

The following document is the minutes of the Council and Committee meeting held on 26 June 2014. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 10 July 2014 and therefore subject to change. Please refer to minutes of 10 July 2014 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**26 JUNE 2014**

**Contents**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<b>NOTICES OF MOTION</b>		
NOM14/7	THE SPEED LIMITS ON SOLITARY ISLANDS WAY	2
NOM14/8	TARGETS FOR RENEWABLE ENERGY	2
<b>GENERAL MANAGER'S REPORT</b>		
GM14/16	LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2014 - BUSINESS SESSIONS CONTENT	3
<b>CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS</b>		
CIS14/30	CONTRACT NO. RFT-614-TO - REMEDIATION WORKS AT FOUR SITES WITHIN THE COFFS HARBOUR LGA	3
CIS14/31	CONTRACT NO. RFT-642-TO - CONSTRUCTION OF SPAGNOLOS ROAD DETENTION BASIN	4
CIS14/33	CONTRACT NO. RFT-654-TO: PLANT & TRUCK HIRE 2014-2016	4
CIS14/32	CONTRACT NO. RFT-652-TO: SUPPLY OF TWO 15,000KG GVM TRUCKS WITH TIPPING BODIES	6

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<b>CORPORATE BUSINESS DEPARTMENT REPORTS</b>		
CB14/37	SPECIAL RATE VARIATION - IPART DETERMINATION	6
CB14/38	MAKING OF RATES AND CHARGES FOR 2014-2015	7
CB14/39	GRANTING OF VOLUNTARY PENSION REBATES FOR 2014-2015	13
CB14/40	MONTHLY BUDGET REVIEW FOR MAY 2014	14
CB14/41	BANK BALANCES AND INVESTMENT FOR MAY 2014	14
CB14/42	TENDER FOR CONSTRUCTION & INSTALLATION OF MANAGER S RESIDENCE AND OFFICE AT WOOLGOOLGA LAKESIDE HOLIDAY PARK - RFT-644-TO	15
<b>MATTER OF AN URGENT NATURE</b>		
MUN14/9	ODOUR - WASTE FACILITY	15
<b>NOTICES OF MOTION</b>		
NOM14/9	NEGOTIATE TO PURCHASE THE PROPERTY KNOWN AS 38 BENNETTS ROAD	17
<b>COMMUNITY DEVELOPMENT DEPARTMENT REPORT</b>		
CD14/12	CONTRACT NO. RFT-647-TO EXCLUSIVE LICENCE OF SPORTZ CENTRAL, BRAY STREET, COFFS HARBOUR	18



## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

26 JUNE 2014

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

Staff: General Manager, Director City Infrastructure Services, Director City Planning, Director Community Development, Director Corporate Business and Executive Assistant

The meeting commenced at 5.00pm 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.

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#### DISCLOSURES OF INTEREST

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

Councillor	Item	Type of Interest
Cr Cowling	CB14/39 Granting of Voluntary Pension Rebates for 2014-2015	Pecuniary Interest as receives the pension.

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#### APOLOGY

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No apologies.

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**PUBLIC ADDRESS**

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<b>Time</b>	<b>Speaker</b>	<b>Item</b>
5.00 pm	Paul Hay	NOM14/9 – Negotiate to Purchase the Property known as 38 Bennetts Road

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**CONFIRMATION AND ADOPTION OF MINUTES**

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- 170** **RESOLVED** (Townley/Degens) that the minutes of the Ordinary meeting held on 12 June 2014 be confirmed as a true and correct record of proceedings.

**NOTICES OF MOTION**

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**NOM14/7 THE SPEED LIMITS ON SOLITARY ISLANDS WAY**

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- 171** **RESOLVED** (Sultana/Innes) that the motion be withdrawn.
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**NOM14/8 TARGETS FOR RENEWABLE ENERGY**

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- 172** **RESOLVED** (Townley/Sultana) that Council sets targets for its use of energy from renewable sources, including hydro electricity, solar and other.
- 173** **MOVED** (Knight/Innes) that item NOM14/9 Negotiate to Purchase the Property Known as 38 Bennetts Road be referred to confidential session at the end of the meeting.

## GENERAL MANAGER'S REPORT

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### GM14/16 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2014 - BUSINESS SESSIONS CONTENT

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The purpose of this report is to advise that planning for the 2014 Conference program has commenced and time has been set aside for business sessions to discuss the various significant issues which affect the sector. Local Government NSW (LGNSW) would like to receive input from councils to guide the content of the business sessions.

