



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
28 AUGUST 2014

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

28 AUGUST 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 Corporate Business, Director of City Infrastructure Services, Acting Director Planning, Director of Community Development and Executive Assistant.

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

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

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

DISCLOSURE OF INTEREST

The Director Corporate Business read the following disclosures of interest to inform the meeting:

Councillor	Item	Type of Interest
General Manager, Steve McGrath	RM14/4 General Manager's Performance Review Panel - Rescission Motion	Pecuniary.

APOLOGY

There were no apologies.

PUBLIC ADDRESS

No public addresses.

CONFIRMATION OF MINUTES

- 232** **RESOLVED** (Arkan/Palmer) that the minutes of the Ordinary meeting and Closed Session held on 14 August 2014 be confirmed as a true and correct record of proceedings.

RESCISSION MOTION

**RM14/4 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL -
RESCISSION MOTION**

- 233** **RESOLVED** (Knight/Innes) that the meeting be closed to the press and public during consideration of the RM14/4 - General Manager's Performance Review Panel - Rescission Motion for the reasons as stated.

This item is confidential for the reason of Section 10A (2):

- (a) personnel matters concerning particular individuals (other than councillors),

The General Manager joined the meeting, the time being 5.05pm.

GENERAL MANAGER'S REPORTS

**GM14/23 2013/2017 DELIVERY PROGRAM - SIX MONTHLY PROGRESS
REPORT**

To provide a progress report on the implementation of Council's 2013/2017 Delivery Program for the six-month period 1 January to 30 June 2014.

- 234** **RESOLVED** (Palmer/Sultana) that Council adopt the Six-Monthly Progress Report (for the period 1 January to 30 June 2014) on the Coffs Harbour City Council 2013/2017 Delivery Program.

GM14/24 NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION - COUNCILLOR EXPENSES AND FACILITIES POLICY

To advise Council and the community of the public exhibition of the draft Councillor Expenses and Facilities policy.

235 RESOLVED (Arkan/Innes):

1. That in accordance with Section 253(5) of the Local Government Act 1993, Council gives public notice of its intention to adopt the Councillor Expenses and Facilities Policy as attached and allow at least 28 days for the making of public submissions.
2. That following the exhibition period, Council considers a further report including a summary of any submissions received.

GM14/25 TRANSFORMATION TO SUSTAINABILITY PROGRAM - NEXT STAGE - ORGANISATION STRUCTURE

To present to Council a proposed new organisation structure designed to align with the recent adoption of the Transformation to Sustainability Program (T2S) and essentially moving the organisation to a new operational framework, to assist in delivering a new way of thinking, working, managing and leading. Adoption of a new organisation structure is fundamental to achieving the operational savings identified in the business case for the T2S Program.

Ultimately, this report seeks Council's approval of the new organisation structure.

237 RESOLVED (Innes/Degens):

1. That in accordance with Section 333 of the Local Government Act 1993, Council adopt the organisation structure identified within Attachment 1 within the attachments to this report;
2. That in adopting the structure, as outlined in (1) above, the positions within the organisation structure that are senior staff positions in accordance with Section 332 of the Local Government Act 1993 are: Director Business Services, Director Sustainable Infrastructure and Director Sustainable Communities;
3. That to facilitate the implementation of the restructure, Council management provides appropriate notification to industry unions and within the organisation in accordance with the Local Government (State) Award 2014 and other legislative responsibilities.

GM14/25 - Transformation to Sustainability Program - Next Stage - Organisation Structure (Cont)

The General Manager left the meeting due to his pecuniary interest in the subject of the Amendment, the time being 5.17pm. The Director Corporate Business assumed his chair.

AMENDMENT

MOVED (Arkan/Cowling):

1. That in accordance with Section 333 of the Local Government Act 1993, Council adopt the organisation structure identified within Attachment 1 within the attachments to this report;
2. That in adopting the structure, as outlined in (1) above, the positions within the organisation structure that are senior staff positions in accordance with Section 332 of the Local Government Act 1993 are: Director Business Services, Director Sustainable Infrastructure and Director Sustainable Communities;
3. That to facilitate the implementation of the restructure, Council management provides appropriate notification to industry unions and within the organisation in accordance with the Local Government (State) Award 2014 and other legislative responsibilities.
4. That the General Manager be included in the same process as outlined for the restructure as for all the staff.

