in terms of the lead time required to prepare for this event and the availability of the required local dignitaries and stakeholders. It is possible that the event could be deferred until an agreed date in 2016.

**Options:**

The following options are available to Council:

1. That Council support the request to grant Freedom of Entry to the 725 Squadron. This would be in line with Council's recent adoption of the Squadron in March of this year and strengthen this relationship. However this would require an allocation of resources.
2. Reject the request for Freedom of the City to be granted to the 725 Squadron. Rejection may represent some reputational risk to Council in terms of this relationship.
3. Alternatively Council may wish to amend the recommendations and could also choose to postpone this activity until an identified date and make a specific future budget allocation for this purpose. This would also require some risk management in terms of the relationship with the Squadron.



**Sustainability Assessment:**

- **Environment**

There are no environmental issues.

- **Social**

This event provides an opportunity for community members to experience a unique event. Past visits by Defence Force personnel have created community interest and their presence can add resources and enthusiasm to civic events. There is also potential for community engagement activities to occur as part of the visit which would generate broader community benefit.

- **Civic Leadership**

This proposal supports the community aspirations outlined in the 2030 Plan as follows and Council's role as a facilitator and provider in the following:

- To build pride and identity in Coffs Harbour as a community and place
- To promote a caring, inclusive and cohesive community
- Engage the community and other levels of government in securing outcomes

- **Economic**

**Broader Economic Implications**

It is envisaged that economic benefits for the local government area would derive from the expenditure by the Navy personnel during their visit. There is also a degree of potential tourist visitation that could occur as a result of this event.

**Delivery Program/Operational Plan Implications**

It is estimated that that this event will cost Council in the order of \$5,500 which will be met within existing budgets.

Negotiations are currently underway with RAN regarding protocols, expectations and budget for this activity. This allocation would be made with the view that wherever possible costs could be shared with RAN and local stakeholders to reduce any financial impact.

**Risk Analysis:**

Given that Council has only recently adopted the 725 Squadron there may be some reputational risk should we not proceed in engaging in this activity.

A more detailed risk assessment for the event itself would be undertaken by staff prior to the event and once further detailed information on the proceedings is obtained.

**Consultation:**

To date initial consultation has occurred with RAN Senior Officers.

Pending Council endorsement further consultation would be undertaken with local community stakeholders and dignitaries.

**Related Policy, Precedents and / or Statutory Requirements:**

In 2005, Council adopted the previous 805 Navy Squadron who have since been de-commissioned. They were granted Freedom of Entry to the City as part of a welcome parade and civic event in 2006. Prior to this, Council has also granted Freedom of Entry to the Local 41<sup>st</sup> Battalion, Royal New South Wales Regiment.

**Implementation Date / Priority:**

Should Council agree to proceed with granting Freedom of the City, a formal letter of invitation would immediately be sent under the signature of the Mayor.

Council staff are currently in negotiation with RAN to confirm a date for the event. The 24 November 2015 has initially been nominated by the RAN and this is being assessed in terms of the required lead time for the event. It is also possible that the event could be postponed to an agreed date in 2016.

**Conclusion:**

Given the recent adoption of the squadron and that Council has traditionally undertaken this activity with past Defence Force units, it is recommended that Council proceeds with plans to grant the 725 Squadron Freedom of Entry to the City of Coffs Harbour.



## REPORT TO ORDINARY COUNCIL MEETING

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### ALCOHOL FREE ZONES RE-ESTABLISHMENT

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<b>REPORTING OFFICER:</b>	Senior Technical Officer - Parks
<b>DIRECTOR:</b>	Director Sustainable Infrastructure
<b>COFFS HARBOUR 2030:</b>	LC1.3 Promote a safe community LC 1.4 Promote a caring, inclusive and cohesive community LC 2.1 Promote healthy living PL 2.2 Provide public spaces and facilities that are accessible and safe for all
<b>ATTACHMENTS:</b>	ATT Location Maps showing proposed AFZ renewal 2015

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#### Recommendation:

##### That Council re-establish:

1. All existing Alcohol Free Zones (excluding any areas operating under a Council Outdoor Dining Licence) for a further period of four years to 30 September 2019 pursuant to the provisions of Section 644 of the Local Government Act as indicated on Maps 1–11.
2. The 24 hour Special Event Alcohol Free Zones for the Coffs Harbour Gold Cup Race Day for a further period of four years to 30 September 2019 pursuant to the provisions of Section 644 of the Local Government Act as indicated on Map 5.

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### EXECUTIVE SUMMARY

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The purpose of this report is to:

1. Detail the outcome of the community and stakeholder consultation in relation to the reestablishment of the Alcohol Free Zones throughout the City and to;
2. Recommend their establishment for a further four year period, commencing 30 September 2015.

The current Alcohol Free Zones are enforceable to 30 September 2015. Council has prepared a proposal in relation to the re-establishment of the existing Alcohol Free Zones. The proposal has been advertised in local newspapers and placed on the Council website. Consultation has been undertaken with the Coffs Clarence Local Area Command, licensed premises, the Coffs Harbour District Local Aboriginal Land Council and multicultural groups in accord with the requirements of the Local Government Act 1993.

Two submissions were received, both in favour of re-establishing the Alcohol Free Zone's.

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## **REPORT**

### **Description of Item:**

#### **Alcohol Free Zones**

Alcohol Free Zones are established under s644 of the Local Government Act (LGA) 1993 to prohibit the consumption of alcohol on public roads and car parks. The establishment and continued operation of the Alcohol Free Zones is one of the principal harm minimisation strategies employed by local Councils and Police to reduce the effect on the community of alcohol related issues. Alcohol Free Zones operate for periods not exceeding four years or for a lesser period in the case of a zone established for a special event. The current Alcohol Free Zones are enforceable to September 2015.

Council is considering the re-establishment of the existing Alcohol Free Zones for another four years. The NSW Police have conducted an evaluation of the effectiveness of the AFZ's in managing alcohol related anti-social behaviour and have concluded that they are an effective tool in reducing the extent and severity of incidences.

It is therefore proposed to reestablish all existing AFZ's (including the Howard Street Special Event AFZ for the Coffs Cup race day) for a further four year period.

Maps are attached that show Alcohol Free Zones proposed for reestablishment.

Alcohol Free Zones do not affect outdoor dining operations provided that restaurants or cafes have an Outdoor Dining License approved by Council under the Roads Act 1993.

### **Issues:**

Council re-establishing the existing Alcohol Free Zones will benefit the local community, businesses and tourists and enhance the livability of Coffs Harbour.

Police have noted the success of the existing Alcohol Free Zones in reducing alcohol related crime and anti-social behaviour, but have indicated that alcohol remains a factor in the existing Alcohol Free Zones for crime such as assault, malicious damage and anti-social behaviour.

It is considered appropriate to re-establish the existing Alcohol Free Zones based on recommendations from the Police to provide a deterrent to anti-social behaviour and alcohol related crime and to enable the seizure and disposal of alcohol from persons who choose to consume alcohol on the street.

### **Options:**

Options available to Council in this matter are:

1. Adopt the recommendation provided to Council to reestablish the AFZ's.
2. Reject the recommendation, however failure to reestablish the AFZ's may see an increase in the incidence of street drinking and anti-social behavior with subsequent negative impacts on the community.

### **Sustainability Assessment:**

- **Environment**

No negative environmental concerns will occur as a result of extending the alcohol controls.

Problems associated with alcohol consumption on public roads and car parks include underage drinking, excessive noise, unsafe driving, litter, vandalism, break and enters which convert to a significant cost to the whole community.

- **Social**

Alcohol consumption on public roads and car parks has resulted in the congregation of intoxicated persons including underage drinkers. Drinkers' anti-social behaviour has been reported to impinge on nearby local residents and retail businesses. Alcohol Free Zones have a positive impact by maintaining local amenities for all residents and safeguarding patrons' unimpeded access to business venues.

- **Civic Leadership**

This proposal works towards achieving the outcomes identified within the Coffs Harbour 2030 Strategic Plan and is directly connected to the themes "Places for Living" and "Looking after our Community". The proposal will assist in ensuring that:

- We promote healthy living and safe communities; and
- We protect and expand public spaces and facilities and ensure they are accessible and safe for all.

These areas are identified as outcomes/objectives in the 2030 Plan and Council is specified as both provider and facilitator and additionally, in the case of safe communities, an advocate.

- **Economic**

**Broader Economic Implications**

Tourism is a significant economic driver for Coffs Harbour. A reduction in alcohol fuelled violence and other anti-social behaviour within our public spaces will increase Coffs Harbour's appeal as a destination for visitors. Reducing the need to deploy limited Police resources on managing alcohol fuelled violence and reducing injuries to police officers will improve local policing outcomes.

Alcohol abuse and associated crime have a negative impact upon the greater community and are detrimental to the economic development of an area, particularly one that relies upon retail trade. Alcohol Free Zones assist the Police in reducing the negative impact of the alcohol abuse.

**Delivery Program/Operational Plan Implications**

The cost of installing new and replacement notices will be absorbed within current and future programs. Costs are estimated to be \$2000.

**Risk Analysis:**

There are no perceived risks from the reestablishment of the AFZ's.

The risks associated with having no AFZ's in place are an increase in alcohol fueled violence and anti-social behavior, assault and malicious damage, negatively impacting on the Coffs Harbour community and affecting retail trade and tourism. AFZ's provide a deterrent to anti-social behaviour and alcohol related crime and enable the seizure and disposal of alcohol from persons who choose to consume alcohol on the street

**Consultation:**

The Police have confirmed their support for the re-establishment of the Alcohol Free Zones throughout the City.

Liquor licensees adjacent to existing Alcohol Free Zones were invited to comment on these proposals. This invitation was also extended to the Aboriginal Lands Council and other ethnic groups including the Sikh community and those represented on Council's Multicultural Reference Group.

A newspaper advertisement was arranged to invite comments from the community on the proposal for Council's consideration.

No objections have been received and two submissions were received in support of the proposal.

**Related Policy, Precedents and / or Statutory Requirements:**

Alcohol Free Zones have been established in various areas of the City since 1996.

Council resolved on 21 June 2007 to create a 24 hour Special Event Alcohol Free Zone for the Coffs Harbour Gold Cup Race Day that operates each year in line with the existing Alcohol Free Zones. The Police have confirmed their support for this arrangement to continue.

Under Sections 644 and 646 of the Local Government Act (LGA) 1993, Council is bound to prepare a proposal, undertake public consultation, and provide notification to liquor licensees and representatives of ethnic groups. After complying with these procedures, Council may, by resolution, adopt the proposals. Seven days public notice, by advertisement, must be given prior to effecting the resolution

**Implementation Date / Priority:**

Notices will be installed as soon as possible, and in accordance with legislative requirements, following Council approval by resolution.

**Conclusion:**

Council, with the support of the Coffs Clarence Local Area Command, has had AFZ's in place for many years and they appear to be well accepted and supported by the community and retailers. Council received only two submissions during the exhibition period suggesting that the community were satisfied with the proposal to reestablish the AFZ'S. It is recommended that the AFZ's be reestablished, as exhibited.

Attachment

Location Maps showing Proposed AFZ renewal 2015

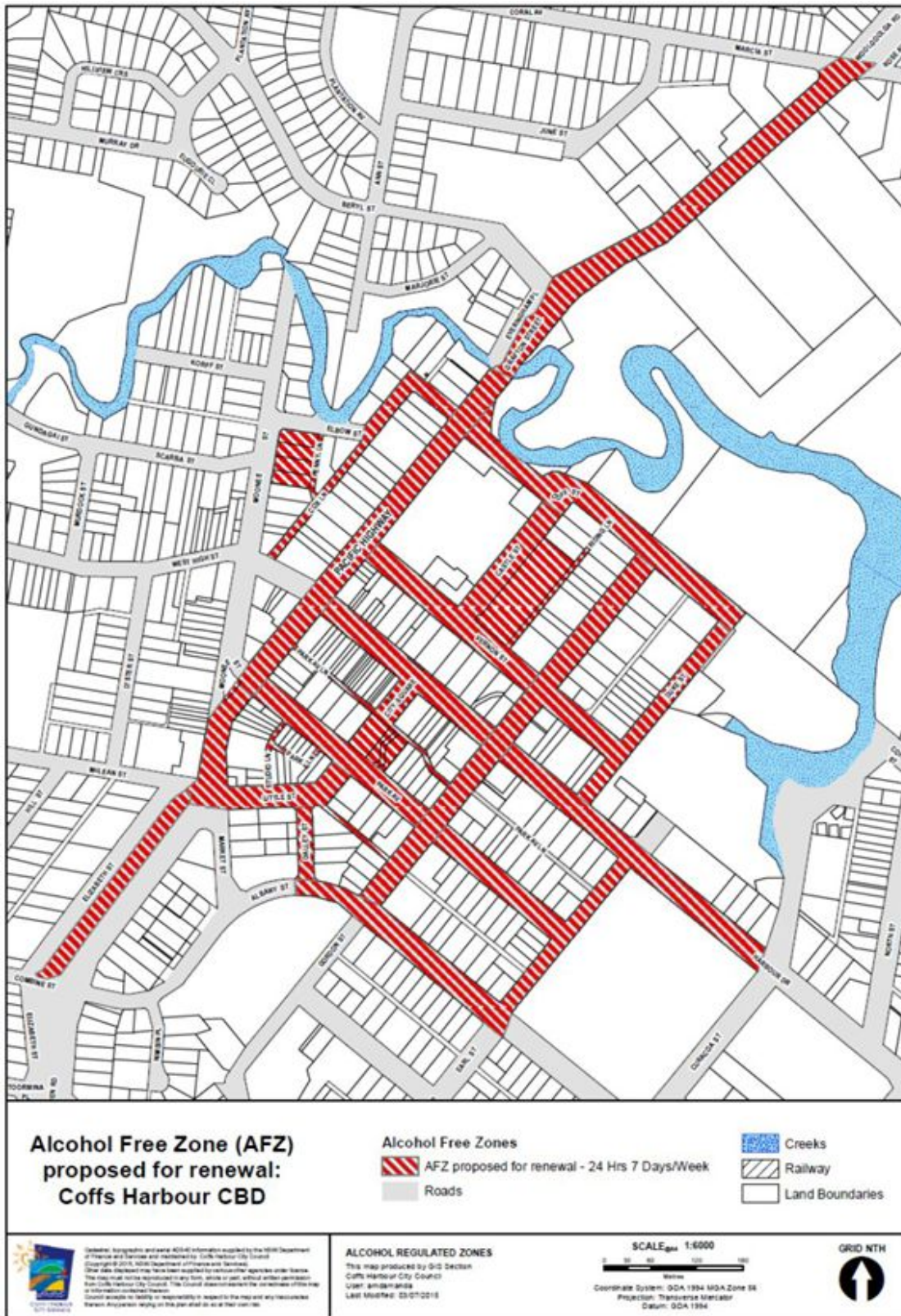
Map 1 - Sawtell





Attachment

Map 2 - Coffs Harbour CBD





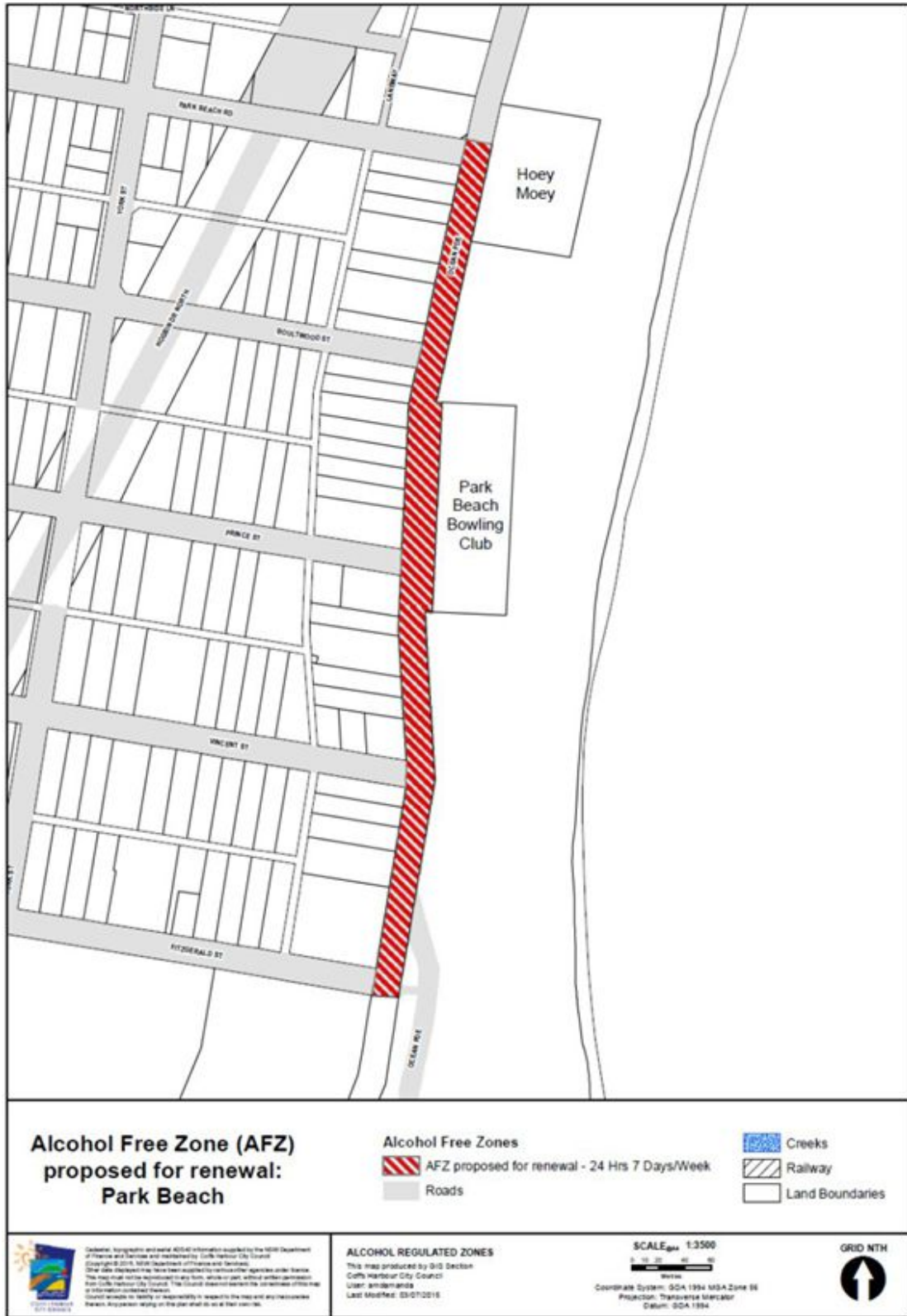
Attachment

Map 3 - Jetty Foreshores



Attachment

Map 4 - Park Beach (along Ocean Parade)



Attachment

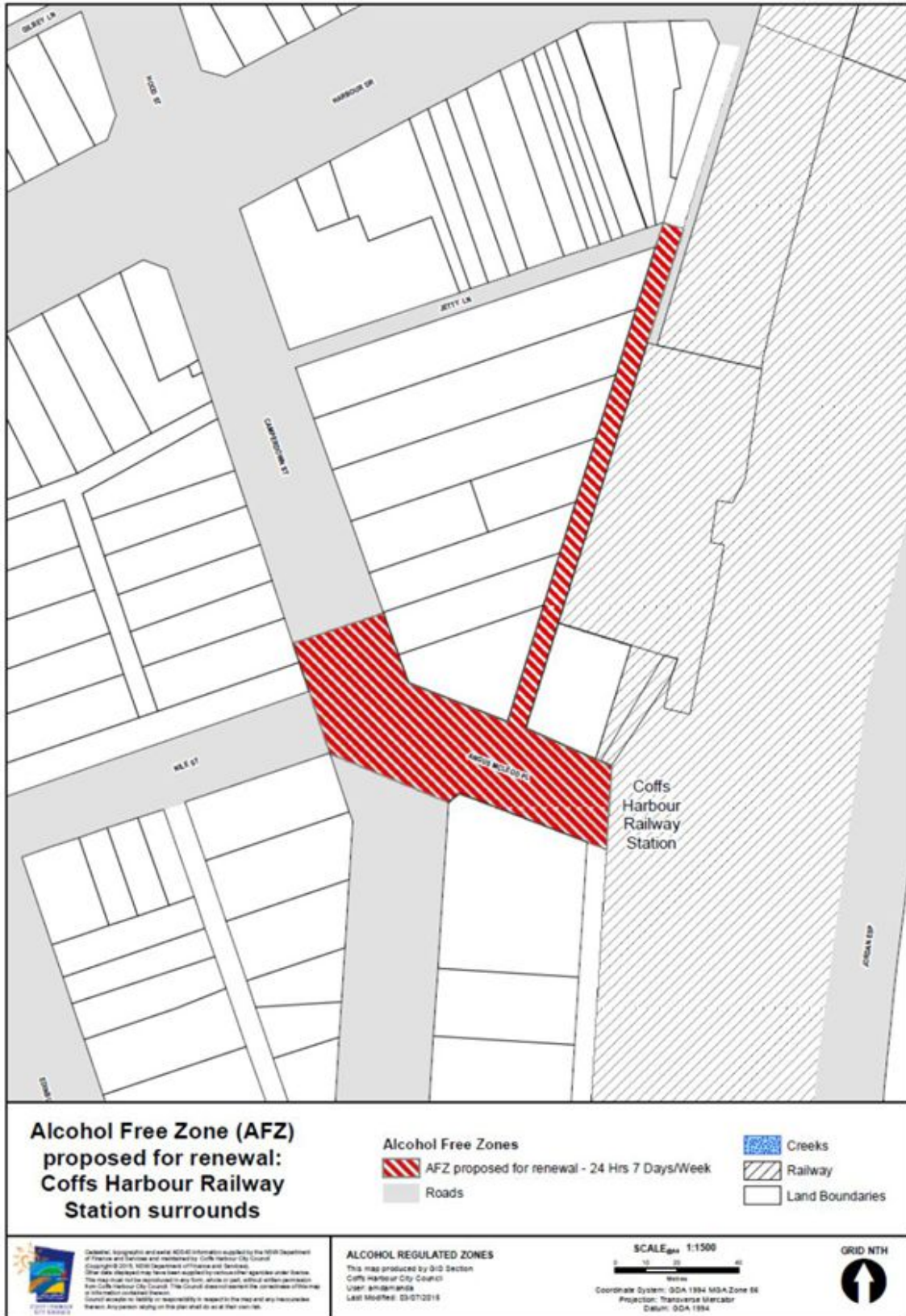
Map 5 - Howard Street





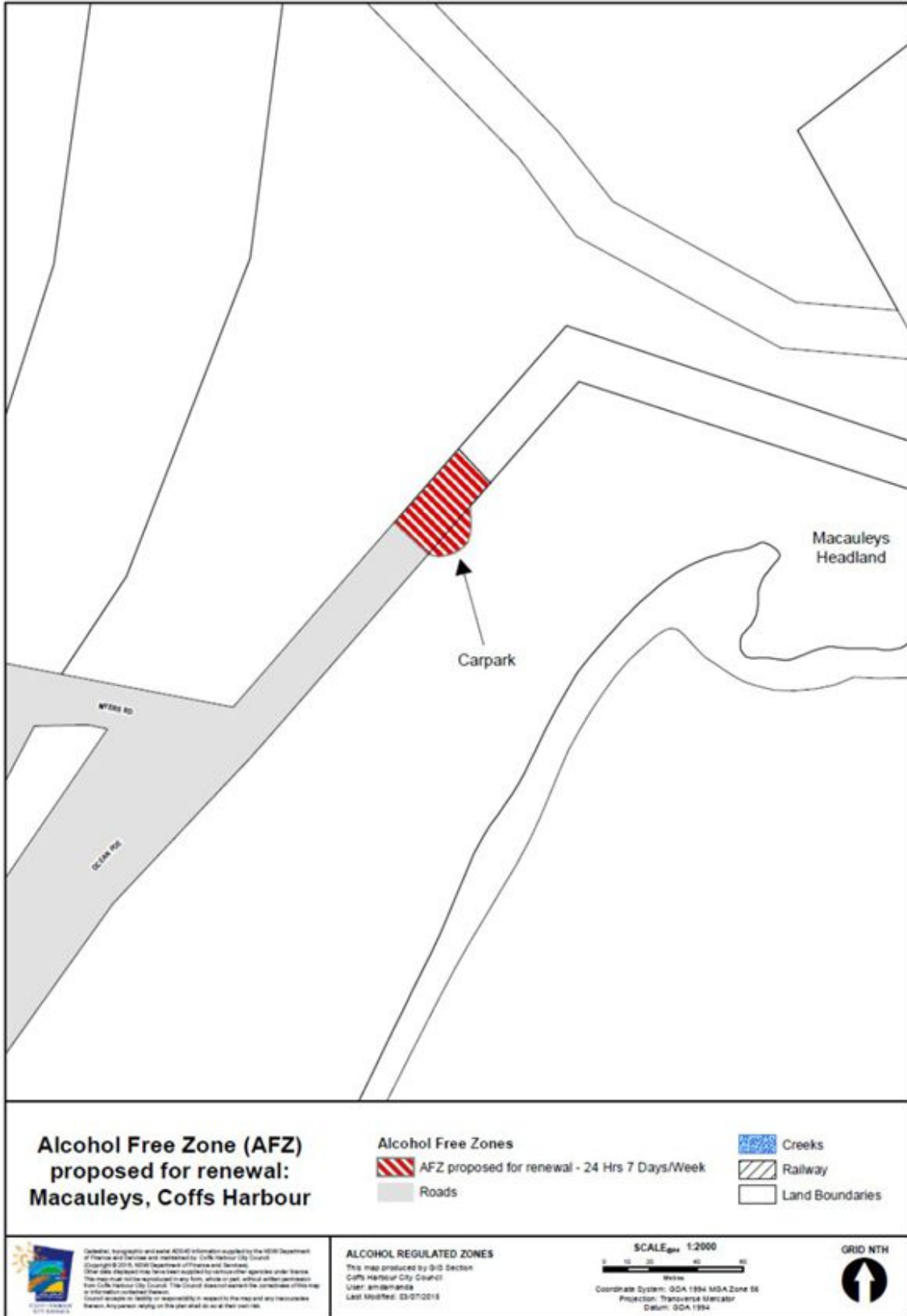
Attachment

Map 6 – Coffs Harbour Railway Station (and surrounds)



