

The following document is the minutes of the Council and Committee meetings held on 6 August 2003. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 21 August 2003 and therefore subject to change. Please refer to minutes of 21 August 2003 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(CORPORATE SERVICES COMMITTEE)**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**6 AUGUST 2003**

**Contents**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<b>CORPORATE SERVICES DEPARTMENT REPORTS</b>		
F45	ECONOMIC DEVELOPMENT ACTIVITIES	2
F46	LOCAL GOVERNMENT ASSOCIATION CONFERENCE - MOTIONS - ACCESS TO INFORMATION	2
F47	LOCAL GOVERNMENT ASSOCIATION CONFERENCE - MOTIONS - RECOVERY OF LEGAL COSTS FOR OVERDUE RATES	3
F48	DONATIONS PROGRAM 2003/2004	3
F49	WRITE OFF - BOUTIQUE RESORTS MANAGEMENT PTY LTD	4
F50	INTERIM MONTHLY BUDGET REVIEW AS AT 30 JUNE 2003	4
F51	GRANT APPLICATIONS AND APPROVALS FOR THE PERIOD 1 JULY 2002 TO 30 JUNE 2003	5
F52	NAMING OF BRIDGE - LOWER BOBO	6
F53	OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION	6
F54	BANK BALANCES AND INVESTMENTS AS AT 30 JUNE 2003	6
<b>CITY SERVICES DEPARTMENT REPORTS</b>		
58	TENDERS: CIVIL CONTRACTOR & CIVIL DESIGNER	7
59	TENDER - SUPPLY & DELIVERY OF BITUMEN SEALING WORKS	8
60	TENDER - ANNUAL CONTRACT FOR SUPPLY & DELIVERY OF AGGREGATE	8

ITEM	DESCRIPTION	PAGE
<b>CITY BUSINESS UNITS DEPARTMENT REPORTS</b>		
E48	ACQUISITION OF PROPERTY - PART LOT 17, FEATHERSTONE DRIVE, WOOLGOOLGA	9
E49	ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES - PART 14 GLENREAGH STREET, COFFS HARBOUR	9
E50	ACQUISITION OF EASEMENT AT LOT 2 DP 747749 HEADLAND ROAD, ARRAWARRA HEADLAND FOR SEWER PIPELINES	10
E51	ACQUISITION OF EASEMENT AT LOT 13 DP 221841 - 22 LAKE VIEW ROAD, SAFETY BEACH FOR SEWER PIPELINE	10
E53	ACQUISITION OF EASEMENT AT 48 THOMPSONS ROAD, COFFS HARBOUR FOR STORMWATER DRAINAGE	11
<b>MATTERS OF AN URGENT NATURE</b>		
1	Recreation Facility, Laserball and Paintball, Lot 50, DP630131, 8 Herdegen Close, Bonville	12
<b>QUESTIONS WITHOUT NOTICE</b>		
1	Impact of New Bush Fire Legislation	13
2	Contribution to the NSW Fire Services	13
3	Koala Fence along the Pacific Highway near the Big Windmill.	13
4	Policy Statements from the Local Government and Shires Association as amended by the 2002 Annual Conference	14
<b>GENERAL BUSINESS</b>		
1	Motion - Local Government Association Conference - Eradication of Fire Weed	14
2	Motion - Local Government Association Conference - Standarisation of definition of level of Water Restrictions	14
3	On-site Sewerage Charge on Rate Notices	14
4	Septic System	15
5	Speed Limit on East Bank Road	15
6	Support for the Wallabies' Training Camp in Coffs Harbour	15
<b>CONFIDENTIAL ITEM</b>		
<b>CITY BUSINESS UNITS DEPARTMENT REPORT</b>		
E52	ACQUISITION OF EASEMENT AT 58 BRUXNER PARK ROAD, KORORA FOR RE-USE WATER PIPELINE AND WATER PIPELINE	16



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(CORPORATE SERVICES COMMITTEE)**  
**6 AUGUST 2003**

**Present:** Councillors J C Bonfield (Mayor), P J Howe, C M McKimm, I J Ovens, W R Palmer, K D Rhoades, J Strom (Deputy Mayor), A D Williams and Cr Wood.

**Staff:** General Manager, Director of City Business Units, Acting Director of Planning, Environment & Development, Director of Corporate Services, Director of City Services, City Treasurer, Administration Manager, Landscape Architect, Financial Analyst and Executive Assistant.

The meeting commenced at 5.35pm with the Mayor, Cr J C Bonfield in the chair.