**174 RESOLVED** (Sultana/Palmer) that:

1. Council nominate the four (4) matters set out in the Issues section of this Report as matters of importance for local government in NSW and provide notification of these issues to Local Government NSW;
2. Councillors submit any motions in line with the Local Government NSW requirements to the General Manager by 12 noon on Thursday 10 July 2014;
3. Should any motions be received in respect of 2 above, the General Manager prepare a report for Council's consideration of these notices of motion at its meeting held on 24 July 2014, and thereafter should Council resolve to submit these motions that same be provided to Local Government NSW.

## CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

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### CIS14/30 CONTRACT NO. RFT-614-TO - REMEDIATION WORKS AT FOUR SITES WITHIN THE COFFS HARBOUR LGA

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To report on tenders received for the supply and installation of slope remediation works at four sites within the Coffs Harbour LGA, and to gain Council's approval to decline to accept any tender and enter into negotiations with preferred tenders regarding alternate offers.

**175 RESOLVED** (Palmer/Sultana) that:

1. In accordance with clause 178(1)(b) of the *Local Government (General) Regulation 2005*, Council decline to accept any tenders submitted for Contract RFT-614-TO.
2. In accordance with Clause 178(4) of the *Local Government (General) Regulation 2005*, the following reasons for Council declining to invite fresh tenders be noted:
  - 2.1 Alternate submissions have been provided by numerous tenderers, which have been assessed as being more advantageous.
  - 2.2 The alternate tender submissions provide a different work method to achieve the desired results at a significantly lower cost.
3. In accordance with Clause 178(3)(e) that Council delegate to the General Manager to enter into negotiations with the preferred tenderers with a view to entering into a contract for the slope remediation works, in accordance with the alternate work methods proposed.
4. A report be brought back to Council recommending acceptance of the preferred alternative tender

176 **MOVED** (Rhoades/Sultana) that CIS14/31 and CIS14/33 are moved as one.

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**CIS14/31 CONTRACT NO. RFT-642-TO - CONSTRUCTION OF SPAGNOLOS ROAD DETENTION BASIN**

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To report to Council on tenders received for RFT-642-TO: Construction of the Spagnolos Road Detention Basin, West Coffs Harbour and to gain Council approval to accept a tender.

177 **RESOLVED** (Rhoades/Sultana) that:

1. Council accepts the tender of Flintstone Group Pty Ltd (ABN 91 167 792 565) for Contract No. RFT-642-TO, Spagnolos Road Stormwater Detention Basin for the lump sum amount of \$2,077,733.80, inclusive of GST on the basis that:
  - 1.1 The tender is the most advantageous tender following the application of Council's Tender Value Selection System
  - 1.2 The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory
  - 1.3 The Tenderer's financial capacity is acceptable
2. A budget for the works be set at \$2.1M exclusive of GST to allow a 10% contingency for unforeseen events during construction funded on the basis of 2:1 (NSW gov't : CHCC) supplemented by section 94 contributions for works other than flood mitigation
3. The contract documents be executed under the Seal of Council.

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**CIS14/33 CONTRACT NO. RFT-654-TO: PLANT & TRUCK HIRE 2014-2016**

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To obtain Council's approval to accept tenders for inclusion in a panel contract for the hire of plant and equipment to Council for the 2014/15 and 2015/16 financial years.

178 **RESOLVED** (Rhoades/Sultana) that:

1. Council accept and recognise the following list of contractors on to the external plant hire contract panel for Contract RFT-654-TO on the basis that:
  - 1.1 The tenderers have demonstrated experience and capacity in fulfilling the requirements of the contract for the supply of plant, trucks and equipment.
  - 1.2 The rates as tendered are the most advantageous for Council.