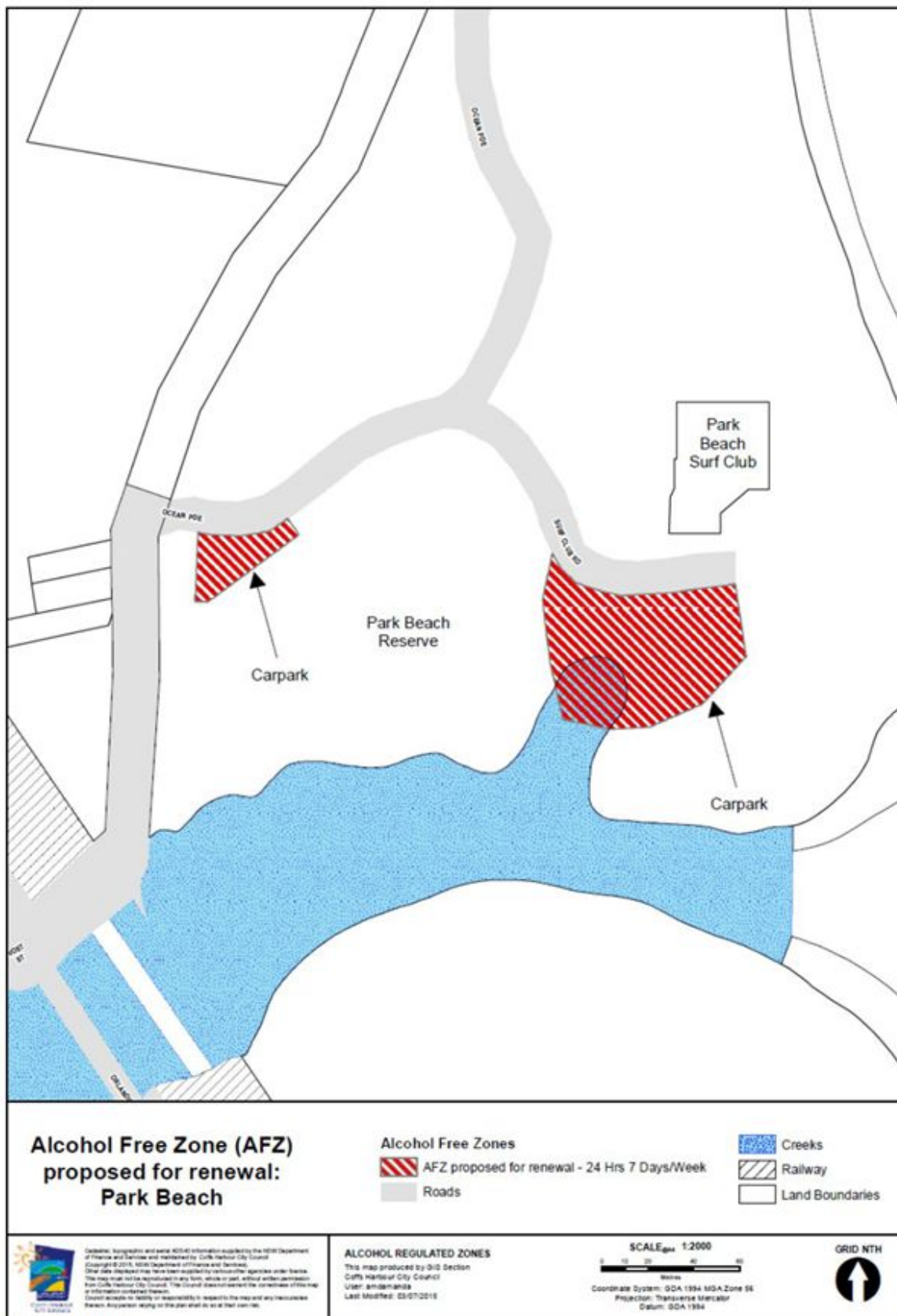
Attachment

Map 7 – Macauleys Headland Carpark



Attachment

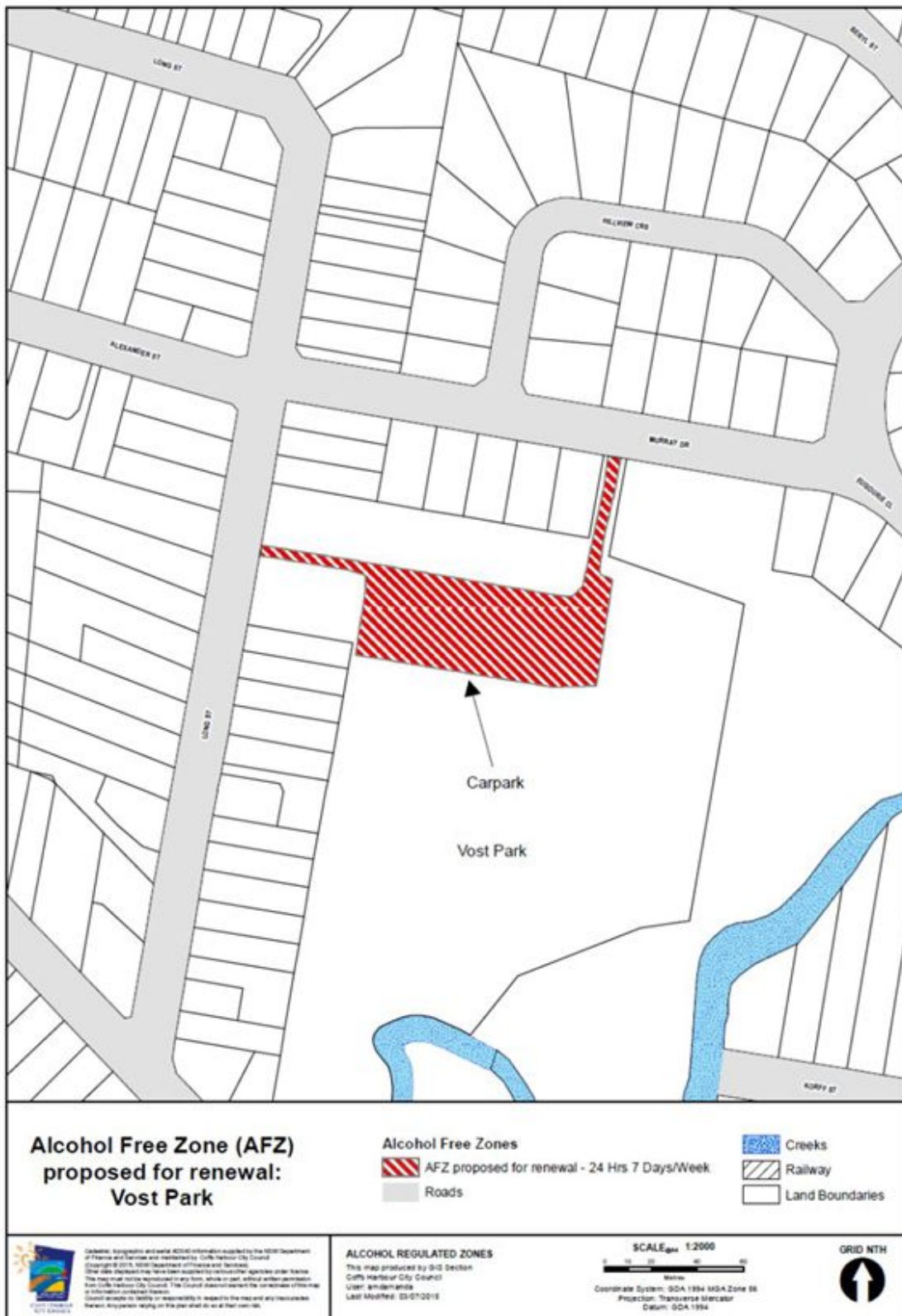
Map 8 – Park Beach Carparks





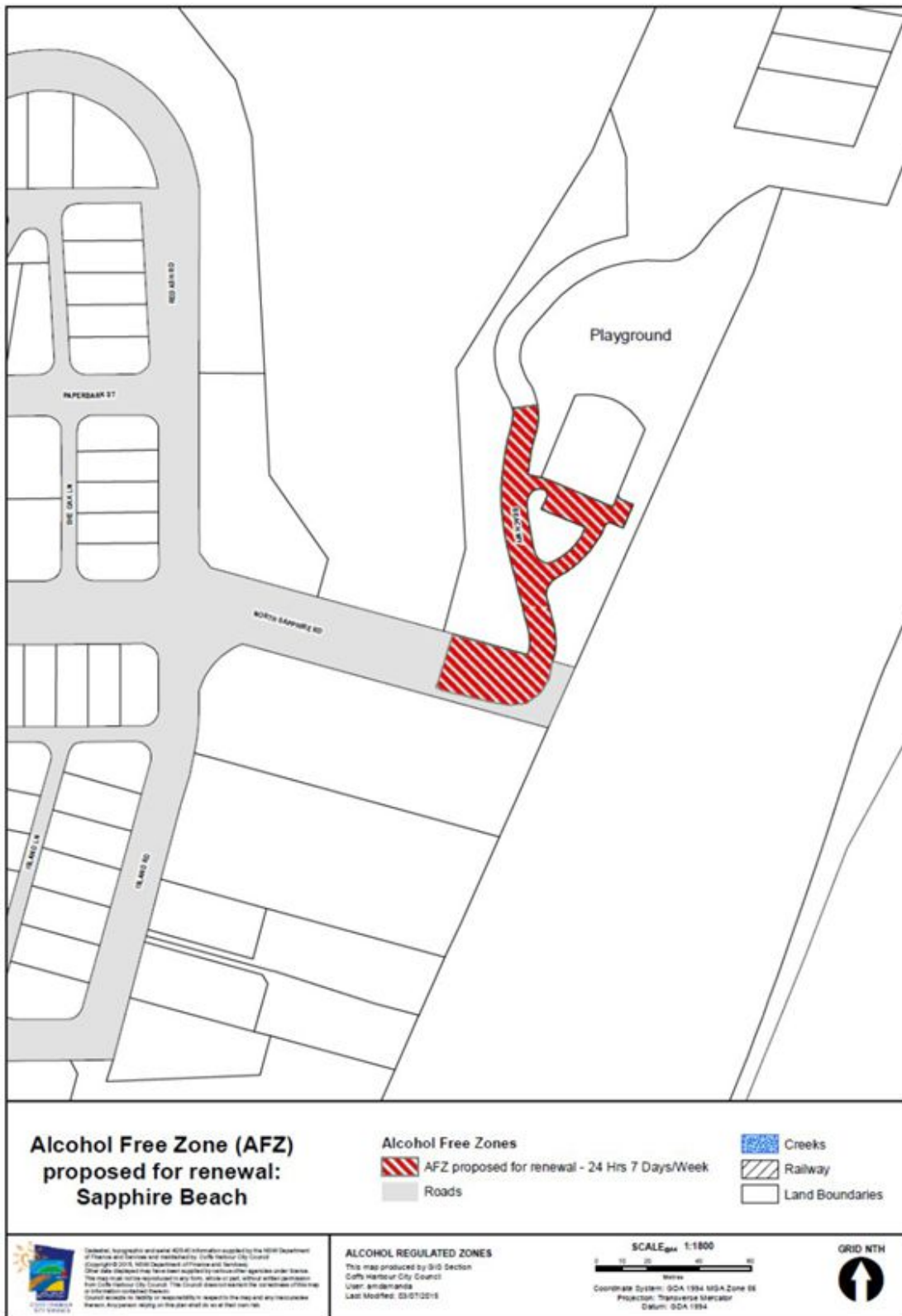
Attachment

Map 9 – Vost Park carpark, Coffs Harbour



Attachment

Map 10 – Beachfront Park carpark (Reserve No. 25), Sapphire





Map 11 – Woolgoolga





## REPORT TO ORDINARY COUNCIL MEETING

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### TRAFFIC COMMITTEE NO. 4/2015

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**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 4/2015 held 20 August 2015.  
ATT2 Traffic Instruments - Traffic Committee 4/2015

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#### Recommendation:

**T.37 – Sandy Beach Public School Saye Close Sandy Beach Extension of School Bus Zone** R.506560, 5654445

1. That no action be taken to extend the school Bus Zone in Saye Close, Sandy Beach north to 44m.
2. That approval be given to extend the No Parking zone Saye Close, Sandy Beach to 64m as per plan T.37-2015.

**T.38 - Castle Street, Coffs Harbour - Additional Accessible Parking Spaces** R.504130, 5645679

That approval be given for the installation of an accessible parking bay, a bollard and 3 nose in motorcycle parking bays in Castle Street, Coffs Harbour, as per plan T.38-2015.

**T.39 - Castle Street Car Park, Castle Street Coffs Harbour - Restricted Parking Zones** R.504130, 5714422

#### Background

That approval be given to install reviewed restricted parking zones and to trial 6 x 30 minute parking bays on level 4 in Castle Street car park, Coffs Harbour, as per plan T.39-2015.

Implementation of the plan is subject to agreement between Council and the CBD Master Plan Committee.

**T.40 - Riding Lane Coffs Harbour – Accessible Parking** R.510590, 5600724

That no action be taken to install 2 accessible parking bays in the small external car park in Riding Lane, Coffs Harbour to replace 3 x 2 hour parking bays.



## REPORT TO ORDINARY COUNCIL MEETING

### **T.41 - Thompsons Road, Coffs Harbour – Parking Issues** R.500530, 5314354

That no action be taken to install a timed No Stopping zone to the northern side of Thompsons Road between the driveways to 96 and 98 Thompsons Road, Coffs Harbour.

### **T.42 - Menindee Circuit, Lakes Estate - No Stopping Zone** 5716893

That no action be taken to install No Stopping along the eastern side of Menindee Circuit, North Boambee Valley.

### **T.43 - Scarba Street Coffs Harbour - Bus Shelter** R.505900, 5513624

That approval be given to lengthen the existing bus zone adjacent 12 – 14 Scarba Street, Coffs Harbour to a total length of 22m (west) and removal of time restrictions for the bus zone as per plan T.43-2015.

### **T.44 - Queen Street Woolgoolga - Parking Times** R.508860, 5651771

That approval be given to install 2 hour timed (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) parking spaces on the east side of the Queen Street, between Beach and Market Street shopping precinct, Woolgoolga, as per plan T.44-2015.

### **T.45 - Curacoa Street/ Coff Street Coffs Harbour - Traffic Issues** R.504200,R.504300, 5538707

That no action be taken to install a No Stopping zone opposite 29 Curacoa Street, Coffs Harbour.

### **T.46 - Lyster Street Coffs Harbour - Signage** R.505120, 5694964

That approval be given for the replacement of the No Parking, Police Vehicles Excepted and Loading zones with a timed (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) 2 hour parking zone ending at the driveway to the former police station Lyster Street Coffs Harbour, as per plan T.46-2015.

### **T.47 - Ocean Parade Coffs Harbour - Traffic Issues,** R.505540, 5340920

That no action be taken to install broken centre line to delineate path of travel in Ocean Parade, Coffs Harbour.



## REPORT TO ORDINARY COUNCIL MEETING

### **T.48 - Temporary Road Closure 26th September 2015 Woolgoolga Curryfest 3576345**

That approval to be given to the temporary road closure between 5.00am to 7.00pm of the following roads:

- Beach Street from Wharf Street to Carrington Street, Woolgoolga
- Queen Street from Beach Street to Younger Lane, Woolgoolga (approximately 50m)

For the purpose of conducting the Woolgoolga Curryfest on Saturday 26th September 2015 subject to:

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) and parking plan be submitted. The TCP 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. The TCP should be dated and signed by the accredited designer and also include their certificate number and expiry date. All plans to be submitted by 18 September 2015.
- (b) A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting Coffs Harbour City Council as an interested party for the event be submitted by 18 September 2015.
- (c) The organisers to notify affected traders and residents of the road closures.
- (d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (e) The organisers be responsible for all costs associated with the temporary closure clean up, including advertising.
- (f) The organisers to notify emergency services and public transport operators of the road closures.

### **T.49 - NSW Great Endeavour Rally - 26-30 October 2015 5685442**

That approval be given for the use of the following local roads to conduct the NSW Great Endeavour Rally on Monday 26 and Tuesday 27 October 2015, starting and finishing at the Coffs Harbour Showground, subject to RMS and Police agreement.

- a) The organisers and officials complying to 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.
- 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) Participants are to comply with all road rules.



## REPORT TO ORDINARY COUNCIL MEETING

### **T.50 - Coffs Harbour Triathlon Club – Triathlon Season 2015/2016 Events** 5656428

That approval be given for the use of Marina Drive, Harbour Drive, Hogbin Drive, Arthur Street, and Orlando Street, Coffs Harbour, on Sundays every two weeks from 6.30am – 9.30am from 13 September 2015 to 24 April 2016 to conduct the Coffs Harbour Triathlon Club events for the 2015/16 triathlon season subject to the following:

- a) The organisers and officials complying to 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.
- 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) That all affected residents and businesses be notified of the event.

### **T.51 - 2016 BCU Coffs Triathlon Temporary Road Closures - Saturday 5 & Sunday 6 March 2016** 5614276

That approval be given for the following temporary road closures to conduct the Village Sports Fourth Annual BCU Coffs Tri on Saturday 5 March and Sunday 6 March 2016.

#### **Saturday 5 March**

- Jordan Esplanade - Marina Drive roundabout to Camperdown Street 7.00am to 6.30pm
- Jordan Esplanade - Camperdown Street Intersection to the Quarry 2.30pm to 3.15pm
- Jordan Esplanade - Camperdown Street Intersection to the Quarry 3.30pm to 4.15pm

#### **Sunday 6 March**

- Jordan Esplanade 4.30am to 2.00pm
- Harbour Drive - Marina Drive to Salamander Street 5.30am to 11.00am
- Hogbin Drive - Rugby Club to Orlando Street 5.30 am to 11.30am

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

- a) Adverts to warn of traffic delays on all affected roads during the course of the event, particularly access to Hogbin Drive, Harbour Drive and Marina Drive.
- b) The organisers of the event liaise with affected traders and obtain traders approval including the local bus companies.
- c) The organisers are responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- d) The organisers are responsible for all costs associated with the temporary closures, including advertising.





## REPORT TO ORDINARY COUNCIL MEETING

- e) A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted by 18 January 2016.
- f) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) and parking plan be submitted. The TCP 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. The TCP should be dated and signed by the accredited designer and also include their certificate number and expiry date. All plans to be submitted by 18 January 2016.

### T.52 - Temporary Road Closure - Woolgoolga Tri Festival 20 September 2015 - 5555438

That approval be given for the temporary road closure of Beach Street, Woolgoolga between Bultitude Street and Pollack Esplanade from 5.30am and 12.00 noon on Sunday, 20 September 2015.

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

- a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- b) A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted by 18 September 2015.
- c) The organisers to liaise with affected traders and emergency services.
- 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.



## REPORT TO ORDINARY COUNCIL MEETING

### T.53 - Coates Hire Rally Australia 2015 – Various Temporary Road Closures

Council notes temporary road closures and clearways will be installed on local roads for the Coates Hire Rally Australia, the Australian leg of the World Car Rally and a round of the East Coast Bullbars Australian Rally Championship from 10-13 September 2015. The approvals are managed by Transport for NSW and Rally Australia and signed off by the relevant State Minister in accord with the World Rally Act. Rally Australia and Transport for NSW are responsible for advertising all changes to traffic conditions as a result of this event. Further information may be found on their website <http://www.rallyaustralia.com.au/traffic-transport/> or on [www.livetraffic.com](http://www.livetraffic.com).

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### EXECUTIVE SUMMARY

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To confirm Minutes of the informal Traffic Committee Meeting 2/2015.

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## **MINUTES**

### **Local Traffic Committee Meeting**

**20 August 2015**

**VENUE: CR 1 Councils Main Administration Building.**

**TIME: 10.30am – 1.45pm**

**PRESENT:** Paul Meredith, Coffs Harbour City Council  
Anne Shearer, Coffs Harbour City Council  
Robert Fletcher, Coffs Harbour City Council  
Cr Nan Cowling, Coffs Harbour City Council  
Wal Brooks, Coffs Harbour Police  
Gregory Aitken, Roads & Maritime Services  
Linda Makejev, Roads & Maritime Services  
Malcolm Britt, Busways

**APOLOGIES:**  
David Brooks, Coffs Harbour City Council  
Andrew Fraser, Member for Coffs Harbour

Minute Taker: Sally Miles

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 4 June 2015**

**Attachment 1**

**BUSINESS ARISING**

**A. FORMAL ITEMS SECTION (Items for approval by Council under the delegation)**

**T.37 – Sandy Beach Public School Saye Close Sandy Beach Extension of School Bus Zone R.506560, 5654445**

**Background:**

Ryans Bus Service have requested an extension of the school bus zone in Saye Close, Sandy Beach adjacent Sandy Beach Public School as the second bus in the queue encroaches on the traffic lane.

**Summary of Report:**

Ryans Bus Service currently provides a 2 school services to Sandy Beach Public School. They have requested an extension of the current bus zone which is 35m long. The length is smaller than standard and means the bus is forced to encroach into the traffic lane. The school have agreed to this extension. However, to compensate for the reduction in the drop off zone, as well as to relieve congestion, they propose an extension north of the no parking (drop off zone) extending between the two driveways, as per plan

**Recommendation to Committee:**

To extend the school Bus Zone in Saye Close, Sandy Beach north to 44m and subsequently extend the No Parking zone to 55m as per plan.

**RECOMMENDATION TO COUNCIL:**

1. That no action be taken to extend the school Bus Zone in Saye Close, Sandy Beach north to 44m.
2. That approval be given to extend the No Parking zone Saye Close, Sandy Beach to 64m as per plan T.37-2015.

**T.38 - Castle Street, Coffs Harbour - Additional Accessible Parking Spaces R.504130, 5645679**

**Background:**

Request from the Access Advisory Committee for 1 additional accessible on-street parking space in Castle Street, Coffs Harbour to allow for vehicles with wheelchairs on the roof that cannot access car parks due to head-room restrictions.

**Summary of Report:**

The demand for on-street and off-street accessible parking spaces is increasing with the corresponding number of aged and disabled community members. Despite the installation of 21 accessible parking spots in the Castle Street car park, there is still a high demand for more, and particularly for those vehicles with wheelchairs on the roof, unable to access the car park due to head-room restrictions. The on-street angled parking space in Castle Street, adjacent the entrance to Coffs Central provides an ideal location for an additional bay as it has an existing ramp and manoeuvring space.

**Recommendation to Committee:**

Approval to install an accessible parking bay in Castle Street, Coffs Harbour.

**RECOMMENDATION TO COUNCIL:**

**That approval be given for the installation of an accessible parking bay, a bollard and 3 nose in motorcycle parking bays in Castle Street, Coffs Harbour, as per plan T.38-2015.**

Attachment 1

**T.39 - Castle Street Car Park, Castle Street Coffs Harbour - Restricted Parking Zones**  
R.504130, 5714422

**Background**

The Coffs Harbour City Centre Masterplan committee have submitted a car park inventory and summary of recommended changes for the Castle Street car park time restrictions with a request that they work with Council to implement and monitor the effects of the parking time restrictions amendments.

**Summary of report:**

The Coffs Harbour City Centre Masterplan car parking strategy seeks to better utilise the existing city centre car parking stock through efficient allocation of timed on-street and off-street parking restrictions. The strategy broadly sees allocation of additional short term parking in the central core of the city centre with longer term parking allocated to the fringe of the CBD area.

The car park currently allocates 410 unrestricted all day parks, 246 3-hour car parks and 102 2-hour car park spaces. Before renovations began there were 13 accessible parks on the ground floor and 5 on the 3<sup>rd</sup> (Big W entrance) level.

With the recent introduction of the dual lifts and the installation of a roof on the top floor there is now potential for a greater mix of parking and accessibility options. The changes will create more short term parking opportunities which would be appropriate for high customer turnover businesses such as the newsagent, bakeries, chemists and produce stores.

The Existing Conditions Transport Report commissioned as part of the Coffs Harbour City Centre Prosperity Plan 2031 in 2012 showed that there was more of a demand for short term parking than all day parking. The following table shows the parking occupancy rates for the Castle Street car park:

Table 5.4: Palms Centre (Castle Street) Car Park Parking Demand

Level	Restriction	Supply	9am	10am	11am	12pm	1pm	2pm	3pm
<b>Southern Section</b>									
SL1	Disabled	10	10	7	8	7	8	10	4
	3P	90	90	90	81	81	72	72	72
	Unrestricted (Outside)	23	21	22	23	23	23	22	21
SL2	3P	65	26	52	59	52	46	46	38
SL3	3P	60	18	47	53	53	36	36	30
SL4	Disabled	7	2	3	5	4	6	1	1
	3P	57	29	57	57	46	40	40	34
SL5	3P	64	64	64	64	64	64	58	52
SL6	Unrestricted	64	64	64	64	64	51	51	58
SL7	Unrestricted	86	26	34	43	52	60	52	45
SL8	Unrestricted	86	9	9	9	9	9	9	9
SL8 Extension [1]	Unrestricted	187	94	112	131	112	112	112	131
<b>South CP Sub-Total</b>		<b>799</b>	<b>453</b>	<b>561</b>	<b>597</b>	<b>567</b>	<b>527</b>	<b>509</b>	<b>495</b>
<b>Northern Section</b>									
NL1	Unrestricted	36	36	36	36	34	34	32	29
NL2	Unrestricted	20	20	20	20	20	18	20	18
NL3	Unrestricted	20	20	20	20	18	20	20	18
NL4	Unrestricted	20	20	20	20	20	20	20	20
NL5	Unrestricted	20	20	20	20	20	20	18	18
NL6	Unrestricted	20	20	20	20	20	16	16	15
<b>North CP Sub-Total</b>		<b>136</b>	<b>136</b>	<b>136</b>	<b>136</b>	<b>132</b>	<b>128</b>	<b>126</b>	<b>118</b>
<b>Total</b>		<b>935</b>	<b>589</b>	<b>697</b>	<b>733</b>	<b>699</b>	<b>655</b>	<b>635</b>	<b>613</b>

SLX = South Section - Level X

NLX = North Section - Level X

[1] Palms Centre roof-top parking

Table 5.6 indicates that the unrestricted parking on Level 8 of the south section is less utilised compared to the rest of the car park with a maximum demand of 9 spaces (10% occupancy).

Figure 5.6 presents a summary of the short-term and long-term occupancy in the Palms Centre (Castle Street) car park.

## Attachment 1

Following this report a roof and lifts were installed in the car park to encourage drivers to use the top floor of the car park.

The CBD Masterplan committee have submitted a revised plan of parking restrictions for the multi-storey car park. In addition it is proposed that Council install and additional accessible parking space adjacent the lift on the roof.

**Recommendation to Committee:**

Approval to be given to install revised restricted parking zones in Castle Street car park, Coffs Harbour.

The implementation to be phased in and monitored, with media promotion of the changes.

**RECOMMENDATION TO COUNCIL:**

**That approval be given to install reviewed restricted parking zones and to trial 6 x 30 minute parking bays on level 4 in Castle Street car park, Coffs Harbour, as per plan T.39-2015.**

**Implementation of the plan is subject to agreement between Council and the CBD Master Plan Committee.**

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**T.40 - Riding Lane Coffs Harbour – Accessible Parking** R.510590, 5600724

**Background:**

Request from Coffs Coast Dental for accessible parking in Riding Lane Coffs Harbour for non-ambulatory patients

**Summary of Report:**

Coffs Coast Dental is proposing to open a practice at 1 Riding Place, Coffs Harbour. They have requested parking to assist non-ambulatory patients to easily access their clinic. The practice caters for a high number of elderly and disabled patients who are unable to walk long distances and negotiate the uneven surface and traffic lanes in the Castle Street car park. At present the project is on hold as they are unable to attract a doctor for this practice. Despite this, the applicants are still requesting Council approval to be installed when the clinic opens.

With the demolition of the toilets in Riding Lane which provided space for an extra 5x 2 hour parking bays, there is an opportunity to install two accessible parking bays in small on street car park opposite the dental centre. The spaces would also provide extra spaces for high vehicles and for people wishing to visit premises on Coff Street, such as the Council building and the swimming pool. Council recommends the replacement of the 3 x 2 hour parking bays with 2 accessible parking bays as per plan.

**Recommendation to Committee:**

Approval to install 2 accessible parking bays in the small external car park in Riding Lane, Coffs Harbour to replace 3 x 2 hour parking bays.

**RECOMMENDATION TO COUNCIL:**

**That no action be taken to install 2 accessible parking bays in the small external car park in Riding Lane, Coffs Harbour to replace 3 x 2 hour parking bays.**

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**Attachment 1**

**T.41 - Thompsons Road, Coffs Harbour – Parking Issues** R.500530, 5314354

**Background:**

Request from Parents and other road users to install a No Stopping zone adjacent the Goodstart Learning Centre driveway as parked cars are restricting sight distance.

**Summary of Report:**

Parents from the Goodstart Learning Centre have again requested on-road parking restrictions adjacent the driveway of the centre to prevent vehicles blocking sight distance to the west as they exit. Similar requests were tabled at the traffic committee in July 2013 (T35-2013) and November 2014 (T.40 – 2014) at which it was resolved to take no action.

Since then Council has received complaints of crashes and near misses involving parents exiting the centre. The number of vehicles parked on the street appears to be increasing possible due to restricted parking installed on the southern side of Thompsons Road and increase numbers of workers in the area.

Thompsons Road a 50kph collector road with average daily traffic volume of approximately 5500 (peak hour 530).

**Recommendation to Committee:**

That a timed No Stopping zone (7.00am – 6.00pm, Mon – Fri) be installed on the northern side of Thompsons Road for approximately 18m between the driveways to 96 and 98 Thompsons Road, Coffs Harbour.

**RECOMMENDATION TO COUNCIL:**

**That no action be taken to install a timed No Stopping zone to the northern side of Thompsons Road between the driveways to 96 and 98 Thompsons Road, Coffs Harbour.**

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**T.42 - Menindee Circuit, Lakes Estate - No Stopping Zone** 5716893

**Background:**

Request from The Lakes Village Estate to install No Stopping in Menindee Circuit, Lakes Estate.

**Summary of report:**

Menindee Circuit in North Boambee Valley is 120m long and 5.6m wide between kerbs, vehicles parking either side of the road are making it difficult to provide safe access for through traffic as well as bus movements. The eastern side of the road is reserve with no residents fronting. Providing no stopping along the reserve frontage would allow the safe movements of vehicles.

**Recommendation to Committee:**

Install No Stopping for 100m along the eastern side of Menindee Circuit, North Boambee Valley between the two intersection of Lakes Drive.

**RECOMMENDATION TO COUNCIL:**

**That no action be taken to install No Stopping along the eastern side of Menindee Circuit, North Boambee Valley.**

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**Attachment 1**

**T.43 - Scarba Street Coffs Harbour - Bus Shelter** R.505900, 5513624

**Background**

Coffs Support Services request a bench for bus passengers at 12 - 14 Scarba Street (south), Coffs Harbour bus stop. Even though the bus stop is near adjacent driveways, he is saying the existing site is fine but would like some seating.

**Summary of report:**

The existing bus zone at 12-14 Scarba Street, Coffs Harbour is 16m long and straddles two driveways. The business owners have changed and a building has been demolished since the bus stop was installed. Council and Busways inspected the site and determined that the bus zone should be lengthened to standard (22m) which would allow a bench to be installed adjacent the Coffs Harbour Support Services building and increase accessibility for passengers. Council also recommends the removal of times on the bus zone to accommodate future timetable changes. Tactiles will be installed which will ensure compliance with the Disability Discrimination Act.

**Recommendation to Committee:**

Approval to lengthen the existing bus zone adjacent 12 – 14 Scarba Street, Coffs Harbour to a total length of 22m (west) and removal of time restrictions for the bus zone.

**RECOMMENDATION TO COUNCIL:**

**That approval be given to lengthen the existing bus zone adjacent 12 – 14 Scarba Street, Coffs Harbour to a total length of 22m (west) and removal of time restrictions for the bus zone as per plan T.43-2015.**

**T.44 - Queen Street Woolgoolga - Parking Times** R.508860, 5651771

**Background**

Request from shop keepers for 2 hour parking on the east side of the Queen Street shopping precinct, Woolgoolga.

**Summary of report:**

There are currently 2 hour parking spaces on the western side of the Queen Street shopping precinct with unrestricted parking on the eastern side. One shopkeeper requested the unrestricted parking be modified to 2 hours for consistency, but also to ensure customer parking is prioritised. At present staff of nearby businesses and Saturday market users use the east side for parking. This view is shared with the supermarket. Other tenants said that demand for parking has been reduced since the opening of the Woolworths supermarket in West Woolgoolga, but most would not object to the change.

The installation of 2 hour parking (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) would be consistent with the objectives of the draft Woolgoolga Masterplan which is being developed following community consultation. The plan seeks to provide more short term parking closer to the business district and encourage long term parking on the peripheral of the CBD.

**Recommendation to Committee:**

Approval to install 33 x 2 hour timed (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) parking spaces on the east side of the Queen Street shopping precinct, Woolgoolga.

**RECOMMENDATION TO COUNCIL:**

**That approval be given to install 2 hour timed (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) parking spaces on the east side of the Queen Street, between Beach and Market Street shopping precinct, Woolgoolga, as per plan T.44-2015.**

**Attachment 1**

**T.45 - Curacoa Street/ Coff Street Coffs Harbour - Traffic Issues** R.504200,R.504300, 5538707

**Background**

Request for no stopping zone to be installed adjacent 29 Curacoa Street, Coffs Harbour as school students are walking on the road.

**Summary of report:**

The road is used principally to access the school pick up zone by cars, but also sometimes by buses. The narrowest point at the drain adjacent 29 Curacoa is 4m wide. There are some off road options to walk on the reserve, but this becomes impassable during wet periods.

**Recommendation to Committee:**

Approval to install a No Stopping zone opposite 29 Curacoa Street, Coffs Harbour.

**RECOMMENDATION TO COUNCIL:**

**That no action be taken to install a No Stopping zone opposite 29 Curacoa Street, Coffs Harbour.**

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**T.46 - Lyster Street Coffs Harbour - Signage** R.505120, 5694964

**Background**

Request to remove No Parking Police Vehicles Excepted and Loading Zone signs in Lyster Street, Coffs Harbour following the relocation of the Coffs Harbour Police Station.

**Summary of report:**

The No Parking Police Vehicles Excepted and Loading Zone signs in Lyster Street, Coffs Harbour have now become redundant following the relocation of the police station. There is an existing 2 hour parking zone in the northern precinct of Lyster Street and all day parking south of the police station.

Lyster Street is at the western end of the central business district covered by the CBD Masterplan. The Supporting Transport Report for the area recommends an increase in visitor (short term) parking on street in the first instance and is an attractive option allowing shared access to multiple land uses. West Coffs has peak parking requirements, particularly for medical facilities such as the hearing centre, the medical centre and radiology centre in West High Street.

Council would therefore recommend an extension of the existing 2 hour parking zone to the former police station driveway.

**Recommendation to Committee:**

Approval for the replacement of the No Parking, Police Vehicles Excepted and Loading zones with a timed (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) 2 hour parking zone ending at the driveway to the former police station Lyster Street Coffs Harbour.

