

The following document is the minutes of the Council and Committee meeting held on 9 May 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 23 May 2013 and therefore subject to change. Please refer to minutes of 23 May 2013 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**9 MAY 2013**

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**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**9 MAY 2013**

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

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

The meeting commenced at 5.00 pm with the Mayor, Cr D Knight in the chair.

We respectfully acknowledge the Gumbayngirr Country and the Gumbayngirr Aboriginal peoples who are traditional custodians of the land on which we meet and their Elders both past and present

The Mayor reminded the Chamber that the meeting was to be recorded, and that no other recordings of the meeting would be permitted.

The Mayor met with Russell Crowe and Jenny Oloman yesterday at which time Russell Crowe donated \$40,000 for the Coffs Harbour Olympic Pool, the Mayor acknowledged the generosity of Russell Crowe and his family.

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**DISCLOSURES OF INTEREST**

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No disclosures of interest tabled.

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**APOLOGY**

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No apologies.

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**CONFIRMATION AND ADOPTION OF MINUTES**

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**109 RESOLVED** (Arkan/Innes) that the minutes of the Ordinary meeting held on 24 April 2013 be confirmed as a true and correct record of proceedings.

## NOTICES OF MOTION

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### NOM13/6 CRUISE SHIP VISITATION

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

1. Coffs Harbour City Council reopen or recommence, investigations regarding cruise ship visitation to Coffs Harbour. That Council investigate the level of interest held by cruise shipping companies in Coffs Harbour as a future destination site and what their needs to further attract visitation might be.
2. The financial benefits to the community as exemplified in the tabled business study for nearby cities be noted.
3. Coffs Harbour City Council consider becoming a member of Cruise Down Under, the organisation for Cruise Shipping in Australia as a first step to promote itself as a destination and help establish the necessary contacts and report back to council on the benefits of this or other initiatives worthy of consideration.
4. A letter be sent to Geelong City Council thanking them for the use of the study that they have supplied Coffs Harbour City Council.

### AMENDMENT

**MOVED** (Knight/Innes) to defer this Notice of Motion until the Jetty Foreshores Stage 1 is completed.

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

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### DIVISION

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A division was duly called, and those members voting for and against the motion were recorded:

**FOR**

Cr Innes  
Cr Knight  
Cr Palmer  
Cr Rhoades

**AGAINST**

Cr Cowling  
Cr Arkan  
Cr Townley  
Cr Sultana  
Cr Degens

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

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## NOM13/6 Cruise Ship Visitation ...(Cont'd)

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### DIVISION

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A division was duly called, and those members voting for and against the motion were recorded:

**FOR**

Cr Sultana  
Cr Townley  
Cr Degens  
Cr Arkan  
Cr Cowling

**AGAINST**

Cr Innes  
Cr Knight  
Cr Palmer  
Cr Rhoades

### LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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**L13/9 NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION - CONTAMINATED LAND MANAGEMENT**

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To recommend to Council the public exhibition of the Draft Contaminated Land Management Policy.

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

1. In accordance with Section 160 (2) of the Local Government Act 1993, Council gives public notice of its intention to adopt the Contaminated Land Management Policy as attached, placing it on public exhibition for a period of 42 days for submissions to be made to Council.
2. Following the exhibition period, Council considers a further report including a summary of any submissions received.

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**L13/10            DRAFT COFFS HARBOUR DEVELOPMENT CONTROL PLAN  
2013 - ADDITIONAL DRAFT COMPONENTS AND MINOR  
AMENDMENTS**

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To recommend to Council the public exhibition of the following amendments to draft Coffs Harbour Development Control Plan (DCP) 2013:

1. A proposed new component that addresses contaminated land management;
2. A proposed new component that addresses flooding and coastal hazards; and
3. Minor amendments to various components of draft DCP 2013, including provisions for autonomous (or on-site renewable) energy generation. Minor amendments have been made to the following components of draft DCP 2013: A1, B1, B2, C1, C2, C7, C8, E2, E3, E5, E7, E8, E9, E10, E11, E12, E13, E14 and E15.

