



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(CITY SERVICES COMMITTEE)

COUNCIL CHAMBER

COUNCIL ADMINISTRATION BUILDING

COFF AND CASTLE STREETS, COFFS HARBOUR

18 DECEMBER 2003

**Commencing at the conclusion of
Planning, Environment & Development Committee**

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CONFIDENTIAL ITEMS

The following items either in whole or in part may be considered in Closed Meetin for the reasons stated.

89 WATER RECLAMATION PLANT ALLIANCE CONTRACT 38

A portion of this report is confidential for the reason of Section 10A (2):

(d) 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.

and in accordance with Section 10A (1) the meeting may be closed to the public.

E77 COMMERCIAL PROPERTY - GORDON STREET, COFFS HARBOUR 41

A portion of this report is confidential for the reason of Section 10A (2):

(d) 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.

and in accordance with Section 10A (1) the meeting may be closed to the public.

PLANNING, ENVIRONMENT & DEVELOPMENT REPORT

PED98 LEGAL APPEAL REGARDING A DOG MATTER 44

A portion of this report is confidential for the reason of Section 10A (2):

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

and in accordance with Section 10A (1) the meeting may be closed to the public.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(CITY SERVICES COMMITTEE)

18 DECEMBER 2003

Mayor and Councillors

CITY SERVICES DEPARTMENT REPORTS

83 TRAFFIC COMMITTEE MEETING 10/2003

Purpose:

To confirm minutes from the Traffic Committee Meeting held on 4 December 2003.

Recommendation:

T.84 – Representation on Traffic Committee (503240 [796452])

That the Chamber of Commerce be advised that there have been numerous requests for representation on Council's Traffic Committee and are unable to accede to these requests as ample opportunity is available for organisations to submit requests for consideration by the Committee.

T.85 – Orlando Street, Coffs Harbour - 'No Parking' signs (504030 [809695])

That no action be taken to install 'No Parking' signs adjacent the driveway to No. 24 Orlando Street, Coffs Harbour.

T.86 – Argyll Street, Coffs Harbour - Traffic Calming Devices (503690 [795617])

That traffic classifiers be placed in Argyll Street to collect data on times when the speed restriction is abused, and the results be referred to the Coffs Harbour Police for action.

cont'd

T.87 – Intersection Clarence Street / River Street / Beach Street, Woolgoolga - 'Stop' Sign (508440 / 508570 / 508400 [805938])

That :

- (a) the intersection of River Street, Woolgoolga, with Beach Street and Clarence Street be redefined with linemarking and the installation of a median strip in Beach Street, as shown on Plan T.87.
- (b) investigation be undertaken in regard to accident statistics to ascertain whether a 'Stop' sign is warranted in River Street at this intersection.

T.88 – Harbour Drive, Coffs Harbour - 'No Parking' Signs (R.504090 [799971])

That :

- (a) no action be taken to install 'No Parking' signs in Harbour Drive, Coffs Harbour, between Camperdown Street and Edinburgh Street, as there is limited parking in Harbour Drive.
- (b) the request for wire barricades to be erected in Harbour Drive, Coffs Harbour, adjacent to the Coffs Harbour High School be referred to the Roads and Traffic Authority as a submission for funding under the Road Safety Around Schools program.

T.89 – Karuah Avenue / Richmond Drive, Coffs Harbour - Traffic problems (504960 / 503260)

That 'No Parking' signs and 15m of centre linemarking be installed to define the intersection of Karuah Avenue, Coffs Harbour, near the intersection of Richmond Drive, as shown on Plan T.89.

T.90 – Duke Street, Coffs Harbour - Parking review (504350)

That 'one hour' parking signs be installed in Coff Street, Coffs Harbour, adjacent the Coffs Harbour Library, as well as 'disabled' parking in three (3) locations, as shown on Plan T.90.

T.91 – First Avenue, Sawtell - Temporary Road Closure - Sawtell Super Fun Day (R.501520 / 1618 [795717])

That :

- (a) the temporary road closure of First Avenue, Sawtell, between Boronia Street and Second Avenue, from 6.30am to 11.00am on Thursday, 1st January 2004, for the purpose of conducting the street parade associated with the Sawtell Super Fun Day, be advertised and providing no substantive objections are received, the closure be approved.
- (b) the organisers of the Fun Day liaise with affected traders and obtain traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.92 – Jordan Esplanade / Harbour Drive, Coffs Harbour - Temporary Road Closures - Bananacoast Life Education Triathlon (R.503600 / R.503120 / R.500390 / R.506100 / R.511190 / R.504030 / 1618 [808169])

That :

- (a) the following road closures for the conduct of the Bananacoast Life Education Triathlon be approved in principle, subject to no substantive objections being received following advertising.

Saturday, 17 April 2004

11.00am - 4.00pm Jordan Esplanade, from Marina Drive to Camperdown Street
1.30pm - 3.30pm Jordan Esplanade, from Camperdown Street to the Deep Sea Fishing Club access road

Sunday, 18 April 2004

6.00am - 2.00pm Jordan Esplanade, from Marina Drive to Camperdown Street
6.00am - 11.00am Jordan Esplanade, from boat ramp to a point 100m east of the boat ramp
7.30am - 11.00am Harbour Drive, from Hood / Camperdown Street intersection through to the Orlando / Collingwood Street intersection

- (b) the organisers of the Triathlon liaise with affected traders and obtain traders approval.
(c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
(d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.93 – Accenture Triathlon, 20-21 December 2003 - Temporary Road Closures (506100 [810605])

That :

- (a) the following road closures for the conduct of the Bananacoast Life Education Triathlon be approved in principle, subject to no substantive objections being received following advertising.

Saturday, 20 December 2003

1.00am - 5.00pm Harbour Drive, from rail crossing to Edinburgh Street, with restricted access in Marina Drive from the rail crossing to the roundabout.
1.00am - 5.00pm Jordan Esplanade, from Marina Drive roundabout to Camperdown Street
9.45am - 11.45am & 12.45pm - 2.45pm Restricted access to boat ramp and Deep Sea Fishing Club (open to traffic after 2.45pm via Camperdown and Nile Streets).

cont'd

83 Traffic Committee Meeting 10/2003 (cont'd)

Sunday, 21 December 2003

- | | |
|------------------|---|
| 1.00am - 12 noon | Harbour Drive, from rail crossing to Mildura Street, with restricted access in Marina Drive from the rail crossing to the roundabout. |
| 1.00am - 12 noon | Harbour Drive, contra-flow conditions in east-bound lanes from 100m west of Albany Street to Mildura Street |
| 5.30am - 12 noon | Harbour Drive, contra-flow conditions in west-bound lanes from Mildura Street to 100m west of Albany Street |
| 1.00am - 12 noon | Jordan Esplanade, from Marina Drive roundabout to Camperdown Street |
| 6.00am - 9.30am | Restricted access to boat ramp and Deep Sea Fishing Club (open to traffic after 9.30am via Camperdown and Nile Streets). |
- (b) the organisers of the Triathlon liaise with affected traders and obtain traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.94 – Heritage Park Estate - 50km/h speed restriction (511250 [776601])

That a speed limit of 50km/h be introduced in the following rural residential areas:

- Heritage Park Estate
- Avocado Heights
- Forest Glen Estate
- Morgans Road / Holloways Road

T.95 – Coff Street, Coffs Harbour - Pedestrian Refuge (504200)

That a pedestrian refuge be installed in Coff Street, Coffs Harbour, between the Olympic Pool and Riding Place, as per Plan T.95.