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

DIVISION

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

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

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

GM14/25 - Transformation to Sustainability Program - Next Stage - Organisation Structure (Cont)

DIVISION

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

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

The General Manager returned to the meeting, the time being 6.00pm.

CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

CIS14/43 LANDLORD'S CONSENT FOR MORTGAGE OVER TENANT'S LEASE - GOWING BROS LIMITED

To seek Council approval to consent to the registration of a Mortgage on the Lease between Council and Gowing Bros Limited for the property known as the Airbridge, over Vernon Street, Coffs Harbour – Property No. 831800.

238 RESOLVED (Innes/Degens):

1. The Council, as registered proprietor of the property known as the Airbridge over Vernon Street, Coffs Harbour, Property No. 831800, authorise Consent to Mortgage over the existing lease held with Gowing Bros Limited, ABN 000 010 471.
2. That the Consent to Mortgage over the existing lease held with Gowing Bros Limited, ABN 000 010 471 over the property known as the Airbridge over Vernon Street, Coffs Harbour, Property No. 831800, be executed under Common Seal of Council.
3. That the Lessee be responsible for and pay all of Council's legal costs arising from the grant of consent to the registration of Mortgage over the existing lease held with Gowing Bros Limited, ABN 000 010 471.

CIS14/44 LANDLORD'S CONSENT FOR MORTGAGE OVER TENANT'S LEASE - EAGLE COPTERS AUSTRALASIA PTY LIMITED

To seek Council's approval to consent to the registration of a Mortgage over the Lease between Council and Eagle Copters Australasia Pty Limited for the property at 79 Aviation Drive, Coffs Harbour – Lot 30 in DP 835497.

239 RESOLVED (Arkan/Innes):

1. The Council, as registered proprietor of 79 Aviation Drive, Coffs Harbour described as Lot 30 in DP 835497, authorise Consent to a Mortgage over the existing lease held with Eagle Copters Australasia Pty Ltd ABN 52 150 018 894.
2. That the Consent to Mortgage over the existing lease held with Eagle Copters Australasia Pty Ltd ABN 52 150 018 894 over the property 79 Aviation Drive, Coffs Harbour, described as Lot 30 in DP 835497, be executed under Common Seal of Council.
3. That the Lessee be responsible for, and pay, all of Council's legal costs arising from the grant of consent to the registration of Mortgage over the existing lease of Lot 30 in DP 835497 held with Eagle Copters Australasia Pty Ltd ABN 52 150 018 894.

CIS14/45 COFFS HARBOUR NETBALL ASSOCIATION - NEW LEASE OF VOST PARK

Seeking Council's endorsement of the lease of Vost Park to Coffs Harbour Netball Association Incorporated (CHNAI) expired on 31 December 2013. CHNAI now seek a further lease term of the existing netball facility.

240 RESOLVED (Arkan/Degens):

1. That Council as the registered proprietor of Lot 10 in DP 828135 being Vost Park Netball Facility, Murray Drive, Coffs Harbour ("the demised premises") give public notice, pursuant to Section 47 of the Local Government Act 1993, of the proposal to lease the Demised Premises to Coffs Harbour Netball Association Incorporated for an initial term of five years with an option for a further five years subject to the lease terms and conditions detailed in this report.
2. That in the event there are no objections to the advertised proposed lease of Lot 10 in DP 828135 to Coffs Harbour Netball Association Incorporated that Council as registered proprietor of Vost Park being Lot 10 in DP 828135 (the Demised Premises) authorise the lease of the Demise Premises to Coffs Harbour Netball Association Incorporated for an initial period of five years and an option for a further period of five years and subject to the terms and conditions contained in this report.

CIS14/45 - Coffs Harbour Netball Association - New Lease Of Vost Park (Cont)

3. That any necessary documents required to give effect to the lease of Vost Park being Lot 10 in DP 828135 to Coffs Harbour Netball Association Incorporated be executed under the Common Seal of Council.
4. That the cost of advertising the proposed lease pursuant to Section 47 of the Local Government Act 1993 and Council's reasonable legal costs in preparing and executing the lease be borne by the Lessee.