**112        RESOLVED** (Arkan/Palmer) that:

1. Council adopt draft Component D2 – Contaminated Land Management, being an additional component to Coffs Harbour Development Control Plan 2013 as separately appended.
2. Council adopt draft Component D3 – Flooding and Coastal Hazards, being an additional component to Coffs Harbour Development Control Plan 2013 as separately appended.
3. Council adopt the minor amendments to Components A1, B1, B2, C1, C2, C7, C8, E2, E3, E5, E7, E8, E9, E10, E11, E12, E13, E14 and E15 of the draft Development Control Plan, including the proposed controls for on-site renewable energy generation as separately appended.
4. Council publicly exhibit the new and amended draft Development Control Plan components for a period of 42 days consistent with the provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000.
5. Following the statutory public exhibition period, Council consider a further report including a summary of any submissions received.

**FOR**

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

**AGAINST**

Nil

## **CORPORATE BUSINESS DEPARTMENT REPORTS**

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### **CB13/29      BANK BALANCES AND INVESTMENT FOR MARCH 2013**

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To list Council's Bank Balances and Investments as at 31 March 2013.

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

1. The bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and seventy seven million, six hundred and thirty thousand, two hundred and sixty dollars (\$177,630,260) as at 31 March 2013 be noted.
  2. The general fund unrestricted cash and investments totaling one million, nine hundred and sixty four thousand, five hundred and ninety four dollars (\$1,964,594) as at 31 March 2013 be noted.
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### **CB13/30      COFFS HARBOUR REGIONAL AIRPORT - ACQUISITION OF EASEMENT FOR MANAGEMENT OF VEGETATION**

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To obtain approval to acquire an easement over Crown Lands surrounding the Coffs Harbour Regional Airport to ensure access for future management of vegetation.

**114      RESOLVED** (Arkan/Palmer) that:

1. Council make application to the Division of Local Government seeking the Ministers approval to make a recommendation to the Governor for Governor's consent to place an acquisition notice in the Gazette to acquire an Easement for Management of Vegetation on the terms set out in Attachment 1 to the report, over the Crown Lands surrounding the Coffs Harbour Regional Airport, shown in red on the map in Attachment 2 to the report, and as described by Lot and Deposited Plan Number in Attachment 2 by compulsory process under the Land Acquisition (Just Terms Compensation) Act, 1991 with the consent of the Crown.
2. Council enter into a pre-acquisition agreement on compensation under Section 63 of the Land Acquisition (Just Terms Compensation) Act, 1991.
3. Any necessary documents be executed under the Common Seal of Council.

## CITY SERVICES DEPARTMENT REPORT

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### CS13/26 TENDER RFT-578-TO: PARK BEACH SURF CLUB ACCESS UPGRADE

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To report on tenders received for Contract RFT-578-TO, for the upgrading of the access to Park Beach Surf Club, and to gain Council approval to accept a tender.

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

1. Council accepts the tender of Fred Keizer Constructions Pty Ltd, ABN 86 077 000 723, for Contract No. RFT-578-TO, Park Beach Surf Club Access Upgrade, for the amount of \$174,020.00 inclusive of GST on the basis that:
    - a) The tender is the most advantageous to Council.
    - 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. The contract documents be executed under the Seal of Council.
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### REQUESTS FOR LEAVE OF ABSENCE

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- 116 RESOLVED** (Arkan/Palmer) that Cr Rhoades be granted leave of absence from Council from 23 May 2013.
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### MATTERS OF AN URGENT NATURE

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#### MUN13/3 Current Strategic Issues

Cr Rhoades requested to inform Council of three urgent matters:

1. A referendum will be held on 14 September 2013 to financially recognise local government in the federal constitution to assist with direct funding to local government.
2. The Local Government Amendment (Early Intervention) Bill was tabled yesterday in Parliament.
3. The recent decision by the Administrative Appeals Tribunal to turn off CC TVs due to privacy issues will be addressed by legislative amendments through Parliament.

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**QUESTIONS ON NOTICE**

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No questions on notice.

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

Confirmed: 23 May 2013

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Denise Knight  
Mayor