MINUTES
COFFS HARBOUR CITY COUNCIL
ORDINARY COUNCIL MEETING
COUNCIL ADMINISTRATION BUILDING
CNR COFF AND CASTLE STREETS, COFFS HARBOUR
ON THURSDAY, 14 JUNE 2018 AT 5.00PM

PRESENT: Cr Denise Knight, Cr Michael Adendorff, Cr Paul Amos, Cr John Arkan, Cr George Cecato, Cr Keith Rhoades, Cr Tegan Swan, Cr Sally Townley

STAFF: General Manager, Director Sustainable Infrastructure, Director Sustainable Communities, Director Business Services and Executive Assistant

LEAVE OF ABSENCE Cr Jan Strom

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

ACKNOWLEDGEMENT OF COUNTRY
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.

STATEMENT IN RELATION TO RECORDING OF MEETINGS
The Mayor reminded the Chamber that the meeting was to be recorded and live audio streamed, and that no other recordings of the meeting would be permitted.

DISCLOSURE OF INTEREST

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Items</th>
<th>Type of Interest</th>
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<tbody>
<tr>
<td>Cr John Arkan</td>
<td>GM18/14</td>
<td>Non-Pecuniary - Less Than Significant Conflict as his wife works for Council at the Library.</td>
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APOLOGIES

No apologies.

PUBLIC ADDRESSES

<table>
<thead>
<tr>
<th>Time</th>
<th>Speaker</th>
<th>Item</th>
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<tbody>
<tr>
<td>5.00 pm</td>
<td>Ann Leonard</td>
<td>Against GM18/14 Cultural and Civic Space Concept Business Case</td>
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<tr>
<td>5.05 pm</td>
<td>David Doyle</td>
<td>For GM18/14 Cultural and Civic Space Concept Business Case</td>
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<tr>
<td>5.10 pm</td>
<td>Heather McKinnon</td>
<td>For GM18/14 Cultural and Civic Space Concept Business Case</td>
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PUBLIC FORUM

No public forum.

MAYORAL ACTIONS UNDER DELEGATED AUTHORITY

No Mayoral actions under delegated authority.

CONFIRMATION OF MINUTES

2018/124 RESOLVED (Cr John Arkan / Cr George Cecato)

That the minutes of the Ordinary Meeting held on 24 May 2018 be confirmed.

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

GENERAL MANAGER’S REPORTS

GM18/14 CULTURAL & CIVIC SPACE CONCEPT BUSINESS CASE

EXECUTIVE SUMMARY

This Council Report is a covering report for the Concept Business Case that documents the Cultural and Civic Space project. The project satisfies Council Resolution 2017/84, relevant Council policies and plans and is responsive to the balance of input from community consultation and from within Council. The project is affordable in terms of both capital and operating expenditure points of view.
MOTION (Cr Denise Knight / Cr Tegan Swan)

That Council:

1. Progress the Cultural and Civic Space project to its next design phase, Schematic Design, as per the documented Base Option, including the following choices (options) per the Project Finances sections of the Concept Business Case;
   1.1. Museum to be included
   1.2. Car parking – single basement level (estimated 85 parking spaces) & forward funding of estimated 30 additional spaces
   1.3. Covered entrance on the Gordon St frontage
   1.4. Schematic Design consideration of reduced façade treatment and reduced rammed earth treatment.

2. In progressing the Cultural and Civic Space project, ensure that resources available to the project are applied in the most efficient manner to ensure the project is expedited, and further that implementation status project briefing notes be provided to Councillors on a quarterly basis.

AMENDMENT

(Cr Keith Rhoades)

That the matter be deferred for a period of one month until the Ordinary Meeting of Coffs Harbour City Council to be held on 26 July 2018.

The Mayor advised that the Amendment would not be considered, the reason being it would be a direct negative to the Motion.

MOTION

2018/125 RESOLVED (Cr Paul Amos)

That a Motion of dissent be recorded against the ruling of the chair.

For: Crs Amos, Arkan, Rhoades and Townley

Against: Crs Knight, Adendorff, Cecato and Swan

The MOTION on being put to the meeting resulted in a tied vote. The Mayor used her casting vote and the MOTION was declared LOST.

LOST

MOTION

2018/126 RESOLVED (Cr Denise Knight / Cr Tegan Swan)

That Council:

1. Progress the Cultural and Civic Space project to its next design phase, Schematic Design, as per the documented Base Option, including the following choices (options) per the Project Finances sections of the Concept Business Case;
   1.1. Museum to be included
   1.2. Car parking – single basement level (estimated 85 parking spaces) & forward funding of estimated 30 additional spaces
1.3. Covered entrance on the Gordon St frontage

1.4. Schematic Design consideration of reduced façade treatment and reduced rammed earth treatment.

2. In progressing the Cultural and Civic Space project, ensure that resources available to the project are applied in the most efficient manner to ensure the project is expedited, and further that implementation status project briefing notes be provided to Councillors on a quarterly basis.