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**CORPORATE SERVICES COMMITTEE**

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- 140** **RESOLVED** (Williams/Strom) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Services Committee meeting, the time being 5.36pm.

The Mayor invited Councillor Ovens to chair the Corporate Services Committee.

## CORPORATE SERVICES DEPARTMENT REPORTS

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### F45 ECONOMIC DEVELOPMENT ACTIVITIES

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The purpose of the report is to update Council on the status of its economic development activities.

#### F80 RECOMMENDED (Williams/Strom):

1. That Council accepts the Coffs Harbour Economic Profile 2003 and the Business and Industry section of the website [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au) as the most up-to-date data and information that will be made available to business and industry to encourage investment and employment, business expansion and relocation.
2. That Council endorse the report on the activities of the Economic Development Unit.

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### F46 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - MOTIONS - ACCESS TO INFORMATION

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To propose the submission of two motions to the Local Government Association Conference 2003.

#### F81 RECOMMENDED (Williams/Howe) that the following motion be submitted to the Local Government Association Conference 2003:

*"That the Association petition the Parliamentary Committee on the Office of the Ombudsman and the Police Integrity Commission, Mr Tony Kelly MLA, Minister for Local Government and the NSW Government to immediately pass legislation to:*

- *where appropriate, terminology and definitions across Fol, PPIPA and LGA be consistent;*
- *ensure procedures for accessing information be standardised wherever possible;*
- *as far as possible, exemption provisions be consistent;*
- *the publication of materials by councils in accordance with s.12 of LGA, be subject to the same protection from any legal action, liability, claim or demand as exists under s.66 of Fol;*
- *fees and charges be calculated on a uniform scale and limits on the levels of fees set;*
- *uniform appeal mechanisms apply; and*
- *contracting by public sector agencies and commercial in confidence clauses should not be used to avoid Fol and Fol annual reporting requirements and obligations.*

cont'd

**F46 - Local Government Association Conference - Motions - Access to Information (cont'd)**

- *ensure the repository for access for Local Government be the Local Government Act by substantial amendment to S.12 to ensure consistency to other regimes and councils be written out of Fol and PPIPA to provide certainty for both public and councils as to the regime which applies to Local Government."*

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**F47 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - MOTIONS - RECOVERY OF LEGAL COSTS FOR OVERDUE RATES**

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To propose the submission of a motion to the Local Government Association Conference 2003.

**F82 RECOMMENDED** (Howe/McKimm) that the following motion be submitted to the Local Government Association Conference 2003.

*"That the Association petition the Minister for Local Government to have Section 550 amended to include provision to allow the inclusion of other costs actually incurred (but not awarded by the Court) in the process of recovering the rate or charge as charges on the land."*

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**F48 DONATIONS PROGRAM 2003/2004**

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Determination of the Donations Program for 2003/2004 and review of the current Donations Policy.

**F83 RECOMMENDED** (McKimm/Bonfield):

1. The "Donations" and "Rates Subsidy and Cultural Groups" programs for 2003/2004 as set out in the report, totalling \$36,550 be adopted.
2. The current Donations Policy be amended to update the titles of the Chairman of Finance and Administration and Director of Finance and Administration.

**cont'd**

**F48 Donations Program 2003/2004 (cont'd)**

3. The "Donations" vote for 2004/2005 be adjusted to reflect CPI increases from 2003/2004.
4. The "Rates Subsidy – Sporting and Cultural Groups" vote for 2004/2005 be adjusted from 2003/2004 to reflect the anticipated cost.
5. That it be noted that approximately \$5,000 in-kind is now being provided to Westpac Rescue Helicopter Service in relation to free office rental at the Airport.

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**F49 WRITE OFF - BOUTIQUE RESORTS MANAGEMENT PTY LTD**

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Consideration of a write off of \$1,355.50 related to Boutique Resorts Management Pty Ltd formerly trading as Aanuka Beach Resort.

**F84 RECOMMENDED** (McKimm/Palmer):

1. That \$1,355.50 in invoices, outstanding in the name of Aanuka Beach Resort, be written off due to their being irrecoverable.
2. That the General Manager's delegation to write off bad debts be increased from \$1,000 to a maximum of \$10,000 per creditor.

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**F50 INTERIM MONTHLY BUDGET REVIEW AS AT 30 JUNE 2003**

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To report on the estimated interim budget position as at 30 June 2003. The final budget position to the 30 June, including recommendations for revotes from 2002/03 to 2003/04, will be submitted to the September Planning, Environment and Development Committee meeting.