**Cont'd**

**CIS14/33 Contract No. RFT-654-To: Plant & Truck Hire 2014-2016...(Cont'd)**

<b>CONTRACTOR'S NAME</b>	<b>ABN</b>
A&K McIntyre Pty Ltd, (Coffs Harbour)	48 078 685 471
AMW Transport Pty Ltd, (Sawtell)	80 111 098 509
Atigram Pty Ltd T/A Thrifty car rentals, (Coffs Harbour)	48 502 779 304
Blaizes Earthworx Pty Ltd (Coramba)	99 168 125 862
Coates Hire Operations Pty Ltd, (Coffs Harbour)	99 074 126 971
Coffs Coast Excavations Pty Ltd, (Coramba)	67 152 180 857
Conplant Pty Ltd, (Coffs Harbour)	15 000 373 151
Crampos Tippers Pty Ltd, (Coffs Harbour)	56 104 525 699
Dalakalo Pty Ltd T/A Stocks Contracting, (Moonee Beach)	85 145 273 258
DJ & CA Atkinson Pty Ltd, (Coffs Harbour)	93 005 572 858
EB & DE Bunts Pty Ltd, (Coffs Harbour)	68 081 916 181
English Cranes Pty Ltd T/A North Coast Cranes, (Coffs Harbour)	22 159 960 317
J&P Cranes (NSW) Pty Ltd T/A Coffs City Cranes & Rigging, (Coffs Harbour)	11 108 021 398
John Lacey Earthmoving Pty Ltd, (Coffs Harbour)	87 085 659 794
Kennards Hire Pty Ltd, (Coffs Harbour)	69 001 740 727
Kingston Industries T/A Tutt Bryant Hire, (Coffs Harbour)	25 002 894 439
Mal Keough Earthmoving Pty Ltd, (Coffs Harbour)	42 105 032 184
Malin Excavations Pty Ltd, (Boambee)	44 106 925 697
McIntyre Tippers Pty Ltd, (Coffs Harbour)	90 156 120 731
Northpipe Constructions Pty Ltd, (Nambucca Heads)	75 105 083 805
Peter Rowan Pty Ltd, (Coffs Harbour)	32 099 764 413
PL & CV McNickle Pty Ltd T/A Custom Clearing, (Central Bucca)	95 002 133 299
RJ & CM Tate Pty Ltd, (Upper Orara)	57 103 091 998
Sam Water Cartage Pty Ltd (Woolgoolga)	24 114 449 697
Sherrin Rentals Pty Ltd, (Pinkenba, Qld).	52 074 173 756
Toward Holdings Pty Ltd T/A Brycker Hire (Coffs Harbour)	77 112 190 306
Troy O'Doherty Pty Ltd, (Coffs Harbour)	96 101 417 887
Arbpro Pty Ltd, (Moonee Beach)	84 123 994 570
Allearth Excavations, (Korora)	64 169 417 234
Better Heavy Movers Pty Ltd, (Korora Bay)	47 057 185 172
Chris Christensen Excavations Pty Ltd, (Sawtell)	95 111 009 897
DT & KB Gray Pty Ltd, (Woolgoolga)	36 164 209 170
Eastern Dorrigo Slashing (Ulong)	96 297 359 270
Extec Solutions Pty Ltd T/A Phil Robinson Earthmoving, (Boambee)	16 095 747 103
Pade's Excavations Pty Ltd, (Valla)	40 107 484 515
Serendip Holdings (NSW) Pty Ltd T/A Action hire Vehicles, (Coffs Harbour)	86 003 378 256
SR & A Person (Woolgoolga)	52 074 173 756
M & M Water Carriers Pty Ltd, (Coffs Harbour)	26 104 916 752

**Cont'd**

**CIS14/33 Contract No. RFT-654-To: Plant & Truck Hire 2014-2016...(Cont'd)**

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2. Council accept the following list of contractors on to the external plant hire contract panel subject to the contractor providing all outstanding tender documentation:

<b>CONTRACTOR'S NAME</b>	<b>ABN</b>
Espedan Pty Ltd, (Coffs Harbour)	70 001 684 037
Ezyquip Hire (Richlands QLD)	39 129 600 308
KBS Mackay Pty Ltd, (Coffs Harbour)	98 103 146 372

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**CIS14/32 CONTRACT NO. RFT -652-TO: SUPPLY OF TWO 15,000KG GVM TRUCKS WITH TIPPING BODIES**

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Report to Council the result of going to tender for the supply of a replacement for Council's two 15,000 kg GVM tipper trucks and to gain Council approval to accept a tender.

- 179 RESOLVED** (Palmer/Sultana) that Council accepts the tender submitted by Southside Truck centre Coffs Harbour ABN 86 001 496 626 for the supply of Two new UD Condor PK17 trucks with Vince McNamara tipping bodies for \$271,230.00 (GST Inclusive).

**CORPORATE BUSINESS DEPARTMENT REPORTS**

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**CB14/37 SPECIAL RATE VARIATION - IPART DETERMINATION**

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To formally inform Council of the Independent Pricing and Regulatory Tribunal's (IPART) determination in regards to Council's application for a three year Special Rate Variation (SRV) to general income.