**RECOMMENDATION TO COUNCIL:**

**That approval be given for the replacement of the No Parking, Police Vehicles Excepted and Loading zones with a timed (8.30am – 6.00pm Mon – Fri; 8.30am – 12.30pm Sat) 2 hour parking zone ending at the driveway to the former police station Lyster Street Coffs Harbour, as per plan T.46-2015.**

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**Attachment 1**

**T.47 - Ocean Parade Coffs Harbour - Traffic Issues, R.505540, 5340920**

**Background:**

Request for a centre line in Ocean Parade Coffs Harbour, adjacent 107 – 109 to define travel path when road narrows. Ocean Parade is within the 50km default urban speed zone, there is a transition of width between the kerb lines from 13 meters wide to 10.5m wide for approx. 60m between 107 and 109 Ocean Parade, Coffs Harbour. Traffic volumes vary from 2,860 vehicles per day to 5,200 in peak holiday season.

**Summary of report:**

There are two narrow sections of Ocean Parade, Coffs Harbour adjacent 87-99 and 107 – 109 where the road narrows from 13m to 10.5m. At these points, north bound traffic travels across the centre of the road, anecdotally causing near misses for south bound traffic when vehicles are parked on the eastern side of the road. There have been no associated crashes (2006 – 2014).

Minimum parking width required for parallel parking is 2.1m, this allows the traffic lanes to be 3.15m wide through the 10.5m wide section which falls within the requirements of Austroads guide to road design part 3 (4.2.5 Urban Road Widths) for low speed roads.

**Recommendation to Committee:**

Approval to install broken centre line to delineate path of travel in Ocean Parade, Coffs Harbour where road narrows.

**RECOMMENDATION TO COUNCIL:**

**That no action be taken to install broken centre line to delineate path of travel in Ocean Parade, Coffs Harbour.**

**T.48 - Temporary Road Closure 26th September 2015 Woolgoolga Curryfest 3576345**

**Background**

The Woolgoolga Curryfest Committee have requested road closures for the Curryfest Festival to be held on Saturday 26th September 2015 from 5.00am to 7.00pm as follows:

- Beach Street from Wharf Street to Carrington Street, Woolgoolga
- Queen Street from Beach Street to Younger Lane, Woolgoolga (approximately 50m)

This is a well-supported annual event which benefits the Woolgoolga community. Council has received no complaints about former road closures.

**Recommendation:**

That:

Approval to be given to the temporary road closure of the following:

- Beach Street from Wharf Street to Carrington Street, Woolgoolga
- Queen Street from Beach Street to Younger Lane, Woolgoolga (approximately 50m)

For the purpose of conducting the Woolgoolga Curryfest on Saturday 26th September 2015 subject to:

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

### **Attachment 1**

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 current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted by 18 September 2015.
- (c) The organisers to notify affected traders and residents of the road closures.
- (d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (e) The organisers be responsible for all costs associated with the temporary closure clean up, including advertising.
- (f) The organisers to notify emergency services and public transport operators of the road closures.

#### **RECOMMENDATION TO COUNCIL:**

**That approval to be given to the temporary road closure between 5.00am to 7.00pm of the following roads:**

- **Beach Street from Wharf Street to Carrington Street, Woolgoolga**
- **Queen Street from Beach Street to Younger Lane, Woolgoolga (approximately 50m)**

**For the purpose of conducting the Woolgoolga Curryfest on Saturday 26th September 2015 subject to:**

**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) and parking plan be submitted. The TCP 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. The TCP should be dated and signed by the accredited designer and also include their certificate number and expiry date. All plans to be submitted by 18 September 2015.**
  - (b) **A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting Coffs Harbour City Council as an interested party for the event be submitted by 18 September 2015.**
  - (c) **The organisers to notify affected traders and residents of the road closures.**
  - (d) **The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.**
  - (e) **The organisers be responsible for all costs associated with the temporary closure clean up, including advertising.**
  - (f) **The organisers to notify emergency services and public transport operators of the road closures.**
-

**Attachment 1**

**T.49 - NSW Great Endeavour Rally - 26-30 October 2015** 5685442

**Background**

The Endeavour Foundation is an independent not-for-profit organisation supporting people with a disability in more than 4,000 placements across more than 230 locations in Queensland, New South Wales and Victoria.

Endeavour Foundation annually holds their charity motoring event in NSW & QLD and this event is Australia's longest and most successful charity events.

**Summary of report:**

The rally will commence at Coffs Harbour on Monday the 26 October 2015 and will finish in Port Macquarie on Friday 30 October 2015. The route for this year's rally is to Coffs Harbour, Glen Innes, Wee Waa, Taylors Arm then Port Macquarie.

Specifically travelling in Coffs Harbour Local Government area Monday 26 and Tuesday 27 October 2015.

The event is noncompetitive and travels on a mix of Council roads, major highways, Forestry roads and private property. No roads are closed and all entrants in the rally must obey all relevant traffic/road laws and speed limits at all times.

The event organisers are planning for approximately 50 entrants in the rally. There are also service vehicles and support crews who will also travel with the event. The majority of travel is on low volume traffic roads and it is not expected that there will be more than a minimal impact on the residents or landholders in and around these areas.

They will start and finish at Coffs Harbour Showground.

The Event organisers will notify local hospitals, Police and local Fire and Emergency Services of the event.

Coffs Harbour route as below:

Monday 26 October 2015 9.30am – 4.00pm Coffs to Coffs

- Pacific Hwy- Beryl St- Ann St – Marcia Street- Pacific Hwy – Bruxner Park Rd- Mount Coramba Road – (various forest roads to Range Road Corindi Beach) - Onto Pacific Hwy South-Range Rd - Red Ridge Rd -Duffus Rd - Sherwood Ck Rd – (state forest) - Sherwood Rd - Cottage Rd (Lower Bucca SF) Cottage Rd - Pacific Hwy - Coffs Harbour Showgrounds.

Monday 26 October 2015 7.00pm – 8.00pm Coffs to Coffs

- Pacific Hwy - Gaudrons Rd - Settles Rd - Bucca Rd - Eastern Boundary Rd - Johnsons Rd - Solitary Island Way - Pacific Hwy - Coffs Harbour Showgrounds.

Tuesday 27 October 2015 7.30am Coffs to Glen Innes

- Pacific Hwy - West High St - Coramba Rd - Eastern Dorrigo Way - Lower Bobo Rd to LGA boundary.

**Recommendation to Committee:**

As there are no road closures and participants are to comply with all road rules that approval be given subject to RMS agreement for entry / exit to Pacific Hwy from the Coffs Harbour Showground.

**Attachment 1**

**RECOMMENDATION TO COUNCIL:**

**That approval be given for the use of the following local roads to conduct the NSW Great Endeavour Rally on Monday 26 and Tuesday 27 October 2015, starting and finishing at the Coffs Harbour Showground, subject to RMS and Police agreement.**

- a) **The organisers and officials complying to 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.**
- 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) **Participants are to comply with all road rules.**

**T.50 - Coffs Harbour Triathlon Club – Triathlon Season 2015/2016 Events 5656428**

**Background:**

Coffs Harbour Triathlon Club - request approval to hold 2015/16 triathlon season events on Sundays every two weeks from 6.30am – 9.30am from 13 September 2015 to 24 April 2016. This involves use of Marina Drive, Harbour Drive, Hogbin Drive, Arthur Street and Orlando Street, but no road closures.

**Recommendation to Committee:**

Approval is given for the use of Marina Drive, Harbour Drive, Hogbin Drive, Arthur Street, and Orlando Street, Coffs Harbour on Sundays every two weeks from 6.30am – 9.30am from 13 September 2015 to 24 April 2016 to conduct the Coffs Harbour Triathlon Club events for the 2015/16 triathlon season, subject to the following conditions:

- 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 current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted.
- c) The organisers to liaise with affected traders and obtain traders and residents approval.
- d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers ensuring they sign off on the Traffic Management Plan after the event.
- e) The organisers be responsible for all costs associated with the temporary closure
- f) The organiser submit a public transport plan to Council, prior to the event.
- g) Confirmation that all emergency services are aware of the road closure.

**Attachment 1**

**RECOMMENDATION TO COUNCIL:**

That approval be given for the use of Marina Drive, Harbour Drive, Hogbin Drive, Arthur Street, and Orlando Street, Coffs Harbour, on Sundays every two weeks from 6.30am – 9.30am from 13 September 2015 to 24 April 2016 to conduct the Coffs Harbour Triathlon Club events for the 2015/16 triathlon season subject to the following:

- a) The organisers and officials complying to 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.
- 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) That all affected residents and businesses be notified of the event.

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**T.51 - 2016 BCU Coffs Triathlon Temporary Road Closures - Saturday 5 & Sunday 6 March 2016** 5614276

**Background:**

Village Sports Coffs Harbour is intending to conduct the Fourth Annual 'BCU Coffs Tri' on Saturday 5 and Sunday 6 March 2016.

**Summary of report:**

Village sports are seeking approval to hold their fourth annual 'BCU Coffs Tri' on Saturday 5 and Sunday 6 March 2016.

The main difference to last year's event is the Saturday events will be conducted within the Jetty Foreshores area.

The Sunday event cycle course is from the Jetty Foreshores south along Jordon Esplanade, right onto Camperdown Street, left onto Harbour Drive, left onto Hogbin Drive, turnaround point at the Rugby Club southern boundary, left onto Hi-Tech Drive, left onto Craft Close, around Hi-Tech Drive, left back onto Hogbin Drive, turnaround point south of Watsonia Avenue, left onto Harbour Drive, right onto Marina Drive and right onto Jordon Esplanade. The same course is repeated for the second lap.

The cycle course shall be a closed road with only local traffic allowed to cross the course at designated crossings. Local residents will be able to use the parking lanes to exit their homes under SES supervision to get to the cross over points. The course will be under the control of accredited traffic controllers at major intersections and cross over points. The Coffs Harbour and Corindi SES members will control the minor intersections. NSW police officers will also be attendance at required intersections.

Village Sports have advised they endeavoured to make the cycle course safe for all triathlon participants as well as keeping the traffic flow with minimum disruption to the community.

The run will be 2 x 5km laps course around the Jetty Foreshores on closed roads under the control of accredited traffic controllers.

Proposed road closures for the event are as follows;

Saturday 5 March

- Jordan Esplanade, Marina Drive roundabout to Camperdown Street 7.00am to 6.30pm

**Attachment 1**

- Jordan Esplanade from Camperdown Street Intersection to the Quarry 2.30pm to 3.15pm
- Jordan Esplanade from Camperdown Street Intersection to the Quarry 3.30pm to 4.15pm

Sunday 6 March

- Jordan Esplanade 4.30am to 2.00pm
- Harbour Drive, Marina Drive to Salamander Street 5.30am to 11.00am
- Hogbin Drive from the Rugby Club to Orlando Street 5.30am to 11.30am

**Recommendation to Committee:**

That approval be given for the following road closures to conduct the Village Sports Fourth Annual BCU Coffs Tri on Saturday 5 March and Sunday 6 March 2016.

Saturday 5 March

- Jordan Esplanade - Marina Drive roundabout to Camperdown Street 7.00am to 6.30pm
- Jordan Esplanade - Camperdown Street Intersection to the Quarry 2.30pm to 3.15pm
- Jordan Esplanade - Camperdown Street Intersection to the Quarry 3.30pm to 4.15pm

Sunday 6 March

- Jordan Esplanade 4.30am to 2.00pm
- Harbour Drive - Marina Drive to Salamander Street 5.30am to 11.00am
- Hogbin Drive - Rugby Club to Orlando Street 5.30am to 11.30am

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

- a) Adverts to warn of traffic delays on all affected roads during the course of the event, particularly access to Hogbin Drive, Harbour Drive and Marina Drive.
- b) The organisers of the event liaise with affected traders and obtain traders approval including the local bus companies.
- c) The organisers are responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- d) The organisers are responsible for all costs associated with the temporary closures, including advertising.
- e) A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted.
- f) Traffic Management Plan and RMS accredited Traffic Control Plans to be submitted for approval.

**Attachment 1**

**RECOMMENDATION TO COUNCIL:**

That approval be given for the following temporary road closures to conduct the Village Sports Fourth Annual BCU Coffs Tri on Saturday 5 March and Sunday 6 March 2016.

**Saturday 5 March**

- Jordan Esplanade - Marina Drive roundabout to Camperdown Street 7.00am to 6.30pm
- Jordan Esplanade - Camperdown Street Intersection to the Quarry 2.30pm to 3.15pm
- Jordan Esplanade - Camperdown Street Intersection to the Quarry 3.30pm to 4.15pm

**Sunday 6 March**

- Jordan Esplanade 4.30am to 2.00pm
- Harbour Drive - Marina Drive to Salamander Street 5.30am to 11.00am
- Hogbin Drive - Rugby Club to Orlando Street 5.30 am to 11.30am

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

- a) Advertises to warn of traffic delays on all affected roads during the course of the event, particularly access to Hogbin Drive, Harbour Drive and Marina Drive.
  - b) The organisers of the event liaise with affected traders and obtain traders approval including the local bus companies.
  - c) The organisers are responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
  - d) The organisers are responsible for all costs associated with the temporary closures, including advertising.
  - e) A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted by 18 January 2016.
  - f) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) and parking plan be submitted. The TCP 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. The TCP should be dated and signed by the accredited designer and also include their certificate number and expiry date. All plans to be submitted by 18 January 2016.
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**Attachment 1**

**T.52 - Temporary Road Closure - Woolgoolga Tri Festival 20 September 2015 - 5555438**

**Background:**

Consideration for road closure of Beach Street between Bultitude Street and Pollack Esplanade Woolgoolga between 5.30am and 12.00 midday for the purpose of holding the Woolgoolga Community Triathlon, on Sunday 20 September 2015.

**Summary of report:**

The Woolgoolga Community Triathlon has been held annually for over 10 years with no incidents reported. This year will follow the traditional format including a road closure for the triathlon.

**Recommendation to Committee:**

Approval be given for the temporary road closure of Beach Street, Woolgoolga between Bultitude Street and Pollack Esplanade from 5.30am and 9.30am on Sunday, 20 September 2015.

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

- a) A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.
- b) A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted.
- c) The organisers to liaise with affected traders and obtain traders approval.
- d) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers ensuring they sign off on the Traffic Management Plan after the event.
- e) The organisers be responsible for all costs associated with the temporary closure
- f) The organiser submit a public transport plan to Council, prior to the event.
- g) Confirmation that all emergency services are aware of the road closure.

**RECOMMENDATION TO COUNCIL:**

**That approval be given for the temporary road closure of Beach Street, Woolgoolga between Bultitude Street and Pollack Esplanade from 5.30am and 12.00 noon on Sunday, 20 September 2015.**

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

- a) **A Traffic Management Plan (TMP) incorporating a current Traffic Control Plan (TCP) be submitted. The plan shall be prepared by a person holding appropriate certification issued by Roads and Maritime Services (RMS) qualified in designing or modifying traffic control plans to an accepted standard. Plans should be dated and signed by the accredited designer and also include their certificate number and expiry date.**
- b) **A current insurance Certificate of Currency for Public Liability Insurance for a minimum insured amount of \$10 million and noting that Coffs Harbour City Council as an interested party for the event be submitted by 18 September 2015.**
- c) **The organisers to liaise with affected traders and emergency services.**

**Attachment 1**

- 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.

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**T.53 - Coates Hire Rally Australia 2015 – Various Temporary Road Closures**

**Background**

A Councils representative attended a traffic and transport meeting with Rally Australia (RA) delegates in regards to the local Rally road closures. These are covered by the World Rally Act so do not need local approval. The list of local approvals RA are seeking is currently before the Minister for sign off. This means that the Traffic Committee do not need to approve this and it does not need to be approved by Council, RA and NSW Transport will also advertise these closures, along with all the other road and traffic changes during the event, through local media channels, in August.

**RECOMMENDATION TO COUNCIL:**

Council notes temporary road closures and clearways will be installed on local roads for the Coates Hire Rally Australia, the Australian leg of the World Car Rally and a round of the East Coast Bullbars Australian Rally Championship from 10-13 September 2015. The approvals are managed by Transport for NSW and Rally Australia and signed off by the relevant State Minister in accord with the World Rally Act. Rally Australia and Transport for NSW are responsible for advertising all changes to traffic conditions as a result of this event. Further information may be found on their website <http://www.rallyaustralia.com.au/traffic-transport/> or on [www.livetraffic.com](http://www.livetraffic.com).

**Attachment 1**

**INFORMAL ITEMS SECTION (Traffic Engineering Advice)**

**B.8 - Sikh Games in Stadium Drive Coffs Harbour 5586617**

**Origin:**

Council received some complaints via the Transport Working Group regarding the traffic issues in Stadium Drive caused by the Sikh Games in Stadium Drive.

**Summary of Report:**

Members of the Transport Working Group complained of traffic congestion caused by the Sikh Games in Stadium Drive. They did not submit a notice of the event to Council's traffic committee, or a traffic management plan. Council intends to write to the organisers of the event, and the management committee of Geoff King Motors Park to advise them to submit a traffic management plan for future events.

**Recommendation to Committee:**

Council to write to the organisers of the Sikh Games to advise them of the feedback from transport operators and traffic committee members regarding the congestion in Stadium Drive and the requirement to submit a traffic management plan for future events. The management of the Geoff King Motors Park to be advised that all major events in their venue are required to adhere to the Special Events Legislation regarding traffic management and risk assessment.

---

**B.9 - Fourth Avenue Sawtell – Sawtell Chilli Festival Complaint 5671842**

**Origin:**

Council Rangers were very concerned about the cars parked illegally in Fourth Ave Sawtell due to the Sawtell Chilli Festival.

**Summary of Report**

Council Rangers were very concerned about the cars parked illegally on both sides of Fourth Ave Sawtell due to the Sawtell Chilli Festival which made the road impassable. There is a No Parking zone on a section of the eastern side that was ignored by visitors to the area. The large volume of offenders would have made it extremely hard to enforce due to lack of resources on the day. The Rangers recommend additional detours, possibly a one-way system, and organised on-street parking to alleviate congestion. Council will write to the event organisers to recommend that the traffic management plan for next year's event should include a parking plan.

**Recommended to Committee**

Council to write to the organisers of the Sawtell Chilli Festival to recommend that the traffic management plan for next year's event should include a comprehensive parking plan.

---

**B.10 - Centenary of Rail - Coffs Harbour Foreshore Park and Beach – 29 & 30 August 2015 5260469**

**Origin:**

Request for a traffic management plan and traffic control to deal with parking and the impact of traffic on the roundabout to keep traffic flowing.

**Recommendation to Committee:**

**Recommend a parking plan.**

---

**Attachment 1**

**B.12 - High Street Woolgoolga – Further Traffic Issues**

**Origin:**

Council has received another complaint from a Woolgoolga resident about vehicles disregarding the entry restrictions in High Street, Woolgoolga. These complaints recur on a regular basis. Resident said that they saw 7 cars driving through the no entry sign in one morning.

**Recommendation to Committee:**

**Development of a concept plan to be submitted to Traffic Committee for discussion at the next Traffic Committee Meeting.**

---

**B.13 - Options for Cycling Routes Pine Creek Way, Bonville**

**Origin:**

Coffs Harbour Cycle Club are looking at alternative options to their approved cycling route on Pine Creek Way, Bonville for weekend events. Due to the Pine Creek Way slip happening again and only one lane in operation the Coffs Harbour Cycle Club are wanting to know traffic committee's thoughts on using the northern end of Pine Creek Way and turning at Lyons Road Roundabout, or alternative options.

**Recommendation to Committee:**

**Coffs Harbour Cycle Club to be advised of Crossmaglen Road.**

---

**B.14 - Karangi School Coramba Road Coramba – School Zone & Signage 5716893**

**Origin:**

Roads and Maritime Services are wanting to make some changes to the Karangi school zone and reviewing all signage at Karangi School, Coramba Road Coramba.

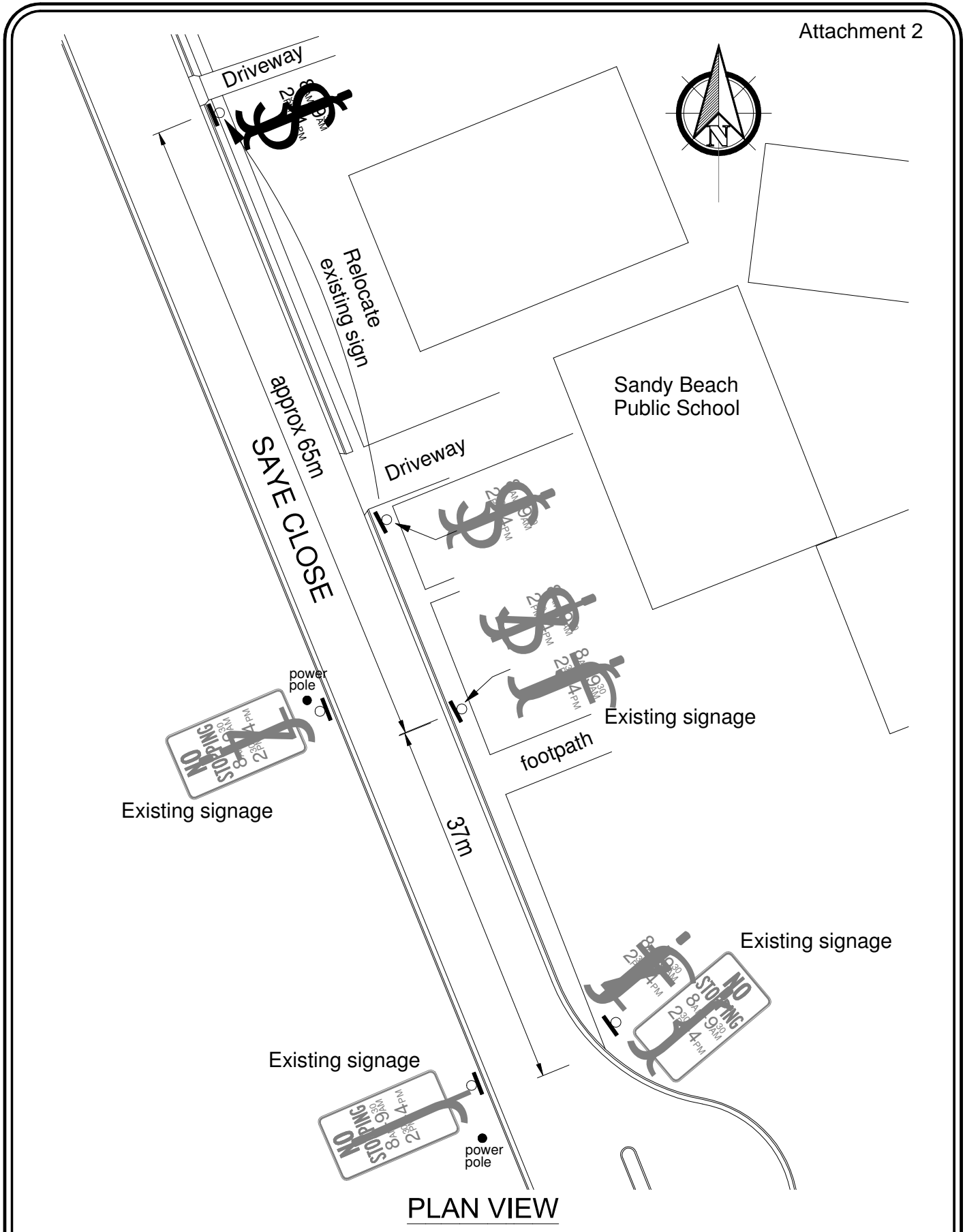
**Recommendation to Committee:**

**Plan to be submitted to next Traffic Committee Meeting and Council to conduct traffic survey.**

---

Next Meeting:

Date to be confirmed 22 October 2015 TBC.



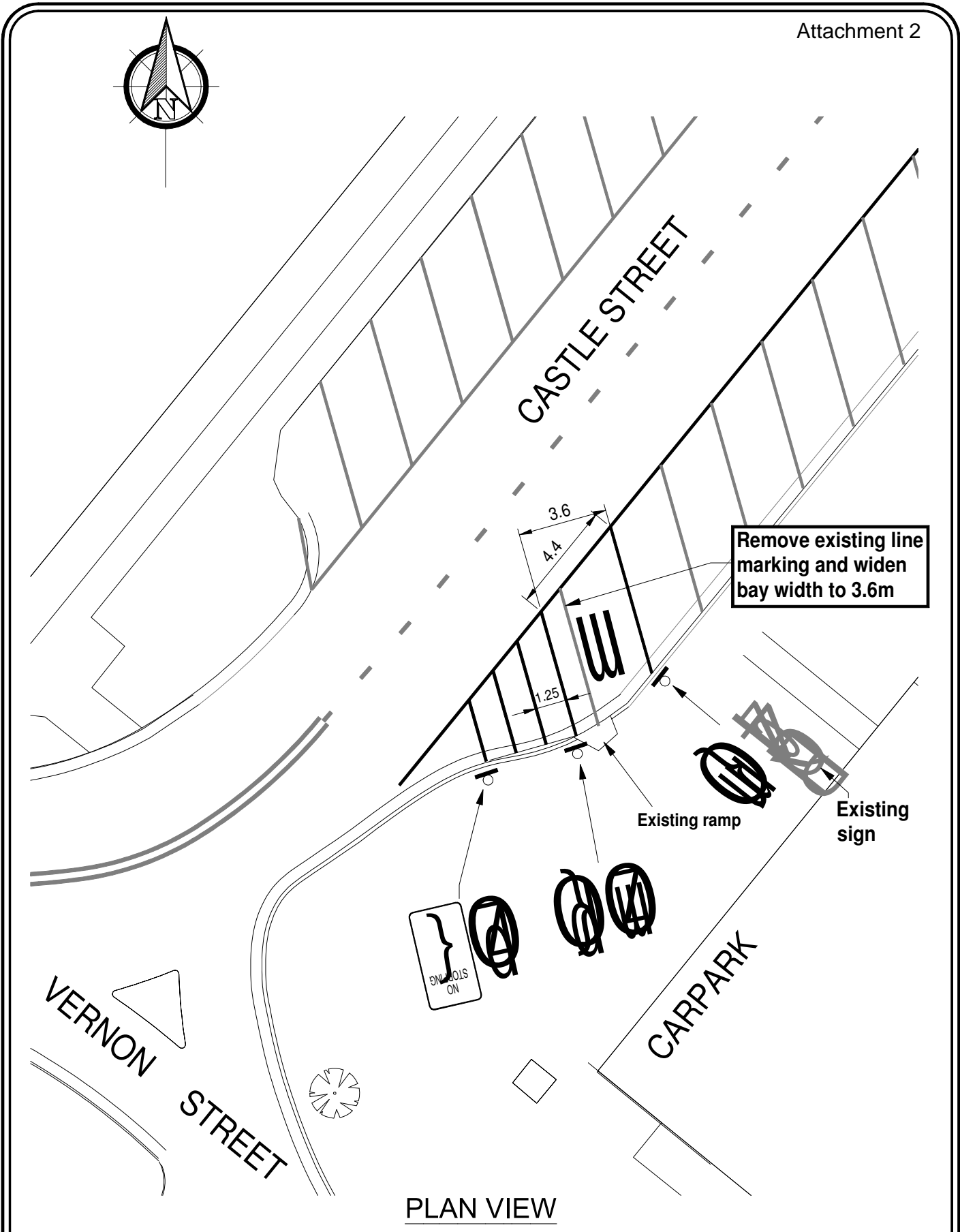
PLAN VIEW

NOTES:

Extend the No Parking zone in Saye Close, Sandy Beach as per plan

TRAFFIC INSTRUMENT

T.37-2015  
 Saye Close  
 Sandy Beach



**NOTES:**  
 Install an accessible parking bay and 3 motorcycle parking bays in Castle Street, Coffs Harbour as per plan

**TRAFFIC INSTRUMENT**  
 T.38 - 2015  
 ACCESSIBLE PARKING  
 CASTLE STREET COFFS HARBOUR



**Woodman Architects**  
architecture interiors  
ACK: 100 780 000 FAX: 41 100 780 000  
Nominated Architect Darren Woodman 7566  
Suite 203 20 Luffield St Sydney NSW 2009  
M +61 414 244 050 P +61 292 034 483  
darren@woodmanarchitects.com.au

PROJECT  
**CHCC CASTLE ST CAR PARK**

PARKING RESTRICTIONS

STREET ADDRESS  
**35 - 61 Harbour Drive,  
Coffs Harbour**

This drawing was prepared at the scale(s) shown for construction tender purposes only. It is not to be used by any party for any other reason. This is not an as built drawing; the information shown was taken from previous construction documentation and surveys which may not necessarily be accurate. Should any party require measurements of areas or dimensions requiring high levels of accuracy, they must employ a registered surveyor to measure the existing building. The drawing is not to be scaled up electronically or by any other means. All measurements to be verified on site prior to fabrication or construction. This design is copyright and remains the property of the architect. Design based on client-provided dimensions. Design subject to statutory review and engineering inputs.