**F85 RECOMMENDED** (Strom/Howe) that the estimated budget position as at 30 June 2003 as follows, be noted.

**cont'd**

**F50 Interim Monthly Budget Review as at 30 June 2003 (cont'd)**

	General Account Account \$	Water Account \$	Sewer \$
Original Budget	18,150 (D)	1,198,422 (S)	834,788 (S)
Approved variations to 31 May 2003		650,000 (D)	760,634 (S)
Pacific Highway Planning Strategy Peer Review	60,000 (D)		
Additional contribution to NSW Fire Brigades	10,949 (D)		
Additional Financial Assistant Grant	267,712 (S)		
Replace bridge over Pine Brush Creek	267,712 (D)		
Fence & Landscaping Advocate Park	6,000 (D)		
Sale of land – Hi tech Drive, Toormina	3,360 (S)		
Shortfall of NSW Masters Games	17,000 (D)		
Appointment of two additional IT staff	77,000 (D)		
Refurbishment/Lease of Resources Unit	226,000 (D)		
Extra General fund rate revenue received	80,000 (S)		
Extra Development Application Fees received	555,000 (S)		
Loan to Sawtell Tennis Club	5,000 (D)		
Loan to Westside Tennis Club	16,000 (D)		
Lump sum loan repayment	10,126 (S)		
Economic Development Unit Review	44,078 (D)		
Feasibility study for proposed New England to Coast walking track	12,500 (D)		
Contribution towards Aged Care Project	5,000 (D)		
Acquisition of Property, Lake Rd, Woolgoolga	153,000 (D)		
Lighting and audio for Council Chambers	47,000 (D)		
Revised budget for East Boambee Community Centre	<u>189,853 (D)</u> 220,894 (D)		
Recommended variations for June 2003	<u>Nil</u>	<u>Nil</u>	<u>6,791 (D)</u>
Estimated result 2002/03 as at June 2003	<u>239,044(D)</u>	<u>548,422 (S)</u>	<u>1,588,631 (S)</u>

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**F51 GRANT APPLICATIONS AND APPROVALS FOR THE PERIOD 1 JULY 2002 TO 30 JUNE 2003**

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To provide Council with the current status of grant applications and approvals.

**F86 RECOMMENDED** (Strom/Howe) that the report on the status of grant applications be received and noted and appreciation be expressed to the Financial Analyst, Dennis Crispin, for circulating the availability of grant funds.

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**F52 NAMING OF BRIDGE - LOWER BOBO**

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To advise of a request to name the Lower Bobo Bridge over the rail line "Tin Bridge".

- F87 RECOMMENDED** (Palmer/McKimm) that the bridge on the Lower Bobo Road across the rail line be named "Tin Bridge".

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**F53 OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION**

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To provide Council with an update of requests for reports and previous resolutions to Council awaiting implementation.

- F88 RECOMMENDED** (McKimm/Strom) that the reported be noted.

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**F54 BANK BALANCES AND INVESTMENTS AS AT 30 JUNE 2003**

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To list Council's Bank Balances and Investments as at 30 June 2003.

- F89 RECOMMENDED** (Strom/Howe) that the Bank Balances and Investments totalling one hundred and twenty-two million, five hundred and fifty-eight thousand, three hundred and eighty-two dollars (\$122,558,382) as at 30 June 2003 be noted.



## CITY SERVICES DEPARTMENT REPORTS

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### 58 TENDERS: CIVIL CONTRACTOR & CIVIL DESIGNER

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To report on tenders received from contractors to form an Alliance Partnership with Council for the civil construction and civil design of Woolgoolga and Coffs Harbour WRP Stage 1 works.

#### **F90 RECOMMENDED** (Palmer/Bonfield):

1. That subject to Council's auditors confirming that commercial schedules are correct, Council accept the tender of GHD Pty Ltd, ABN 39 008 488 373, for Contract No. 02/03-133-TO for the Water Reclamation Plants Alliance 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 their ability and performance are satisfactory.
2. That subject to Council's auditors confirming that commercial schedules are correct, Council accept the tender of Abigroup Contractors Pty Ltd, ABN 40 000 201 516, for Contract No. 02/03-132-TO for the Water Reclamation Plants Alliance 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 their ability and performance are satisfactory.
3. That the Alliance Team finalise the alliance agreement to enable execution by Council.
4. That costs expended in developing the Total Outturn Cost (TOC) be limited to \$400,000 without further Council approval.
5. That the TOC and alliance agreement be finalised for Council approval and execution not later than 30 November, 2003 unless otherwise approved by Council.