T.96 – Toormina Road, Toormina - Pedestrian Crossing (502400)

That :

- (a) the pedestrian crossing on Toormina Road, Toormina, adjacent the Toormina Gardens Shopping Centre be improved by installing new Diamond Grade fluorescent signs and the steepness of the kerb ramps be reduced at this location.
- (b) a list of other pedestrian crossings be made for investigation to improve safety at these locations.

Attachments:

**COFFS HARBOUR CITY COUNCIL
TRAFFIC COMMITTEE MINUTES 11/2003
4 DECEMBER 2003 - 10.30AM**

Present: Cr Bill Palmer, Coffs Harbour City Council
Greg Scifer, Roads and Traffic Authority
Peter West, Coffs Harbour Taxi Cab Network
Peter Kitching, Coffs Harbour City Council
Anne Shearer, Road & Safety Officer

Apologies: Snr Constable Wal Brooks, Coffs Harbour Police
Graham Carthew, Roads and Traffic Authority

Minute Taker: Ann Graham

T.84 – Representation on Traffic Committee (503240 [796452])

Requesting that the Chamber of Commerce have a representative on the Traffic Committee as they represent a large number of business operators within the City.

Recommended: that the Chamber of Commerce be advised that there have been numerous requests for representation on Council's Traffic Committee and are unable to accede to these requests as ample opportunity is available for organisations to submit requests for consideration by the Committee.

T.85 – Orlando Street, Coffs Harbour - 'No Parking' signs (504030 [809695])

Consideration to a request for review of parking signs on either side of the driveway at their new office at No. 24 Orlando Street, Coffs Harbour, as vision is impaired when exiting caused by vehicles parking on either side.

Recommended: that no action be taken to install 'No Parking' signs adjacent the driveway to No. 24 Orlando Street, Coffs Harbour.

Reason: There are a number of driveways in Coffs Harbour with similar situations, and this situation should improve once the construction of adjoining units have been completed.

T.86 – Argyll Street, Coffs Harbour - Traffic Calming Devices (503690 [795617])

Consideration to a request for traffic calming devices to be installed in Argyll Street, Coffs Harbour, as cars drag race along here.

Recommended: that traffic classifiers be placed in Argyll Street to collect data on times when the speed restriction is abused, and the results be referred to the Coffs Harbour Police for action.

T.87 – Intersection Clarence Street / River Street / Beach Street, Woolgoolga - 'Stop' Sign (508440 / 508570 / 508400 [805938])

Consideration to a request for a 'Stop' sign to be erected at the intersection of Clarence Street / River Street / Beach Street, Woolgoolga, for road safety reasons.

Recommended: that :

- (a) the intersection of River Street, Woolgoolga, with Beach Street and Clarence Street be redefined with linemarking and the installation of a median strip in Beach Street, as shown on Plan T.87.
 - (b) investigation be undertaken in regard to accident statistics to ascertain whether a 'Stop' sign is warranted in River Street at this intersection.
-

T.88 – Harbour Drive, Coffs Harbour - 'No Parking' Signs (R.504090 [799971])

Consideration to a request for wire barricades and 'No Parking' signs to be erected adjacent the Coffs Harbour High School on the southern side of Harbour Drive, Coffs Harbour, between Camperdown and Edinburgh Streets.

Recommended: that :

- (a) no action be taken to install 'No Parking' signs in Harbour Drive, Coffs Harbour, between Camperdown Street and Edinburgh Street, as there is limited parking in Harbour Drive.
 - (b) the request for wire barricades to be erected in Harbour Drive, Coffs Harbour, adjacent to the Coffs Harbour High School be referred to the Roads and Traffic Authority as a submission for funding under the Road Safety Around Schools program.
-

T.89 – Karuah Avenue / Richmond Drive, Coffs Harbour - Traffic problems (504960 / 503260)

Consideration to a request for the erection of 'No Standing' signs in Karuah Avenue, Coffs Harbour, near the intersection of Richmond Drive, to provide adequate turning area for traffic turning left into Karuah Avenue from Richmond Drive. New units and parked vehicles have made this manoeuvre dangerous.

Recommended: that 'No Parking' signs and 15m of centre linemarking be installed to define the intersection of Karuah Avenue, Coffs Harbour, near the intersection of Richmond Drive, as shown on Plan T.89.

T.90 – Duke Street, Coffs Harbour - Parking review (504350)

Consideration to a request for a review of the parking adjacent the Coffs Harbour Library in Duke Street, Coffs Harbour, and suggesting:

- Short-term parking in front of the library to encourage workers to use the new long-term parking spaces and free up parking for elderly library users.
- More disabled spaces in front of the Library.
- More bicycle racks.

Recommended: that 'one hour' parking signs be installed in Coff Street, Coffs Harbour, adjacent the Coffs Harbour Library, as well as 'disabled' parking in three (3) locations, as shown on Plan T.90.

T.91 – First Avenue, Sawtell - Temporary Road Closure - Sawtell Super Fun Day (R.501520 / 1618 [795717])

Consideration to a request for the temporary road closure of First Avenue, Sawtell, between Boronia Street and Second Avenue, between the hours of 6.30am to 11.00am on Thursday, 1 January 2004, for the purpose of holding the annual Sawtell Super Fun Day.

Recommended: that :

- (a) the temporary road closure of First Avenue, Sawtell , between Boronia Street and Second Avenue, from 6.30am to 11.00am on Thursday, 1st January 2004, for the purpose of conducting the street parade associated with the Sawtell Super Fun Day, be advertised and providing no substantive objections are received, the closure be approved.**
 - (b) the organisers of the Fun Day liaise with affected traders and obtain traders approval.**
 - (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.**
 - (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.**
-

T.92 – Jordan Esplanade / Harbour Drive, Coffs Harbour - Temporary Road Closures - Bananacoast Life Education Triathlon (R.503600 / R.503120 / R.500390 / R.506100 / R.511190 / R.504030 / 1618 [808169])

Consideration to a request for the following temporary road closures for the purpose of holding the Bananacoast Life Education Triathlon in 2004:

Saturday, 17 April 2004

11.00am - 4.00pm Jordan Esplanade, from Marina Drive to Camperdown Street
1.30pm - 3.30pm Jordan Esplanade, from Camperdown Street to the Deep Sea Fishing Club access road

Sunday, 18 April 2004

6.00am - 2.00pm Jordan Esplanade, from Marina Drive to Camperdown Street
6.00am - 11.00am Jordan Esplanade, from boat ramp to a point 100m east of the boat ramp
7.30am - 11.00am Harbour Drive, from Hood / Camperdown Street intersection through to the Orlando / Collingwood Street intersection

Recommended: that :

- (a) the following road closures for the conduct of the Bananacoast Life Education Triathlon be approved in principle, subject to no substantive objections being received following advertising.