CIS14/46 WOOLGOOLGA REGIONAL COMMUNITY GARDEN

The purpose of this report is to:

- Seek Council approval to make a provisional offer of land to the Woolgoolga Regional Community Garden Association (WRCGA) for the purpose of establishing a Community Garden within the Nightingale St Reserve Woolgoolga.
- Seek Council approval to advertise proposed amendments to the Sportsground and Parkland Plans of Management, in accord with Division 2 of the Local Government Act 1993, to re categorise the proposed Community Garden site from Sportsground to Park.
- Seek Council approval to advertise the proposed license to the WRCGA for the purpose of establishing the Community Garden within the Nightingale St Reserve, Woolgoolga.
- Subject to the outcome of the public exhibition of the proposed Plan of Management amendments and license, enter into a license arrangement with the WRCGA for the use of the Nightingale St Reserve, Woolgoolga in accord with section 47A of the Local Government Act. 1993.

241 RESOLVED (Arkan/Degens) that Council:

1. Make a provisional offer to the Woolgoolga Regional Community Garden Association (WRCGA) to use part of the Nightingale Street Reserve for the Woolgoolga Regional Community Garden,
2. Approve the advertisement of proposed amendments to the Sportsground and Parkland Plans of Management, in accord with Division 2 of the Local Government Act 1993, to recategorise the proposed Community Garden site from Sportsground to Park for a period of no less than 28 days;
3. Approve the advertisement of the proposed license to the WRCGA for the purpose of establishing the Community Garden within the Nightingale Street Reserve, Woolgoolga for a period of no less than 28 days.
4. Subject to the outcome of the public exhibition of the proposed Plan of Management amendments and license, amend the Sportground and Parkland Plans of Management to recategorise the land and enter into a five year license arrangement, on the basis of a peppercorn rental, with the WRCGA for the use of the Nightingale Street Reserve, Woolgoolga.

**CIS14/47 CONTRACT NOS. RFT-667-TO & RFT-668-TO: CASTLE STREET
CAR PARK ROOF**

- 242 RESOLVED** (Rhoades/Arkan) that the meeting be closed to the press and public during consideration of CIS14/47 Contract Nos. RFT-667-TO & RFT-668-TO: Castle Street Car Park Roof for the reasons as stated:

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

- (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.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB14/47 BANK BALANCES AND INVESTMENT FOR JULY 2014

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

- 243 RESOLVED** (Degens/Palmer):
1. That the bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and forty one million, four hundred and nineteen thousand, nine hundred and eighty nine dollars (\$141,419,989) as at 31 July 2014 be noted.
 2. That the general fund unrestricted cash and investments totaling one hundred and thirty four thousand, eight hundred and eighty dollars (\$134,880) as at 31 July 2014 be noted.

**CB14/48 DEVELOPER CONTRIBUTIONS PLAN REVIEW - MOONEE
RELEASE AREA AND HEARNES LAKE / SANDY BEACH RELEASE
AREA**

To present to Council a draft Moonee Release Area Developer Contributions Plan 2014 and a draft Hearnese Lake/Sandy Beach Release Area Developer Contributions Plan 2014. This report recommends that the draft Plans be placed on public exhibition for a period of 28 days.

- 244 RESOLVED** (Sultana/Palmer) that the Draft Moonee Release Area Developer Contributions Plan 2014 and the Draft Hearnese Lake / Sandy Beach Developer Contributions Plan 2014 be placed on public exhibition for a period of 28 days and submissions be invited.

CB14/49 DEVELOPER CONTRIBUTIONS PLAN REVIEW - OPEN SPACE

To present to Council a draft Open Space Developer Contributions Plan 2014 and a draft Administration Levy Developer Contributions Plan 2014. This report recommends that the draft plans be placed on public exhibition for a period of 28 days.

- 245 RESOLVED** (Palmer/Arkan) that the Draft Open Space Developer Contributions Plan 2014 and the Draft Administration Levy Developer Contributions Plan 2014 be placed on public exhibition for a period of 28 days and submissions be invited.