- 180 RESOLVED** (Palmer/Innes) that:
1. Council note the Independent Pricing and Regulatory Tribunal's (IPART) advice of 3 June 2014, approving a one year (permanent) Special Variation to General Income of 7.9% for 2014/2015; and
  2. Council request a further options report to determine the way forward to bridge the \$4.2 million financial gap in the annual cash result to prevent the ongoing growth of the infrastructure backlog.



To 'make' the rates, annual charges, user charges and interest charges in support of Council's 2014/2015 budget and operational plan.

**181 RESOLVED** (Innes/Sultana) that Council:

1. Note the Independent Pricing and Regulatory Tribunal's (IPART) advice of 3 June 2014, approving a one year (permanent) Special Variation to General Income of 7.90% for 2014/2015.
2. Make an Ordinary Rate - Residential, pursuant to Section 494 of the Local Government Act, for 2014/2015 of (0.36801 cents) in the dollar with a Base Amount of \$330.00 for all rateable land in the Coffs Harbour LGA categorised as 'Residential'.
3. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2014/2015 of (0.85745 cents) in the dollar with a minimum rate of \$555.50 for all rateable land in the Coffs Harbour LGA categorised as 'Business' EXCEPT land under the sub-category of Business named 'City Centre Business'.
4. Make an Ordinary Rate – City Centre Business, pursuant to Section 494 of the Local Government Act, for 2014/2015 of (1.18235 cents) in the dollar with a minimum rate of \$539.50 for all rateable land in the Coffs Harbour LGA sub-categorised as 'City Centre Business'.
5. Make an Ordinary Rate – Farmland, pursuant to Section 494 of the Local Government Act, for 2014/2015 of (0.36801 cents) in the dollar and a Base Amount of \$330.00 for all rateable land in the Coffs Harbour LGA categorised as 'Farmland'.
6. Make a Special Rate – Environmental, pursuant to Section 495 of the Local Government Act, for 2014/2015 on all rateable land in the Coffs Harbour LGA of (0.01038 cents) in the dollar with a Base Amount of \$20.15.
7. Make an Annual Charge for Domestic Waste Service – Occupied, pursuant to Section 496 of the Local Government Act, for 2014/2015 on all occupied rateable land, categorised Residential or Farmland, to which a domestic waste service is (or able to be) provided.

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

Where 'C' equals the annual charge, 'S' equals the number of general waste bins provided to the parcel of land or lot in a strata plan for collection or the number of separate occupations, or one (1), whichever is the greater, and 'UD' (Unit Price Domestic Waste) is \$566.00.

Subsidiary (or extra) Domestic Waste Services pursuant to Section 501 of the Local Government Act, for 2014/2015 will incur the following annual charges per service:

- 7.1. Domestic General Waste Service - \$233.00
- 7.2. Domestic Recycling Service - \$87.00
- 7.3. Domestic Recycle Upgrade Service - \$32.00
- 7.4. Domestic Organic Waste Service - \$137.00.

**Cont'd**

8. Make an Annual Charge for Non-Rateable (Non-Domestic) Waste Service, pursuant to Section 496(2) of the Local Government Act, for 2014/2015 on all occupied non-rateable properties to which a waste collection service is provided.

The amount of the annual charge will be the amount derived by applying the formula  $C = S \times UN$ , where 'C' equals the annual charge, 'S' equals the number of general waste bins provided for collection or the number of separate occupations, or one (1) whichever is the greater and 'UN' (Unit Price Non-Rateable) is \$566.00 (excluding GST).

Subsidiary (or extra) Non-Rateable (Non-Domestic) Waste Services pursuant to Section 501 of the Local Government Act, for 2014/2015 will incur the following annual charges per service:

- 8.1. Non-Rateable General Waste Service - \$233.00 (excluding GST)
- 8.2. Non-Rateable Recycling Service - \$87.00 (excluding GST)
- 8.3. Non-Rateable Recycle Upgrade Service - \$32.00 (excluding GST)
- 8.4. Non-Rateable Organic Waste Service - \$137.00 (excluding GST)

9. Make an Annual Charge for Domestic Waste – Vacant Land, pursuant to Section 496 of the Local Government Act, for 2014/2015 of \$106.00, on all vacant rateable land categorised Residential and Farmland, to which a domestic waste service is available.

10. Make an Annual Charge for Non-Domestic Waste – Occupied, pursuant to Section 501 of the Local Government Act for 2014/2015 on all occupied rateable land categorised Business or sub-categorised City Centre Business, to which a waste collection service is provided (or is able to be provided).