Saturday, 17 April 2004

11.00am - 4.00pm Jordan Esplanade, from Marina Drive to Camperdown Street
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7.30am - 11.00am Harbour Drive, from Hood / Camperdown Street intersection through to the Orlando / Collingwood Street intersection

- (b) the organisers of the Triathlon liaise with affected traders and obtain traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.93 – Accenture Triathlon, 20-21 December 2003 - Temporary Road Closures (506100 [810605])

Consideration to a request for the following temporary road closures for the purpose of holding the Accenture Triathlon on 20-21 December 2003:

Saturday, 20 December 2003

- 1.00am - 5.00pm** Harbour Drive, from rail crossing to Edinburgh Street, with restricted access in Marina Drive from the rail crossing to the roundabout.
- 1.00am - 5.00pm** Jordan Esplanade, from Marina Drive roundabout to Camperdown Street
- 9.45am - 11.45am & 12.45pm - 2.45pm** Restricted access to boat ramp and Deep Sea Fishing Club (open to traffic after 2.45pm via Camperdown and Nile Streets).

Sunday, 21 December 2003

- 1.00am - 12 noon** Harbour Drive, from rail crossing to Mildura Street, with restricted access in Marina Drive from the rail crossing to the roundabout.
- 1.00am - 12 noon** Harbour Drive, contra-flow conditions in east-bound lanes from 100m west of Albany Street to Mildura Street
- 5.30am - 12 noon** Harbour Drive, contra-flow conditions in west-bound lanes from Mildura Street to 100m west of Albany Street
- 1.00am - 12 noon** Jordan Esplanade, from Marina Drive roundabout to Camperdown Street
- 6.00am - 9.30am** Restricted access to boat ramp and Deep Sea Fishing Club (open to traffic after 9.30am via Camperdown and Nile Streets).

Recommended: that :

- (a) **the following road closures for the conduct of the Bananacoast Life Education Triathlon be approved in principle, subject to no substantive objections being received following advertising.**

Saturday, 20 December 2003

- 1.00am - 5.00pm** Harbour Drive, from rail crossing to Edinburgh Street, with restricted access in Marina Drive from the rail crossing to the roundabout.
- 1.00am - 5.00pm** Jordan Esplanade, from Marina Drive roundabout to Camperdown Street
- 9.45am - 11.45am & 12.45pm - 2.45pm** Restricted access to boat ramp and Deep Sea Fishing Club (open to traffic after 2.45pm via Camperdown and Nile Streets).

Sunday, 21 December 2003

1.00am - 12 noon	Harbour Drive, from rail crossing to Mildura Street, with restricted access in Marina Drive from the rail crossing to the roundabout.
1.00am - 12 noon	Harbour Drive, contra-flow conditions in east-bound lanes from 100m west of Albany Street to Mildura Street
5.30am - 12 noon	Harbour Drive, contra-flow conditions in west-bound lanes from Mildura Street to 100m west of Albany Street
1.00am - 12 noon	Jordan Esplanade, from Marina Drive roundabout to Camperdown Street
6.00am - 9.30am	Restricted access to boat ramp and Deep Sea Fishing Club (open to traffic after 9.30am via Camperdown and Nile Streets).

- (b) the organisers of the Triathlon liaise with affected traders and obtain traders approval.
- (c) the organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (d) the organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.

T.94 – Heritage Park Estate - 50km/h speed restriction (511250 [776601])

Consideration to the inclusion of a 50km/h speed restriction in Heritage Park Estate, Moonee.

Recommended: that a speed limit of 50km/h be introduced in the following rural residential areas:

- **Heritage Park Estate**
- **Avocado Heights**
- **Forest Glen Estate**
- **Morgans Road / Holloways Road**

T.95 – Coff Street, Coffs Harbour - Pedestrian Refuge (504200)

Consideration to the installation of a pedestrian refuge in Coff Street, Coffs Harbour, between the Olympic Pool and Riding Lane.

Recommended: that a pedestrian refuge be installed in Coff Street, Coffs Harbour, between the Olympic Pool and Riding Place, as per Plan T.95.

T.96 – Toormina Road, Toormina - Pedestrian Crossing (502400)

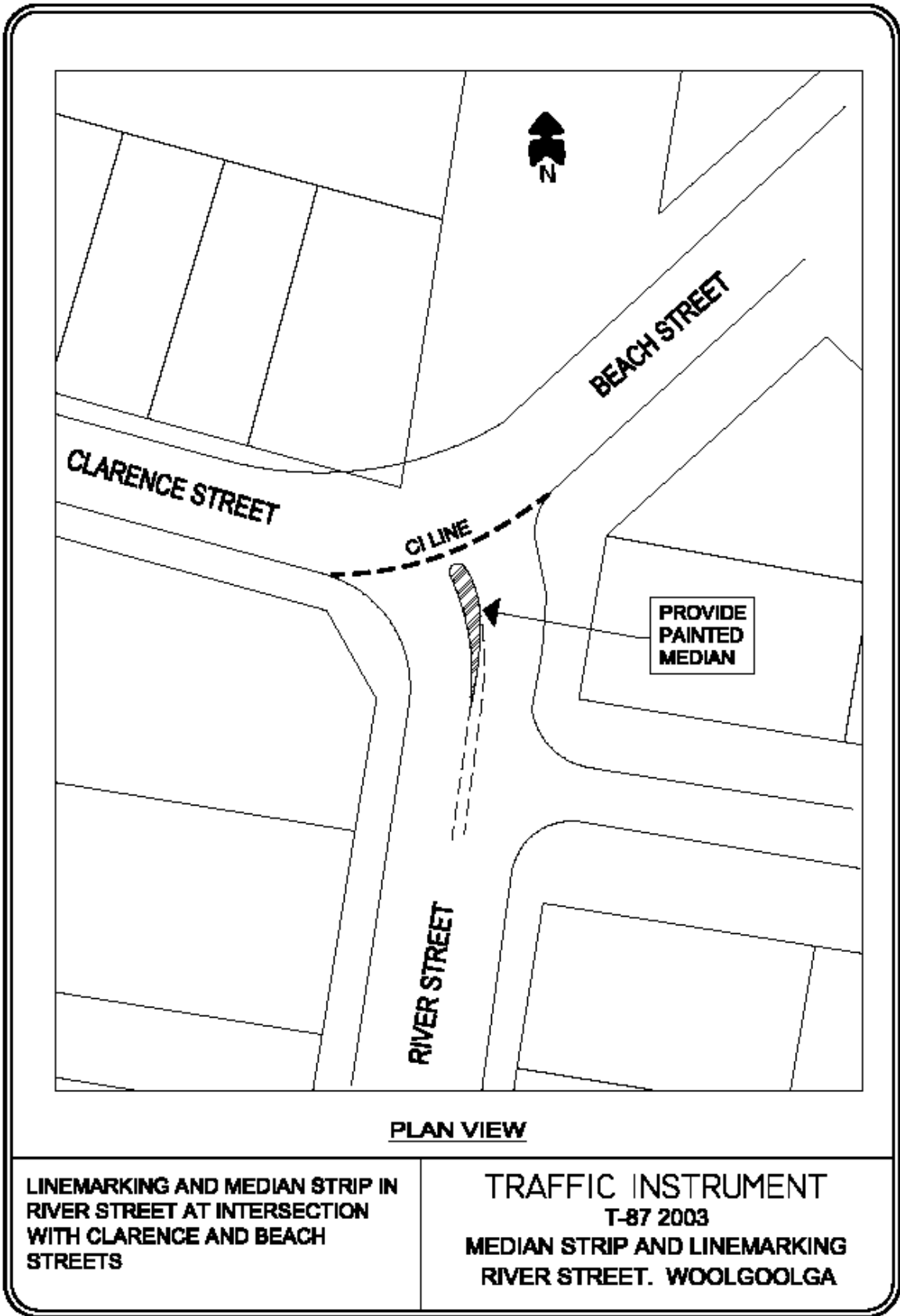
Consideration to road safety concerns at the pedestrian crossing adjacent Toormina Gardens Shopping Centre on Toormina Road, Toormina.