CB14/50 ENVIRONMENTAL LEVY PROJECTS REPORT 30 JUNE 2014

To provide Council with a status report on the projects funded under the Environmental Levy (EL) Program and make recommendations regarding revotes for each project.

- 246 RESOLVED** (Palmer/Sultana):

1. That Council notes the status of Environmental Levy Projects as at 30 June 2014 as outlined in the attachment.
2. That the \$314.94 surplus funds from Environmental Weed Control be used towards the over expenditure of Bush Regeneration
3. That the following projects' surplus funds and completed projects with less than \$10 be returned to the funding pool reserve for allocation to future projects:

<u>Project</u>	<u>Surplus Funds</u>
Project Review of the KPoM first stage Northern Precinct Area	\$ 27,217.05
KPoM Review of Koala Populations -South & West Precincts	\$ 20,000.00
Koala Plan of Management 2014 - Implementation	\$ 9,250.81
Biodiversity Action Strategy Implementation 2009/2010	\$ 3,075.38
Impact on Freshwater Ecosystems	\$ 453.66
Vertebrate Pests Management Strategy Implementation 12/13	\$ 592.15
Vertebrate Pests Management Strategy Implementation 13/14	\$ 13,700.00
Sustainable Management of Biodiversity in LGA	\$ 11.51
Building an Information Base at Multiple Scales of the Eucalypts of the Coffs Harbour Region	\$ 1,175.92
Coffs Ambassadors Interpretive Tours	\$ 8,066.50
Our Living Coast Sustainable Living Festival	\$ 1,333.87
Koala/Wildlife Corridor Bakker Dr Bonville Stage 1	\$ 170.38
Yarrowarra Giriin Team – Bush Regeneration	\$ 4,916.00
Coffs Harbour Community Seedbank Network	\$ 1,982.00
Botanic Gardens Education Officer	\$ 623.53
Restoration of Grey-headed Flying-Fox Maternity Camp	\$ 738.93
Various projects balances under \$10	\$ 3.44
Total	<u>\$ 93,311.13</u>

CB14/50 Environmental Levy Projects Report 30 June 2014 (Cont)

4. That it be noted the Financial Result for Year Ended 30 June 2014 incorporates the Environmental Levy Revotes as recommended in this Report summarised as follows:

<u>Project</u>	<u>Revote Funds</u>
KPoM Review of Koala Populations -South & West Precincts (balance after recommendation 3)	\$ 55,000.00
Orara River Restoration Project	\$ 47,609.40
Aquatic Biodiversity Survey & Baseline Mapping of Freshwater Crayfish & Aquatic Species of the MNC	\$ 2,000.00
Shorebirds of the Coffs Coast – Signage & Brochures	\$ 1,533.95
Strategic Planning - Biodiversity	\$ 12,309.28
Green School Sustainability Fund	\$ 19,642.01
Matching Grant Funding Pool	\$ 26,846.00
Buluunggal (Coffs Creek) Interpretive Bush Tucker 2012/13	\$ 3,244.45
Darkum Headland Access Rehabilitation	\$ 36,999.57
West Coffs to CBD Cycleway (Stage 1)	<u>\$ 27,553.27</u>
Total	<u>\$ 232,737.93</u>

5. That it be noted the Financial Result for Year Ended 30 June 2013 incorporates Contribution & Grant Revotes as follows:

Darkum Headland Access Rehabilitation	<u>\$ 36,999.57</u>
Total	<u>\$ 36,999.57</u>

CB14/51 TENDER RFT-665-TO: PROVISION OF AIRPORT CAR PARK MANAGEMENT SERVICES

To report on tenders received for Contract No RFT-665-TO for the Provision of Airport Car Park Management Services at Coffs Harbour Regional Airport and to gain Council approval to accept a tender.

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

- That Council accept the tender of Becuda Pty Ltd 79 003 811 569 for Contract No. RFT665-TO, Provision of Airport Car Park Management Services for the Lump Sum amount of \$511,500.00 including GST, on the basis that:
 - The tender is the most advantageous tender following the application of Council's Tender Value Selection System
 - The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory
 - The Tenderer's financial capacity is acceptable
- That the contract documents be executed under the Seal of Council.

COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

CD14/15 CONTRACT NO. RFT-656-TO DESIGN AND CONSTRUCT FLOOD LIGHTING - COFFS COAST SPORT AND LEISURE PARK FIELD 2

To report on tenders received for Contract No RFT-656-TO for the construction of Design and Construct Flood Lighting – Coffs Coast Sport and Leisure Park (CCSLP) Field 2, and to gain Council approval to accept a tender.

248 RESOLVED (Palmer/Arkan):

1. That Council accept the tender of Musco Lighting Australia Pty Ltd for Contract No. RFT-656-TO, Design and Construct Flood Lighting – Coffs Coast Sport and Leisure Park Field 2 for the lump sum amount of \$460,900 including 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 his 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.

CD14/16 COUNCILLOR - REFERENCE GROUP CULTURAL FACILITY ENGAGEMENT

To appoint a Councillor to the reference group for the Community Engagement/Consultation regarding the provision of Cultural Facilities

MOVED (Knight/Rhoades) that Coffs Harbour City Council appoints Councillor Knight to the Reference Group involved with the engagement regarding provision of cultural facilities.

AMENDMENT

- 249 RESOLVED** (Arkan/Degens) that Coffs Harbour City Council appoints Councillors Knight and Arkan to the Reference Group involved with the engagement regarding provision of cultural facilities.

The **AMENDMENT** on being put to the meeting was **CARRIED**. The **AMENDMENT** then became the **MOTION** and on being put to the meeting was **CARRIED**.

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

CITY PLANNING DEPARTMENT REPORTS

CP14/25 PLANNING PROPOSAL - PP_2013_COFFS_003_00 FOR LOT 1, DP777555 HAMILTON DRIVE, BOAMBEE EAST (MI ORGANICS LANDSCAPE SUPPLIES)

The purpose of this report is to present a Planning Proposal (PP) for Council's consideration. This enables the subject site to be rezoned to better reflect the current use of the land.

The report recommends that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting to place the PP on public exhibition. The report also recommends that Council consider the outcome of the exhibition in a future Council report. The PP is included as Attachment 1 to this report.

In addition, the report presents a voluntary planning agreement (VPA) which includes a vegetation management plan (VMP) for Council's consideration. The VPA has been submitted by the landowner and details the standard at which vegetation management will be undertaken on the environmentally sensitive part of the land.

250 RESOLVED (Arkan/Sultana):

1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of Lot 1, DP777555 Hamilton Drive, Boambee East as shown in Attachment 1 of this report.
2. That Council agree to enter into a Voluntary Planning Agreement with the proponent in accordance with the draft planning agreement contained in the offer from John Robert William Tait as shown as an appendix in Attachment 1 of this report.
3. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal and Voluntary Planning Agreement on public exhibition.
4. That a further report be considered by Council following the outcome of the public exhibition.
5. That the landowner be informed of Council's decision.

**CP14/26 PLANNING PROPOSAL - PP_2014_COFFS_004_00 FOR LOT 1,
DP417132, 2 ARRAWARRA ROAD, MULLAWAY**

The purpose of this report is to present to Council a Planning Proposal (PP) for the land cited above, consistent with Council's Our Living City (OLC) Settlement Strategy.

The report recommends that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting to place the PP on public exhibition. The report also recommends that Council consider the outcome of the exhibition in a future Council report. The PP is included as Attachment 1 to this report.

251 RESOLVED (Arkan/Innes):

1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of Lot 1, DP417132, 2 Arrawarra Road, Mullaway as shown in Attachment 1 to this report.
2. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal on public exhibition.
3. That a further report be considered by Council following the outcome of the public exhibition.
4. That the landowner be informed of Council's decision.

VOTED FOR

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

VOTED AGAINST

Cr Townley
Cr Degens

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

MUN14/11 Roads to Recovery Program

Councillor Rhoades advised that the Senate had passed the continuation of the Roads to Recovery funding so it is expected that the money will flow.

MUN14/12 Upper Corindi Range - Condition of Road

Councillor Arkan asked if staff could again look at the condition of Range Road in Upper Corindi as the road has a gravel surface which has resulted in a recent accident.