The amount of the annual charge will be the amount derived by applying the formula  $C = S \times UB$ , where 'C' equals the annual charge, 'S' equals the number of general waste bins provided to the parcel of land or lot in a strata plan for collection or the number of separate occupations, or one (1) whichever is the greater and 'UB' (Unit Price - Non Domestic) is \$566.00 (excluding GST).

Subsidiary (or extra) Non-Domestic Waste Services pursuant to Section 501 of the Local Government Act, for 2014/2015 will incur the following annual charges per service:

- 10.1. Non-Domestic General Waste Service - \$233.00 (excluding GST)
- 10.2. Non-Domestic Recycling Service - \$87.00 (excluding GST)
- 10.3. Non-Domestic Recycle Upgrade Service - \$32.00 (excluding GST)
- 10.4. Non-Domestic Organic Waste Service - \$137.00 (excluding GST)

11. Make an Annual Charge for Non-Domestic Waste – Vacant Land, pursuant to Section 501 of the Local Government Act, for 2014/2015 of \$106.00 (excluding GST), on all vacant rateable land categorised Business or sub-categorised City Centre Business to which a non domestic waste service is available.

12. Make an Annual Charge – Sewerage Access Charge, pursuant to Section 501 of the Local Government Act, for 2014/2015 on all rateable land categorised Residential or Farmland, EXCEPT land prescribed under Section 552 (3) (a) and (b) of the Local Government Act.

**Cont'd**

**CB14/38 Making of Rates and Charges for 2014-2015 ...(Cont'd)**

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

13. Make an Annual Charge – Private Sewer Pump Station Management Charge, pursuant to Section 501 of the Local Government Act, for 2014/2015 on all rateable land.

The amount of the annual charge will be \$120.00 per private sewer pump station.

14. Make an Annual Charge – Sewerage Access Charge, pursuant to Section 502 of the Local Government Act, for 2014/2015 on all rateable land categorised Business or within the Business subcategory 'City Centre Business' EXCEPT land prescribed under Section 552(3) (a) and (b) of the Local Government Act.

The amount of the annual charge will be:

For vacant land - \$556.00.

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

SDF x MF x AC factor (with a minimum charge of \$556.00).

Where: SDF = Sewer Discharge Factor

MF = Meter Factor (refer to table 1 below)

AC factor = \$789.00 (charge for 2014/2015).

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

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

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

15. Make an Annual Fee for On-site Sewage Administration (low risk systems), pursuant to Section 608 of the Local Government Act for 2014/2015 on each property on which an on-site sewage management system(s) is installed.

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

$C = OS \times UPL$  where 'C' equals the annual fee, 'OS' equals the number of on-site sewage management systems and 'UPL' (Unit Price) is \$31.00 for low risk on-site sewage systems.

16. Make an Annual Fee for On-site Sewage Administration (medium risk systems), pursuant to Section 608 of the Local Government Act for 2014/2015 on each property on which an on-site sewage management system is installed.

**Cont'd**

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

$C = OS \times UPM$  where 'C' equals the annual fee, 'OS' equals the number of on-site sewage management systems and 'UPM' (Unit Price) is \$62.00 for medium risk on-site sewage systems.

17. Make an Annual Fee for On-site Sewage Administration (high risk systems), pursuant to Section 608 of the Local Government Act for 2014/2015 on each property on which an on-site sewage management system is installed.

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

$C = OS \times UPH$  where 'C' equals the annual fee, 'OS' equals the number of on-site sewage management systems and 'UPH' (Unit Price) is \$186.00 for high risk on-site sewage systems.

18. Make an Annual Charge – Water Access Charge, pursuant to Section 501 of the Local Government Act, for 2014/2015 on all rateable land categorised Residential or Farmland EXCEPT: Land prescribed under Section 552(2) of the Local Government Act (or) Farmland rated properties using water for a commercial farming purpose.

The amounts of the annual charge will be:

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

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

19. Make an Annual Charge – Water Access Charges, pursuant to Section 501 of the Local Government Act, for 2014/2015 on all rateable land categorised Business (and sub-category City Centre Business) or Farmland EXCEPT: Land prescribed under Section 552(2) of the Local Government Act (or) Farmland rated properties using water for a residential purpose.