Recommended: that :

- (a) the pedestrian crossing on Toormina Road, Toormina, adjacent the Toormina Gardens Shopping Centre be improved by installing new Diamond Grade fluorescent signs and the steepness of the kerb ramps be reduced at this location.**
- (b) a list of other pedestrian crossings be made for investigation to improve safety at these locations.**

The meeting closed at 11.55am.

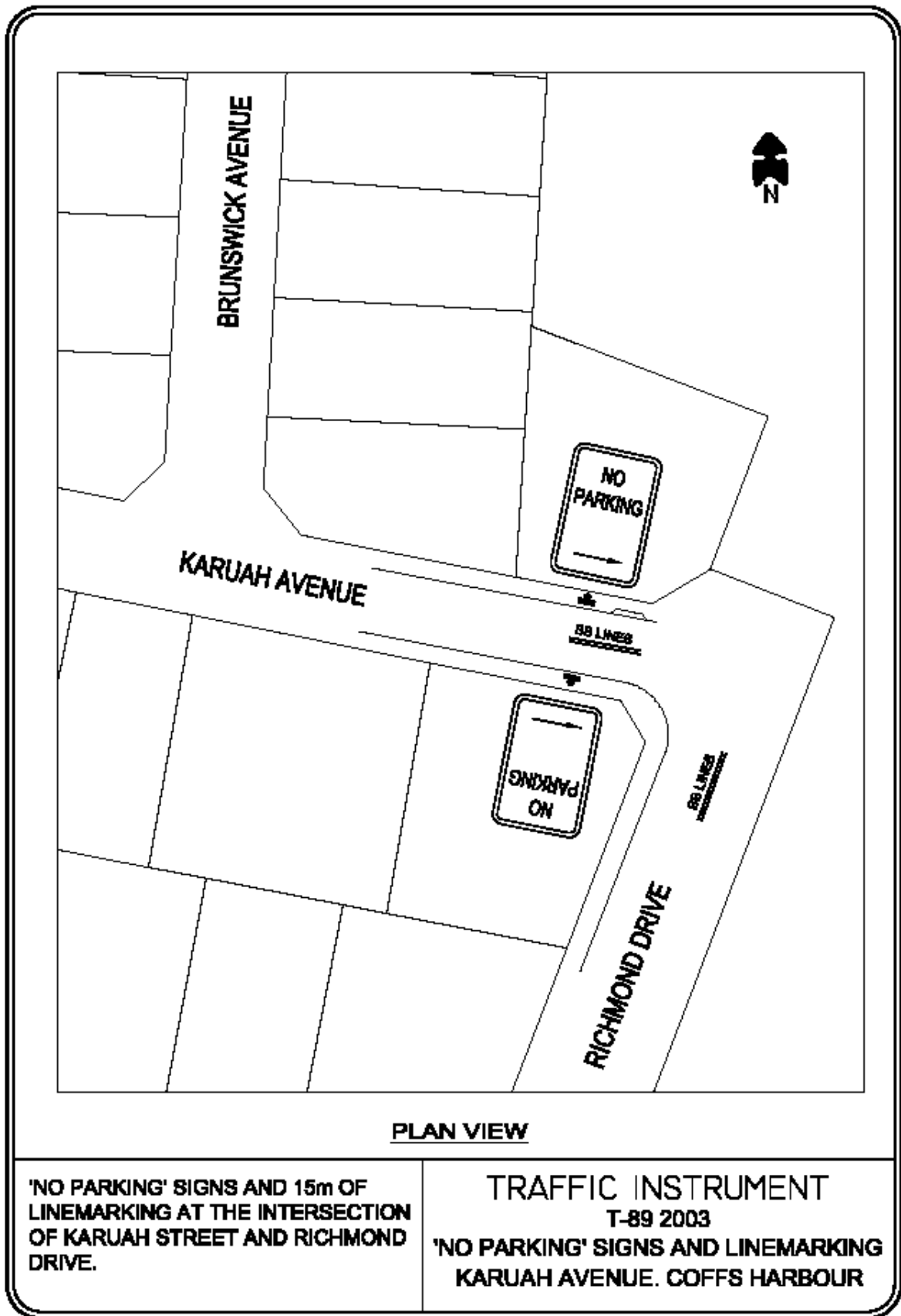
The next meeting will be held on Thursday, 5 February 2004 at 10.30am.