REV:	DATE:	ISSUE:	INITIALS:
01	24/06/15	Issue for information	DW
02	26/06/15	Issue for information	DW
03	27/06/15	Issue for information	DW
04	27/08/15	update	DW

CLIENT **Gowing Bro's Ltd  
Suite 21 Jones Bay Wharf  
26 - 32 Pirrama Road,  
Pymont NSW 2009**

DATE  
**August 2015**

SCALE  
1:500 @ A3  
1:250 @ A1

DRAWN DW GW BMD  
VERIFIED DW

TITLE **CAR PARK  
LEVELS GR 01 02**

Job No.	DRAWING No.	REV.
15 12	TD 01	04

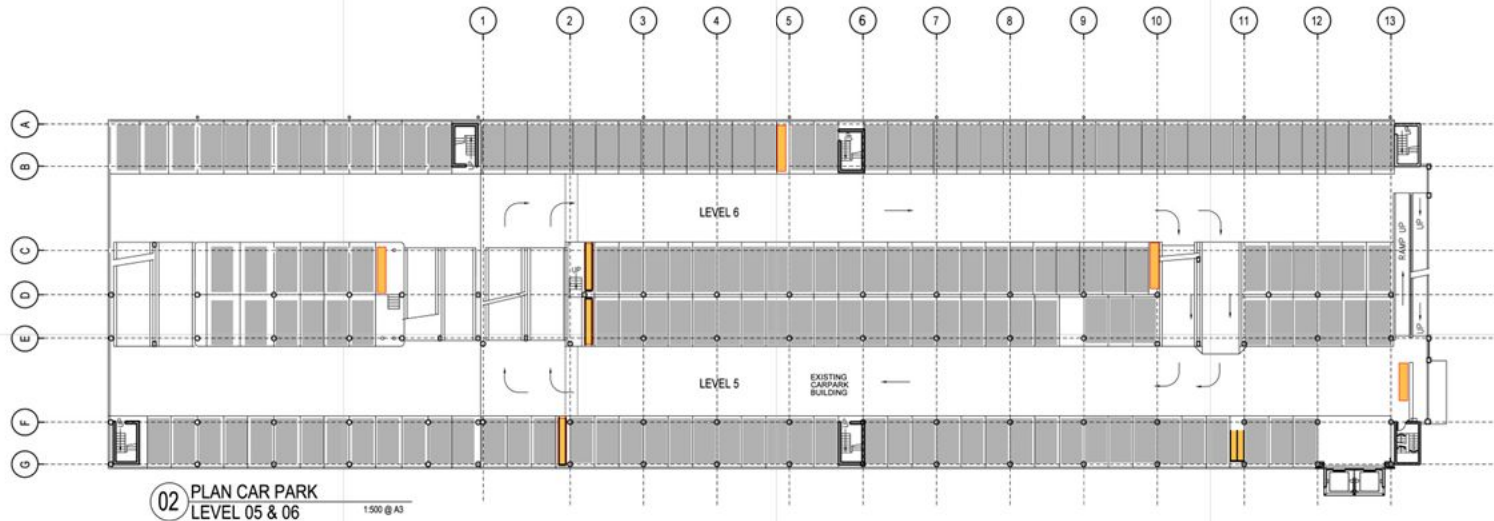
NOTES:  
Install reviewed restricted parking zones and to trial 6 x 30 minute parking bays on level 4 in Castle Street car park, Coffs Harbour, as per plan

**TRAFFIC INSTRUMENT**  
T.39-2015 - 1 of 3  
Castle Street Car Park  
COFFS HARBOUR





01 PLAN CAR PARK  
LEVEL 03 & 04  
1:500 @ A3



02 PLAN CAR PARK  
LEVEL 05 & 06  
1:500 @ A3

- TROLLEY BAY
- MOTOR CYCLE PARKING
- ACCESSIBLE PARKING BAY
- PARENTS WITH PRAMS
- HALF HOUR PARKING
- 1 HOUR PARKING
- 2 HOUR PARKING
- 3 HOUR PARKING
- ALL DAY PARKING

**Woodman Architects**  
architecture interiors  
ACN 150 766 820 ABN 41 150 766 820  
Nominated Architect Darren Woodman 7566  
Suite 703 20 Luffkin St. Sydney NSW 2000  
M +61 414 244 050 P +61 290 034 483  
darren@woodmanarchitects.com.au

PROJECT  
**CHCC CASTLE ST CAR PARK**

PARKING RESTRICTIONS

STREET ADDRESS  
**35 - 61 Harbour Drive,  
Coffs Harbour**

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02	25/08/15	Issue for information	DW
03	27/08/15	update	DW
04	27/08/15	update	DW

CLIENT **Gowing Bro's Ltd  
Suite 21 Jones Bay Wharf  
26 - 32 Pirrama Road,  
Pyrmont NSW 2009**

DATE  
**August 2015**

SCALE  
1:500 @ A3  
1:250 @ A1

DRAWN DW GW BMD  
VERIFIED DW

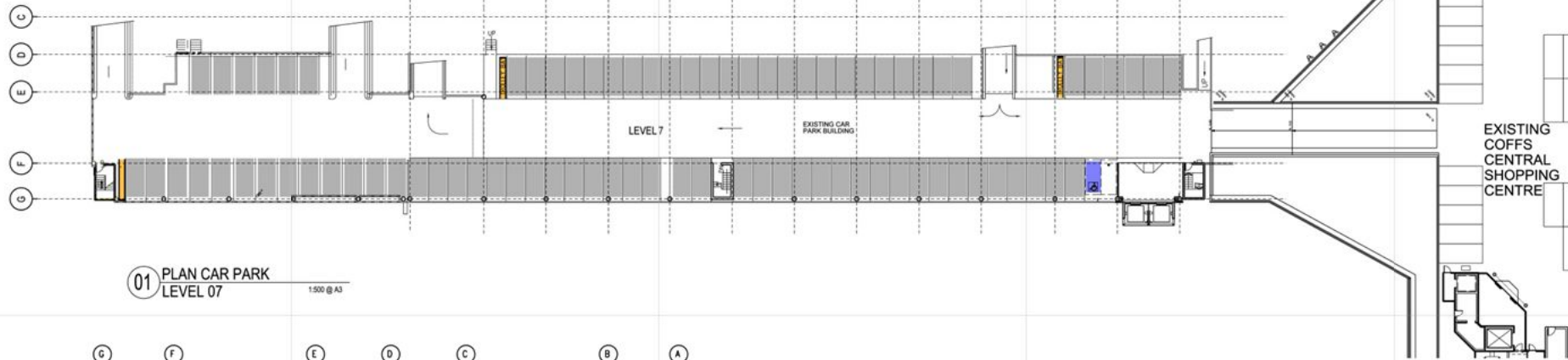
TITLE	Job No.	DRAWING No.	REV.
<b>CAR PARK LEVELS 03 04 &amp; 05 06</b>	15 12	TD 02	04

NOTES:  
Install reviewed restricted parking zones and to trial 6 x 30 minute parking bays on level 4 in Castle Street car park, Coffs Harbour, as per plan

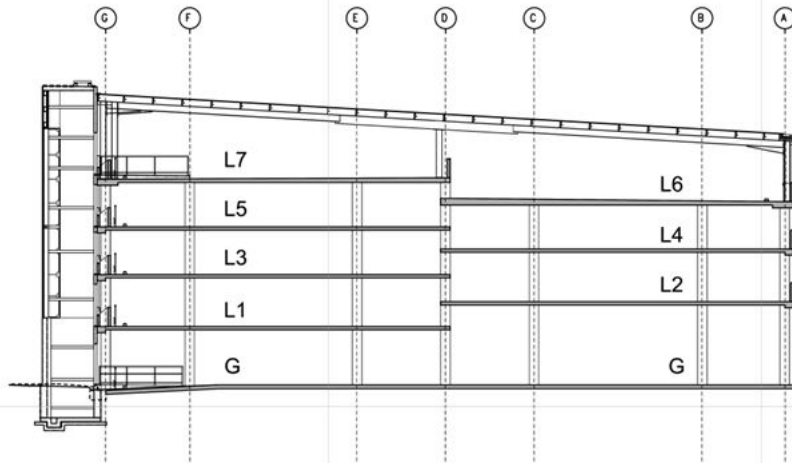
**TRAFFIC INSTRUMENT**  
T.39-2015 - 2 of 3  
Castle Street Car Park  
COFFS HARBOUR



Attachment 2



01 PLAN CAR PARK LEVEL 07  
1:500 @ A3



02 SECTION  
1:250 @ A3

**Woodman Architects**  
architecture interiors  
ACN 150 766 929 ABN 41 150 766 929  
Nominated Architect: Darren Woodman 1566  
Suite 703, 20 Loftus St, Sydney NSW 2000  
M +61 414 244 951P +61 295 024 483  
daren@woodmanarchitects.com.au

PROJECT  
**CHCC CASTLE ST CAR PARK**

**PARKING RESTRICTIONS**

STREET ADDRESS  
**35 - 61 Harbour Drive,  
Coffs Harbour**

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02	25/08/15	Issue for information	DW
03	27/08/15	update	DW
04	27/08/15	update	DW

CLIENT **Gowing Bro's Ltd**  
**Suite 21 Jones Bay Wharf**  
**26 - 32 Pirrama Road,**  
**Pymont NSW 2009**

DATE  
**August 2015**

SCALE 1:500 @ A3  
1:250 @ A1

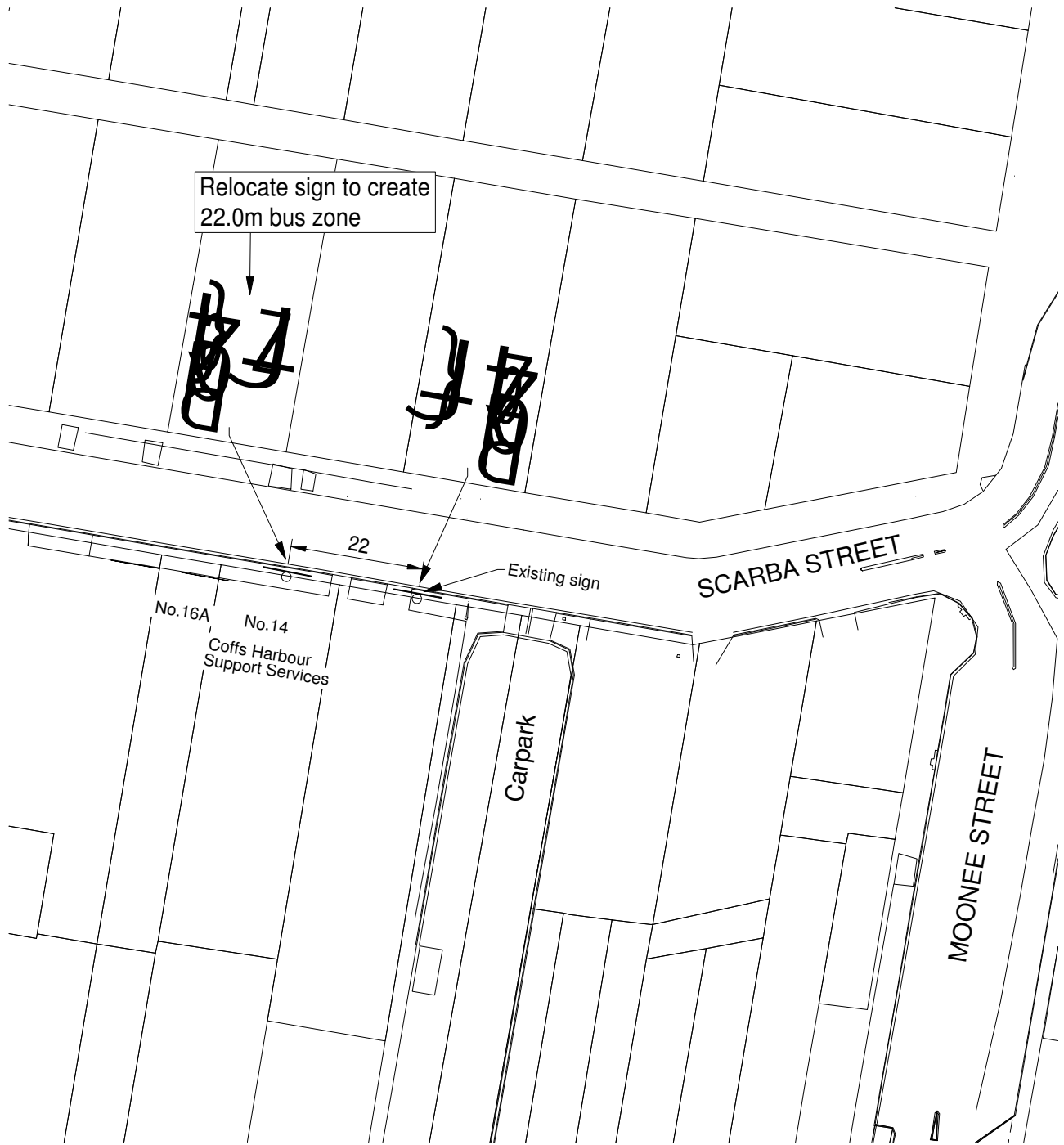
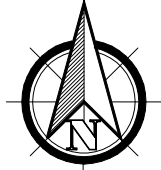
DRAWN DW GW BMD  
VERIFIED DW

TITLE **CAR PARK LEVEL 07  
ROOF PLAN - SECT**

Job No.	DRAWING No.	REV.
15 12	TD 03	04

NOTES:  
Install reviewed restricted parking zones and to trial 6 x 30 minute parking bays on level 4 in Castle Street car park, Coffs Harbour, as per plan

**TRAFFIC INSTRUMENT**  
T.39-2015 - 3 of 3  
Castle Street Car Park  
COFFS HARBOR



PLAN VIEW

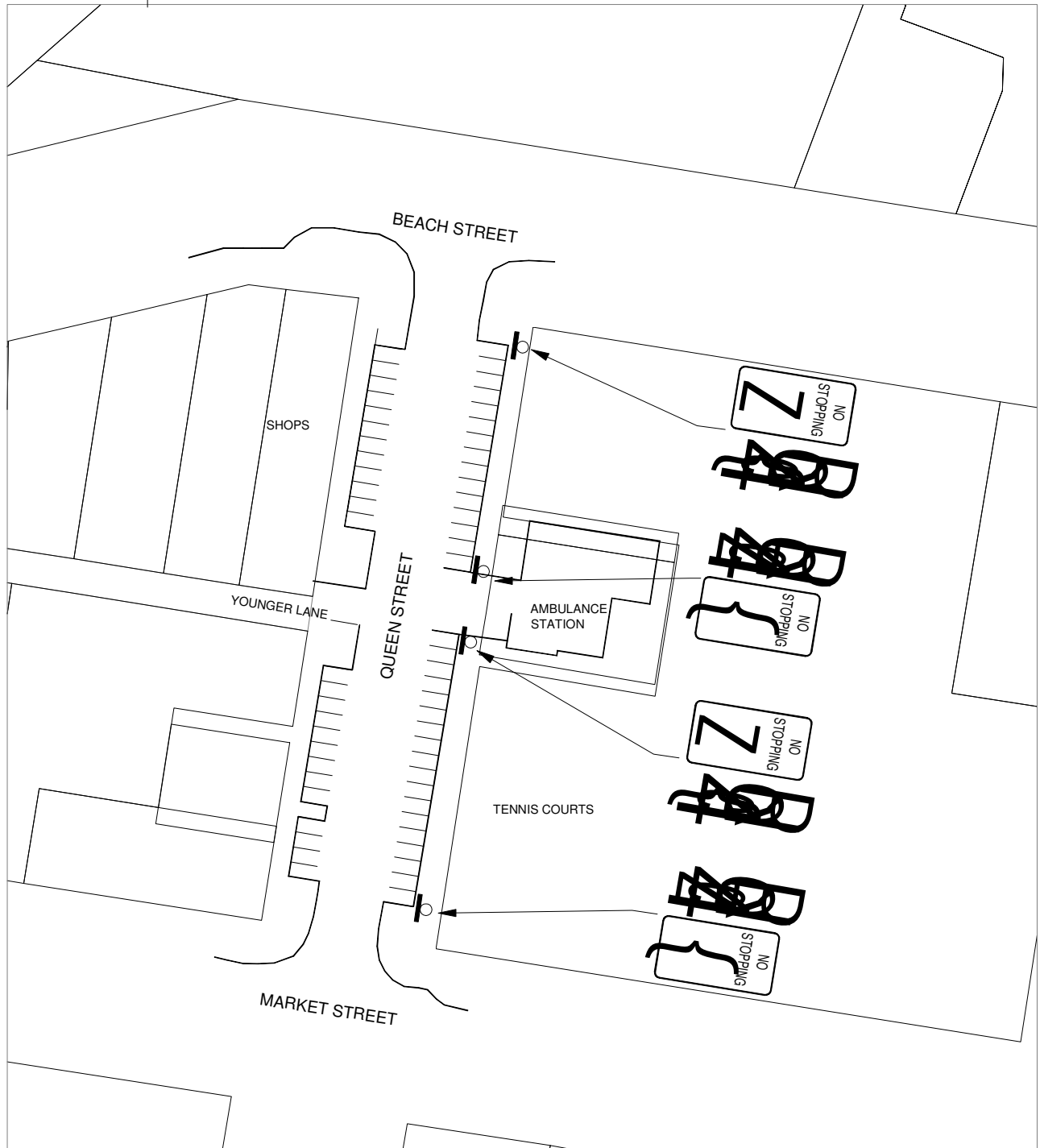
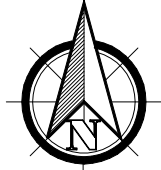
**NOTES:**

Lengthen the existing bus zone adjacent 12 – 14 Scarba Street, Coffs Harbour to a total length of 22m (west) and removal of time restrictions for the bus zone, as per plan.

**TRAFFIC INSTRUMENT**

T.43-2015

SCARBA STREET - BUS ZONE  
COFFS HARBOUR



PLAN VIEW

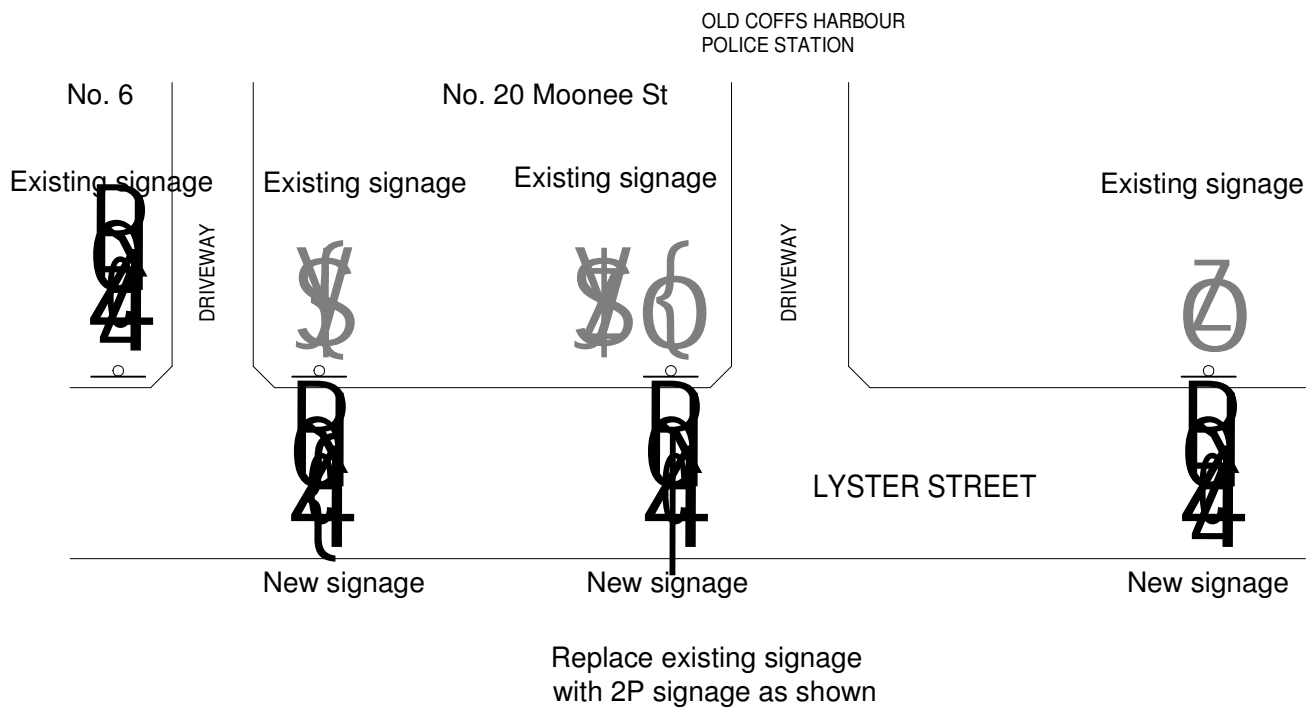
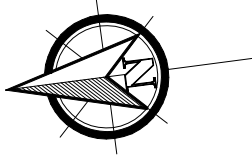
**NOTES:**

Install 33 x 2 hour timed (8:30 – 6pm Mon – Fri; 8:30 – 12:30 Sat) parking spaces on the east side of the Queen Street shopping precinct, Woolgoolga, as per plan

**TRAFFIC INSTRUMENT**

T.44-2015

QUEEN STREET 2 HOUR PARKING  
WOOLGOOLGA



PLAN VIEW

NOTES:

Replacement of the No Parking, Police Vehicles Excepted and Loading zones with a timed (8:30am – 6pm Mon – Fri; 8:30am – 12:30pm Sat) 2 hour parking zone ending at the driveway to the former police station in Lyster Street as per plan

TRAFFIC INSTRUMENT

T.46-2015

LYSTER STREET - 2 HOUR PARKING  
COFFS HARBOUR



## REPORT TO ORDINARY COUNCIL MEETING

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### GARAGE SALE TRAIL 2015

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**REPORTING OFFICER:** Section Leader Asset Planning and Projects  
**DIRECTOR:** Director Sustainable Infrastructure  
**COFFS HARBOUR 2030:** LC 3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour  
**ATTACHMENTS:** Nil.

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#### Recommendation:

1. That Council notes the contents of this report, and not participate in the Garage Sale Trail program.
2. That Council continue to support local reuse/waste avoidance/recycling programs in conjunction with Midwaste.

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### EXECUTIVE SUMMARY

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On 9 July 2015 Council resolved to investigate further involvement with Garage Sale Trail. Investigations have revealed that it is more advantageous for Council to continue local reuse/waste avoidance/recycling programs in conjunction with Midwaste, than to continue involvement with Garage Sale Trail.

---

## REPORT

### Description of Item:

Council considered a Notice of Motion at its meeting on 9 July 2015 and adopted the following:

*"That:*

- 1. Council consider membership of the Garage Sale Trail Project currently being taken up by an ever growing number of councils across Australia.*
- 2. A report be brought back to Council detailing the costs and benefits of membership of the program for the community of Coffs Harbour together with other existing alternatives such as Brunswick Heads event etc.*
- 3. An invitation be extended to the organisers of the program to form part of the briefing to Council."*

The purpose of this report is to address the resolution.

### Background

The 'Garage Sale Trail' is a one-day reuse event, coordinated by an ASIC Registered Australian Proprietary Company, limited by shares - 'Garage Sale Trail Pty Ltd'.

Garage Sale Trail Pty Ltd.'s fee for Coffs Harbour City Council's LGA to participate in the one-day event on 24<sup>th</sup> October 2015 would be \$5,000.

Council has previously participated in the Garage Sale Trail, with limited benefit considering the cost and resources involved in participating in and promoting the event.

Council previously participated in the 2013 and 2014 events.

For the 2014 event, the following is noteworthy:

The range of extensive and comprehensive promotion conducted by Council staff included:

- 32 Schools, charities and community groups contacted direct
- 6 x Twitter feeds (CHCC)
- 5 x Facebook posts
- 12 x face to face visits to charity stores and groups
- Promotion on Coffs Coast Waste Services, CHCC and Midwaste websites
- Approx. 30 - 35 hours of staff time
- Promotion in Living Lightly Newsletter
- 1 x Media release - not taken up by the Coffs Coast Advocate
- Advertisements on Coffs Buy Swap and Sell Facebook page
- Regular radio promotion on ABC Local radio for four weeks
- 14 mentions on TV.

Despite the extensive promotion the number of registered garage sales for the Coffs Harbour LGA event was only 21.

A review of the 'classifieds' section of a recent Saturday version of the 'Coffs Coast Advocate' identified 22 garage sales advertised – this was slightly more than the number of garage sales to register for the 2014 one-day Garage Sale Trail Event in the Coffs Harbour LGA, despite the large resourcing and advertising campaign conducted by staff prior to that 2014 event.

Verbal feedback from two participating charities was that they did not have any increased sales on the day.

#### Costs for 2014

Midwaste covered the \$10,000 cost for Midwaste councils to participate in 2014, (however Coffs Harbour City Council contributes membership funds to Midwaste).

#### Post 2014 Event Discussion

At the Midwaste meeting in November 2014, it was collectively decided among the Midwaste councils that this funding could be better spent by building on existing re-use events in each LGA or developing more localised events.

Given that Midwaste is not participating in 2015, the membership fee for CHCC to participate alone in 2015 would be \$5,000 (not including staff hours, promotion and advertising).

Based on the above information, the recommendation is that the funds would be more effectively utilised by partnering with Midwaste for a more locally focussed re-use event.

#### Alternative models in other LGA's

'Old and Gold' – Brunswick Heads

Organised by Ballina Chamber of Commerce.

A full day event involving a large range of businesses, op shops and residents. Live Music at a range of venues. Many sponsors and a key media sponsor to promote the event and print and distribute programs. This event involves an organising committee of some paid people and volunteers.

'Old Bar Beach Festival'

Held every October long weekend the festival features two days of entertainment, markets, a Kombi Show and a town Garage Sale.

The event is sponsored and run by an independent committee.

'Second Hand Saturday'

This program is coordinated by North East Waste on behalf of its member North Coast Councils. The North East Waste (NE Waste) is the MidWaste equivalent for the far north coast of NSW. The member councils include: Ballina Shire Council, Byron Shire Council, Clarence Valley Council, Richmond Valley Council and Tweed Shire Council. Thereby a much smaller geographic area than all of NSW as is the case for Garage Sale Trail.

#### Other Events

The MidWaste Regional Waste Avoidance and Resource Recovery Strategy 2014-2021 Key Result Area 1 – Avoid and Reduce Waste Generation sets a KPI (1.1.3) - at least two Avoidance / Reuse projects implemented annually within the region.

MidWaste members have collectively discussed a range of events to be held in each subregion. These include Love Food Hate Waste workshops, Tip Shop events, Frugal Forest exhibitions and Clothing Exchange events.

To this end, Council staff are in the early stages of planning for a free community reuse event; the Fashion Exchange.

This event would take place during Council's Living Coast Festival, in National Recycling week and would be a collaborative event involving North Coast TAFE fashion, retail and business students, Council staff, MidWaste Project Officer and the community. Minimal funds will be required to carry out this event and the benefits will be multi-faceted.

This type of event also satisfies a MidWaste Strategy KPI and further expands on the success of clothing collection trials carried out by Coffs Coast Waste Services in 2013-2014. Any clothing not swapped at the event will be donated to local charities.

It is considered that the funds and other resources would be better allocated by partnering with Midwaste for a more locally focussed re-use event.

**Issues:**

Council's prior involvement with the Garage Sale Trail program has not delivered the desired outcomes as evidenced by the above information.

**Options:**

1. Adopt the recommendations provided in this report. This will mean Council does not participate in the 2015 Garage Sale Trail, rather the focus, effort, funds and other resources would be directed to other reuse/waste avoidance/recycling programs in conjunction with Midwaste.
2. Reject the recommendations provided in this report. This option will result in Council registering to participate in the 2015 Garage Sale Trail, with the focus, effort, funds and other resources being directed away from other reuse/waste avoidance/recycling programs. \$5,000 would need to be found in the Waste Budgets.

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

**Sustainability Assessment:**

- **Environment**

There are no environmental issues which arise from non-participation in this one-day event. A review of the 'classifieds' section of a recent Saturday version of the 'Coffs Coast Advocate' identified 22 garage sale trails advertised – this was slightly more than the number of garage sales to register for the 2014 one-day Garage Sale Trail Event in the Coffs Harbour LGA, despite the large resourcing and advertising campaign conducted by staff prior to that 2014 event.

- **Social**

There are no adverse impacts on the social environment as a result of non-participation in this one-day event.

- **Civic Leadership**

There are no civic leadership impacts arising as a result of non-participation in this one-day event.

- **Economic**



**Broader Economic Implications**

There are no broader economic implications arising as a result of non-participation in this one-day event.

**Delivery Program/Operational Plan Implications**

There are no delivery program impacts arising as a result of non-participation in this one-day event.

Should Council choose not endorse the Recommendation, \$5,000 will be required to be reallocated within the Waste Budget from other projects. Staff resources will also need to be re-directed from other work in order to focus on the promotion of Garage Sale Trail. This is not supported at this stage.

**Risk Analysis:**

A risk analysis has not been undertaken.

Failure to adopt the recommendation provided within this report will result in a funding risk and staff resourcing risk for other projects.

**Consultation:**

Waste Services Branch have consulted with Midwaste representatives.

**Related Policy, Precedents and / or Statutory Requirements:**

- **Related Policy**  
Nil
- **Statutory Planning Controls**  
Nil

**Implementation Date / Priority:**

The recommendation to note the report will be implemented immediately, and other localised reuse/waste avoidance/recycling programs will be progressively undertaken in conjunction with Midwaste.

**Conclusion:**

Based on the above information the recommendation is that the report be noted, and that no action be taken with regard to participation in the 2015 Garage Sale Trail. Funds would be more effectively utilised by partnering with Midwaste for a more locally focussed re-use event.



**REPORT TO ORDINARY COUNCIL MEETING**

**DRAFT COFFS COAST REGION RESOURCE RECOVERY & WASTE MANAGEMENT STRATEGY 2015-2027**

<b>REPORTING OFFICER:</b>	Section Leader Asset Planning and Projects
<b>DIRECTOR:</b>	Director Sustainable Infrastructure
<b>COFFS HARBOUR 2030:</b>	LP 4.1 Promote sustainability programs and policies LC 3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour LE 2.2 Reduce our carbon footprint LE 4.2 Implement programs which aim to make Coffs Harbour local government area pollution free LE 4.4 Implement programs which aim to make Coffs Harbour Area a zero waste community
<b>ATTACHMENTS:</b>	ATT1 Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-27

**Recommendation:**

1. That Council approve the public exhibition of the Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 (Attachment 1).
2. That following the additional endorsement of the Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 by Bellingen Shire Council and Nambucca Shire Council, that Council, publicly exhibit and invite submissions on the draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 for a period of 28 days.
3. That a further report be presented to Council, following public exhibition of the Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027.

**EXECUTIVE SUMMARY**

The purpose of this report is to present the Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 to Council.

In December 2014 the Council endorsed the Consultant's Brief for the Preparation of a Coffs Coast Region Resource Recovery & Waste Management Strategy. This Brief was further endorsed by Bellingen Shire and Nambucca Shire Councils at their meetings of 28<sup>th</sup> and 29<sup>th</sup> January 2015 respectively. Consequently, consultants Jacobs Group (Australia) Pty Ltd were engaged under the Brief in April 2015.

Since April, staff from the three Councils have worked with the consultants to develop the attached Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027.

Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 is reported to Council for endorsement and to seek Council's approval to publicly exhibit the Draft Strategy for a period of 28 days.

## REPORT

### Description of Item:

In December 2014 Council endorsed the Consultant's Brief for the Preparation of a Coffs Coast Region Resource Recovery & Waste Management Strategy. This Brief was further endorsed by Bellingen Shire and Nambucca Shire Councils at their meetings of 28<sup>th</sup> and 29<sup>th</sup> January 2015 respectively. Consequently, consultants Jacobs Group (Australia) Pty Ltd were engaged under the Brief in April 2015.

Since April, staff from the three Councils have worked with the consultants to develop the attached Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 (Draft Strategy).

The three Councils have been working collaboratively since 2002, through joint contracts to deliver improvements to waste management and implement a focussed approach that considers the principles of the waste management hierarchy. The three Councils formed the 'Coffs Coast Waste Services' (CCWS), under a collaboration agreement to deliver domestic and other waste management services across the three Local Government Areas. Our commitment to managing waste more proactively is illustrated by being one of the first groups of Councils in New South Wales (NSW) to invest in Alternative Waste Technologies (AWT).

As a result, we can also boast some of the best recycling rate statistics in NSW – 77.5% for domestic Municipal Solid Waste (MSW) across the region in 2013/14.

Commencing in 2015 this Draft Strategy provides a regional framework for delivering waste management services and initiatives through to 2027, and targets that will ensure Coffs Coast remains a regional leader. The Draft Strategy is broken down into a series of seven key result areas, each of which have associated objectives and measures, which all the participating Councils are committed to pursuing. These key result areas form the strategic direction for waste services in the region, detailing how they can be improved and how the Councils can help residents and businesses to better manage their waste.

The Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 is reported to Council for endorsement and to seek Council's approval to publicly exhibit the Draft Strategy for a period of 28 days.