The amount of the annual charges will be:

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

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

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

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

**Cont'd**

**CB14/38 Making of Rates and Charges for 2014-2015 ...(Cont'd)**

20. Make an Annual Charge - Water Backflow Charge, pursuant to Section 501 of the Local Government Act, for 2014/2015 of \$15.50 per testable backflow device on rateable properties under the category of Residential or Farmland in respect of land prescribed under Section 552(1).
21. Make an Annual Charge - Water Backflow Charge, pursuant to Section 501 of the Local Government Act, for 2014/2015 of \$62.00 for the first testable backflow device and \$15.50 for any additional testable backflow device(s) on rateable properties under the category of Business or sub-category of City Centre Business in respect of land prescribed under Section 552(1).
22. Make an Annual Charge for Effluent Removal, pursuant to Section 501 of the Local Government Act, for 2014/2015 of \$468.00 for each system able to be connected to the sewerage system (properties with this charge applied may also be charged an annual sewer access charge).
23. Make an Annual Charge for Effluent Removal, pursuant to Section 501 of the Local Government Act, for 2014/2015 of \$468.00 for each system not yet on Council's subsidised pump-out service and not able to be connected to the sewerage system.
24. Make an Annual Charge for Effluent Removal (Special), pursuant to Section 501 of the Local Government Act, for 2014/2015 of \$806.00 for each system not able to be connected to the sewerage system. A subsidised effluent pump-out service is provided with this charge.
25. Make an Annual Charge for Trade Waste, pursuant to Section 501 of the Local Government Act, for 2014/2015. This annual charge is based on the number of trade waste generators at each property.

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

Table 3 – Annual Charge for Trade Waste

Number of Trade Waste Generators	Annual Trade Waste Charge
1	\$190.00
2 to 4	\$380.00
5 to 9	\$855.00
10 to 14	\$1,520.00
15 to 19	\$2,280.00
20 to 24	\$3,230.00
>24	\$4,180.00

26. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$2.63 per kilolitre for each kilolitre of water registered, up to a daily average of one (1) kilolitre per occupation for the period read, this is to be known as the Tier 1 (or Step 1) water usage charge.
27. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$3.95 per kilolitre for each kilolitre of water registered, over a daily average of one (1) kilolitre per occupation for the period read, this is to be known as the Tier 2 (or Step 2) water usage charge.

**Cont'd**

28. Make a Water Usage Charge (Raw Water Supply), pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$1.32 per kilolitre for each kilolitre of water registered, up to a daily average of one (1) kilolitre per occupation supplied for the period read, this is to be known as the Tier 1 (or Step 1) raw water usage charge.
29. Make a Water Usage Charge (Raw Water Supply), pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$1.97 per kilolitre for each kilolitre of water registered, over a daily average of one (1) kilolitre per occupation supplied for the period read, this is to be known as the Tier 2 (or Step 2) raw water usage charge.
30. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$2.63 per kilolitre for each kilolitre of water registered on any meter fitted to any Non-Residential property.
31. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$7.89 per kilolitre for each kilolitre of water registered on any meter fitted for providing a fire service at a property.
32. Make a Sewerage Usage Charge, pursuant to Section 502 of the Local Government Act, for 2014/2015 of \$2.06 per kilolitre. Sewerage discharge is based on water usage and varies depending on Sewer Discharge Factors (SDF) allocated to individual water meters on individual properties. Usage is generally determined with the use of meters, which in certain circumstances may not be directly connected to Council's water supply.
33. Make a Trade Usage Charge (for compliant trade waste discharge – Charge Category 2 generators), pursuant to Section 502 of the Local Government Act, for the 2014/2015 charge period of \$1.63 per kilolitre.
34. Make a Trade Usage Charge (for non-compliant trade waste discharge – Charge Category 1 generators), pursuant to Section 502 of the Local Government Act, for the 2014/2015 charge period of \$1.63 per kilolitre.
35. Make a Trade Usage Charge (for non-compliant trade waste discharge – Charge Category 2 generators), pursuant to Section 502 of the Local Government Act, for the 2014/2015 charge period of \$14.98 per kilolitre.
36. Make an Annual Stormwater Management Service Charge, pursuant to Section 496A of the Local Government Act, for 2014/2015, to be applied against rateable properties categorised as Business or Residential within Council's stormwater catchments. The amount of the annual charges will be:
  - 36.1. Residential properties (not being strata units) - a flat charge of \$25.00 will apply.
  - 36.2. For Residential Strata Units - a flat charge of \$12.50 will apply.
  - 36.3. For Business properties (not being strata units) the charge is based on total (estimated) impervious land area using the following criteria:

Divide the total impervious land area by 350 square metres. This will result in an amount which, (rounded up to the nearest whole number) is multiplied by \$25.00. This annual charge will therefore be an amount divisible by \$25.00 with the minimum charge being \$25.00 for properties having a land area of 350 square metres or less.