PLAN VIEW

LINEMARKING AND MEDIAN STRIP IN RIVER STREET AT INTERSECTION WITH CLARENCE AND BEACH STREETS

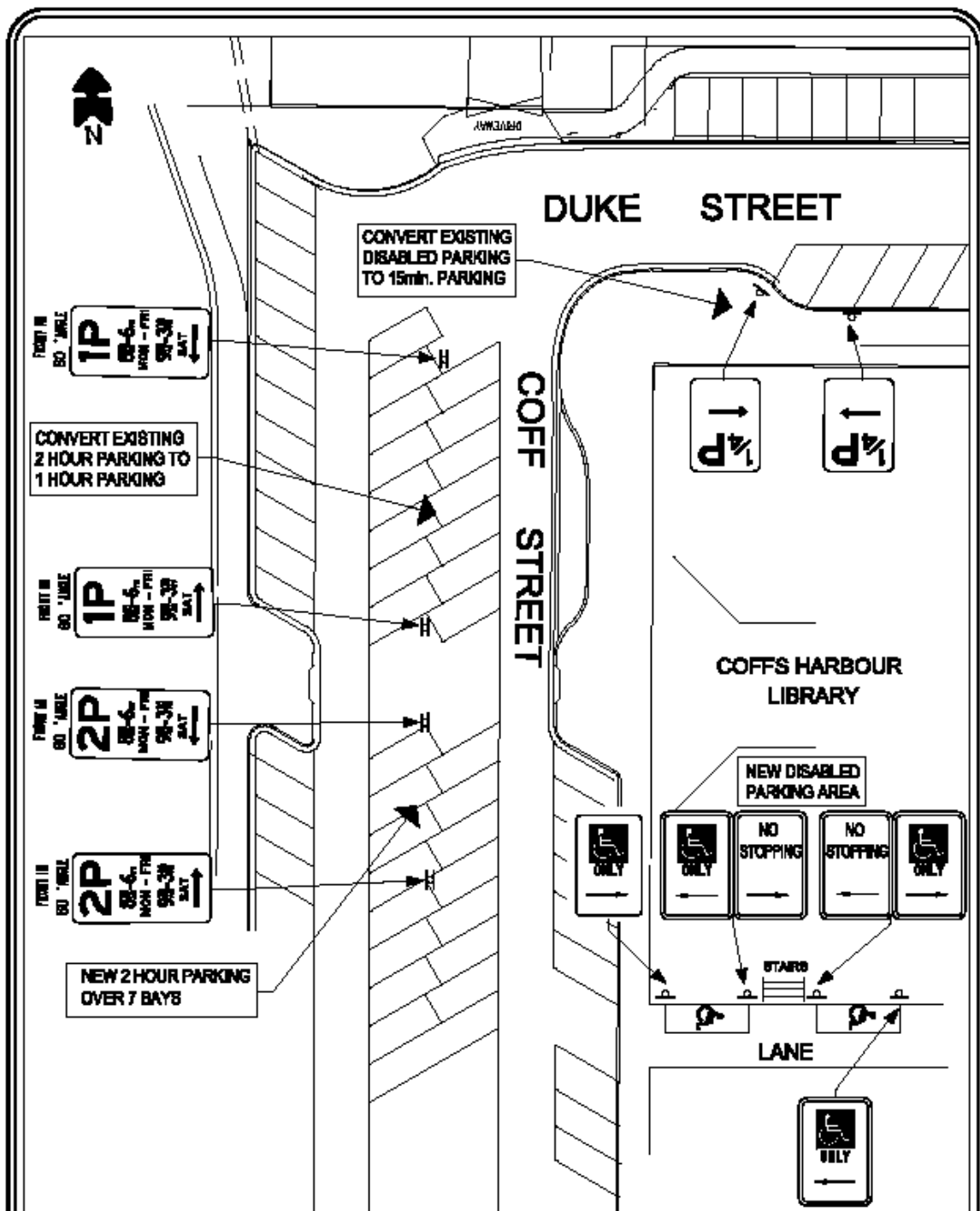
**TRAFFIC INSTRUMENT
T-87 2003
MEDIAN STRIP AND LINEMARKING RIVER STREET. WOOLGOOLGA**



PLAN VIEW

'NO PARKING' SIGNS AND 15m OF LINEMARKING AT THE INTERSECTION OF KARUAH STREET AND RICHMOND DRIVE.

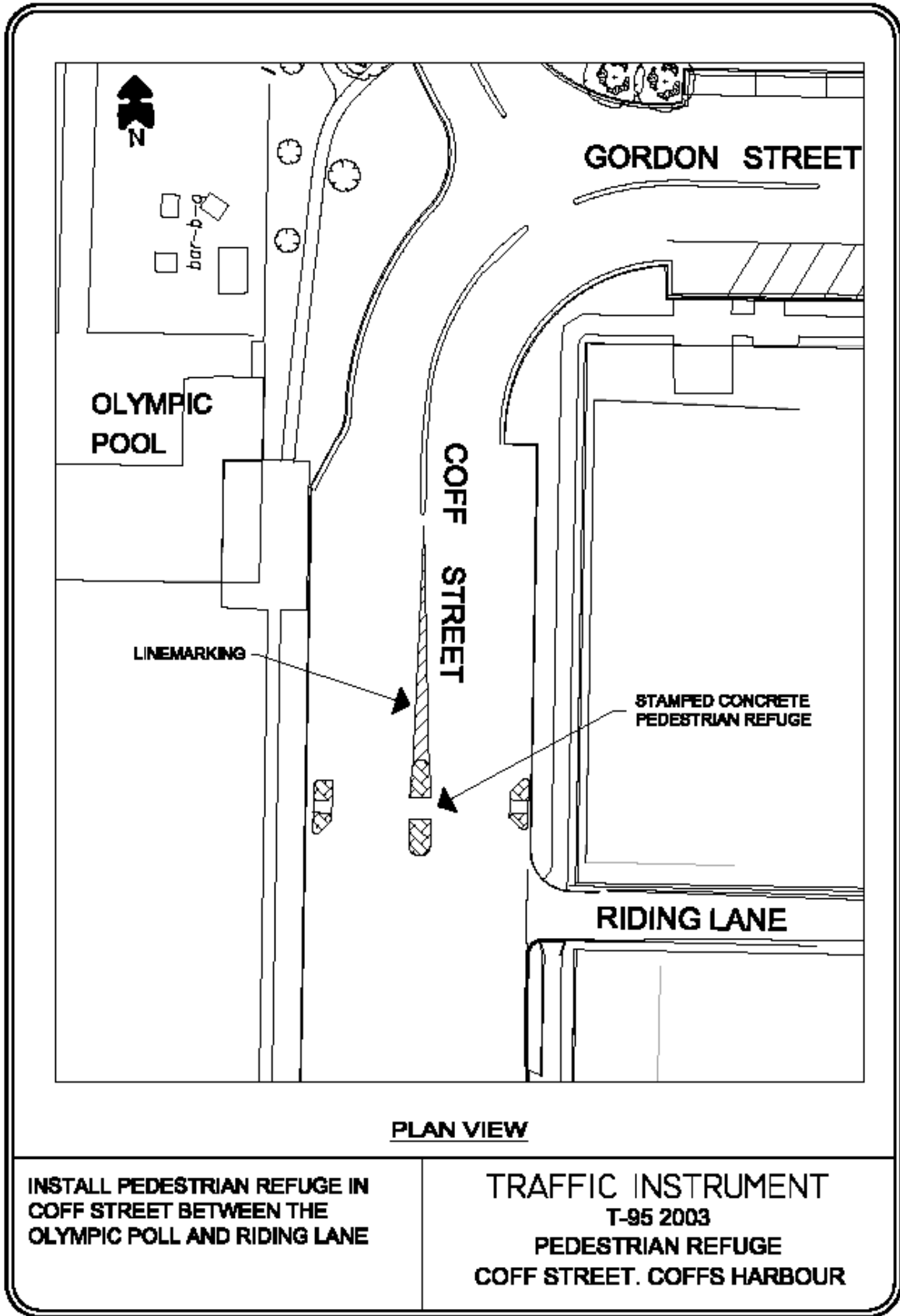
**TRAFFIC INSTRUMENT
T-89 2003
'NO PARKING' SIGNS AND LINEMARKING
KARUAH AVENUE. COFFS HARBOUR**