### Issues:

- Building on a Solid Base

The Draft Strategy notes with pride, the achievements of the three Councils in the collaborative framework of Coffs Coast Waste Services (CCWS):

*"We have achieved a great deal in recent times with regards to better management of domestic waste and this Strategy sets out a range of measures that will cement the region's position as a leader in recycling, landfill diversion and resource conservation."*

Of note is the following summary of these achievements, and some of the challenges ahead:

In 2014/15 the total population across the region was 104,000 with total households at 48,481. Population growth of the area is forecast to be strong.

Residents in all three Council areas are provided with a three bin kerbside collection service, and CCWS were early adopters of the 'NSW EPA Best Bin System', as this was fully implemented across the region by 2007. This service currently operates under a single contract managed by Coffs Coast Waste Services (CCWS). Materials collected and frequencies of collection for the three bins are:

- organics (garden and food) - collected weekly in the green lidded bin,
- general waste - collected fortnightly in the red lidded bin, and
- recycling - collected in the yellow lidded bin on alternate weeks to general waste.

A network of transfer stations is operated by the three Councils. These provide domestic waste drop-off facilities which accept general waste, recycling and garden organics, with some also accepting waste from businesses. Three of these transfer stations or landfill sites are upgrading to accept a range of 'problem wastes' through the NSW EPA Community Recycling Centre grants programme.

At the Coffs Coast Resource Recovery Park (CCRRP) at Englands Road there is a landfill and three waste processing operations that accept and process the contents of the red, yellow and green lidded bins. The mixed recycling (yellow lidded bin) is received into the Materials Recovery Facility (MRF) where the different materials are sorted using a mixture of hand picking and machinery, and then baled for resale.

The Englands Road MRF separates the following materials for recycling:

- Clean paper and cardboard
- Steel
- Aluminium
- Rigid plastics (Types 1 to 5)
- Glass (coloured, clear and fines)
- Polystyrene
- Liquid paperboard (Tetra paks)

The green lidded food and organics bin is sent to the Englands Road Biomass Solutions organics processing plant where it is treated through an In-Vessel Composting (IVC) process. The incoming food and organic material is shredded and placed into enclosed bays. The composting material is routinely turned and aerated in a controlled manner to assist the composting process. The resulting compost is nutrient rich and is sold to the agricultural and landscaping sectors.

General waste from the red lidded bin is sent to the Englands Road Biomass Solutions AWT plant where it is processed to remove contaminants and then treated in an autoclave to reduce the putrescible portion of the waste (that portion of the waste which would otherwise decay). This process stabilises the organic or putrescible waste, driving off a significant portion of the moisture. The waste is then processed to remove metals for recycling, and then screened to produce an organic product suitable for use as a soil additive, and a residual portion that requires landfill disposal. Advantages of this technology are that the potential for the waste to generate greenhouse gases is significantly reduced, as well as greatly reducing the quantity of waste sent to landfill.

There are four Council operated landfill sites in the region; one in Coffs Harbour at Englands Road, two in Bellingen Shire and one in Nambucca Shire. The Englands Road site accepts a range of waste types conforming to the General Solid Waste classification including asbestos. It is also the primary disposal point for the waste generated by the AWT which cannot be recycled. The Englands Road landfill is reaching capacity and, based on current disposal rates, will not be able to accept waste past 2020.

Bellingen Shire Council operates a landfill at Raleigh. BSC also operates a small scale landfill in Dorrigo which is co-located with a transfer station.

Nambucca Shire Council operates a landfill at Nambucca Heads which accepts mixed building and demolition waste, clean fill, bulky kerbside goods, asbestos and biosolids.

- Moving Forward with the Draft Strategy

The Draft Strategy considers the achievements of CCWS to date, and identifies a number of core challenges moving forward. The Draft Strategy considers opportunities for improvement in waste avoidance, resource recovery and collaboration.

The Draft Strategy sets out the following vision for waste management in the region and groups future activities into a series of priority areas, or Key Result Areas (KRAs), which will be used to deliver the Vision:

*The regional Councils will innovate and collaborate to provide waste services that demonstrate leadership, a culture of continuous improvement and a community focus that delivers social, environmental and economic benefits.*

To deliver the Coffs Coast vision, seven KRAs have been identified. These cover a range of activities and priority work areas, which set out a clear direction for the development of waste management practices over the coming years. Each KRA has specific objectives and key performance indicators (KPIs).

The first six KRAs reflect the focus of the NSW Waste Avoidance & Resource Recovery Strategy 2014-21. The seventh KRA focuses on strategic management of waste management infrastructure across the region.

The seven KRAs are:

1. Avoid and Reduce Waste Generation
2. Increase Recycling
3. Divert More Waste from Landfill
4. Manage Problem Waste Better
5. Reduce Litter
6. Reduce illegal Dumping
7. Infrastructure Management

These seven Key Result Areas, identified in the Draft Strategy will underpin its successful implementation. By working with the community, businesses and industry the Coffs Coast region will achieve the vision and objectives within the Draft Strategy. This will include developing existing collection and processing infrastructure, supporting local community initiatives, developing better ways of working together and improving the data available on how much waste is generated, processed and disposed of to landfill.

Monitoring of report against KPIs is critical to assess the progress against delivering the vision and objectives in the Draft Strategy. Data will be collected and calculated in accordance with state and federal requirements, and in a consistent manner.

**Options:**

1. Adopt the recommendations provided in this report. This will enable public exhibition of the Draft Strategy to gain further community input.
2. Reject the recommendations provided in this report. This option will result in a significant delay for the adoption of the Strategy and delay strategic outcomes in resource recovery and waste management in the region.

It is recommended that Council pursue option one (1) as outlined above.

**Sustainability Assessment:**

- **Environment**

The Draft Strategy seeks to provide for the continued application of best practice and leadership that CHCC and CCWS have provided through the implementation of the 2002 Waste Strategy.

The Draft Strategy's Vision is:

*'The regional Councils will innovate and collaborate to provide waste services that demonstrate leadership, a culture of continuous improvement and a community focus that delivers social, environmental and economic benefits.'*

The Draft Strategy accords with and builds on the NSW Government's Waste Avoidance and Resource Recovery Strategy 2014-2021, as well as the Midwaste Regional Waste Avoidance and Resource Recovery Strategy 2014-2021.

By doing so, it is anticipated that the Draft Strategy will assist in achieving positive environmental outcomes within the Coffs Coast Waste Services Region.

- **Social**

There are no adverse impacts on the social environment as a result of the Draft Strategy. Community health and wellbeing will be maintained as well as the livability of our communities.

- **Civic Leadership**

Over the course of this project, the Councils and the consultants have sought to work closely with the community, other stakeholders and government authorities to ensure views expressed are considered and reflected in the Draft Strategy, consistent with Government policy and legislation.

The need for a Waste Strategy is identified in a number of objectives of the 2030 Plan:

- LP 4.1 promote sustainability programs and policies
- LC 3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
- LE 2.2 reduce our carbon footprint
- LE 4.2 implement programs which aim to make Coffs Harbour local government area pollution free
- LE 4.4 implement programs which aim to make Coffs Harbour Area a zero waste community

- **Economic**

**Broader Economic Implications**

The Draft Strategy has the potential to identify and maintain, if not improve, the employment opportunities for residents, foster better opportunities for businesses and industries to improve waste management practices, and to make efficient use of existing and future infrastructure. The cost-effectiveness of service delivery is a key driver for the Councils, with regard to resource recovery and waste management and this is reflected in the Draft Strategy.

**Delivery Program/Operational Plan Implications**

The endorsement of the Draft Strategy for public exhibition does not have any implications for the Delivery Program/Operational Plan at this stage.

**Risk Analysis:**

A risk analysis has been undertaken and it is considered that the adoption of Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 for the purposes of public exhibition as recommended does not pose a significant risk to Council.

Extensive internal consultation with specialist staff and external public consultation prior to finalisation of the Strategy will significantly reduce risks to Council.

Failure to adopt the recommendations provided within this report will result in a considerable delay with associated waste management activities of the Councils.

The preparation and operation of a strategic waste document will assist in addressing medium and long term risks.

**Consultation:**

Extensive consultation has been undertaken throughout the development of the Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027.

Early collaborative consultation occurred between the staff of the three Councils.

Initial consultation included the establishment of an internal Reference Group, as reported to Council on 28 May 2015. The Reference Group comprised a Councillor, a Director and a staff member from each Council. The Reference Group met on two occasions during the development of the Draft Strategy.

Secondary consultation occurred with various stakeholders across the three Council areas, during a series of three community workshops, one held in each area. These workshops were advertised broadly, and facilitated by a community engagement specialist subcontracted to Jacobs Group. In addition there was an online survey with over 300 responses, as well as targeted phone interviews with stakeholders including local businesses.

A Councillor briefing session has also been carried out.

Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 is proposed to be placed on public exhibition for a period of twenty eight days to seek community input into the Draft Strategy.

Upon completion of the public exhibition phase, a further report will be prepared for Council's consideration addressing submissions and to provide feedback and recommendations to enable the Councils to adopt a final version of the Draft Strategy.

**Related Policy, Precedents and / or Statutory Requirements:**

• **Related Policy/Strategy**

- Waste Resource Action Strategy – Simply Living (2002)
- NSW Waste Avoidance and Resource Recovery Strategy 2014-2021
- Midwaste Regional Waste Avoidance and Resource Recovery Strategy 2014-2021
- Waste Less, Recycle More – Waste and Resource Recovery Initiative (NSW EPA 2013)

• **Statutory Planning Controls**

There is no statutory requirement to develop a waste strategy, however, given the regional basis of Coffs Coast Waste Services, it is seen as good planning practice to develop such a document.

**Implementation Date / Priority:**

Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 is proposed to be publicly exhibited for 28 days, following which Council staff will consider any submissions made in relation to the Draft Strategy and incorporate any required amendments therein.

Further reports will then be prepared for the Councils consideration seeking to adopt the Final Strategy. If adopted by the Councils, the Final Strategy would provide a regional framework for delivering waste management services and initiatives through to 2027, and targets that will ensure Coffs Coast remains a regional leader in waste management.

**Conclusion:**

Draft Coffs Coast Region Resource Recovery & Waste Management Strategy 2015-2027 seeks to provide a regional framework for delivering waste management services and initiatives through to 2027, and targets that will ensure Coffs Coast remains a leading region.





# Coffs Coast Region

RESOURCE RECOVERY AND WASTE  
MANAGEMENT STRATEGY

2015 - 2027

PUBLIC EXHIBITION DRAFT





This project is a NSW  
EPA Waste Less, Recycle  
More initiative funded  
from the waste levy.





# CONTENTS

<b>INTRODUCTION</b>	<b>4</b>
<b>POLICY CONTEXT</b>	<b>6</b>
<b>COFFS COAST REGIONAL STRATEGY</b>	<b>8</b>
<b>WHERE ARE WE TODAY?</b>	<b>10</b>
POPULATION AND DEMOGRAPHIC INFORMATION	10
SUMMARY OF COUNCIL SERVICES AND INFRASTRUCTURE IN 2014/15	11
WASTE GENERATION	13
WASTE FORECAST	13
WASTE COMPOSITION	14
WASTE PERFORMANCE ASSESSMENT	15
<b>WHERE DO WE WANT TO GET TO?</b>	<b>16</b>
MIDWASTE STRATEGY	17
KEY RESULT AREAS	17
<b>HOW WILL THE REGION GET THERE?</b>	<b>20</b>
ASSESSMENT OF OPTIONS	21
COLLECTION OUTCOMES	21
PROCESSING OUTCOMES	21
DISPOSAL OUTCOMES	21
KEY AREAS OF FOCUS	22
<b>HOW WILL THE STRATEGY BE IMPLEMENTED?</b>	<b>29</b>
<b>APPENDIX A - GLOSSARY OF TERMS</b>	<b>30</b>



# INTRODUCTION

**As the economy grows and the consumption of goods and services increases, the quantities and types of waste we produce has expanded and diversified. In response, waste management practices have changed and adapted to the developing markets, policy and legislative requirements and community expectation. The tide of change is persistent as older solutions, such as landfill, are becoming less acceptable and the benefits from reuse and recycling activities become more attractive.**

The traditional view of waste management was a linear transition, produce – consume – dispose, which polarised opinion between the need for increased consumption to drive economic growth and waste minimisation. This is no longer the case as digital consumption grows – i.e. music and movie downloads or online newspapers, change consumption patterns. The increased demand for materials and the greater need to recirculate resources is changing the face of waste management across the globe. The proliferation of high-tech smart devices in our lives, and their use of rare metals, has accentuated the global push towards a Circular Economy - where resource scarcity drives innovative waste management and recycling solutions. Locally and across the State the Coffs Coast region has been recognised as an early adopter through the application of new and emerging technologies to deliver greater resource recovery.

<sup>1</sup> In NSW, 'recycling rate' refers to the proportion of the waste stream which is reprocessed to make the same or different products and put back into the economy. It does not include energy recovered from waste.

To develop a strategy for the next 12 years it is important to think about the future needs and requirements for the waste which is likely to be generated in the region. Whilst Council waste services are the most significant factor in determining how waste is managed locally, it is important that businesses, residents and members of the community also take responsibility for the waste they generate. We all have influence over the type and quantity of waste we generate. Recycling is accepted as a responsible approach to waste management; by collecting waste for recycling resources are processed and made into new products. As such effective waste management is also an opportunity to create positive economic, social and environmental change; managing waste should no longer be seen as a problem.

This document is the Coffs Coast Region Resource Recovery & Waste Management Strategy, 2015-2017 developed by Coffs Harbour City Council, Nambucca Shire Council and Bellingen Shire Council. Our three Councils have been working collaboratively since 2002, through joint contracts, to deliver improvements to waste management and implement a focused approach that considers the principles of the waste management hierarchy. Our commitment to managing waste more proactively is illustrated by being one of the first groups of Councils in New South Wales (NSW) to invest in Alternative Waste Technologies (AWT). We can also boast some of the best recycling rate statistics in NSW –77.5% for domestic Municipal Solid Waste (MSW) across the region in 2013/14.

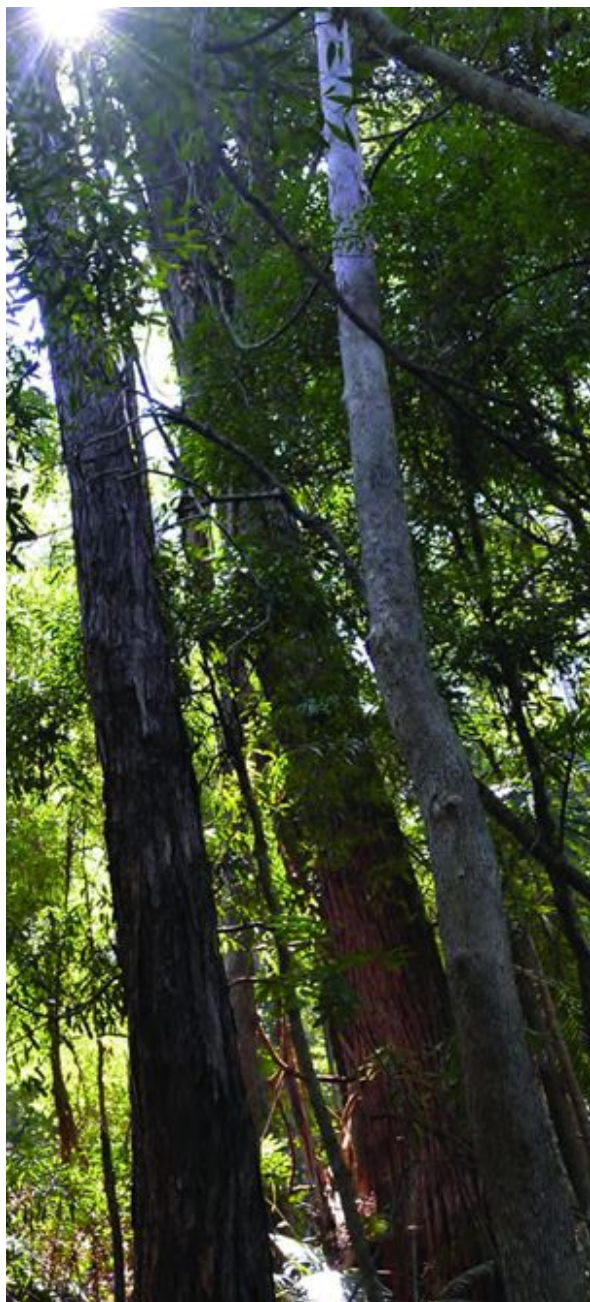
Commencing in 2015 this Strategy provides a regional framework for delivering waste management services and initiatives through to 2027, and targets that will ensure Coffs Coast remains a leading region. The Strategy is broken down into a series of 7 Key Result Areas; each of which have associated objectives and measures which all of the participating Councils are committed to pursuing. These Key Result Areas form the strategic direction for waste services in the region, detailing how they can be improved and how the Councils can help residents and businesses to manage their waste better.



## Coffs Coast Region



PARTICIPATING COUNCILS IN COFFS COAST WASTE SERVICES



## POLICY CONTEXT

**Waste is managed in a range of different ways by Councils to accommodate local environmental conditions, individual Council policies and a range of other operational considerations. There is a variety of National and State legislation that sets out the requirements for managing waste arising from municipal, commercial and industrial, and construction and demolition sources as well as legislation governing protection of the natural environment.**

Australia's current National Waste Policy targets six key areas for action. These involve taking shared responsibility for reducing the impact from waste, improving the market for resource recovery, adopting the sustainability principle of 'waste less', reducing hazards and risks, tailoring solutions to regional and local needs and improving national waste and resource recovery data to inform decision making.

At a state level the NSW Waste Avoidance and Resource Recovery (WARR) Act 2001 sets out the framework for the development of waste strategies for NSW. The most recent of which, **NSW Waste Avoidance and Resource Recovery Strategy 2014-21**, is a high level framework for setting priorities, long term direction and defining the role of Local Government in achieving the stated targets. The NSW WARR Strategy 2014-21 contains six key areas with stated targets to be achieved by 2021/22.

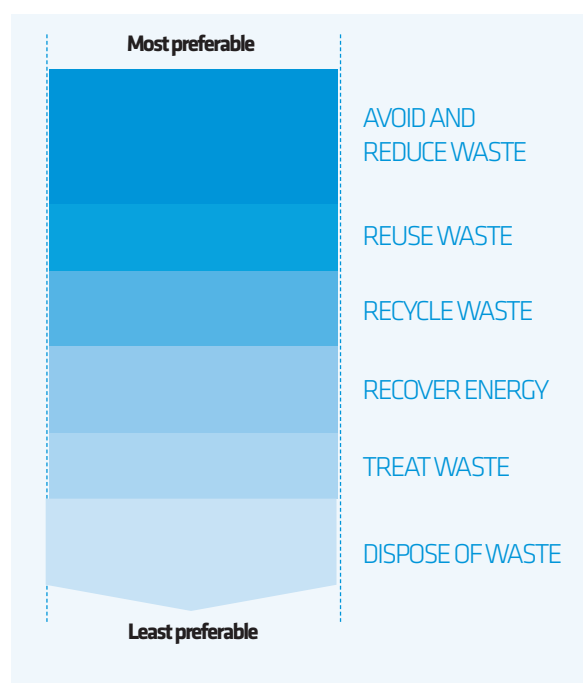


Local Councils are encouraged to contribute towards meeting these targets, which are to:

1. **Avoid and reduce waste generation**
  - Reduce the rate of waste generation per person by 2021/22
2. **Increase recycling of:**
  - Municipal Solid Waste (MSW) to 70% by 2021/22
  - Commercial and Industrial Waste (C&I) to 70% by 2021/22
  - Construction and Demolition Waste (C&D) to 80% by 2021/22
3. **Divert more waste from landfill**
  - Increase waste diverted from landfill to 75% by 2021/22
4. **Manage 'problem waste' better**
  - Establish or upgrade 86 drop off facilities or services for managing household problem wastes (across NSW) by 2021/22
5. **Reduce litter**
  - By 2016/17 reduce the number of litter items by 40% compared to 2011/12 levels and then continue to reduce by 2021/22
6. **Reduce illegal dumping**
  - Implement the NSW Illegal Dumping Strategy 2014-16 and establish baseline data to allow target setting

**NSW 2021: A plan to make NSW number one** is a document which sets the government's agenda for change in NSW. It directed the NSW Environment Protection Authority (EPA) to lead the regions of NSW, including the Midwaste Region, with the development of regional waste avoidance and resource recovery strategies in 2013/14. The NSW EPA has assisted with the development of better services and infrastructure by funding public and private initiatives, through grant programmes such as the 'Waste Less Recycle More' initiative.

National Policy and NSW Strategy are based on the concept of sustainable waste management and guided by the principles of the waste hierarchy. The waste hierarchy sets out the preference for waste management solutions; stressing the importance of waste avoidance and minimisation and seeking to recover the highest value from materials. Producing recyclable material of a high quality is important so that further processing or disposal is minimised or avoided.



THE WASTE HIERARCHY<sup>2</sup>

<sup>2</sup> NSW Waste Avoidance and Resource Recovery Strategy 2014-2021



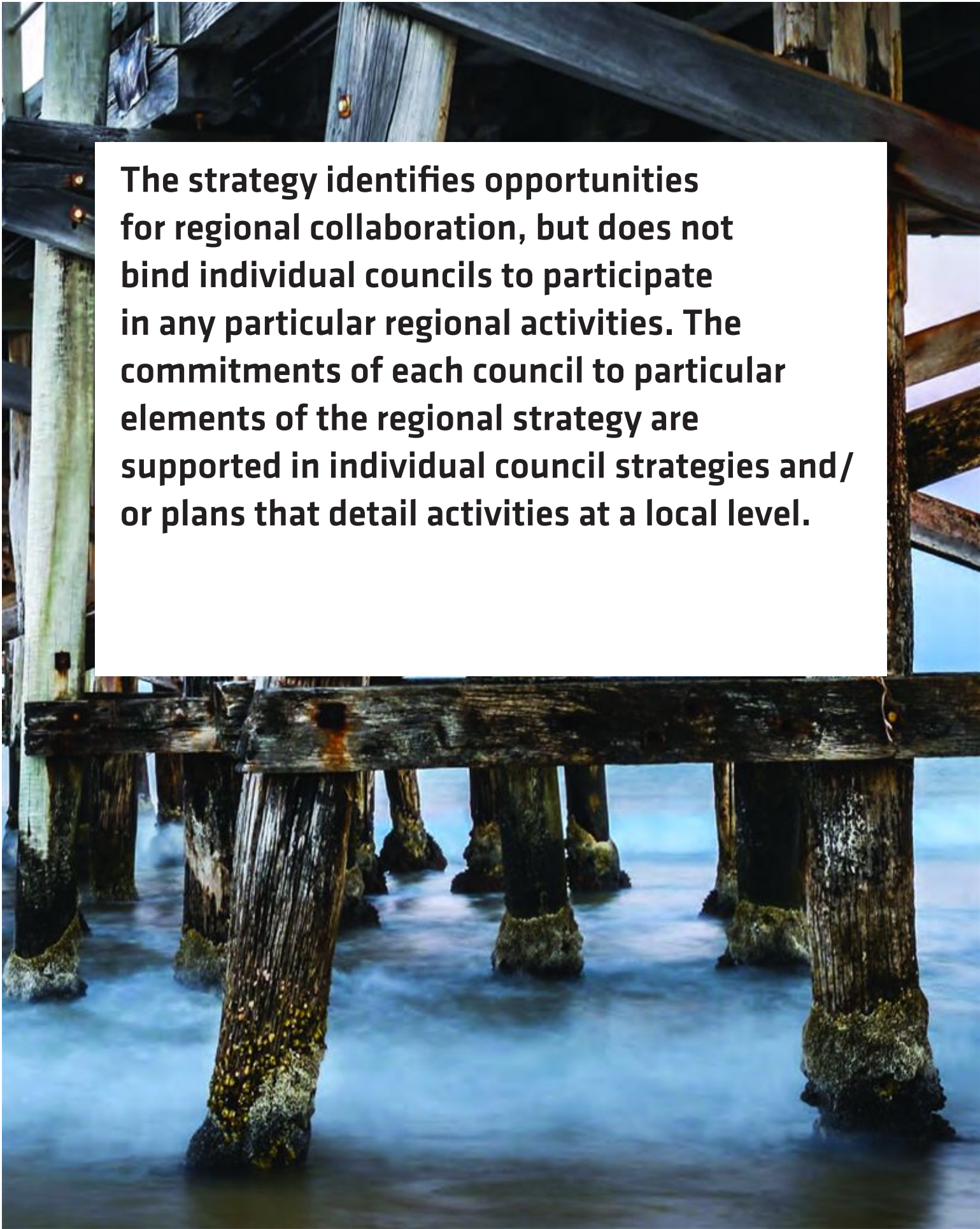


## COFFS COAST REGIONAL STRATEGY

The Coffs Coast Councils and communities have achieved a great deal in recent times with regards to better management of domestic waste and this Strategy sets out a range of measures that will cement the region's position as a leader in recycling, landfill diversion and resource conservation. Member Councils have also identified opportunities for a collaborative approach to address C&I and C&D waste. Activities focussed on these wastes also feature in a range of service and infrastructure options we are considering for further investigation.

This Strategy has been developed in consultation with officers and Members from all participating Councils. The development of the Strategy has been led by Council officers with oversight from the General Managers of the participating Councils. This Strategy is subject to review in 2020 and then on a five yearly basis, or at such times the member Councils view most appropriate.





**The strategy identifies opportunities for regional collaboration, but does not bind individual councils to participate in any particular regional activities. The commitments of each council to particular elements of the regional strategy are supported in individual council strategies and/or plans that detail activities at a local level.**

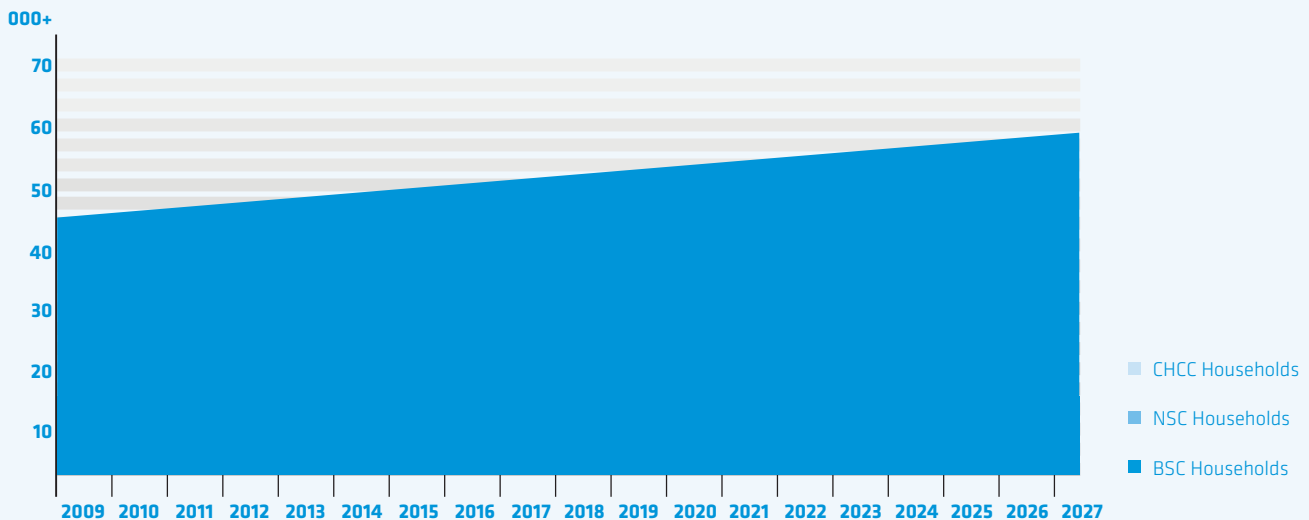
# WHERE ARE WE TODAY?

## POPULATION AND DEMOGRAPHIC INFORMATION

In 2014/15 the total population across the region was 104,000 with total households at 48,481. Coffs Harbour City Council (CHCC) Local Government Area (LGA) is the most populated with 72,382 individuals, greater than that of Nambucca Shire Council (NSC) LGA (18,717) and Bellingen Shire Council (BSC) LGA (12,854). CHCC with a much larger urban centre has the highest population growth with a forecasted annual rate of increase of 1.4%, whereas BSC and NSC have an annual increase of 0.4%.

The projected increase in households across the region is shown below, the majority of which would be expected to require a waste collection service.

## Total households:

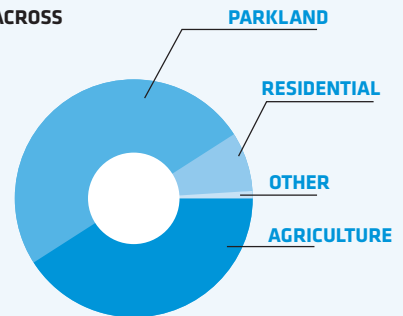


PROJECTED HOUSEHOLD GROWTH ACROSS THE REGION DURING THE LIFETIME OF THE STRATEGY

The region covers a total of 4,270km<sup>2</sup>, over 50% of which comprises national parks and state forests and approximately 30% of which is used for agricultural purposes. The main population centres are Coffs Harbour (26,140 residents), Toormina (6,077 residents), Woolgoolga (5,054 residents) in CHCC and Bellingen (3,038 residents) and Nambucca Heads (6,222 residents).

## Land use:

TYPES OF LAND USE ACROSS COFFS COAST REGION



<sup>3</sup> Australian Bureau of Statistics based on 2011 census data

Where are we today?



## SUMMARY OF COUNCIL SERVICES AND INFRASTRUCTURE IN 2014/15

### COLLECTIONS

The standard service uses 240 litre Mobile Garbage Bins (MGBs) collected using a single manned side lift compaction vehicle. Options for additional or larger bins (general / organic / recycling) are available to residents and businesses at an additional cost. The bulk bins, typically used in multi-unit dwellings and are collected weekly using a rear loader collection vehicle.

Due to the rural nature of much of the region there is a large number of properties that are not on a scheduled collection route and therefore do not have a kerbside collection service. Residents of these properties drop their waste and recycling off at transfer stations and landfill facilities located throughout the region.

Businesses are offered the same collection service as households and in some instances may also choose to have larger capacity bins if required. Those that require more frequent services request these from a commercial collection contractor. Council collections for the selected businesses are made with the same vehicle and included in the domestic MSW collections to limit distances travelled and travel times. Commercial collections services are offered by private contractors as 'wet waste' or 'dry waste' collections to reflect the acceptance criteria at the Biomass Solutions Alternative Waste Treatment (AWT) plant or at the landfill.

### TRANSFER STATIONS

A transfer station is a location where waste can be dropped off and is bulked for more efficient onward transport. A network of transfer stations is operated by the three Councils. These provide domestic waste drop-off facilities which accept general waste, recycling and garden organics, with some also accepting waste from businesses. Three of these transfer stations are planned to be upgraded to accept a range of 'problem wastes' through the NSW EPA Community Recycling Centre grants programme.