**Cont'd**

**CB14/38 Making of Rates and Charges for 2014-2015 ...(Cont'd)**

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- 36.4. For Business Strata Units (in a complex containing only business units) - the charge is determined by a method similar to that detailed in point (III) above, except that the total land area charge for the strata complex (being a multiple of the \$25.00 charge) is further apportioned to individual strata units within the complex using the unit entitlement recorded for each unit. A minimum charge of \$5.00 per strata unit applies to calculated charges less than this amount.
- 36.5. For Business Strata Units (in a mixed complex containing residential units) – the charge for these units will be the same as residential strata units being a flat charge of \$12.50.
37. Make an Interest Charge of 8.5%, pursuant to Section 566 of the Local Government Act, for 2014/2015 being the maximum amount determined by the Minister for Local Government; calculated daily on a simple basis, on overdue rates and charges (EXCEPT water, sewer and trade waste usage charges).

**Cr Cowling declared a pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.47pm.**

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**CB14/39 GRANTING OF VOLUNTARY PENSION REBATES FOR 2014-2015**

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To confirm the granting of voluntary pension rebates for Domestic Waste Charges for 2014/2015 and extend the voluntary rebate to apply to the Environmental Special Rate for 2014/2015.

**182 RESOLVED** (Palmer/Sultana) that:

1. Council grants a voluntary rebate under Section 582 of the Local Government Act in 2014/2015 to eligible pensioners in respect of the Environmental Special Rate and Domestic Waste charges. The level of rebate to be:
  - 1.1. In the case of the Environmental Special Rate – the amount that is the difference between 50% of the ad valorem rate and 50% of the Base Amount and the mandatory rebate to be applied under Section 575 of the Local Government Act.
  - 1.2. In the case of the Domestic Waste Charge – the amount that is the difference between \$87.50 and the mandatory rebate to be applied under Section 575 of the Local Government Act.
2. It be noted that Council provides an amount over and above the Government subsidy of approximately \$1,727,000 in its 2014/2015 budget to meet the cost of providing pension rebates of which approximately \$620,000 is provided on a voluntary basis.

**Cr Cowling returned to the meeting, the time being 5.50pm.**

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**CB14/40 MONTHLY BUDGET REVIEW FOR MAY 2014**

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To report on the estimated budget position as at 31 May 2014.

**183 RESOLVED** (Innes/Sultana) that:

The budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 31 May 2014:

	<b>General Account</b> \$	<b>Water Account</b> \$	<b>Sewer Account</b> \$
Original Budget adopted 13 June 2013	426,307 (D)	4,553,442 (D)	3,165,226 (D)
Approved Variations to 30 April 2014	(423,707) (S)	(556,076) (S)	(300,000) (S)
Recommended variations May 2014	Nil	Nil	(350,000) (S)
Estimated result as at 31 May 2014	<u>2,600</u> (D)	<u>3,997,366</u> (D)	<u>2,515,226</u> (D)

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**CB14/41 BANK BALANCES AND INVESTMENT FOR MAY 2014**

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To list Council's Bank Balances and Investments as at 31 May 2014.

**184 RESOLVED** (Palmer/Sultana) 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 fifty one million, eight hundred and sixty two thousand, and eight hundred and fifty two dollars (\$151,862,852) as at 31 May 2014 be noted.
2. The general fund unrestricted cash and investments totaling one hundred and thirty four thousand, eight hundred and eighty dollars (\$134,880) as at 31 May 2014 be noted.



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**CB14/42 TENDER FOR CONSTRUCTION & INSTALLATION OF MANAGERS RESIDENCE AND OFFICE AT WOOLGOOLGA LAKESIDE HOLIDAY PARK - RFT-644-TO**

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To submit a report on tenders received for Contract No RFT-644-TO for the construction and installation of a Manager's Residence and Office at Woolgoolga Lakeside Holiday Park.

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

1. Council, as Corporate Manager of the Woolgoolga Beach Reserve Trust, accept the tender of Wengold Pty Ltd (ABN 26078352824) for Contract No. RFT-644-TO Tender for Construction and Installation of a Managers Residence and Office at Woolgoolga Lakeside Holiday Park for the Lump Sum of \$252,890.00, on the basis that:
  - 1.1. The tender is the most advantageous tender following the application of Council's Tender Value Selection System
  - 1.2. The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory
  - 1.3. The Tenderer's financial capacity is acceptable
2. The awarding of the contract will be conditional upon a satisfactory financial assessment of the Tenderer
3. The contract documents be executed under the Seal of Council.