For: Crs Knight, Adendorff, Arkan, Cecato, Swan and Townley
Against: Crs Amos and Rhoades

CARRIED

GM18/11 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

EXECUTIVE SUMMARY

To advise Council of the determination by the Local Government Remuneration Tribunal of fees for Councillors and Mayors for 2018/19.

2018/127 RESOLVED (Cr George Cecato / Cr Paul Amos)

That Council, Pursuant to the provisions of Sections 248 and 249 of the Local Government Act 1993, fix the:

1. Annual fee for Councillors at $19,790 for the 2018/19 financial year.
2. Additional annual fee for the position of Mayor at $43,170 for the 2018/19 financial year.

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

CARRIED

GM18/12 VOTING DELEGATES FOR THE ELECTION TO FILL A CASUAL VACANCY IN THE OFFICE OF VICE PRESIDENT (RURAL/REGIONAL COUNCILS) ON THE BOARD OF THE LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW

EXECUTIVE SUMMARY

Council is required to nominate voting delegates in preparation for the election of a Vice President (Rural/Regional) to the Local Government and Shires Association of NSW (LGNSW) board.

2018/128 RESOLVED (Cr Keith Rhoades / Cr John Arkan)

That Council nominate Councillors Swan, Cecato and Adendorff as voting delegates for the Election of a Vice President (Rural/Regional) position on the LGNSW board.

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

CARRIED
GM18/13    JOINT ORGANISATION MEMBERSHIP

EXECUTIVE SUMMARY

Council last considered membership of the Mid North Coast JO at its meeting on 22 March 2018 when it resolved to join a JO comprising Clarence Valley Council, Coffs Harbour City Council, Bellingen Shire Council and Nambucca Shire Council. This resolution was provided to the Minister for Local Government as required by the legislation.

On 11 May 2018, the Local Government (Regional Joint Organisations) Proclamation 2018 was published. The proclamation established the Mid North Coast JO comprising Bellingen Shire Council, Kempsey Shire Council and Port Macquarie-Hastings Council.

On 24 May 2018, the Mayor received a letter jointly signed by from the Hon. John Barilaro and the Hon. Gabrielle Upton advising that although Coffs Harbour City Council made a resolution to become a member of a JO, it has not been included in the initial proclamation as the resolution did not align with other council resolutions or was conditional on specific actions by the Minister. The letter makes clear the Government's position that, with the exception of the Far West Region, the NSW Government will not be proclaiming any additional joint organisations in regional NSW. Therefore, Council’s currently resolved position of a four council JO is unlikely to proceed. Further, the letter advises that it is the NSW Government’s intent that all regional councils become a full voting member of a JO, so that their communities can benefit from a strong regional approach to strategic planning, collaboration and advocacy.

On 2 June 2018, Council received advice from Nambucca Shire Council that following consideration of this matter at their Council meeting on 31 May 2018, it was resolved to seek the support of Clarence Valley Council and Coffs Harbour City Council in making representations to the Deputy Premier, the Minister for Local Government and our local State Members for the establishment of a JO comprising Clarence Valley Council, Coffs Harbour City Council and Nambucca Shire Council. Further that Bellingen Shire Council be accepted as a member of the proposed JO should they obtain approval to withdraw from the proclaimed Mid North Coast JO.

Council now needs to consider, that given the State Government’s advised position on JOs, whether it wishes to continue pursuing a four councils North Coast JO or to accept the State Government’s advice and now formally resolve to join the proclaimed Mid North Coast JO. Alternatively Council may choose to take no action at this time and apply a watching brief to this matter. Accepting the State Government’s advice and formally resolving to join the Mid North Coast JO is recommended.

MOTION (Cr Sally Townley / Cr Paul Amos)

Move that:

1. Council continue to pursue its resolved position with regard to a Joint Organisation comprising Coffs Harbour City Council, Clarence Valley Council, Nambucca Shire Council and Bellingen Shire Council, and

2. That representations are made to the Deputy Premier, the Minister for Local Government and relevant State members in respect of Council’s position.
AMENDMENT

2018/129 RESOLVED (Cr Keith Rhoades / Cr John Arkan)

That:

1. Council make further representations, together with Nambucca and Clarence Valley Councils, to the Deputy Premier, the Minister for Local Government and the local State Members for the establishment of a Joint Organisation comprising the Coffs Harbour City, Clarence Valley and Nambucca Shire local government areas; and

   In the event that the representations mentioned in 1. above are received in the affirmative by the NSW State Government, further

2. In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Coffs Harbour City Council (Council) resolves:

   2.1 That the Council inform the Minister for Local Government (Minister) of the Council’s endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (Joint Organisation) in accordance with this resolution.