### WASTE MANAGEMENT FACILITIES AND TRANSFER STATIONS

#### Coffs Coast Resource Recovery Park (CCRRP), MSW, C&I and C&D

31A Englands Road

#### Coramba Transfer Station - MSW only

East Bank Road, Coramba

#### Lowanna Transfer Station - MSW only

Lowanna Road, Lowanna

#### Woolgoolga Transfer Station - MSW only (no organics accepted)

11 Willis Road, Woolgoolga

#### Raleigh Waste Centre, MSW, C&I and C&D

Short Cut Road, Urunga

#### Dorrigo Waste Management Depot, MSW, C&I and C&D

Old Coramba Road, Dorrigo

#### Bellingen Transfer Facility, MSW only

Bowraville Road, Bellingen

#### Nambucca Waste Management Facility, MSW, C&I and C&D

711 Old Coast Road, Nambucca Heads

### WASTE MANAGEMENT SITES ACROSS THE COFFS COAST REGION

New Community Recycling Centres at Englands Road, Coffs Harbour, Raleigh and Nambucca will accept the following 'core' list of wastes from households<sup>6</sup>:

- Paints (oil and water based)
- Motor oils
- Cooking, hydraulic and transmission oils
- Household single use batteries
- Car batteries (lead acid)
- Fluorescent and compact florescent lighting (mercury containing lamps)
- Household pesticides and herbicides
- Gas cylinders (including fire extinguishers)
- Smoke detectors

<sup>6</sup> Some Transfer Stations across the region already offer collection of some of these materials





**WASTE PROCESSING INFRASTRUCTURE**

At the Coffs Coast Resource Recovery Park (CCRRP) at Englands Road there is a landfill and three waste processes that accept and process the contents of the red, yellow and green lidded bins. The mixed recycling (yellow lidded bin) is received into the Materials Recovery Facility (MRF) where the different materials are sorted using a mixture of hand picking and machinery, and then baled for resale.

The Englands Road MRF separates the following materials for recycling:

- Clean paper and cardboard
- Steel
- Aluminium
- Rigid plastics (Types 1 to 5)
- Glass (coloured, clear and fines)
- Polystyrene
- Liquid paperboard (Tetra paks)

The green lidded food and organics bin is sent to the Englands Road Biomass Solutions organics processing plant where it is treated through an In-Vessel Composting (IVC) process. The incoming food and organic material is shredded and placed into enclosed bays. The composting material is routinely turned and aerated in a controlled manner to assist the composting process. The resulting compost is nutrient rich and is sold to the agricultural and landscaping sectors.

General waste from the red lidded bin is sent to the Englands Road Biomass Solutions AWT plant where it is processed to remove contaminants and then treated in an autoclave to reduce the putrescible portion of the waste (that portion of the waste which would otherwise decay). This process stabilises the organic or putrescible waste, driving off a significant portion of the moisture. The waste is then processed to remove metals for recycling, and then screened to produce an organic product suitable for use as a soil additive, and a residual portion that requires landfill disposal. Advantages of this technology are that the potential for the waste to generate greenhouse gases is significantly reduced, as well as greatly reducing the quantity of waste sent to landfill.

**LANDFILL**

The types and quantities of waste we produce can cause some significant environmental issues; organic wastes decompose generating methane gas, and chemicals can leach out of waste polluting water course and adjacent land. Modern landfills are licensed by the NSW EPA and are engineered to contain the waste, manage drainage and in some cases capture escaping gases. All Councils are required to routinely monitor environmental conditions in and around these facilities to ensure any environmental impact is minimised.

There are four Council operated landfill sites in the region; one in Coffs Harbour at Englands Road, two in Bellingen Shire and one in Nambucca Shire. The Englands Road site accepts a range of waste types conforming to the General Solid Waste classification including asbestos. It is also the primary disposal point for the waste generated by the AWT which cannot be recycled – 12,500 tonnes in 2013/14. The Englands Road landfill is reaching capacity and, based on current disposal rates, will not be able to accept waste past 2020.

Bellingen Shire Council operates a landfill at Raleigh which accepted 1,845 tonnes of waste in 2013/14. Based on its current capacity, the site has remaining space to continue operating for approximately 18 years. BSC also operates a small scale landfill in Dorrigo which is co-located with a transfer station. The site accepted 760 tonnes in the 2013/14 financial year of bulky type wastes, and has a current capacity which will last approximately 10 years.

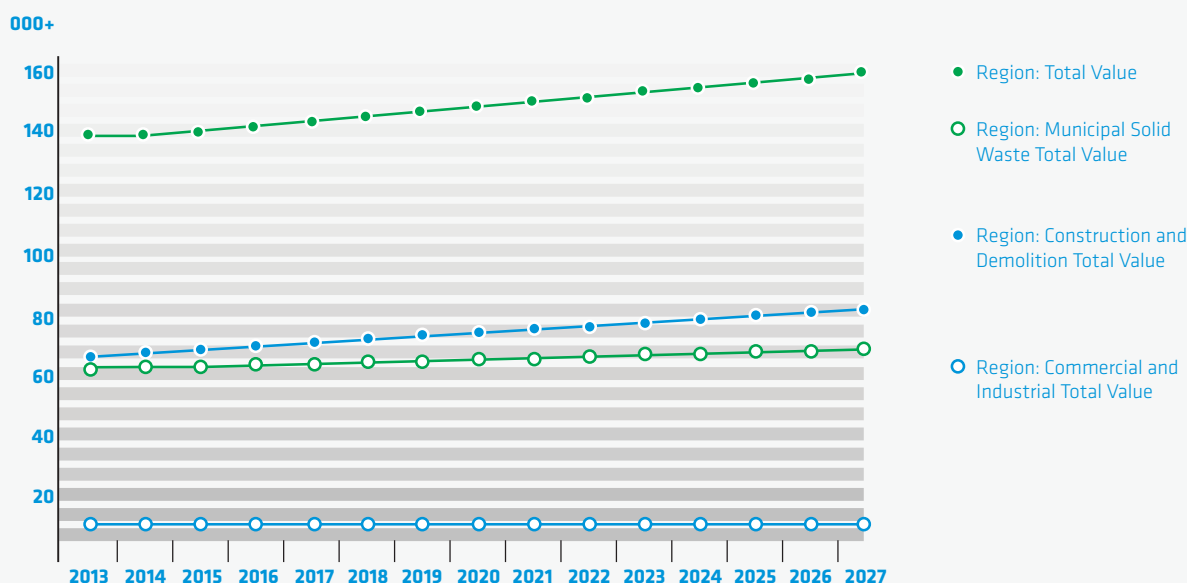
Nambucca Shire Council operates a landfill at Nambucca Heads which accepts mixed building and demolition waste, clean fill, bulky kerbside goods, asbestos and biosolids. The site accepted approximately 3,596 tonnes in 2013/14. The first stage of this landfill has a remaining capacity which would give it an operational life of 20 years. The remaining two stages (to be developed) will allow for a further 80 years of capacity, based on current waste input rates.

Where are we today?



## Historical and future waste projections:

# 2013 >>> 2027



### WASTE FORECAST FOR MSW, C&I AND C&D FOR COFFS COAST REGION

#### WASTE GENERATION

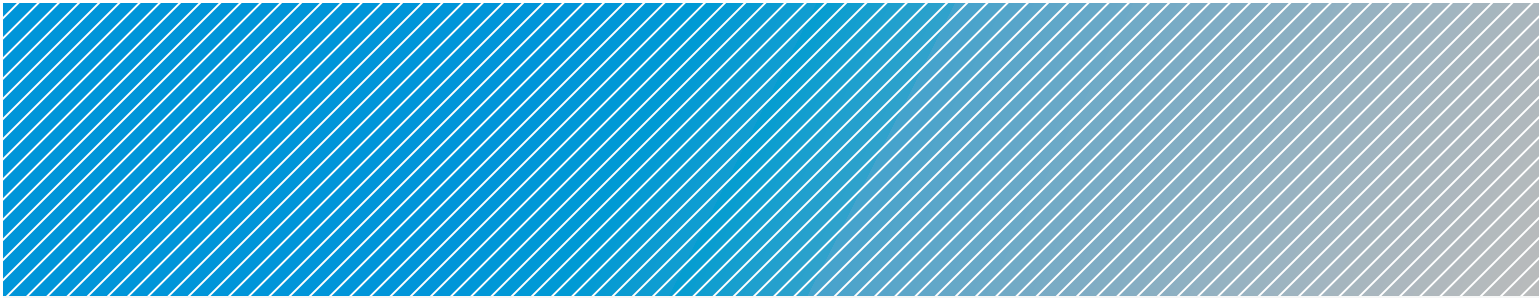
In 2013/14, CCWS managed an estimated total of 57,300 tonnes of MSW; 14,635 tonnes of this was sent to landfill, either directly at regional landfills or as reject or residual from the Biomass AWT plant. All remaining waste was processed for recycling or recovery. In total this equates to approximately 550kg of MSW waste generated for each resident or 1,198 tonnes generated for each household every year.

C&I and C&D waste streams offer significant potential for improvement in recycling performance. C&I tonnages are much lower with only 9,464 tonnes recorded for 2013/14, of which 3,134 tonnes (33%) was either recycled or composted.

A significant proportion of the C&I waste being generated in the region is not disposed of at Council sites, influenced primarily by current disposal charges and restrictions on what types of waste can be accepted at Englands Road landfill. C&D waste is the largest stream of waste within the region with a total of 67,314 tonnes recorded in 2013/14, of which 51,736 tonnes (77%) was recycled or reused as engineering or remediation materials at landfill sites.

#### WASTE FORECAST

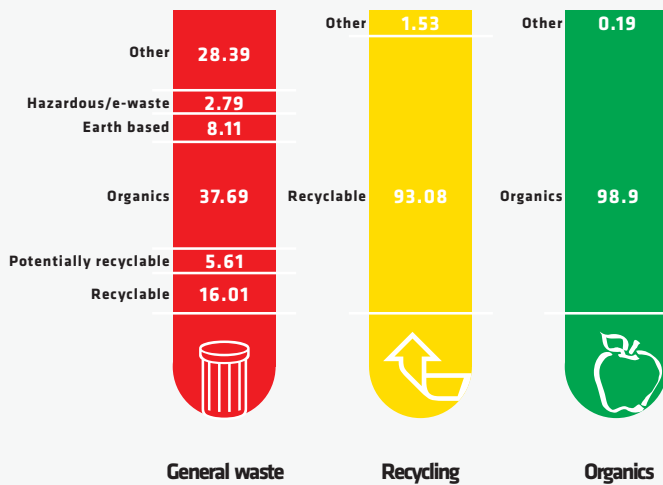
For modelling purposes a waste forecast has been generated based on historical waste data (from 2009 to 2013) and population growth trends. The graph shows total waste projections for the region and a breakdown of the three principal waste streams.



## WASTE COMPOSITION

From time to time Councils in the region conduct independent waste audits of domestic kerbside collections to determine the composition of the material being disposed of. The most recent audit was completed in 2014 prior to this Strategy being prepared. This audit assessed general waste, recycling and organics MGBs collected from households and had a particular focus on the quantity of recyclable waste still in the general waste stream and the level of non-recyclable and non-compostable materials in the in the recycling and organics streams.

The resulting waste composition data indicates that there is still significant potential to capture additional recycling (16%) and organics (38%) from the general waste bin. There were also opportunities for diversion of textiles (comprising 5% of general waste) and for e-waste and hazardous waste categories (comprising over 4% of the general waste).



THE TYPES OF WASTE FOUND IN THE 3 BIN KERBSIDE COLLECTION SYSTEM



Where are we today?



## WASTE PERFORMANCE ASSESSMENT

In 2013/14 residents recycled and composted over 58% of the waste they produced through kerbside collections and drop off sites. Over 77% of waste produced was diverted from landfill after processing the general waste in the AWT contributing to increased diversion.

	BELLINGEN SHIRE COUNCIL	COFFS HARBOUR CITY COUNCIL	NAMBUCCA SHIRE COUNCIL	CCWS
General Waste	1,350	12,202	2,901	16,453
Kerbside Collections				
Organics	1,424	10,725	2,950	15,099
Recycling	1,072	8,660	2,072	11,804
Transfer Stations				
General Waste	1,554	3,085	231	4,870
Organics	610	1,628	226	2,464
Recycling	689	2,498	656	3,843
Bulky Waste	237	1,793	439	2,469
% Collected for Recycling and composting	54.7%	57.9%	62.3%	58.3%
<b>Total Generated</b>	<b>6,935</b>	<b>40,590</b>	<b>9,475</b>	<b>57,000</b>
<b>Total Landfilled (post AWT)</b>	<b>1,639</b>	<b>9,209</b>	<b>1,972</b>	<b>12,820</b>
<b>Total Diverted</b>	<b>5,296</b>	<b>31,381</b>	<b>7,503</b>	<b>44,180</b>
<b>Diversion Rate</b>	<b>76.4%</b>	<b>77.3%</b>	<b>79.2%</b>	<b>77.5%</b>

**57,000**  
tonnes  
of waste  
generated by  
residents

**77%**  
waste  
generated  
was diverted  
from landfill

MSW WASTE TONNAGE AND DIVERSION RATES FOR 2013/14





## WHERE DO WE WANT TO GET TO?

The three Coffs Coast Councils have set out the vision for waste management in the region and grouped future activities into a series of priority areas, or Key Result Areas, which will be used to deliver it.

Where do we want to get to?



**Our vision for this Coffs Coast Strategy is:  
The regional councils will innovate and collaborate to provide waste services that demonstrate leadership, a culture of continuous improvement and a community focus that delivers social, environmental and economic benefits.**



## MIDWASTE STRATEGY

The Coffs Coast region forms the northern sub-region of the Midwaste Regional Waste Forum and contributes to the delivery of the Midwaste Regional Waste Avoidance and Resource Recovery Strategy 2014-2021. For context, the vision and key quantifiable targets of the Midwaste Regional Strategy are as follows:

*“Midwaste member Councils will use Innovative approaches for increasing Diversion rates to meet the NSW WARR Strategy targets; prioritising waste Avoidance and behaviour change, Sustainable regional solutions, collaboration, and consideration of appropriate Technology for positive Environmental, social and economic outcomes.”*

The key quantifiable waste targets are:

- Reduce the amount of waste generation per person by 2021;
- Increase the recycling rate for MSW from 53% in 2011/12 to 60% by 2017, 70% in 2021; and
- Increase waste diverted from landfill from 63% in 2011 to 70% in 2017, 75% in 2021.

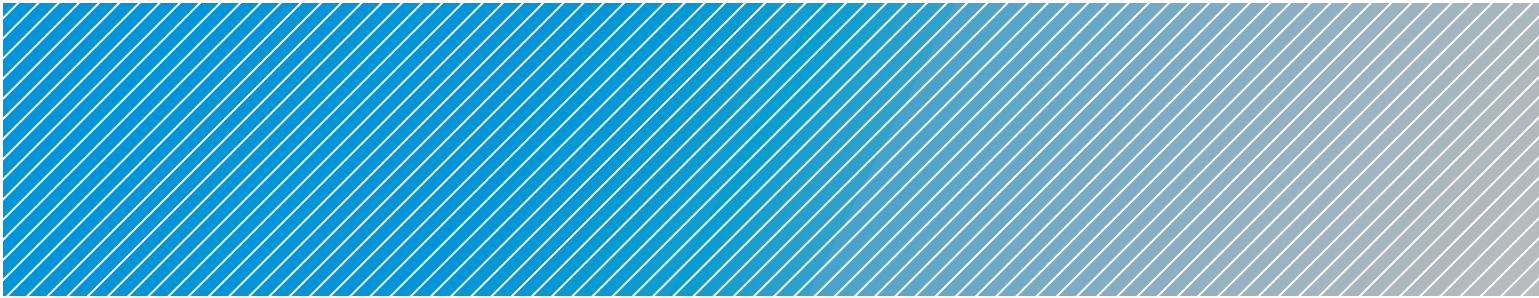
The Midwaste Strategy adopted the targets in the NSW WARR Strategy 2014-21 and sets out an implementation plan against the six key result areas.

## KEY RESULT AREAS

To deliver the Coffs Coast vision, seven Key Results Areas have been identified. These cover a range of activities and priority work areas, which set out a clear direction for the development of waste management practices over the coming years. Each KRA has specific objectives and key performance indicators (KPIs).

The first 6 KRAs reflect the focus of the NSW WARR Strategy. This includes placing a responsibility on the participating Councils to lead by example in terms of their own internal waste management, and to work together to deliver services. The seventh KRA focuses on strategic management of waste management infrastructure across the region.

Monitoring of progress against KPIs is critical to assess the progress against delivering the vision and objectives in this Strategy. A number of indicators relevant to each of the KRAs are given below. Data will be collected and calculated in accordance with state and federal requirements where relevant and in a consistent manner.



**KRA 1: AVOID AND REDUCE WASTE GENERATION**

**Objective**

1.1 Reduce the quantity of waste generation per person

**Key Performance Indicators**

- 1.1.1 Reduce the quantity of waste generation per person from 2013/14 levels by 2021/22 and then again by 2027/28
- 1.1.2 Conduct quarterly collation and evaluation of regional data across all 3 waste streams (MSW, C&I and C&D) to improve data integrity
- 1.1.3 Implement a region-wide education program across all 3 waste streams (MSW, C&I and C&D)
- 1.1.4 Implement at least 2 avoidance / reuse projects annually within the region
- 1.1.5 Expand and promote the Bowerhouse reuse centre as a regional reuse hub

**Measurable Data Requirements**

- Total tonnage of waste generated, by stream
- Population and number of residential dwellings

**KRA 2: INCREASE RECYCLING**

**Objective**

- 2.1 Increase the recycling rate for MSW
- 2.2 Increase the recycling rate for C&I
- 2.3 Increase the recycling rate for C&D

**Key Performance Indicators**

- 2.1.1 Recycling rate for MSW from 74% in 2013/14 to 75% by 2021/22 and then to 76% by 2027/28
- 2.2.1 Recycling rate for C&I from 52% in 2013/14 to 65% by 2021/22 and then to 70% by 2027/28
- 2.3.1 Recycling rate for C&D from 76% in 2013/14 to 78% by 2021/22 and then to 80% by 2027/28

**Measurable Data Requirements**

- Total tonnage of waste collected, by stream
- Tonnage of MSW waste diverted by recycling, composting and recovery
- Tonnage of C&I waste diverted by recycling, composting and recovery
- Tonnage of C&D waste diverted by recycling, composting and recovery

**KRA 3: DIVERT MORE WASTE FROM LANDFILL**

**Objective**

- 3.1 Increase total waste diverted from landfill
- 3.2 Maximise the life of current landfill capacity within the Council areas by diverting waste from landfill

**Key Performance Indicators**

- 3.1.1 Increase the landfill diversion rate from 74% in 2013/14 to 76% by 2021/22 and further to 77% in 2027/28
- 3.1.2 Monitor and review opportunities for supplementary or new technologies that maximise landfill diversion by 2021/22

**Measurable Data Requirements**

- As for KRA 2, and
- Total tonnage for waste sent for energy recovery

**KRA 4: MANAGE PROBLEM WASTES BETTER**

**Objective**

- 4.1 Establish or upgrade three separate facilities and services for managing household problem wastes by end 2015/2016
- 4.2 Educate the community on problem wastes, their management, and use of Community Recycling Centres

**Key Performance Indicators**

- 4.1.1 Have three operational Community Recycling Centres in the region by June 2016
- 4.2.1 Assist with implementation of a regional education program (as part of the Midwest region) including problem waste disposal, by June 2017

**Measurable Data Requirements**

- Tonnage of problem waste collected, by stream

Where do we want to get to?



## KRA 5: REDUCE LITTER

### Objective

5.1 Assist with regional and state anti-litter campaigns to engage and educate the local community and visitors on the value of litter reduction in our environment

### Key Performance Indicators

- 5.1.1 Assist with establishing baseline data to allow quantifiable target setting for the Midwaste region by 2017
- 5.1.2 Incorporate anti-littering messaging into local and region-wide education campaigns
- 5.1.3 Develop at least 4 partnerships with other organisations to establish ongoing coastal community clean-ups
- 5.1.4 Develop event based recycling opportunities and introduce across the region by 2017

### Measurable Data Requirements

- Tonnage of litter waste collected
- Number of reported litter incidents and litter items

## KRA 6: REDUCE ILLEGAL DUMPING

### Objective

- 6.1 Reduce the incidence of illegal dumping in the region by 2021
- 6.2 Collaborate with the NSW EPA and other agencies to tackle illegal dumping

### Key Performance Indicators

- 6.1.1 Establish baseline data to allow quantifiable target setting by 2017
- 6.2.1 Assist with delivering annual and /or on-going communication campaigns to reduce illegal dumping

### Measures

- Number of reported illegal dumping incidents

## KRA 7: INFRASTRUCTURE MANAGEMENT

### Objective

- 7.1 Proactively manage the delivery of waste management services across the region for collection, processing and disposal
- 7.2 Secure regional landfill capacity sufficient for the next 50 years
- 7.3 Review governance arrangement for delivery of waste management services

### Key Performance Indicators

- 7.1.1 Review of current provision of waste collection services and contract requirements.
- 7.1.2 Review of future provision of waste processing services by 2021 and implement by 2027
- 7.2.1 Confirm best value option for residual waste disposal across the region by 2017, and implement by 2020, including:
  - Expansion at existing landfills
  - Securing a new regional landfill
  - Transfer of waste out of the Coffs Coast Region
- 7.3.1 Investigate the feasibility and review the benefits of a single corporate entity for delivering waste services by 2016 and implement preferred model or structure by 2020

### Measures

- Annual tonnage capacity for each processing and disposal facility

## SUMMARY OF KEY RESULTS AREAS

It will be important to monitor the progress of the region against these objectives and KPIs. As the Strategy looks at medium and long term issues, it is proposed that an annual Action Plan is used to provide further detail, coordinate activities and the manage its progressive implementation. This will ensure that progress is periodically reviewed and confirm that the strategic aims are still relevant to the region.

<sup>7</sup> In line with Midwaste baseline requirements when defined.

<sup>8</sup> In compliance with current and future requirements of the NSW WARR Strategy in relation to illegal dumping incidents.



# HOW WILL THE REGION GET THERE?

The Coffs Coast Councils will need to work together to make change happen and achieve the region's vision for sustainable waste management. As a group, the three councils have been collaborating for over 10 years, with substantial gains in diversion from landfill over this time. There are a number of actions that the Coffs Coast Councils can take to support the strategic direction of the region, ensure long term disposal facility security and delivering cost effective waste services into the future.

Based on the existing conditions across the region including services, current infrastructure and contractual arrangements, a number of options were conceived and considered through a formal appraisal process. This process assessed the extent to which different waste management options were able to meet the strategic objectives as well as considering other criteria such as cost, environmental impact and social impact.

The options considered during the Strategy development were focused around activities which the Councils have most ability to influence, and primarily focused

on the municipal waste streams and providing processing and / or disposal services for C&I and C&D waste streams collected by other parties. The options considered were grouped into three core areas of waste management:

- Waste collections
- Waste processing methods and treatment technologies
- Waste disposal

Since Coffs Coast region currently employs the best practice MGB solution for waste collections, a key focus in the options assessment was improving how residents use the service through better communication and awareness. Community behaviour change brought about through targeted education is fundamental to achieving the goals of this Strategy, the Midwaste Regional Strategy and ultimately the NSW State Strategy. Improvements in resource consumption and waste management will only occur if we, as a community, continue to change the way we think and act. Understanding and valuing the reasons for change is a pre-requisite for changing behaviour.

Other treatment technologies and processing methods

are available that could help increase recovery or diversion by targeting new materials in the MSW waste stream i.e. contaminated plastics, or the Biomass AWT residues. Currently these technologies are not widely available or proven commercially so deemed high risk and were not evaluated in the options assessment. The viability of these technologies will change over time, and as such will need monitoring periodically to identify when they could be viable for the region. The options assessment primarily focussed on C&I and C&D processing and treatment technologies.

Considering waste disposal options, the Coffs Coast Region has specific waste processing infrastructure challenges and mounting pressures on current landfill capacity which need to be addressed. As such the options for waste disposal inside and outside the region were considered.



<sup>5</sup> The results of the Options Analysis are set out in a separate detailed Officer Background Report which was prepared to document the development of this strategy.

How will the region get there?



## ASSESSMENT OF OPTIONS

The following options were modelled to determine potential impact on waste flows over the strategy timeframe. They were then assessed against their ability to impact on recycling performance, contribution to landfill diversion, overall system cost and ease of implementation. Historic and current tonnages of all waste streams were inputted into a waste management tool and future projections were made to assess the long-term impact from each of the options considered.

SYSTEM COMPONENT	OPTIONS CONSIDERED
Collection	Targeting new materials (for example textiles)
	Maximise performance of existing collection systems, focus on increased capture of recyclables at the kerbside / drop-off facilities
Processing	Sorting/processing of C&I Waste
	Sorting/processing of C&D Waste
Disposal/Markets	Utilising existing capacity in region to dispose of residual waste
	Develop a replacement disposal facility anticipating the end of life for Englands Road Landfill around 2020
	Transport of residual waste material out of the region

### OPTIONS ASSESSED FOR CONTRIBUTION TO OBJECTIVES AND TARGETS FOR KRA 1-3

<sup>9</sup> The results of the Options Analysis are set out in a separate detailed officer Background Report which was prepared to document the development of this Strategy.

## COLLECTION OUTCOMES

Targeting new materials via the current collection system offers some direct performance improvements, for example a textiles collection will increase recycle rates by approximately 1% based on previous trials. The focus of further education and promotional activity will be twofold, firstly maximise the capture of materials targeted for recycling and secondly minimise the amount of any unwanted materials found in the recycling bin. Likewise, boosting waste education to ensure residents fully utilise the current collection systems can deliver between 1-2% improvements on recycling.

Although the assessment of options concluded these measures would deliver some 'easy wins', these will require greater collaboration with community and other stakeholders. In the case of textiles collections, councils needs to ensure any new services fit with the current collection service and donation methods operated by the charity sector.

## PROCESSING OUTCOMES

The modelling considered processing C&I or C&D waste currently captured through Council sites and services only. Developing a new material recovery facility to target this waste offered the greatest potential for a major uplift in waste diversion from landfill. However it will require significant investment and needs to be responsive to market needs. The baseline data and modelling indicate there is a viable business prospect for processing and recovering materials from this waste stream, which may interest a commercial partner. The economic value to the region from such commercial ventures should not be overlooked.

## DISPOSAL OUTCOMES

The modelling considered several options for long term waste disposal, including utilising capacity within the region, transporting waste to alternative sites outside the region and investing in a new site for additional capacity. Collaboration between Coffs Coast Councils to manage and expand Coffs Coast regional landfill infrastructure and capacity has the greatest potential for generating additional financial benefits. To secure long term landfill capacity existing sites will require further expansion or a new site to be developed.



## KEY AREAS OF FOCUS

Based on the options assessment and wider feedback from the community, an outline of core actions and work areas have been developed for each of the seven KRAs. As an early initiative of the strategic planning process, the community were presented with opportunities to comment on current and future waste management initiatives via a series of workshops and an online survey. This provided a method to collect stakeholder views and input for consideration in developing the Strategy and each of the KRAs.

Implementing this Strategy will be managed through a series of Action Plans that define specific work areas, guide waste management decisions and co-ordinate activities. These will integrate with council work scheduling and any contract performance reviews. Within the KRA sections below, a variety of activities and opportunities for addressing the challenge of each KRA are presented.



## KRA 1: AVOID AND REDUCE WASTE GENERATION

Changing consumer behaviour is a key step towards improving waste avoidance rates. Historically, waste generated per person in Australia has been growing steadily. To reduce this and avoid waste generation; communities need to consume less, encourage design integrity and product stewardship, use materials more efficiently and keep them out of the waste management system. A range of programs will be necessary in order to meet the target of reducing waste generation per person by 2021.

The delivery of this KRA depends on four main elements:

1. Developing education resources and communications to raise awareness of the benefits from waste reduction and examples of problems that are associated with increased waste generation;
2. Advising residents and businesses on waste avoidance measures through the different decisions and choices about the things they buy and use;
3. Lobbying for extended producer responsibility with regards to:
  - Excessive packaging and the use of single use, non-recyclable products
  - Manufacturing standards and other measures to avoid waste generation in manufacturing; and
4. Providing opportunities for the reuse of items and materials

Ways to prevent waste include:

- Deciding not to upgrade items / products when existing ones still work;
- Not buying items that are heavily packaged, have a short lifespan or are of low quality;
- Buying items that last longer and can be repaired;
- Planning meals and food purchases and using up leftovers to minimise food waste;
- Buying items in refillable containers; and
- Composting organic food and garden waste at home.



How will the region get there?



The options for the Coffs Coast Councils to help deliver the objectives under this KRA are based around education and communications campaigns that provide advice on specific waste streams, such as food waste, packaging, junk mail and electrical items. There are also opportunities to support community action through initiatives such as ‘plastic bag free towns’ and ‘naked food initiatives’, as well as promotion of ‘water fill up points’ to support bottled water schemes in order to help to tackle plastic packaging waste. Other activities such as public screening of environmental films on resource recovery, ‘make-do and mend’ workshops or ‘Swap Shops’ help to promote reuse of materials and extend the life of products. The NSW Love Food Hate Waste program, currently supported by the Midwaste region, focuses on giving people the skills to make better purchasing decisions, improve food storage techniques and use leftovers so that food is eaten rather than thrown away.

The development of a regional reuse and waste minimisation program can help by providing facilities that can support the reuse of materials (for example collaborating with Men Sheds or establishing re-use shops at waste management facilities and improve ‘industrial ecology’ (where the waste from one business is a resource for another)). Existing networks such as the Regional Networks for Effective Waste Management (RENEW) will be engaged to develop these opportunities. Supporting community organisations that are involved in these activities will also be important. Positioning the Bowerhouse at Raleigh as a ‘regional reuse hub’ can establish a physical centre for launching, promoting and nurturing such community based initiatives into the future.

The options appraisal process estimated that up to 10% reduction in overall MSW generation could be achieved through waste avoidance and reduction. There is also a need to improve the quality of data regarding the total amounts of waste generated and waste composition in order to support the activities under this KRA.

## KRA 2: INCREASE RECYCLING

The Coffs Coast region is already meeting the NSW State 2021 recycling target for MSW of 70% by 2021 and is approaching the C&D target of 80% by 2021 with the current level of 76%. However, the region wants to remain a leader in this area, and therefore this KRA is focused on seeking to maximise the amount of waste that is recycled. The options and actions related to this KRA therefore include:

- Better source separation for the recycling and organics streams and use of the existing dry and organic recycling services using targeted messaging, education campaigns and collection and processing service improvements;
- Increasing the type and range of materials that can be recycled in the region, which is likely to focus on the collection of textiles and targeting C&I and C&D derived materials;
- Lobbying federal and state governments for improvements to product stewardship schemes, increased diversification and target quotas for existing schemes; and
- Lobbying state government agencies for clarity on evolving regulatory restrictions affecting waste treatment and processing technologies to maintain performance and protect future investment.