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**59 TENDER - SUPPLY & DELIVERY OF BITUMEN SEALING WORKS**

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To obtain Council approval to accept a tender for the supply and delivery of bitumen sealing works for the 2003/2004 financial year.

**F91 RECOMMENDED (Palmer/Bonfield):**

1. That Council accept the tender of Boral Asphalt, ACN 000 102 376, for the supply and delivery of spray bitumen sealing works for a schedule of rates amount of \$642,404 including GST on the basis that it is the most advantageous tender.
2. That the contract documents be executed under the Common Seal of Council.

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**60 TENDER - ANNUAL CONTRACT FOR SUPPLY & DELIVERY OF AGGREGATE**

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To obtain Council approval to accept a tender for the supply and delivery of aggregates for the 2003/2004 financial year.

**F92 RECOMMENDED (Bonfield/Howe):**

1.
  - a) That Council accept the tender of Readymix Holdings Pty Ltd, ACN 099 732 297 for Part 1, Contract 03/04-138-TO, Supply and Delivery of Aggregate, for a schedule of rates amount of \$215,917.50 including GST on the basis that it is most advantageous tender.
  - b) That the contract documents be executed under the Common Seal of Council.
2.
  - a) That Council accept the tender of Coastal Homesites T/A Woolgoolga Quarry, ACN 099 732 297 for Part 2, Contract 03/04-138-TO, Supply and Delivery of Aggregate, for a schedule of rates amount of \$52,387.50 including GST on the basis that it is most advantageous tender.
  - b) That the contract documents be executed under the Common Seal of Council.

## CITY BUSINESS UNITS DEPARTMENT REPORTS

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### **E48 ACQUISITION OF PROPERTY - PART LOT 17, FEATHERSTONE DRIVE, WOOLGOOLGA**

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Report seeking Council approval for the acquisition of a property at Featherstone Drive, Woolgoolga.

**F93 RECOMMENDED (Bonfield/Howe):**

1. That Council proceed to acquire Part Lot 17 DP 838618 as shown on the plan attached to the report.
2. That Council pay the amount as stated in the confidential supplement attached to the report, exclusive of GST to the owner of the property.
3. That each party be responsible for their own conveyancing costs.
4. That all necessary documents associated with the acquisition of the property be executed under the Common Seal of Council.
5. That the land be classified as operational land under the Local Government Act, 1993.

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### **E49 ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES - PART 14 GLENREAGH STREET, COFFS HARBOUR**

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Report seeking Council approval for the acquisition of land at Coffs Harbour for road widening purposes.

**F94 RECOMMENDED (Bonfield/Howe):**

1. That Council proceed to acquire that section of land described as Lot 18 DP 244760 being part of 14 Glenreagh Street, Coffs Harbour.
2. That Council acquire the above land on the terms and conditions contained within the body of the report and the attached confidential supplement.
3. That the land to be acquired be classified as operational land under the Local Government Act, 1993.
4. That all necessary documents associated with the acquisition for road purposes be executed under the Common Seal of Council.

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**E50 ACQUISITION OF EASEMENT AT LOT 2 DP 747749 HEADLAND ROAD, ARRAWARRA HEADLAND FOR SEWER PIPELINES**

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Report seeking Council approval for the acquisition of an easement for sewer pipelines through privately owned property at Lot 2 DP 747749 Headland Road, Arrawarra Headland.

**F95 RECOMMENDED (Bonfield/Howe):**

1. That Council proceed to acquire an easement 3 metres wide for services over Lot 2 DP 747749, Headland Road, Arrawarra Headland as shown approximately on the plan attached to the report.
2. That Council pay the amount as stated in the confidential attachment exclusive of GST as compensation to the owner of the property for the easement acquisition.
3. That Council be responsible for all costs associated with the matter.
4. That Council provide two separate junctions to the gravity main that will be constructed.
5. That all works on the property be carried out as soon as possible and prior to laying of the driveway associated with the current development on the land.
6. That all necessary documents associated with the acquisition of the easement be executed under the Common Seal of Council.

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**E51 ACQUISITION OF EASEMENT AT LOT 13 DP 221841 - 22 LAKE VIEW ROAD, SAFETY BEACH FOR SEWER PIPELINE**

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Report seeking Council approval for the acquisition of an easement for a sewer pipeline through privately owned property at Lot 13 DP 221841, 22 Lake View Road, Safety Beach.