PLAN VIEW

INSTALL 'ONE HOUR' PARKING SIGNS IN COFFS STREET ADJACENT COFFS HARBOUR LIBRARY AND DISABLED PARKING BAYS IN THE VICINITY

TRAFFIC INSTRUMENT
T-90 2003
'ONE HOUR' AND DISABLED PARKING
COFF STREET, COFFS HARBOUR



84 TOURIST VENTURE IDENTIFICATION SIGNS

Purpose:

To report on release of the revised Tourist Signposting Manual by the Tourist Association Signposting Committee.

Description of Item:

The RTA, through the Tourist Association Signposting Committee (TASAC) has recently revised its Tourist Signposting Manual which sets standards and eligibility criteria for the brown tourist signs on State Highways in NSW.

TASAC is made up of representatives of Tourism NSW, the RTA and the regional tourism organisations. The review of the Manual has not resulted in any significant change to eligibility criteria for tourist signs, however a state-wide audit of signs has identified a number of signs which did not have approval of TASAC.

Issues:

Compliance with the standard in the Tourist Signposting Manual will only be required for signposting on the Pacific Highway.

Two tourist operators in Coffs Harbour with non-approved signs have been given six months to consider and, where possible, comply with the eligibility criteria, at the end of which the RTA will determine whether the signs are to be retained.

Council has representation on TASAC and will be encouraging local operators to work with the committee in the short term in gaining approvals for signs.

Longer term it is felt that more appropriate eligibility criteria for smaller tourist operators should be developed through the Committee.

Recommendation:

That Council work with the Tourist Association Signposting Committee to encourage development of appropriate standards and eligibility criteria for signposting of smaller tourist ventures on the Pacific Highway.

85 WORKS BRANCH REPORT

Purpose:

To advise Council of the progress of construction and maintenance programs undertaken by Works Branch up to 8th December 2003.

Description of Item:

1. Completed Works

- Footpath Construction: Sawtell Road, Hogbin Drive to North Coast Rail bridge
- Water main renewal, Twenty First Avenue, Sawtell.
- Duke Street off road car park and refurbishment.
- Pavement Rehabilitation, Lower Bucca Road from Central Bucca Road to Sherwood Creek.
- Sawtell Road pavement reconstruction and kerb and guttering from Lamberts Road to Boambee Creek.
- Dust Seals: Eastbank Road 800m from the southern seal.

2. Works in Progress and Commencing in December 2003

- Drainage of table drain adjacent to Ulong School
- Water main renewal, Sawtell Road across the north Coast Railway Bridge
- Woolgoolga Town Centre Improvement, Wharf Street.
- Dust Seals: Cradle Creek Road 600m form Moleton Creek Road
Upper Bobo Road, various lengths

A financial attachment detailing expenditure verse budget for the 2003/2004 financial year is included for Councils information.

The pavement reconstruction of Sawtell Rd from Lamberts Road to the Boambee Creek Bridge will be left over Christmas with a prime spray bitumen seal, The final asphalt wearing surface is due to be laid after the Christmas holiday period.

The expenditure in the minor drainage improvements program includes the upgrade of a storm water pipe in Park Avenue associated with the City Centre drainage. Council has not received a grant for the construction of Stage 2 of the Jetty Drainage, prompting a review of the program which will be undertaken in January.

3. Operations and Maintenance

Generally expenditure is within the allocated budgets, and will continue to be monitored. The narrowing of the boat ramp entrance at the Harbour has been completed in order that the surge at the ramp and pontoon is reduced.

cont'd

85 Works Branch Report (cont'd)

Recommendation:

- 1. That Council note the progress report on construction and maintenance works undertaken by Works Branch up to 8th December, 2003.**
- 2. That Council note that individual program expenditures are being monitored to ensure that the total program costs for 2003/2004 are contained within the approved budget.**

Attachments:**Works Branch-Construction Projects Budget/Expenditure****2003/2004 Program****AS AT DATE: 8th December, 2003**

Description	Revised Budget	Actual Expenditure	% Project Complete	% Costs Expended
Local Roads				
Sealed Roads Reseals	\$543,000	\$293,690	51%	54%
Sealed Roads Reseals - Asphalt	\$55,000	\$17,490	30%	32%
Sealed Roads Rehabilitation	\$1,296,224	\$570,556	44%	44%
Gravel Resheets	\$109,000	\$21,621	19%	20%
Dust Sealing	\$200,000	\$84,158	47%	42%
Total:	\$2,203,224	\$987,515		
Federal Roads to Recovery				
Residential Street Rehabilitation	\$255,000	\$2,517	0%	1%
Elbow St footpath	\$32,180	\$0	0%	0%
Gravel Resheeting	\$50,000	\$39,924	79%	80%
Bitumen Sealing	\$69,753	\$0	0%	0%
Sawtell Rd reconstruction, Boambee Ck to Hamilton Dr	\$490,858	\$425,983	84%	87%
Total:	\$897,791	\$468,424		
Regional Roads				
3 X 3 Program	\$174,000	\$11,069	5%	6%
Total:	\$174,000	\$11,069		
Drainage				
Drainage Impts / Nuisance Flooding	\$342,000	\$88,082	19%	26%
Total:	\$342,000	\$88,082		
Bridges				
Hartleys Rd	\$53,000	\$428	0%	1%
Finlays Bridge, Korora	\$30,000	\$15,888	52%	53%
Strides Bridge, Molten	\$90,000	\$0	0%	0%
Upper Orara Road, Rail Bridge Approaches	\$35,580	\$0	0%	0%
Total:	\$208,580	\$16,316		
Footpaths / Cycleways				
Footpath Construction	\$502,797	\$238,116	44%	47%
PAMPS Footpath Works	\$36,553	\$15,930	44%	44%
Cycleway Projects	\$185,444	\$23,670	16%	13%
Total:	\$724,794	\$277,716		
Water Mains				
Mains Renewals	\$344,774	\$157,467	47%	46%
Mains Extensions	\$110,053	\$18,088	17%	16%
Total:	\$454,827	\$175,555		

86 EXTENSION OF CONTRACT FOR SUPPLY & DELIVERY OF BITUMEN EMULSION

Purpose:

To obtain approval to renew the contract with Pioneer Road Services for the supply and delivery of bitumen emulsion to Coffs Harbour City Council for a further two years.