   2.2 To approve the inclusion of the Council’s area in the Joint Organisation area.

   2.3 That the Joint Organisation be established to cover the Council’s area and any one or more of the following council areas:

       2.3.1 Clarence Valley Council
       2.3.2 Nambucca Shire Council

   2.4 That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:

       2.4.1 with a copy of this resolution including the date on which Council made this resolution, and
       2.4.2 inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.

3. Should a Joint Organisation comprising Coffs Harbour City, Clarence Valley and Nambucca Shire local government areas be established, Bellingen Shire Council be invited to join as a member of the subject Joint Organisation on approval to withdraw from the announced Mid North Coast Joint Organisation, or alternatively be offered associate membership.

The Amendment on being put to the meeting was carried unanimously.

The AMENDMENT then became the MOTION.

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

CARRIED
DIRECTORATE REPORTS – BUSINESS SERVICES

BS18/33 LOAN BORROWING - EPIC STADIUM PROJECT

EXECUTIVE SUMMARY

At the Council meeting 9 February 2017 Council resolved to submit a grant application under the Building Better Regions Fund Infrastructure program for the construction of the EPIC Stadium for the Future project. Council also resolved that if that application was successful that it would seek $4.72m in loan funds to fund a portion of the project.

As a result of the grant approval and the undertaking of the project, Council has sought Expressions of Interest (EOI) from three financial institutions in accordance with its Loan Policy. Indicative rates were received from Westpac Banking Corporation, National Australia Bank and New South Wales Treasury Corporation (TCorp).

As a condition of the offer, NSW TCorp requires Council to amend its Investment Policy to lower its exposure to unrated institutions to 10% and the BBB Category to 20% from the current Investment Policy of a combined BBB and unrated Category of 40% maximum holding.

Independent investment advisors, Laminar Capital, have advised that such a change to Council’s Investment Policy would have a detrimental impact on investment returns of an estimated $275,000 per annum. The saving in interest expense by accepting NSW TCorp’s proposal over the other financial institutions for the subject loan is estimated on indicative rates as approximately $36,000 per annum. This represents a net negative financial impact of an estimated $239,000 per annum.

From the analysis undertaken and advice received it is recommended that Council enter into a fixed interest rate loan agreement to borrow $4,720,000 over 20 years with the National Australia Bank.

2018/130 RESOLVED (Cr Michael Adendorff / Cr George Cecato)

That Council:

1. Enter into a fixed interest rate loan agreement to borrow $4,720,000 over 20 years with the National Australia Bank.

2. Authorise the Mayor and General Manager to execute the loan agreement under the Common Seal of Council.

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

CARRIED

BS18/34 LAND ACQUISITIONS - UPGRADE OF CORNER ON CORAMBA ROAD, KARANGI

EXECUTIVE SUMMARY

Council received Federal Blackspot funding in June 2017 via Roads and Maritime Services (RMS) to upgrade a dangerous corner on Coramba Road at Karangi that has recently experienced a high level of vehicular crashes resulting in six injuries, one of which was
serious since 2012. Council has prepared a design for the works to upgrade the corner which will improve safety issues. The project requires the acquisition of a small section of land from two adjoining properties that are zoned rural.

The blackspot funding is provided on the basis it is expended within a specified time frame. The initial grant funding period has lapsed as a result of unsuccessful negotiations with the affected land owners however an extension has been provided to Council by the RMS on the basis construction works are completed in the 2018/19 financial year. Negotiations at this point in time have been unsuccessful with the land owners and if unresolved will jeopardise the project and the RMS blackspot funding.

The works need to be programmed for early 2019 so that the blackspot funding is not lost. Council will need to secure access to the required land at the two properties known as 601 and 643 Coramba Road by this time. To ensure this occurs, Council will need to commence compulsory acquisition immediately as the process can take approximately six months to complete. By commencing this process, it should be noted that there are no impediments to Council continuing negotiations with the affected land owners with the intention to reach a mutually agreeable outcome.