**F96 RECOMMENDED (Bonfield/Howe):**

1. That Council proceed to acquire an easement 3 metres wide for a sewer pipeline over lot 13 DP 221841, 22 Lake View Road, Safety Beach as shown approximately on the plan attached to the report.
2. That Council pay the amount as stated in the confidential attachment, exclusive of GST as compensation to the owner of the property for the easement acquisition.

**cont'd**

**E51 Acquisition Of Easement at Lot 13 Dp 221841 - 22 Lake View Road, Safety Beach For Sewer Pipeline (cont'd)**

3. That Council be responsible for all costs associated with the matter.
4. That all necessary documents associated with the acquisition of the easement be executed under the Common Seal of Council.

**Item E52 was dealt with in Closed Committee. See page 16.**

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**E53 ACQUISITION OF EASEMENT AT 48 THOMPSONS ROAD, COFFS HARBOUR FOR STORMWATER DRAINAGE**

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Report seeking Council approval for the acquisition of an easement for a storm water drainage pipeline through privately owned property at 48 Thompsons Road, Coffs Harbour.

**F97 RECOMMENDED (Bonfield/Howe):**

1. That Council proceed to acquire an easement 2 and 3 metres wide for drainage over Lot 23 DP 242341, 48 Thompsons Road, Coffs Harbour, as shown approximately on the plan attached to the report.
2. That Council pay the amount as stated in the confidential attachment exclusive of GST as compensation to the owner of the property for the easement acquisition.
3. That Council be responsible for all costs associated with the matter.
4. That all necessary documents associated with the acquisition of the easement be executed under the Common Seal of Council.

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**CONCLUSION OF CORPORATE SERVICES COMMITTEE MEETING**

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The Chairman advised that the business of the Corporate Services Committee was concluded and invited the Mayor to resume the chair.

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**OPEN COUNCIL**

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The Mayor requested a motion to close the Committee meeting and move into Open Council.

**F98 RECOMMENDED (McKimm/Bonfield) that the Committee now move into Open Council.**

The Mayor resumed chairmanship of the meeting at 6.04pm.

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## ADOPTION OF CORPORATE SERVICES COMMITTEE REPORT

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- 141** **RESOLVED** (Strom/Howe) that the recommendations of the Corporate Services Committee meeting be received and adopted.

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## ADJOURNMENT OF MEETING

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The Mayor adjourned the meeting to allow for the Public Forum to be held. The time was 6.04pm.

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## PUBLIC FORUM

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<b>Speakers</b>	<b>Subject</b>
Barry Lee	Decision of Council on 19 June 2003 - DA1006/03: Recreation Facility, Laserball and Paintball Lot 50, DP630131, 8 Herdegen Close, Bonville
Owen Rachford	As above

The meeting resumed at 6.17pm.

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## MATTERS OF AN URGENT NATURE

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### **Recreation Facility, Laserball and Paintball, Lot 50, DP630131, 8 Herdegen Close, Bonville**

Cr Williams, in referring to the Public Forum addresses, enquired if Council had obtained its own legal opinion on the matter and if not, should do so and inform the developer.

*The General Manager advised that Council is in the process of obtaining legal advice. The matter will be reconsidered when the advice is received and, if necessary, a report will be prepared for Council.*

cont'd

**Recreation Facility, Laserball and Paintball, Lot 50, DP630131, 8 Herdegen Close, Bonville (cont'd)**

Cr McKimm requested the legal advice be obtained and emailed to Councillors prior to the 13 August and, in the interest of both the objectors and applicant, the matter be resolved urgently.

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**QUESTIONS WITHOUT NOTICE**

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**1. Impact of New Bush Fire Legislation**

Cr Williams enquired as to the status of a report he previously requested on the new bush fire legislation.

*The Director of Corporate Services will follow up on the matter.*

**2. Contribution to the NSW Fire Services**

Cr Bonfield enquired as to the amount of contributions Council paid to the NSW Fire Service and expressed her concern that the Service is only operating from 8am to 5.30pm per day and not 24 hours per day.

*The Director of Corporate Services advised that \$120,000 is contributed to the NSW Fire Service each year. For the Service to operate 24 hours per day an additional cost of approximately \$80,000 per annum would be required.*

*The General Manager advised that Council had been approached by the Fire Service to extend their operating hours 18 months ago and Council supported the proposition.*

Cr Rhoades advised that an effective and efficient service is presently provided and the community should have no concerns.