As businesses have greater freedom to go to market for waste and recycling services Councils have less influence over the waste generated from C&I sources. In order to increase recycling from this sector the focus for Coffs Coast is in the provision of improved infrastructure and the development of closed loop systems and educational programs.

<sup>10</sup> Including - consistent measurement of the amounts of all waste types collected, processed and disposed to landfill, an updated residual waste composition assessment, and ongoing assessment of the recycling collection performance.



Such improvements are intended to stimulate the local C&I waste sector, provide some financial benefits to the market and stimulate new and improved services. In doing so these elements will support this KRA and improve the waste and recycling data collection for the C&I and C&D streams. Coffs Coast are looking to work with commercial stakeholders to facilitate better data collation and reporting, benchmark current performance and implement measures to improve recovery rates for these waste streams. Improved data on materials capture rates would allow more effective targeting of communications and promotional campaigns to be designed - for example to focus on specific materials or areas where the collection system effectiveness can be improved. Whilst C&I and C&D sectors offer significant scope for increased recycling any processing or disposal option needs to be commercially viable and attractive to businesses.



**KRA 3: DIVERT MORE WASTE FROM LANDFILL**

Diverting more waste from landfill will save landfill disposal costs, including the NSW Waste Levy . Increased landfill diversion comes as a direct consequence of the implementation of a range of reuse, recycling and alternative waste processing activities, therefore the actions identified under KRA 1 and 2 will all contribute to the achievement of the targets under this KRA. Accordingly, the objectives and actions under this KRA are focused on specific activities that increase the opportunities to divert waste away from landfill and support the development of new markets for recycled products.

The options assessment undertaken focused on opportunities to influence the amount of MSW, C&I and C&D material that is sent to landfill. The following options and actions were identified that can influence KRA 3:

- Monitor the opportunities for new technologies and their commercial application to the Coffs Coast landfilled waste stream;
- Monitor the opportunities for new technologies and their commercial application to target materials from C&I or C&D sources; and
- Work with C&I waste producers and other businesses through the industrial ecology programme and other networks to identify target materials and diversion opportunities.

Action on KRA 3 has the potential to relieve pressure on the current infrastructure; especially landfill void space. This has particular importance for the landfill space at the Englands Road site, as capacity will run out, at current rates, by 2020 and the associated haulage cost to alternative sites would be an additional burden to the current waste management system.

<sup>11</sup> The modelling assessment indicated an increase in regional recycling rate from 74% to above 80% in 2021 with improved infrastructure for C&I and C&D processing.

<sup>12</sup> The NSW State Landfill Levy is a tax placed on every tonne of waste which is disposed of to landfill.

How will the region get there?



**KRA 4: MANAGE PROBLEM WASTES BETTER**

Councils have an obligation to provide waste services to residents on both health and environmental grounds. Problem household wastes can cause harm to human health and the environment if they are managed inappropriately. Such wastes can include paint, batteries, smoke detectors, fluorescent lamps, gas bottles, motor oils and fluids, and other toxic and hazardous household products. Due to their nature they can be difficult to recycle and recover and the cost of doing so can be uneconomic.

The goal of this key result area is to reduce the impact of these materials by separating them from other household waste and recycling streams and treating them appropriately. Coffs Coast Councils will support the broader NSW state initiatives including:

- The development and upgrading of permanent drop-off facilities in each Council area, funded by the NSW EPA;
- Supporting Chemical Clean out events and other collections for low-volume, high-toxicity materials; and
- Consideration of (with possible trials) alternative collection methods, such as mobile collection facilities.

Coffs Coast Councils will continue to look at opportunities to capture problem wastes both through local initiatives and regional collaboration.

**KRA 5: REDUCE LITTER**

Across Australia, a mix of education and enforcement by State authorities, regional groups and local Councils has been effectively used to target littering. Littering can have a negative impact on community well-being as well as having a detrimental effect on the environment. Both the NSW State strategy and the Midwaste Regional Strategy include litter reduction as a core element and Midwaste have committed to initiating targeted regional anti-litter campaigns utilising social networking and other media opportunities.

In order to reduce litter generation, it is fundamental to make littering a socially unacceptable activity in society. Therefore, the actions the Councils will use to bring about the required behaviour change are:

- Delivering education and awareness raising campaigns in collaboration with Midwaste;
- Reviewing and improving litter collection infrastructure, reducing peoples 'excuse' for littering;
- Organising clean-up initiatives, specifically including at events and in coastal communities; and
- Where education fails, the use of enforcement powers to penalise those who persist in thinking littering is acceptable.

The Coffs Coast Councils will work with Midwaste to undertake a baseline study to help with developing a wider regional litter reduction programme.





**KRA 6: REDUCE ILLEGAL DUMPING**

Combating illegal dumping is a key priority for the NSW Government and local communities as demonstrated by the funding streams under the current ‘Waste Less, Recycle More’ Initiative. Illegal dumping can cause serious pollution, harm to human health and major detriment to local amenity. Incidents can range from the dumping of household rubbish to large scale disposal of C&I and C&D wastes.

The Coffs Coast region includes land which is managed by a number of agencies including Forests NSW and the NSW National Parks and Wildlife Service. Remote and secluded locations are often the scene of illegal dumping of waste as it is likely to be unseen. Quantifying the true extent of illegal dumping is difficult because incidents are often only identified well after the dumping has occurred, having implications for successful enforcement.

Baseline data on illegal dumping in the region needs improvement, hence this KRA is focussed on improving data to enable the Councils to better target initiatives to address illegal dumping. Councils will review these data on illegal dumping to identify local initiatives for reducing it. Opportunities for regional collaboration and to engage with community user groups will be explored with a view to increasing passive surveillance and reporting of illegal dumping, whilst collaboration with State government agencies, including the NSW EPA will also be continued.

How will the region get there?



### KRA 7: INFRASTRUCTURE MANAGEMENT

Several of the options assessed highlighted a mix of infrastructure development and operational requirements or contractual priorities that are specific to the delivery of waste services across Coffs Coast. Coffs Coast Councils recognise the following priority areas that link to the delivery of quality and cost effective services:

- Review of the current capacity at Englands Road landfill, the timeframes for closure and remediation;
- Review and consult on the availability and suitability of alternative disposal sites in the region and develop an action plan for the delivery of regional long term landfill security;
- Develop a detailed business plan for the delivery of waste services across the Coffs Coast region that includes:
  - / A cost benefit appraisal for waste haulage options,
  - / Tendering opportunities for the collection and processing of kerbside waste,
  - / A review of waste processing contracts,
  - / A review of the management of existing sites, and
  - / A cost benefit analysis of the delivery of new infrastructure.

The outcomes of this work will provide a basis for considering the best structure for collaboration as the Councils implement the identified course of action. Accordingly the Councils will undertake a review of the governance arrangements and opportunities for a single delivery entity for Coffs Coast Waste Services.

Pressures on current landfill capacity and the need to find an alternative landfill option is an immediate priority area.

With additional landfill space available at Nambucca Landfill and possibly Raleigh Landfill, options are available in the region. These would require an operational review, including an assessment of future liabilities, and some site upgrade work to gear up for the increased tonnage managed through the current collection and processing contract.

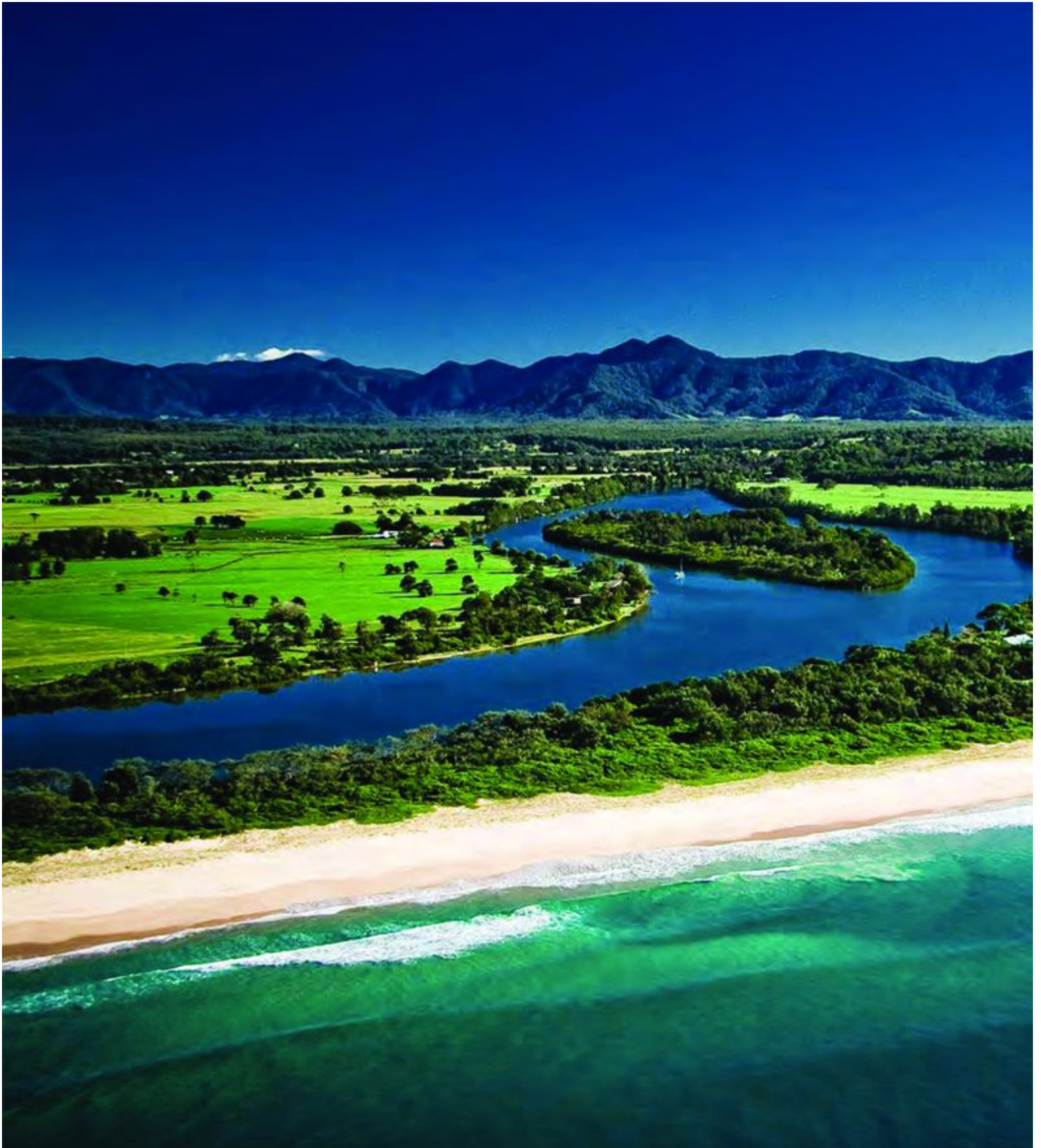
It is imperative that Coffs Coast Councils work together to ensure a suitable and acceptable solution is provided within the available timeframes. In initiating this process it is also prudent to further address the long term landfill requirements of the region and seek to secure landfill space for Coffs Coast waste for the next 50 years.

Moving towards a more integrated service and minimising the future liabilities of the Councils requires some further review and rationalisation of site infrastructure. To reduce operating and environmental management costs it is proposed to cease current landfill operations at the Dorrigo waste management depot. The site will remain open and operate as a conventional transfer station maintaining a suitable level of service to current users. The four transfer stations operated in Coffs Harbour LGA will be reviewed with the option of reducing these to three sites. This will address the current site capacity issues and include some site improvement works to deliver a better service to residents overall.

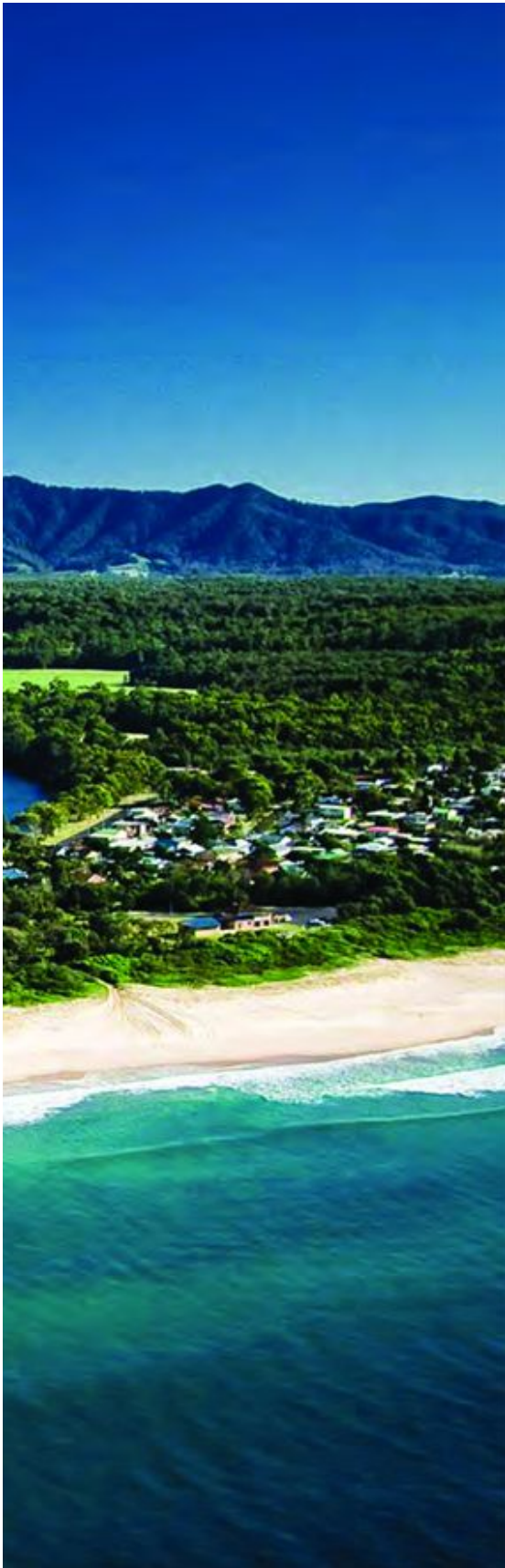
Alongside the development of new governance arrangements, there is an aspiration for the Coffs Coast Councils to lead by example. In doing so all Councils will ensure that their procedures, actions and behaviours are consistent with the Strategy vision, in particular with regards to delivering “waste services that demonstrate leadership” and that “delivers social, environmental and economic benefits”.



Attachment



How will the Strategy be implemented?



## HOW WILL THE STRATEGY BE IMPLEMENTED?

The seven Key Result Areas identified in this Strategy will underpin its successful implementation. By working with the community, businesses and industry the Coffs Coast region will achieve the vision and objectives within this Strategy. This will include developing existing collection and processing infrastructure, supporting local community initiatives, developing better ways of working together and improving the data available on how much waste is generated, processed and disposed of to landfill.

The process for implementation of this Strategy will be documented in an Action Plan, which will be set for the first half of the Strategy lifespan, i.e. up to 2020/21. This will guide the waste management decisions and actions of the Councils over this period, and will be updated annually. In 2020/21 a new Action Plan will have been developed to carry the Strategy outcomes through the second period, to 2026/27.



# APPENDIX A - GLOSSARY OF TERMS<sup>13</sup>

<b>Alternative waste treatment (AWT)</b>	Generally a facility that applies a combination of mechanical, biological and (sometimes) thermal processes to separate organic materials from a mixed residual waste stream (usually household waste).
<b>Biomass Solutions</b>	Biomass Solutions are the current owner and operator of the AWT plant which process residual waste from the Coffs Coast region.
<b>Capture rate</b>	The proportion of material captured for reuse, recycling or recovery (including composting or energy recovery).
<b>Construction and demolition waste (C&amp;D waste)</b>	Solid waste sourced from construction and demolition works, including building and demolition waste, asphalt waste and excavated natural material.
<b>Commercial and industrial waste (C&amp;I waste)</b>	Solid waste (wet or dry) generated by businesses, industries (including shopping centres, restaurants and offices) and institutions (such as schools, hospitals and government offices) but not C&D waste or MSW.
<b>Diversion rate</b>	The proportion of all recycled materials or those otherwise recovered (through an energy-from-waste facility or composting organic waste) compared with total amount of waste generated.
<b>Energy from waste</b>	The process of recovering energy from waste materials: the energy is used to produce useable heat, steam, electricity or a combination of these.
<b>E-waste</b>	End-of-life electronic equipment, such as televisions, computers, mobile phones, stereos and small electrical appliances (but not white goods).
<b>Green Lidded Bin</b>	Refers to the Australian Standard (AS 4123.7-2006 mobile waste containers – Part 7: colours, markings and designation requirements): bin-lid colours for household kerbside waste and recycling bins. The green lidded bin is for organic materials. These generally include weeds, grass clippings, flowers, leaves, prunings and small branches. In the CCWS region the green lidded bin is also be used for food waste which is taken for processing and sale to downstream markets as compost and mulch products.
<b>Industrial ecology</b>	Using the by-products from the production process of one company as a resource in another.
<b>Landfill</b>	The disposal of waste materials through burial. Modern landfill sites are engineered, lined and fitted with gas capture systems to minimise environmental impact.
<b>Materials recovery facility (MRF)</b>	A materials recovery facility handles a range of recyclables which typically have already been separated from other waste streams (e.g. by householders or businesses at the collection stage). At the MRF the materials are sorted into individual material streams before being sent for recycling. Any components of the incoming material not suitable for recycling will be separated as ‘contaminants’ at the MRF and are then processed via the AWT with any residual materials landfilled.
<b>Municipal solid waste (MSW)</b>	Solid waste from households (collected or self-haul) and local government operations, including bulky household waste placed at the kerbside for Council collection and waste collected by Councils from municipal parks and gardens, street sweepings, Council engineering works and Council public street and park littler bins. This includes materials that are processed, recycled, re-used or recovered.
<b>Problem wastes</b>	Household products and materials in the waste and recycling stream that pose potential harm to the environment and human health and/or make the recovery and recycling of other materials more difficult or uneconomic.

Appendix A - Glossary of Terms

<b>Recycling</b>	Recycling involves the collection, sorting and processing of materials presented for recycling by residents at their kerbside or in public place bins. Materials sorted at a MRF are used in the creation of new recyclable products.
<b>Recycling rate</b>	In NSW, 'recycling rate' refers to the proportion of waste stream which is reprocessed to make the same or different products and put back into the economy. It does not include energy recovered from waste.
<b>Red lidded bin</b>	Refers to the Australian Standard (AS 4123.7-2006 mobile waste containers – Part 7: colours, markings and designation requirements), bin-lid colours for household kerbside waste and recycling bins. The red lidded bin is for residual waste.
<b>Reducing waste</b>	Reducing waste generation by avoiding or preventing the creation of waste, where possible, along the various parts of the supply chain. The aim is to use less material to achieve the same or equivalent outcome.
<b>Resource recovery</b>	Recycling waste material. Recovery may also include extracting embodied energy from waste through thermal processes.
<b>Reuse</b>	Items that do not require processing, and are in a suitable condition and quality to be reused in its original form.
<b>Solid waste</b>	Unwanted solid materials and does not include liquid waste.
<b>Waste</b>	Includes (as defined by the NSW Protection of the Environment Operations Act 1997): <ul style="list-style-type: none"> <li>▪ Any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or</li> <li>▪ Any discarded, rejected, unwanted, surplus or abandoned substance, or</li> <li>▪ Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or</li> <li>▪ Any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or</li> <li>▪ Any substance prescribed by the regulations to be waste.</li> <li>▪ A substance is not precluded from being waste for the purposes of this Act merely because it is or may be processed, recycled, re-used or recovered.</li> </ul>
<b>Waste avoidance</b>	Waste that does not enter the waste management system.
<b>Waste Generation</b>	The total amount of waste disposed of to landfill and diverted (based on available data)
<b>Waste management system</b>	Waste Generation = Landfilled + Diverted (Total recycled, reused or reprocessed)
<b>Yellow lidded bin</b>	Waste materials from MSW, CGI and C&D sectors that are collected kerbside, recovered from the waste stream for recycling or energy recovery or disposed to landfill.
	Refers to the Australian Standard (AS 4123.7-2006 mobile waste containers – Part 7: colours, markings and designation requirements): bin-lid colours for household kerbside waste and recycling bins. The yellow lidded bin is for dry recyclable materials. These generally include paper, cardboard, glass, some hard plastics and ferrous and non-ferrous metals. The type of recyclable materials collected in the yellow lid bin can vary depending on the facility where the materials are taken for further separation and the availability of downstream markets for the materials.

Attachment





## REPORT TO ORDINARY COUNCIL MEETING

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### EXISTING CONTRACT FOR KERBSIDE WASTE COLLECTION AND RECYCLING

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<b>REPORTING OFFICER:</b>	Section Leader – Asset Planning and Projects
<b>DIRECTOR:</b>	Director – Sustainable Infrastructure
<b>COFFS HARBOUR 2030:</b>	LE3.1.2 Use best practice to prevent pollution impacts on our environment. LE3.1.3 Ensure our use of natural resources, both marine and terrestrial, is sustainable. LE31.4 Implement programs which make Coffs Coast a zero waste community.
<b>ATTACHMENTS:</b>	ATT Tender Schedule - CCWS Waste Collection Contract

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#### Recommendation:

1. That pursuant to Section 55(3)(i) of the Local Government Act, Coffs Harbour City Council does not call Tenders, at this time, for the Kerbside Waste Collection and Recycling Services (Contract 04/05-183-TO Part 1) due to extenuating circumstances comprising:
  - a) The need for the Regional Resource Recovery and Waste Management Strategy ('Waste Strategy') to be in place before further waste contracts are let to ensure that a cohesive, strategic approach is taken to the delivery of waste services, defining which approach represents best value for ratepayers.
  - b) Economies of scale that could be achieved by including the services under the Collection Contract as part of a future tender for broader waste services.
  - c) There is insufficient time to engage a contractor to ensure continuity of the service without an extension to the existing Contract.
2. That Council delegate to the General Manager the authority to negotiate with the incumbent Kerbside Collection and Recycling Contractor being Handybin Waste Services (Coffs Harbour) Pty Ltd, the intention being to extend the existing Collection Contract for an initial period of 1 year, with an option to extend for another period of up to 1 year, on notice from Coffs Harbour City Council to Handybin.
3. That subject to successful negotiations between Coffs Harbour City Council, Bellingen Shire Council, Nambucca Shire Council and Handybin, a further report be brought to Council for the endorsement of the extension of the term of the Collection Contract.
4. That a probity advisor is appointed, and adequate governance arrangements are put in place, by Coffs Harbour City Council, Bellingen Shire Council and Nambucca Shire Council, for the extension of the term of the Collection Contract.



## REPORT TO ORDINARY COUNCIL MEETING

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### EXECUTIVE SUMMARY

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The Kerbside Waste Collection and Recycling Contract is due to expire in May 2016. Due to extenuating circumstances (refer to recommendation 1 in Attachment 1), it is recommended that Coffs Harbour City Council does not tender the services under the Collection Contract at this time, but rather extends the current Kerbside Waste Collection and Recycling Contract as set out in recommendation 2. This will:

- Enable finalisation of the Waste Strategy, and for the waste collection services to be aligned with the Waste Strategy;
  - Enable the scope of the Kerbside Waste Collection and Recycling Contract to be included in a broader waste services tender which is anticipated to achieve economies of scale; and
  - Ensure continuity of the services under the Kerbside Waste Collection and Recycling Contract in the interim period.
-

## REPORT

### Description of Item:

Coffs Harbour City Council has entered into a tripartite deed with Nambucca and Bellingen Shire Councils to form Coffs Coast Waste Services ('**CCWS**').

CCWS, through the Councils' collaboration, have achieved economies of scale, providing best value services for waste collection and processing, as well as providing best practice services.

There are two waste contracts that CCWS are involved in, one of which is the Kerbside Waste Collection and Recycling. ('**Collection Contract**').

The current Collection Contractor is Handybin Waste Services (Coffs Harbour) Pty Ltd ('**Handybin**') and the contract expires on 27 May 2016. Handybin deliver excellent service to CCWS, providing approximately 87,000 bin pick-ups per week and processing/recycling approximately 300 tonnes of waste per week.

Coffs Harbour City Council has not gone to tender for the Collection Contract for reasons as set out below.

1. CCWS are currently developing and finalising a new Waste Strategy. Coffs Harbour City Council has engaged consultants, Jacobs Group (Australia), to prepare the draft strategy. The current schedule proposes to have the Waste Strategy adopted by the three Councils by the end of 2015. It is important that waste services are delivered based on a cohesive, strategic approach. It is therefore recommended that retender of the Collection Contract is postponed until the Waste Strategy is available. This would necessitate the existing collection contract to be extended.
2. Economies of scale with respect to the delivery of waste services could be achieved by combining two of the current waste services contracts into a broader waste services contract, (ie. by combining the parks and litter bin services (Coffs Harbour City Council only) with the major kerbside collection services (CCWS)). It is anticipated that economies of scale could be gained with respect to the contractor's overhead and administration costs, as well as plant costs, by negating the need to duplicate resources. It is therefore proposed to combine these two waste services into one Collection Contract. This necessitates the alignment of the completion date of the two existing contracts.
3. If Council was to go to tender immediately, there would still be insufficient time to ensure continuity of the kerbside collection and recycling service without an extension of the term of the existing Collection Contract. This is due to the time needed to tender, evaluate and engage a contractor, and then a 12 month 'tooling up' period for the contractor after award (this 'tooling up' period relates to the time for procuring a fleet of trucks and equipment and for the design, construction and commissioning of any new facility which will be required as part of the delivery of a collection and recycling contract).

### Tender Requirements

Under the *Local Government Act 1993 (NSW) (LGA)* and the *Local Government (General) Regulations 2005 (NSW) (Regulations)* relating to tendering, a Council must invite tenders in circumstances identified in section 55 of the LGA. The Collection Contract falls within section 55 of the LGA for a number of reasons including the fact that the value of the collection services for the proposed extension period will exceed \$150,000.00.

This means that Coffs Harbour City Council would be required to undertake a tender process because of the application of section 55 of the LGA unless one of the section 55(3) exceptions applies to the Collection Contract. Section 55(3)(i) of the LGA provides that it is not necessary to tender for the following classes of contract:

- (i) *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.*

If because of any of the exceptions in section 55(3)(i) of the LGA a satisfactory result would not be achieved by inviting tenders, Coffs Harbour City Council could, by resolution, decide:

- a) to extend the existing Collection Contract by an appropriate period, or
- b) to enter into a new contract with respect to the services the subject of the Collection Contract.

Extenuating circumstances within the meaning of section 55(3)(i) of the LGA, exist including for the reasons set out above. In this regard it is noted that 'extenuating circumstances' does not mean 'exceptional circumstances', rather the requirement is that the circumstances are 'sufficiently different to justify not calling tenders'.

In order to carry out an open, transparent and accountable tender process for the collection services, and to obtain best value for money it is proposed to not tender for the collection services at this time but rather to extend the existing Collection Contract.

It is proposed to extend the Collection Contract for one year in the first instance. This extension will:

- a) move the expiry date to a point in time when the Waste Strategy will be in place;
- b) provide time for CCWS to consider and propose the best approach to waste contracting going forward; and
- c) enable each of the Councils comprising CCWS to properly consider and make the relevant determination.

In addition, an option for another extension by notice from Coffs Harbour City Council to Handybin is proposed, for up to one year. This further extension is intended to allow the necessary flexibility such that there would be sufficient time to prepare and conduct a tender of this substantial scope and value, for the Councils to consider the appropriate design and performance requirements for a new Materials Recycling Facility ('MRF'); and for the selected Contractor's 12 month 'tooling up' period (should this period commence later than anticipated).

**Issues:**

There are two main issues with the proposed extension to the Collection Contract.

The first issue is the willingness of both parties to the Collection Contract to agree to the extension. Informal discussions with the incumbent Contractor indicates a willingness to extend the Collection Contract.

The second is the issue of compliance with the LGA and Regulations with regards the calling of tenders and the granting of an extension to the Contract. This second issue is the subject of consideration above.



### Options:

Options available to Coffs Harbour City Council include:

- a) Adopt the recommendations which would allow the existing Collection Contract to be extended for one or more periods. This offers the least risk to CCWS for several reasons, including by incorporating a degree of flexibility to enable the Councils to properly plan and deliver a strategy for future waste services.
- b) Amend the recommendations provided to Coffs Harbour City Council adopting an alternative extension date. If this date was for a shorter period it would be unlikely to allow sufficient time to tender, evaluate, award and tooling up period for the Collection Contract. This would expose CCWS to the risk of discontinuity of the existing collection and recycling service. This may also limit the participants in the tender process if a shorter 'tooling up' period were involved as it would depend on the capacity of tenderers to deliver the services in a relatively short time frame.
- c) Reject the recommendations provided to Coffs Harbour City Council and adopt an alternative that would provide a shorter tender and 'tooling up' period. This would also expose CCWS to the risk of discontinuity of the existing collection and recycling service. This may also limit the participants in the tender process if a shorter 'tooling up' period were involved as it would depend on the capacity of tenderers to deliver the services in a relatively short time frame.

### Sustainability Assessment:

- **Environment**

CCWS provide some of the highest levels of waste services, recycling, reuse and processing in Australia. The extension of the current Collection Contract will have no adverse environmental impact, as it would ensure existing services will be maintained. The extension of the Collection Contract coupled with possible outcomes of the Waste Strategy should provide positive environmental benefits. If the extension is not granted, there is a high risk of discontinuity of the service which would incur the adverse environmental outcomes of increased litter and pollution.

- **Social**

There is unlikely to be any adverse social impact by the extension of the existing Collection Contract and the delay of a new contract. Local employment and investments will continue, and the service will continue to enhance community wellbeing, by providing a high quality service to the community.

- **Civic Leadership**

Pursuant to the LGA, Coffs Harbour City Council is responsible for '*waste removal, treatment and disposal services and facilities*'.

The outcomes of this report are consistent with Objective LE3.1 of the Coffs Harbour 2030 Community Strategic Plan. Coffs Harbour City Council is both a provider and facilitator for this objective and will continue to provide civic leadership with best practice management.

- **Economic**

**Broader Economic Implications**

The extension of the Collection Contract will continue to provide local employment and services for the community. It will not impact on the positive economic viability that a best practice waste management service currently provides. Continuity of the Collection Contract will continue to enhance tourism and its economic benefits.

**Delivery Program/Operational Plan Implications**

Expenditure for the Collection Services is currently included in the Waste Budget. Extensions of the current contracts are not expected to adversely affect the Operation Plan or Delivery Program. The annual value to of the Collection Contract for CCWS is approximately \$10m (approx. \$7m for Coffs Harbour City Council).

**Risk Analysis:**

The major risks that have been identified and evaluated are:

1. Compliance with the LGA and Regulations with regard to the extension of the existing Collection Contract.
2. Calling of Tenders with a short Tender and 'tooling up' period could result in a non-competitive tender process and possible below standard submissions, as well as the high risk of lowering levels of service.

The risks can be controlled by the extension of the existing Collection Contract due to extenuating circumstances.