2018/131 RESOLVED (Cr John Arkan / Cr George Cecato)

That Council:

1. Proceed with the compulsory acquisition of the that part of 601 Coramba Road, Karangi (Part Lot 1 DP 244921) shown in pink highlight on the plan attached to this report being an area of approximately 698 square metres for the purpose of road widening in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

2. Proceed with the compulsory acquisition of the that part of 643 Coramba Road, Karangi (Part Lot 22 DP 703340) shown in pink highlight on the plan attached to this report being an area of approximately 575 square metres for the purpose of road widening in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

3. Make an application to the Minister and the Governor for approval to acquire the required parts of 601 and 643 Coramba Road, Karangi as detailed in this report by compulsory process under Section 177(1) of the Roads Act 1993.

4. Execute under seal all required documents in connection with these matters.

The General Manager left the meeting, the time being 6.21pm. Director Sustainable Communities assumed his chair.

The General Manager returned, the time being 6.24pm

The Motion on being put to the meeting was carried unanimously. CARRIED
Executive Summary

Council has been approached by consultants acting for a developer of a large residential site to the south of Stadium Drive known as 21 Domain Drive, Coffs Harbour (Lot 1 DP 524038). The property is situated within the South Coffs special area control pursuant to Coffs Harbour Development Control Plan (DCP) 2015.

The proposal to establish an access to 21 Domain Drive, Coffs Harbour (Lot 1 DP 524038) through Advocate Park onto Stadium Drive does not currently comply with the Council’s DCP. By allowing owner’s consent for the development application to be lodged, it will allow the proposal to be assessed on its merits. The granting of owner’s consent does not imply support for the proposal but allows for the application to proceed and be assessed according to current planning instruments.

Resolved (Cr Tegan Swan / Cr Paul Amos)

That Council grant owner’s consent for the subdivision development application for 21 Domain Drive, Coffs Harbour, Lot 1 DP 524038 impacting on the Council owned property, Advocate Park, Lot 110 DP 790562.

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

CARRIED

Directorate Reports - Sustainable Communities

SC18/21 Trading Places - Footpath Activation

Executive Summary

The ‘Trading Places – Footpath Activation’ objectives are:

- to facilitate a vibrant, attractive and safe environment on footpaths across the Coffs Harbour local government area
- to simplify existing processes and enhance customer service
- to achieve strategic goals for place activation and revitalisation.

This report recommends the roll out across the entire local government area from 1 July 2018, following the success of the six month Coffs City Centre Trial.

Resolved (Cr Michael Adendorff / Cr Sally Townley)

That Council:

1. Acknowledge the report on the Trading Places: Review of Footpath Activation Trial in Coffs City Centre (Attachment 1)
2. Endorse the new LGA wide Footpath Activation Model from 1 July 2018.

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

CARRIED
DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE

SI18/14 TRAFFIC COMMITTEE MEETINGS NOS. 1/2018, 2/2018, 3/2018

EXECUTIVE SUMMARY

The Local Traffic Committee (LTC) Meeting minutes are presented to Council for information. There were three meetings with a total of twenty three (23) items considered, ten (10) items were event applications, eleven items (11) were regulatory in nature and two (2) items were deferred for further consideration.

All recommendations were of a minor nature and were therefore approved under delegated authority by the Director of Sustainable Infrastructure. The report lists the minutes for Council to note.

2018/134 RESOLVED (Cr George Cecato / Cr Sally Townley)

That Council note the minutes of the Local Traffic Committee meetings of January 2018, February 2018 and May 2018 which detail that twenty one (21) items have been authorised in accordance with delegations.

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

CARRIED

NOTICES OF MOTION – TRUST

NOM18/08 TRUST NOTICE OF MOTION - BOAT RAMP SIGNAGE

2018/135 RESOLVED (Cr Paul Amos / Cr Sally Townley)

"Council, as a matter of urgency, liaise with Marine Rescue to establish new boat ramp signage that is rationalised and illuminated. The central message of that signage to reflect the following sentiments.....

“Skippers MUST report to Marine Rescue before launching from and returning to the ramp on low tides. You’re the Skipper it’s your responsibility.”

Council to explore the potential to illuminate the entry to the boat ramp and install CCTV cameras as soon as practical."

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

CARRIED

NOM18/09 TRUST NOTICE OF MOTION - BOTANIC GARDENS - CONNECTING BRIDGE TO SHOWGROUND

2018/136 RESOLVED (Cr Denise Knight / Cr Tegan Swan)

"That CHCC investigate the possibility of a bridge connecting the showground to the Botanic Gardens."

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

CARRIED
REQUESTS FOR LEAVE OF ABSENCE
No requests for leave of absence.

QUESTIONS ON NOTICE
No questions on notice.

MATTERS OF AN URGENT NATURE
No matters of an urgent nature.

CLOSE OF MEETING
The Meeting closed at 6.32pm.

Confirmed: Ordinary Meeting 28 June 2018

Denise Knight
Mayor