**3. Koala Fence along the Pacific Highway near the Big Windmill.**

Cr Strom enquired if any progress had been made finding a more appropriate fence as she had observed that most of the panels in the fence had been kicked in.

*Director of City Services advised the staff are presently looking at alternatives.*

## Questions without Notice (cont'd)

### 4. Policy Statements from the Local Government and Shires Association as amended by the 2002 Annual Conference

Cr Palmer advised that he could not find any information in the document regarding the proceeds provided to local government from the collection of the Goods and Services Tax .

*The General Manager took the matter on notice and if necessary a motion will be submitted to the Local Government Association Conference in October.*

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## GENERAL BUSINESS

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### 1. Motion - Local Government Association Conference - Eradication of Fire Weed

- 142 **RESOLVED** (Palmer/Howe) that a motion be submitted to the LGA conference urging the appropriate authorities to address the problem of the spread of fire weed on our best agricultural lands with research as well as control measures.

*The Landscape Architect advised that fire weed is classified as W3 weed only in the Coffs Harbour local government area and not in areas to the north and south.*

### 2. Motion - Local Government Association Conference - Standardisation of definition of level of Water Restrictions

- 143 **RESOLVED** (McKimm/Strom) that a motion be submitted to the LGA conference that the definition of the level of water restrictions be standardized across the State, citing Coffs Harbour City Council's policy on water restrictions as an example.

### 3. On-site Sewerage Charge on Rate Notices

Cr Howe advised she has received complaints from residents that they were not informed about the recently adopted on-site sewerage charges and enquired if there was communication sent out to ratepayers.

*The Director of Corporate Services responded that a media release was possibly issued subsequent to Council's decision of 3 July to adopt the new approach.*



## **General Business (cont'd)**

### **4. Septic System**

Cr Strom referred to a phone call from a gentleman who failed to see any benefit in having a septic system and requested Council look at providing residents in Emerald Heights, where he resides, with a sewerage system.

*The Director of Corporate Services informed Council that in terms of the charge for on-site sewerage, monitoring will be carried this year to determine how much it costs to administer the system and Council will be reviewing that charge in conjunction with the 2004-05 management plan.*

### **5. Speed Limit on East Bank Road**

Cr Howe advised that an East Bank Road resident had expressed concern about the 100kph speed limit on the dirt road. Could the Traffic Committee consider the matter.

*The Director of City Services took the matter on notice.*

### **6. Support for the Wallabies' Training Camp in Coffs Harbour**

Cr Bonfield advised of her disappointment at criticism expressed in a recent issue of the Bulletin magazine stating that Coffs Harbour had lost faith in the Wallabies because they have had three recent losses in Rugby.

Cr Bonfield pointed out the many benefits Coffs Harbour receives from having the Wallabies training camp in the city and would like the Wallabies and the Australian Rugby Union to know Coffs Harbour residents fully support them and appreciate the benefits they bring to the city.

Other Councillors offered their support and reiterated the Mayor's comments. It was agreed Council should respond to the Bulletin with a letter to the editor.

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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 7.00pm.

**144** **MOVED** (Williams/Howe) that the meeting be closed to the press and public during consideration of the following items for the reason as stated:

cont'd

**Closed Meeting - Section 10(A) (cont'd)**

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

(d)(i) Contained commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**The motion on being put to the meeting was carried.**

**The press and public vacated the chamber.**

**CITY BUSINESS UNITS DEPARTMENT REPORT**

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**E52 ACQUISITION OF EASEMENT AT 58 BRUXNER PARK ROAD, KORORA FOR RE-USE WATER PIPELINE AND WATER PIPELINE**

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Report seeking Council approval for the acquisition of an easement for a re-use pipeline and a future water main pipeline through privately owned property at 58 Bruxner Park Road, Korora.

**145 RESOLVED** (Rhoades/McKimm):

1. That Council proceed to acquire an easement 5 metres wide for a reuse water main and a water main over Lot 2 DP 543614, 58 Bruxner Park Road, Korora as shown approximately on the plan attached to the report.
2. That Council pay the amount as stated in the confidential attachment exclusive of GST as compensation to the owner of the property for the easement acquisition.
3. That Council be responsible for all costs associated with the matter.
4. That all necessary documents associated with the acquisition of the easement be executed under the Common Seal of Council.

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

This concluded the business and the meeting closed at 7.16pm.

Confirmed: 21 August 2003

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Cr J C Bonfield  
Mayor