**186 MOVED** (Knight/Innes) that item CD14/12 Contract No. RFT-647-TO Exclusive Licence of Sportz Central, Bray Street, Coffs Harbour be referred to confidential session at the end of the meeting.

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**REQUESTS FOR LEAVE OF ABSENCE**

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**187 RESOLVED** (Palmer/Townley) that Cr Sultana be granted leave of absence from Council from 10 July 2014.

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**MATTERS OF AN URGENT NATURE**

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**MUN14/9 Odour - Waste Facility**

Cr Rhoades raised the issue of odour from the waste facility.

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## QUESTIONS ON NOTICE

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No questions on notice.

**Cr Degens left the meeting, the time being 6.02pm.**

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## CLOSED MEETING – SECTION 10(A)

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The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.02 pm.

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

NOM14/9 - Negotiate to Purchase the Property Known as 38 Bennetts Road  
This report was confidential for the reason of Section 10A(2) of the Local Government Act, 1993:

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

CD14/12 - Contract No. RFT-647-TO Exclusive Licence of Sportz Central, Bray Street, Coffs Harbour

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

(d) Contained 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.

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

The press and public vacated the chamber.

## NOTICES OF MOTION

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### NOM14/9 NEGOTIATE TO PURCHASE THE PROPERTY KNOWN AS 38 BENNETTS ROAD

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#### MOTION

**MOVED** (Cowling/Townley) that the Coffs Harbour City Council agree to negotiate to purchase the property known as 38 Bennetts Road Coffs Harbour owned by Paul and Arabella Hay at market value as at the 23 August 2010 due to ongoing financial burden caused by the construction of the Bennetts Road Detention Basin.

#### AMENDMENT

**MOVED** (Arkan/Sultana) that Council:

1. Note that the General Manager has initiated an independent review of the allegations lodged within the Public Address session at Council's meeting of 26 June 2014;
2. Council's consideration of the Notice of Motion as submitted for Council's consideration at its meeting of 26 June 2014 be deferred pending the independent review outlined in 1 above.

**189 RESOLVED** (Rhoades) that the motion be put.

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

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#### DIVISION

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

<b>VOTED FOR</b>	<b>VOTED AGAINST</b>
Cr Arkan	Cr Palmer
Cr Sultana	Cr Cowling
	Cr Knight
	Cr Townley
	Cr Innes
	Cr Rhoades

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

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#### DIVISION

---

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

<b>VOTED FOR</b>	<b>VOTED AGAINST</b>
Cr Cowling	Cr Arkan
Cr Townley	Cr Palmer
Cr Sultana	Cr Knight
	Cr Innes
	Cr Rhoades

## COMMUNITY DEVELOPMENT DEPARTMENT REPORT

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### CD14/12 CONTRACT NO. RFT-647-TO EXCLUSIVE LICENCE OF SPORT Z CENTRAL, BRAY STREET, COFFS HARBOUR

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To report to Council on submissions received for the exclusive licence of Sportz Central Bray Street, Coffs Harbour - Contract No RFT-647-TO.

**190 RESOLVED** (Palmer/Rhoades) that:

1. Council accept the tender of NSW Basketball Association Ltd ABN 98 003 359 680 for Contract No: RFT-647-TO for the Operation of Sportz Central Bray St Coffs Harbour under an Exclusive Licence Agreement on the basis that:
    - 1.1 The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
    - 1.2 The tenderer has the necessary experience in similar works and their ability and performance are satisfactory.
    - 1.3 The tenderers financial capacity is acceptable.
  2. The contract documents be executed under the Seal of Council.
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### DIVISION

---

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

VOTED FOR	VOTED AGAINST
Cr Arkan	Cr Cowling
Cr Palmer	Cr Townley
Cr Knight	Cr Sultana
Cr Innes	
Cr Rhoades	

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### OPEN MEETING

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The Mayor requested an appropriate motion to enable the meeting to resolve into Open Meeting.

**191 RECOMMENDED** (Innes/Sultana) that the Council now move into Open Meeting.

The General Manager read to the meeting the resolution of the Closed Meeting.

**192 RESOLVED** (Palmer/Townley) to adopt the report of the Closed Meeting.

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This concluded the business and the meeting closed at 7.11 pm.

Confirmed: 10 July 2014

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Denise Knight  
Mayor