Description of Item:

At the Council meeting of 22 November, 2001, Council accepted Pioneer Road Services tender for the following works and services:-

- a. *The supply and installation of a bitumen emulsion bulk storage facility at a site provided within the Works Branch Depot.*
- b. *Maintenance of this facility for two years.*
- c. *The supply and delivery of bitumen emulsion to the Bulk Storage Facility for a period of two years with an option to renew the supply contract for a further 2 years.*

This contract expired on 2 December, 2003 and approval is now sought to use the renewal option provided in the contract for supply and delivery of bitumen emulsion for a further 2 years.

Supporting Data

The original tendered price in December 2001 for Part C was to supply and deliver 480,000 litres at 0.552/litre, representing a bulk price of \$264,960 (including GST)

Pioneer have advised that if the option to renew for a further two years is agreed, then they will be seeking a contract price increase of 8% bringing the new rate to \$0.596 per litre (including GST).

Using the CPI and other bitumen based indices we have established that the 8% increase is reasonable.

Sustainability Assessment:

- **Environment**

Bulk supply of the product from a registered authorized supplier minimizes potential environmental impacts in terms of:-

- Spillage in the delivery chain.
- End user efficiency.
- Storage hazards reduced.
- Optimises use of product in the distribution from the bulk facility to the work place.

- **Social**

- Improves efficiency of service.
- Reduces handling risks.
- Improves quality of the workplace.
- Improves quality of service delivery.
- Reduces operational risks.

cont'd

86 Extension Of Contract For Supply & Delivery Of Bitumen Emulsion (cont'd)

- **Economic**

Broader Economic Implications

The product is sourced through an established Australian distributor. Renewing the contract for supply allows Coffs Harbour City Council the most economic option for continued supply of an essential road maintenance material.

Management Plan Implications

The price increase effective from 2 December, 2003 will have implications for Councils program budgets as follows:-

03/04	7 months	\$5620 + GST
04/05	12 months	\$9635 + GST
05/06	5 months	\$4015 + GST

Statutory Requirements:

Whilst the total amount of the contract extension exceeds \$100,000, the original contract did make provision for extension by a further two years through mutual agreement. On this basis, and because the price increase being sought by Pioneer is reasonable, it is recommended that the option to extend the contract for supply and delivery of bitumen emulsion be extended for a further two years to 2 December, 2005.

Recommendation:

That Contract No. 01/02-65-TO between Coffs Harbour City Council and Pioneer Road Services be extended for a further two years to 2 December, 2005 at a revised supply price of \$0.596 per litre including GST.

87 PROPOSED FEES AND CHARGES FOR THE JETTY MEMORIAL THEATRE

Purpose:

To recommend to Council fees and charges for the Jetty Memorial Theatre for the period 1 January to 30 June 2004.

Description of Item:

Currently fees and charges for the Jetty Memorial Theatre have been adopted until December 2003 to allow for the refurbishment period.

The refurbishment of the facility is now almost complete and the theatre is functional. It has received extensive favourable comments from the user groups and the general public alike and the venue and quality performances are achieving full houses.

The Jetty Memorial Theatre Management Committee will continue to have an advisory role, with day to day management of the theatre currently being undertaken directly by Council. A review of this arrangement will take place in March 2004.

Sustainability Assessment:

- **Environment**

There are no environmental issues.

- **Social**

The upgrading of the venue provides a significant increase in opportunities for cultural and artistic performances. It also provides a venue for activities that are non-performance based such as seminars, training and presentations. The new fee structure allows for a variety of activities to be held at the venue.

- **Economic**

Broader Economic Implications

The actual costs for operating the refurbished venue are currently unknown. It is important that the venue usage fees offset as much as possible these operational costs. The proposed increases apply to a number of theatre user groups. Those groups which have already used the venue report performance seasons which are meeting and exceeding their budget expectations. In the short term the proposed fees will require some operating costs to be met by Council. In the longer term it is hoped that the income will grow to meet operating costs.

Management Plan Implications

In the current Management Plan there is a budget allocation for the operation of the theatre and the fees will help offset the operational costs.

cont'd

87 Proposed Fees and Charges for the Jetty Memorial Theatre (cont'd)

Consultation:

There has been ongoing dialogue with the regular users of the venue (both individually and collectively) on a range of issues concerning the theatre. These discussions have included possible cost increases and new costs associated with the provision of air conditioning. The groups generally anticipate an increase in fees.

Issues:

The fees and charges for the Jetty Memorial Theatre have not been varied to any significant extent since 1999. Since that time the venue has been comprehensively refurbished at a cost of \$1.6 million. It is now a fully air conditioned state of the art intimate theatre offering considerable comfort to cast and patrons alike.

The proposed fees follow a review of the venue usage over the last three years and the identification of user trends. The fees are designed to grow revenue through additional hirers who, historically, have not hired the venue. There may be a need for discretion or negotiation to develop this business. The fees are also designed to be in place while actual running costs are identified.

The former fee classifications of users as "local groups" and "outside groups" have been replaced with "non profit" and "commercial groups".

The attached schedule proposes any fee increase to be approximately 20%. This proposal takes into account:

- The length of time since the last significant fee review.
- The increased attractiveness of the venue.
- Expanded capacity for groups to improve revenue.
- The increased running costs of the venue.
- The maintenance of a rate that supports amateur groups.
- The current market rates for other venues in the city.

Specifically, the discounted summer rate for the venue has been made redundant through the provision of air conditioning as it was discounted because of the venue being hot.

Set fees are applied for the use of refrigerated air conditioning and lighting.

Implementation Date / Priority:

The new fees would apply for hiring on or after 1 January 2004 for a period of six months to enable an accurate assessment of operating costs of the venue.

Recommendation:

That the fees and charges for the Jetty Memorial Theatre be adopted in accordance with Attachment A for the period 1 January to 30 June 2004.