3. Negotiation with the incumbent may not provide a satisfactory outcome for Council.

Preliminary informal discussions with Handybin have been positive and this risk is deemed low.

**Consultation:**

Coffs Harbour City Council has received legal advice from Lawyers, HWL Ebsworth, which is subject to Legal Professional Privilege, with regards to compliance with the LGA and Regulations and the existence of extenuating circumstances.

**Related Policy, Precedents and / or Statutory Requirements:**

The proposed delay of the tender process, and subsequent extension of the existing Contracts is allowable under section 55(3)(i) of the LGA.

**Implementation Date / Priority:**

If Coffs Harbour City Council resolves to accept the recommendations as written, then the Collection Contract will be extended so that it can be awarded in October 2016, with a 12 month 'tooling up' period, the Contractor will take over the service in October 2017. An indicative timeline is attached to this report.

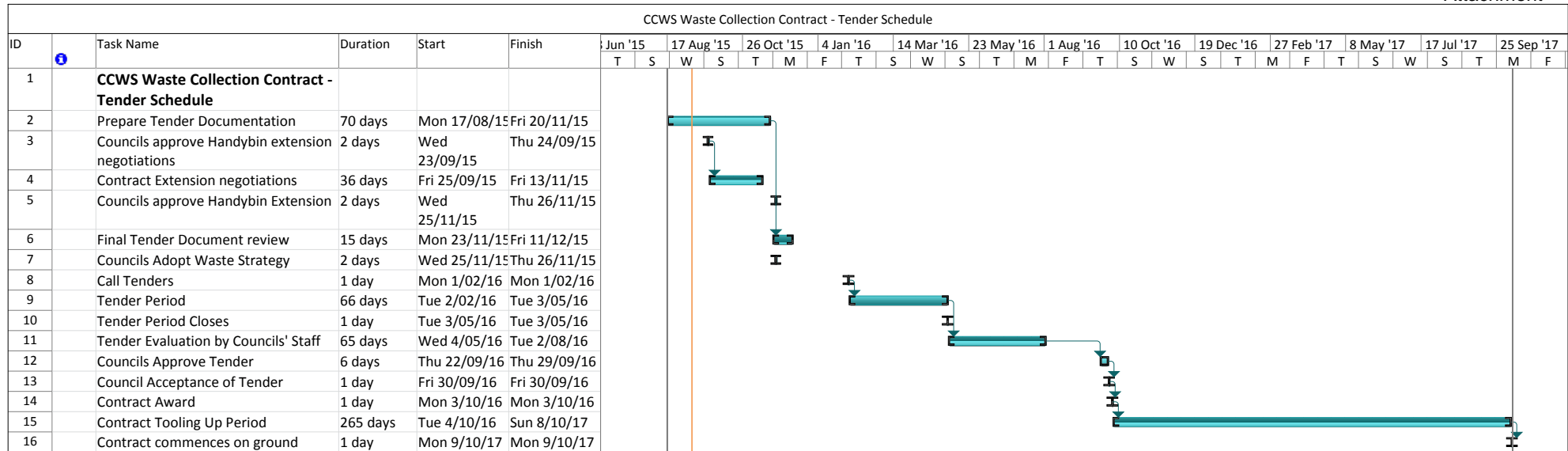
The proposed extension period is initially for one year, with an option to extend for 1 more period, up to 1 year, on notice from Coffs Harbour City Council to Handybin.

**Conclusion:**

It is believed that adopting the recommendations as written will reduce Coffs Harbour City Council's risks with regard to ensuring an advantageous Contract for waste services. Extending the existing Collection Contract will ensure:

- a) that the service provided will align with the Waste Strategy outcomes;
- b) that the scope of the contract is able to be combined with the other waste services which is likely to provide best value for money for the community, and
- c) continuity of the existing essential collection and recycling service.

Extension of the Collection Contract will require deferral of the tender process at this time. These actions are within the requirements of the LGA and Regulations.



Project: Collection tender schedul Date: Wed 9/09/15	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Progress	
	Milestone		External Milestone		Manual Task		Start-only			
	Summary		Inactive Task		Duration-only		Finish-only			



## REPORT TO ORDINARY COUNCIL MEETING

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### EXISTING CONTRACT FOR PARKS AND LITTER BIN SERVICES

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<b>REPORTING OFFICER:</b>	Section Leader – Asset Planning and Projects
<b>DIRECTOR:</b>	Director – Sustainable Infrastructure
<b>COFFS HARBOUR 2030:</b>	LE3.1.2 Use best practice to prevent pollution impacts on our environment. LE3.1.3 Ensure our use of natural resources, both marine and terrestrial, is sustainable. LE3.1.4 Implement programs which make Coffs Coast a zero waste community.
<b>ATTACHMENTS:</b>	ATT Terms of Contract

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#### Recommendation:

1. That pursuant to Section 55(3)(i) of the Local Government Act, Coffs Harbour City Council does not call Tenders, at this time, for the provision of Parks and Litter Bin Collection Services (Contract 04/05-183-TO) due to extenuating circumstances comprising:
  - a) The need for the Regional resource Recovery and Waste Management Strategy ('Waste Strategy') to be in place before further waste contracts are let to ensure that a cohesive, strategic approach is taken to the delivery of waste services, defining which approach represents best value for rate payers;
  - b) Economies of Scale that could be achieved by including the services under the Collection Contract as part of a future tender for broader waste services.
2. That Council delegate to the General Manager, the authority to negotiate with the incumbent Parks and Litter Bin Services Contractor (Pinerose Pty Ltd), the intention being to extend the existing Collection Contract for an initial period of 1 year, with options to extend for 2 more periods, each one of up to 1 year, on notice from Coffs Harbour City Council to Pinerose. These further periods of extension would enable the expiry of the Collection Contract to align with the expiry of the major waste contract for kerbside collections, and for all of these services to be included in a future tender for broader waste services.
3. That subject to successful negotiations between Coffs Harbour City Council and Pinerose, Council delegate to the General Manager, the authority to extend the term of the Collection Contract. Successful negotiations shall be defined as contract terms at least as favorable to Council as those in the attached 'Pinerose Contract Extension Term Sheet'.



## REPORT TO ORDINARY COUNCIL MEETING

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### EXECUTIVE SUMMARY

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The Collection Contract is due to very soon. Due to extenuating circumstances (refer to Recommendation 1 above), it is recommended that Coffs Harbour City Council does not tender the services under the Collection Contract at this time, but rather extends the current Collection Contract as set out in Recommendation 2. This will:

- a) Enable finalisation of the Waste Strategy and for the waste collection services to be aligned with the Waste Strategy;
  - b) Enable the scope of the Collection Contract to be included in a broader waste services tender which is anticipated to achieve economies of scale; and
  - c) Ensure continuity of the services under the Collection Contract in the interim period.
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## REPORT

### Description of Item:

Coffs Harbour City Council has partnered with Nambucca and Bellingen Shire Councils to form Coffs Coast Waste Services, providing best practice waste services for the region.

Coffs Harbour City Council undertakes waste services for the local Coffs Harbour community. Currently there are three separate contracts providing waste services, one being the collection of waste from parks and litter bins (**Collection Contract**).

The current Collection Contractor is Pinerose Pty Ltd (Trading as Total Waste Solutions) and the contract expires on 2 October 2015. Pinerose deliver excellent service to Coffs Harbour City Council, providing approximately 1700 parks and litter bin services per week and up to 2100 per week over the Christmas period.

Coffs Harbour City Council has not gone to tender for the parks and litter bin collection services for reasons including as set out below.

1. Coffs Coast Waste Services are currently developing and finalising a new Waste Strategy. Coffs Harbour City Council has engaged consultants, Jacobs Group (Australia), to prepare the draft strategy. The current schedule proposes to have the Waste Strategy adopted by the three Councils by the end of 2015. As it is important that waste services are delivered based on a cohesive, strategic approach, it is recommended that retender of the Collection Contract is postponed until the Waste Strategy is available and the existing Collection Contract is extended.
2. Economies of scale with respect to the delivery of waste services could be achieved by combining two of the current waste services contracts into a broader waste services contract, (i.e. by combining the parks and litter bin services with the major kerbside collection services). It is anticipated that economies of scale could be gained with respect to the contractor's overhead and administration costs, as well as plant costs, by negating the need to duplicate resources. This advantage could be realised if the Collection Contract is extended so that its ultimate expiry date can be aligned with the expiry date of the existing kerbside collection contract and the services under these two contracts are subsequently tendered together.

If an extension of the Collection Contract was not granted, and a new shorter Contract was awarded that would align with the expiry of the current major kerbside collection contract, Coffs Harbour City Council would be likely to pay a premium due to the high initial capital cost of trucks that would only be depreciable over a short period of time.

3. If Council was to go to tender immediately, there would still be insufficient time to ensure continuity of the parks and litter bin service without an extension of the term of the existing Collection Contract. This is due to the time needed to tender, evaluate and engage a contractor, and then a 6 month 'tooling up' period for the contractor after award (this 'tooling up' period relates to the time to procure trucks and equipment for the Contract)

### Tender Requirements

Under the Local Government Act 1993 (NSW) (**LGA**) and the Local Government (General) Regulations 2005 (NSW) (**Regulations**) relating to tendering, a Council must invite tenders in circumstances identified in section 55 of the LGA. The Collection Contract falls within section 55 of the LGA for a number of reasons including the fact that the value of the collection services for the proposed extension period will exceed \$150,000.00.

This means that Coffs Harbour City Council would be required to undertake a tender process because of the application of section 55 of the LGA unless one of the section 55(3)



exceptions applies to the Collection Contract. Section 55(3)(i) of the LGA provides that it is not necessary to tender for the following classes of contract:

- (i) a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

If because of any of the exceptions in section 55(3)(i) of the LGA a satisfactory result would not be achieved by inviting tenders, Council could, by resolution, decide:

- a) to extend the existing Collection Contract by an appropriate period, or
- b) to enter into a new contract with respect to the services the subject of the Collection Contract.

Extenuating circumstances within the meaning of section 55(3)(i) of the LGA, exist including for the reasons set out above. In this regard it is noted that 'extenuating circumstances' does not mean 'exceptional circumstances', rather the requirement is that the circumstances are 'sufficiently different to justify not calling tenders'.

In order to carry out an open, transparent and accountable tender process for the collection services, and to obtain best value for money it is proposed to not tender for the collection services at this time but rather to extend the existing Collection Contract.

It is proposed to extend the Collection Contract for one year in the first instance, this extension will

- a) move the expiry date a point in time when the Waste Strategy will be in place;
- b) provide time for Coffs Coast Waste Services to consider and propose the best approach to waste contracting going forward; and
- c) enable Coffs Harbour City Council to properly consider and make the relevant determination.

In addition, options for two further extensions by notice from Coffs Harbour City Council to Pinerose are proposed, each option being for up to one year. These further extensions are intended to allow the necessary flexibility such that, if it is decided to combine the parks and litter bin collection services with the major kerbside collection services, the expiry dates of these two existing contracts could be aligned and there would be sufficient time to prepare and run a tender of this substantially larger scope and value. By way of explanation of the further options to extend, an estimated 12 months would be required for "tooling up" for the combined Contract (i.e. procuring a fleet of trucks and equipment and for the design, construction and commissioning of any new facility required to undertake the Contract.)

**Issues:**

There are two main issues with the proposed extension to the Collection Contract.

The first issue is the willingness of both parties to the Collection Contract to agree to the extension. Informal discussions with the incumbent Contractor indicates a willingness to extend the Collection Contract.

The second is the issue of compliance with the LGA and Regulations with regards the calling of tenders and the granting of an extension to the Contract. This second issue is the subject of consideration above.

**Options:**

Options available to Coffs Harbour City Council include:

1. Adopt the recommendations which would allow the existing Collection Contract to be extended for one or more periods. This offers the least risk to Coffs Harbour City Council including by offering flexibility.
2. Amend the recommendations provided to Coffs Harbour City Council adopting an alternative extension date. If this date was for a shorter period it might not allow the Collection Contract expiry date to align with the kerbside collection contract, and could also expose Coffs Harbour City Council to the risk of discontinuity of the Parks and Litter Bin Collection service.
3. Reject the recommendations provided to Coffs Harbour City Council and adopt an alternative that would provide a shorter Tender and 'tooling up' period. This might not allow the Collection Contract expiry date to align with the kerbside collection contract, and could expose Coffs Harbour City Council to the risk of discontinuity of the Parks and Litter Bin Collection service.

**Sustainability Assessment:**

- **Environment**

Coffs Coast Waste Services provide some of the highest levels of waste services, recycling, reuse and processing in Australia. The extension of the current Collection Contract will have no adverse environmental impact, as it would ensure existing services will be maintained. The extension of the Collection Contract coupled and with possible outcomes of the Waste Strategy should provide positive environmental benefits. If the extension is not granted, there is a high risk of discontinuity of the service which would incur the adverse environmental outcomes of increased litter and pollution.

- **Social**

There is unlikely to be any adverse social impact by the extension of the existing Collection Contract and the delay of a new contract. Local employment and investments will continue, and the service will continue to enhance community wellbeing, by providing a high quality service to the community.

- **Civic Leadership**

Pursuant to the LGA, Coffs Harbour City Council is responsible for '*waste removal, treatment and disposal services and facilities*'.

The outcomes of this report are consistent with Objective LE3.1 of the Coffs Harbour 2030 Community Strategic Plan. Coffs Harbour City Council is both a provider and facilitator for this objective and will continue to provide civic leadership with best practice management.

- **Economic**

**Broader Economic Implications**

The extension of the Collection Contract will continue to provide local employment and services for the community. It will not impact on the positive economic viability that a best practice waste management service currently provides. Continuity of the Collection Contract will continue to enhance tourism and its economic benefits.

**Delivery Program/Operational Plan Implications**

Expenditure for Parks and Litter Bin Collection Services is currently included in the Environmental Budget. Extensions of the current contracts are not expected to adversely affect the Operation Plan or Delivery Program. The annual value of the Collection Contract is approximately \$420,000.

**Risk Analysis:**

The major risks that have been identified and evaluated are:

1. Compliance with the LGA and Regulations with regards to the extension of the existing Collection Contract.
2. Calling of Tenders with a short Tender and 'tooling up' period could result in a non-competitive tender process and possible below standard submissions, as well as the high risk of lowering levels of service.

The risks can be controlled by the extension of the existing Collection Contract due to extenuating circumstances.

3. Negotiation with the incumbent may not provide a satisfactory outcome for Council.  
Preliminary informal discussions with Pinerose have been positive and this risk is deemed low.

**Consultation:**

Council has received legal advice from Lawyers, HWL Ebsworth, which is subject to Legal Professional Privilege, with regards to compliance with the LGA and Regulations and the existence of extenuating circumstances.

**Related Policy, Precedents and / or Statutory Requirements:**

The proposed delay of the tender process, and subsequent extension of the existing Contracts is allowable under section 55(3)(i) of the Local Government Act.

**Implementation Date / Priority:**

If the Council resolves to accept the recommendations as written, then the Collection Contract will be extended so that it aligns with the final date of the kerbside collection contract. The proposed extension period is initially for 1 year, with options to extend for 2 more periods, each up to 1 year, on notice from Coffs Harbour City Council to Pinerose. It is unlikely that both of the further options will be taken up by Coffs Harbour City Council due to the expiry date of the major kerbside contract, however it is considered prudent to allow flexibility with respect to the extensions especially as the Waste Strategy is yet to be settled.

**Conclusion:**

It is believed that adopting the recommendations as written will reduce Council's risks with regards ensuring an advantageous Contract for waste services. Extending the existing Litter Bin Contract will ensure:

- that the service provided will align with the Waste Strategy outcomes; and that the scope of the contract to be combined with the major waste tender which will provide best value for money for the community.
- Continuity of the existing essential waste collection service.

Extension of the Collection Contract will require deferral of the tender process at this time. These actions are within the requirements of the LGA and Regulations.



## REPORT TO ORDINARY COUNCIL MEETING

### PROPOSED INCLUSION OF ARRAWARRA HEADLAND RESEARCH STATION R82766 INTO THE COFFS COAST STATE PARK TRUST

<b>REPORTING OFFICER:</b>	Manager, Holiday Parks & Reserves
<b>DIRECTOR:</b>	Director Business Services
<b>COFFS HARBOUR 2030:</b>	LC3.1 - Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
<b>ATTACHMENTS:</b>	Nil

#### Recommendation:

**That Coffs Harbour City Council, as Corporate Manager for Coffs Coast State Park Trust accept the inclusion of Arrawarra Headland Research Station Reserve 82766 into the Coffs Coast State Park.**

#### EXECUTIVE SUMMARY

Council, as Corporate Manager of the Woolgoolga Beach Reserve Trust, has been working with Marine Rescue Woolgoolga (MRW) and Woolgoolga Surf Life Saving Club (WSLSC) to secure suitable bases of operation for each organization. The WSLSC building no longer meets safety and operational requirements and the Trust has been assisting the club to secure an alternate location, within Woolgoolga Beach Reserve, for their clubhouse. Through ongoing discussions with WSLSC and MRW, it has been negotiated that MRW would be willing to vacate their base of operation at Woolgoolga Beach in lieu of being provided an alternate location, at no cost to their organisation, at Arrawarra Headland.

A suitable location for MRW has been found at the Arrawarra Headland Research Station which is a Crown Reserve currently under Corporate Management by the University of New England (UNE). The UNE has agreed in principle to a shared use arrangement with MRW and a Memorandum of understanding is currently being drafted for the shared use arrangement.

Council has consulted with Crown Lands with regards to the most appropriate and beneficial land tenure arrangements and it has been determined that the UNE would notify Crown Lands of its intent to relinquish Corporate Management of the Arrawarra Headland Research Station Trust and that Council request appointment as Corporate Manager of the Trust. The Trust would then be transferred into the **Coffs Coast State Park Trust (CCSPT)**. The CCSPT would then issue a 10 year license to the UNE to facilitate ongoing use for educational purposes. The Crown would issue Marine Rescue NSW with a 34a license over the reserve as part of a state-wide Marine Rescue agreement.

The Crown now requires notification of the Trusts acceptance of the proposed inclusion of the Arrawarra Headland Research Station R82766 into the Coffs Coast State Park.

## REPORT

### Description of Item:

On 13 August 2015 a report (BS15/36) was considered by Council with regards to the progress of negotiations between Woolgoolga Surf Life Saving Club, Woolgoolga Marine Rescue, the University of New England and Crown Lands as they work towards securing a new base for Marine Rescue, in turn providing a new location for a redeveloped surf club in Woolgoolga Beach Reserve. The report (BS15/36) provides the background to this report and contained resolutions that stated:

2. *That Council request Crown Lands appoint Coffs Harbour City Council as Corporate Manager of the Arrawarra Headland Research Station Trust (R82766).*
3. *That Council approves the intent to seek inclusion of the Arrawarra Headland Research Station Trust into the Coffs Coast State Park Trust, dependent upon acceptance by the Coffs Coast State Park Trust.*

The recommendations were adopted by Council.

Council has consulted with Crown Lands with regards to the most appropriate and beneficial land tenure arrangements and it has been determined by Crown Lands that the UNE would notify Crown Lands of its intent to relinquish Corporate Management of the Arrawarra Headland Research Station Trust and that Council request appointment as Corporate Manager of the Trust. The UNE has agreed to relinquish the Trust and are awaiting a satisfactory MOU and confirmation of a 10 year license agreement.

The Arrawarra Headland Research Station Trust would then be transferred into the Coffs Coast State Park Trust (CCSPT), pending approval by the CCSPT. The CCSPT would then issue a 10 year license to the UNE to facilitate ongoing use for educational purposes.

It is Crown Lands' position that the management and usage arrangements for the site are best served under the Crown Lands Act with Council acting as Corporate Manager of the Trust. Furthermore, the use of the site is consistent with activities and management already undertaken by the Coffs Coast State Park Trust. In addition, recent changes to the Crown Lands Act means that Council can only be appointed as Corporate Manager of a Reserve Trust for a period not exceeding 5 years unless the Trust is consolidated into another Reserve Trust currently under Councils Corporate Management. Appointment for a period of 5 years would not enable Council, as Corporate Manager of the Trust to provide the UNE with sufficient security and length of tenure required to trigger them relinquishing the management of the Trust.

In order to enact the aforementioned resolutions of Council, it is now necessary for the Coffs Coast State Park Trust to resolve to accept the inclusion of the Arrawarra Headland Research Station into the CCSPT.

### Issues:

Crown Lands have expressed a desire that no Trust funds are expended on the redevelopment of the Arrawarra Headland Research Station facility. As part of negotiations with Marine Rescue and the UNE, it has been agreed that there be Council funds (estimated at \$150,000.00) spent on bringing the facility to a standard suitable for habitation by both parties. The financial pressure placed upon Council by agreeing to fund the improvements will place a greater emphasis upon State Park funds being expended on other State Park management, maintenance and projects that would historically have been funded through Council revenues.

The Trust has the necessary capacity, experience and resources to effectively, efficiently and consistently manage the Arrawarra Headland Research Station in concert with the raft of similar management responsibilities currently undertaken within the State Park.

**Options:**

1. The Trust can adopt the recommendation as submitted
2. The Trust can decline acceptance of the Arrawarra Headland Research Station into the CCSPT. Council has resolved to request appointment as the Reserve Trust Manager and this can still occur but would limit Councils ability to provide length of tenure required by the UNE

**Sustainability Assessment:**

• **Environment**

The recommendation will progress the goal of securing a future base for Marine Rescue Woolgoolga whilst providing ongoing access by the UNE. Plans for improvements to the site may have some environmental impacts that will be managed through a DA process. Environmental improvements will also take place including decommissioning the substandard onsite septic in lieu of connection to the sewer system.

• **Social**

The recommendation enables positive social outcomes through improved provision of rescue services on the northern beaches whilst maintaining the site as a center for learning.

• **Civic Leadership**

The recommendation enables the Trust to continue to manage Crown reserves for the benefit of the community. The inclusion of the reserve into the CCSPT shows leadership by capitalizing upon proven systems and management regimes currently in use by the Trust.

• **Economic**

**Broader Economic Implications**

The inclusion of the Reserve in the CCSPT has the effect of progressing community improvements at Woolgoolga Beach Reserve. These improvements will have positive economic benefits for the wider Woolgoolga community.

**Delivery Program/Operational Plan Implications**

Crown Lands have expressed a desire that no Trust funds are expended on the redevelopment of the Arrawarra Headland Research Station facility. As part of negotiations with Marine Rescue and the UNE, it has been agreed that there be Council funds (estimated at \$150,000.00) spent on bringing the facility to a standard suitable for habitation by both parties. The financial pressure placed upon Council by agreeing to fund the improvements will place a greater emphasis upon State Park funds being expended on other State Park management, maintenance and projects that would historically have been funded through Council revenues.



**Risk Analysis:**

The recommendation does not present any additional risk to the ongoing operation of the Reserve. Conversely, the appointment of Council as Trust manager will provide a higher and better use of the Reserve than currently exists, allowing for more controlled and appropriate uses, especially with regards to the environmentally sensitive areas of the Reserve.

**Consultation:**

Consultation has been undertaken with Crown Lands management, the University of New England, Marine Rescue Woolgoolga and Councils Property Manager.

**Related Policy, Precedents and / or Statutory Requirements:**

Council is the appointed Trust Manager for a raft of Reserves within the Coffs Coast. Appointment is gazetted under the Crown Lands Act. Inclusion of the Reserve in the CCSP is consistent with previous inclusions.

**Implementation Date / Priority:**

Staff can prepare the formal request to Lands immediately Council, in its capacity as the Reserve Trust Manager, endorses the recommendations.

**Conclusion:**

The inclusion of the Arrawarra Headland Research Station into the Coffs Coast State Park is part of a chain of events aimed at providing suitable bases of operations for the Woolgoolga Surf Life Saving Club and Marine Rescue Woolgoolga. The inclusion of the Reserve into the CCSP is supported by Crown Lands as the management capabilities of the Trust are compatible with the management requirements of the Reserve. Crown Lands have confirmed that their preferred management of the site is under the Reserve Trust system.



## REPORT TO ORDINARY COUNCIL MEETING

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### INCOME AND EXPENSES OF THE A LEAGUE MATCH BETWEEN WESTERN SYDNEY WANDERERS AND CENTRAL COAST MARINERS

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**Question:**

Could Council please provide a full report detailing income and expenses of the A League match between Western Sydney Wanderers and Central Coast Mariners played earlier this month at CEX International Stadium.

**Response:**

At its meeting of 25 June 2015,

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

**132 RESOLVED** (Sultana/Palmer) that:

1. *Council seek a memorandum of understanding with North Coast Football to develop a schedule of costs and responsibilities required to stage an A league pre season match on 7th August at CEX International Stadium.*
2. *Council also offer an allocation of no more than \$50,000 of previously allocated funds within the sports unit budget towards the A League fixture.*
3. *Any funds generated through possible sponsorships will be applied to any shortfalls in funds after the \$50,000 has been allocated.*

The A League Trial Match was held on 7 August 2015 between the Western Sydney Wanderers and Central Coast Mariners, following the signing of a Memorandum of Understanding and standard venue hire agreement between North Coast Football and Coffs Harbour City Council. These documents set out the responsibilities of each party in delivering the event.

Within the MoU it was noted that of the \$50,000 made available by Council for this event, \$30,000 was held for game day expenses with North Coast Football allocated \$20,000 (minimum) to cover other expenses. Council were advised that third party sponsorships were being arranged to cover any additional other expenses.

The event was a success, with an enthusiastic crowd of 3248 in attendance.

Council staff acknowledge the enormous contribution of North Coast Football, as well as many other parties, in delivering this event for the football and wider community.



## REPORT TO ORDINARY COUNCIL MEETING

Actual event costs were as follows:

### 1. Game-day costs – CHCC

A very low net game day cost (\$615 ex GST) was achieved due to a number of reasons:

- A reduced 'venue open' time due to the teams deciding on no pre game activities, which significantly reduced the numbers of contractors and other hourly rates on the night. This timing also contributed to reduction in waste costs and various other consumables. This meant a significant cost saving.
- Due to short lead time we had some risks that were not ideally managed (such as parking) on the night. While the event was a success and delivered an excellent financial result, it was not optimal management or good governance.
- A lot of hard work by the various parties in making the event a success

A summary of these costs is attached.

### 2. Team costs – North Coast Football

North Coast Football have submitted an invoice for \$49,385 (ex GST). A copy of the documentation is attached.

**Total game day costs were therefore exactly \$50,000.**

### **ATTACHMENTS:**

- ATT1 A League Trial 2015 – Game Day Budget
- ATT2 Final Letter Enclosing Invoice to CHCC
- ATT3 CHCC Invoice
- ATT4 CONFIDENTIAL Novotel Pacific Bay Resort Information Invoice

Game Day costs - A League Trial Match - 4 August 2015	
	ex gst
<u>Expenditure</u>	<u>Amount</u>
Venue Hire	\$590.00
Council event management services	\$1,605.20
Floodlighting	\$425.00
Venue Operations	
Light towers	\$542.50
Ambulance (for players)	\$928.24
St John First Aid	\$272.73
Always Party Hire - Panelling for grandstand	\$940.00
Ground preparation, including turnaround from previous and to next event	\$4,039.96
Security	
Venue	\$5,075.00
Field Of Play*	\$3,481.25
Police	\$649.09
Traffic Management and Parking	\$1,032.89
Waste services	\$785.91
Volunteers - meals	\$254.00
Marketing and promotion	\$590.00
Team/match official meals and ice*	\$843.00
<b>Total Expenses (ex GST)</b>	<b>\$22,054.77</b>
<b>Net ticketing income</b>	<b>\$21,440.00</b>
<b>Total Income (ex GST)</b>	<b>\$21,440.00</b>
<b>profit/loss</b>	<b>-\$614.77</b>



16 September 2015

The General Manager  
 Coffs Harbour City Council  
 Locked Bag 155  
 COFFS HARBOUR NSW 2450

**Attention: Nikki Greenwood ~ Group Leader, City Prosperity**

Dear Nikki,

**Western Sydney Wanderers V Central Coast Mariners Pre-season Match**

Reference is made to your recent email requesting our tax invoice and accompanying breakdown of expenses incurred in organizing and managing the pre-season match between the Western Sydney Wanderers and Central Coast Mariners at the CEX International Stadium on Friday 7<sup>th</sup> August 2015.

Firstly, on behalf of the Board of North Coast Football, I would like to take this opportunity to express our sincere thanks to Coffs Harbour City Council and the Sports Unit, in particular, in supporting the growth and development of football in the region. We expect the success of the event demonstrates the strong support within the local football and wider community for such events going forward.

The following table sets out the costs incurred by North Coast Football in hosting this event.

<b>NCF Expenses</b>		
<b>NCF Staff</b>	Management, refereeing support, coaching support and materials, promotion, local transport support, etc	\$6,420.00
<b>Western Sydney Wanderers</b>	Accommodation, meals, local transport as per attached information invoice.	\$46,695.13
<b>Central Coast Mariners</b>	Accommodation, meals, local transport	\$14,159.40
	Expenses ex GST	<b>\$67,274.53</b>
	GST	\$6,727.45
	<b>Total</b>	<b>\$74,001.98</b>

NOTE: The table does not include travel costs for Wanderers to or from Coffs Harbour.

In accordance with Coffs Harbour City Council's resolution on Thursday 25<sup>th</sup> June 2015 to support the event by the allocation of a maximum \$50,000 ex GST to cover expenses incurred we submit the following.

We understand that game day expenses incurred by Council less gate takings amounted to \$614.77 which is a great result and reflects well on the management of the event by Council. Accordingly, we attach herewith the information invoice for the Western Sydney Wanderers (which should be treated as confidential information) together with our tax invoice for the sum of \$50,000 less \$614.77 equating to \$49,385 ex GST (\$54,323.50 in total) for your attention.

We expect the information provided is satisfactory and we look forward to receipt of payment in due course.

Yours sincerely,



**Michael Lamont**  
**President, North Coast Football**  
Enc.

**NORTH COAST FOOTBALL**

P O BOX 990  
COFFS HARBOUR NSW 2450

Phone : 02 6651 2159  
Fax : 02 6651 5570  
Email : [accounts@northcoastfootball.com.au](mailto:accounts@northcoastfootball.com.au)



Attachment 3

**Tax Invoice**

A.B.N.: 26 763 087 032

**Invoice To:**

**Coffs Harbour City Council**  
**2 Castle Street**  
**COFFS HARBOUR NSW 2450**

**Invoice #: 00001850**

**Date: 10/09/2015**

DESCRIPTION	INC AMOUNT	TAX CODE
Costs associated with staging the A-League game at the CEX International Stadium on 7th August 2015	\$54,323.50	GST

GST:	\$4,938.50
<b>Total Inc GST :</b>	<b>\$54,323.50</b>

Payment can be made direct into our Bank Account  
Bank : BCU  
Acct No : 41412  
BSB : 704-328

Please put your club name & invoice no in the reference or email  
[accounts@northcoastfootball.com.au](mailto:accounts@northcoastfootball.com.au)