QUESTIONS ON NOTICE

No questions on notice.

CLOSED MEETING – SECTION 10(A)

The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.29 pm.

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

CIS14/47 Contract No. RFT-667-TO & RFT-668-TO - Castle Street Car Park Roof

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

- (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.

RM14/4 General Managers Performance Review Panel - Rescission Motion

This item is confidential for the reason of Section 10A (2):

- (a) personnel matters concerning particular individuals (other than councillors).

The Motion on being put to the meeting was carried.

The press and public vacated the chamber.

**CIS14/47 CONTRACT NOS. RFT-667-TO & RFT-668-TO: CASTLE STREET
CAR PARK ROOF**

To report on tenders received for two related contracts (RFT-667-TO, Structural Steelwork and RFT-668-TO, Roof Sheeting and Drainage) required to construct a roof over the top two levels of the Castle Street Car Park and to gain Council approval to accept two tenders.

MOVED (Palmer/Degens):

1. That Council accepts the tender of AE Gibson & Sons Pty Ltd, ABN 55 000 298 939 for Contract RFT-667-TO Castle Street Car Park Structural Steel for portions 1 and 2 only for the Lump Sum amount of \$218,669.00 incl 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 his ability and performance are satisfactory
 - c) The Tenderer's financial capacity is acceptable
2. That Council accepts the tender of Nambucca Plumbing Pty Ltd, ABN 64 156 473 871 for Contract RFT-668-TO Castle Street Car Park Metal Sheeting and Drainage for Option A (0.42 BMT) portions 1 and 2 only for the Lump Sum amount of \$173,255.50 incl 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 his ability and performance are satisfactory
 - c) The Tenderer's financial capacity is acceptable
3. That the contract documents be executed under the Seal of Council

AMENDMENT

253 RESOLVED (Rhoades/Innes):

1. That Council accepts the tender of AE Gibson & Sons Pty Ltd, ABN 55 000 298 939 for Contract RFT-667-TO Castle Street Car Park Structural Steel for the Lump Sum amount of \$307,084.80 incl 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 his ability and performance are satisfactory
 - c) The Tenderer's financial capacity is acceptable

CIS14/47 - Contract Nos. RFT-667-TO & RFT-668-TO: Castle Street Car Park Roof (Cont)

2. That Council accepts the tender of Nambucca Plumbing Pty Ltd, ABN 64 156 473 871 for Contract RFT-668-TO Castle Street Car Park Metal Sheeting and Drainage for Option A (0.42 BMT) for the Lump Sum amount of \$229,515.00 incl 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 his ability and performance are satisfactory
 - c) The Tenderer's financial capacity is acceptable
3. That the contract documents be executed under the Seal of Council
4. That an additional \$154,675 (\$144,675 in additional roof costs plus estimated \$10,000 for additional lighting) be allocated from funds held in reserve from the sale of 218 Harbour Drive to the Castle Street car park roof project.

The **AMENDMENT** on being put to the meeting was **CARRIED**. The **AMENDMENT** then became the **MOTION** and was declared **CARRIED**.

The General Manager vacated the Chamber, the time being 6.53pm. The Director Corporate Business assumed his chair.

RM14/4 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL - RESCISSION MOTION

MOVED (Rhoades/Innes) that resolution 212 of Ordinary meeting held on 14 August 2014 regarding item MM14/4 General Manager's Performance Review Panel, and reading as follows, be rescinded:

RESOLVED (Knight) that Council nominate Councillor Cowling to participate on the review panel charged with reviewing the performance of the General Manager.

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

**RM14/4 - General Manager's Performance Review Panel - Rescission Motion
(Cont)**

DIVISION

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

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

OPEN MEETING

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

254 RESOLVED (Townley/Arkan) that the Committee now move into Open Meeting.

The General Manager returned to the meeting, the time being 7.18pm.

The Director Corporate Business read to the meeting the resolutions of the Closed Meeting.

Councillor Rhoades left the meeting, the time being 7.17pm.

This concluded the business and the meeting closed at 7.21 pm.

Confirmed: 25 September 2014.

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Denise Knight
Mayor