Attachments:

JETTY MEMORIAL THEATRE			
FEES & CHARGES (Actual & Proposed) 1 JAN 2004 - 30 JUNE 2004	Actual 2002/2003 Inc. GST	PROPOSED (post refurbishment)	Proposed Jan-June 2004 Inc. GST
ACTUAL (pre-refurbishment)			
PERFORMANCE		PERFORMANCE	
Sunday to Thursday		Sunday to Thursday	
Local Group	\$132.00	Non-Profit	160.00
Outside Group	\$198.00	Commercial	240.00
Friday and Saturday		Friday Saturday	
Local Group	\$220.00	Non-Profit	265.00
Outside Group	\$330.00	Commercial	395.00
Weekly Rate		Weekly Rate	
Local Group	\$770.00	Non-Profit	925.00
Local Group (Nov. to Feb.)	\$418.00	Discontinued	
Outside Group	\$1,100.00	Commercial	\$1,320.00
Rehearsals (three sessions daily)	\$27.50	Rehearsal (three sessions daily)	\$33.00
Lighting Rehearsals (\$45/session)			
Rehearsals (leading to block booking)	\$16.50		
Workshop (lighting extra)			
1 day	\$88.00		
2 day	\$110.00		
Seminar-Auditorium only(no light)	\$88.00	VENUE	
Rehearsals room (downstairs)	\$11.00	Seminar-Auditorium only(no light)	\$106.00
Foyer	\$11.00	Additional day (new rate)	\$90.00
	\$33.00	Foyer	\$15.00
CASUAL rehearsal paid when booked (no dep. req.)		Set build/strike/day or part thereof	\$40.00
PERFORMANCE rehearsals paid 2 weeks prior.			
SECURITY DEPOSIT		SECURITY DEPOSIT	
Casual Performance	\$50.00	Casual Performance	\$60.00
Block Bookings	\$200.00	Block Bookings	\$240.00
(paid when booking is made not refundable upon cancellation)		Key Deposit	\$100.00
BLOCK BOOKING PERFORMANCE FEE			
-1/3 8 weeks prior to performance date.			
- balance prior to opening performance			
ELECTRICITY		ELECTRICITY	
24 Channel light board-1 st perform.	\$33.00	Discontinued	
each consecutive performance	\$11.00	Discontinued	
(Charged during BLOCK BOOKINGS 20c per unit		Lighting per performance (new rate)	\$18.00
(Electricity charge must be paid before Security		Air conditioning (refrigerated) per use	\$20.00
Deposit can be refunded)		Air conditioning (fans only)	No Charge
Rubbish removal fee use of skip	\$11.00	SUNDRY ITEMS	
Piano fee hire per booking	\$66.00	Rubbish removal fee - use of skip	User Pays
OPTIONAL Minimum \$50+GST per day plus		Piano fee hire per booking	No Charge
20% of door takings (management discretion)		Discontinued	
		Discontinued	

**88 TENDERS - WATER RECLAMATION PLANT PROCESS ALLIANCE CONTRACT :
CONTRACT NO. 02/03-133-TO**

Purpose:

To report on Tenders received from Contractors to form an Alliance Partnership with Council for the Civil Designer of Woolgoolga and Coffs Harbour Water Reclamation Plan (WRP) Stage 1 Works.

Description of Item:

Council, at its meeting on 6 August 2003 resolved :

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.*

Council further resolved on 20 November 2003 as follows:

1. *Council approve the increase in the Pre TOC budget to \$560,000.*
2. *Council extend the completion date for agreement of the TOC to 15 December 2003.*
3. *Council approve the commencement of final design pre agreement of TOC with a budget limit of \$90,000.*

The audit of GHD's has found errors in their tendered Commercial Schedules. The auditor and tenderer have now agreed on the correct rates conforming to the tender requirements.

cont'd

88 Tenders - Water Reclamation Plant Process Alliance Contract : Contract No. 02/03-133-TO (cont'd)

Statutory Requirements:

The Local Government (Tendering) Regulations are very prescriptive about what Councils can and cannot do in accepting a tender for work. In particular, Clause 17(4) of the Regulation states:

"A Council must not consider a variation of a tender made under this clause if the variation would substantially alter the original tender."

The key to this requirement of the Regulation is in the definition of "*substantially alter*".

In the event that a tender is varied prior to Council's acceptance, and the variation is deemed to "*substantially alter*" the tender, then there is no provision within the Regulation for Council to accept that tender.

However, the Regulation does allow Council to decline all tenders and, by resolution, do one of the following:

- (a) *postpone or cancel the proposal for the contract,*
- (b) *invite, in accordance with Clause 8, 9 or 10, fresh tenders based on the same or different details,*
- (c) *invite, in accordance with Clause 9, fresh applications from persons interested in tendering for the proposed contract,*
- (d) *invite, in accordance with Clause 10, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,*
- (e) *enter into negotiations with any person (whether or not the person was a tenderer)*
- (f) *carry out the requirements of the proposed contract itself.*

and

- (4) *If a Council resolves to enter into negotiations as referred to in subclause (3) (e), the resolution must state the reasons for declining to invite fresh tenders or applications as referred to in subclause (3) (b) - (d).*

Issues:

The tendering process used in this instance was a "two-envelope" system, whereby non-commercial requirements are provided in a separate package to the commercial information. The non-commercial information was then assessed for all tenderers against a range of predetermined criteria and weightings to indicate the preferred tenderer. Following assessment interviews to test the suitability of the preferred tenderer as an alliance partner, the commercial information was then inspected to ensure the tendered rates and prices were competitively reasonable before having the information audited at the tenderer's premises. It is this auditing process that has found errors in the make up of some of the rates tendered by GHD.

The errors in GHD's tender relate to the miscalculation of labour charge-out rates for key employees in the Commercial Schedules. Basically, the rates included profit share which should have been included in the project fee. This has the impact of lowering the hourly rates but increasing the project fees by 19.15% of the project cost. It could be argued this is advantageous to Council as the project fee can be at risk in an Alliance Contract.

88 Tenders - Water Reclamation Plant Process Alliance Contract : Contract No. 02/03-133-TO (cont'd)

Subclause 17(4) of the Local Government (Tendering) Regulations requires that Council not consider such a variation of the tender if the variation would substantially alter the tender and whilst the adjustment may be considered not substantial, the variation of the tender in terms of dollars could be considered substantial. As a matter of caution, it is considered that the variation of the tender should not be considered.

It is in Council's interest to decline to accept the original tender of GHD, not invite fresh tenders and negotiate with that Company to ascertain whether it is prepared to enter a Contract with the adjusted hourly rates and project fee in its varied tender. This would obviate the need to call fresh tenders and inject confidence into the Alliance that true actual costs were being reimbursed.

Sustainability Assessment:

The Coffs Harbour EIS assessed the environmental, social and economic impacts of the WRP upgrades.

Particular attention will be paid to design of the plants to achieve high quality effluent standards and to minimise noise and odour impacts.

The project is to be funded jointly by the Department of Land and Water Conservation and Council under Stage 1 Sewerage Strategy funding agreement.

Implementation Date / Priority:

Work will commence immediately and is expected to be completed by December, 2003. Construction should then commence early 2004 and be completed by December, 2004.

Recommendation:

- (1) That Council rescind Item 1 only of its resolution F90 at Corporate Services Committee Meeting of 6 August 2003.**
- (2) That pursuant to Clause 19(1)(b) of the Local Government (Tendering) Regulations 1999, Council decline to accept any tenders for Contract No. 02/03-133-TO, Water Reclamation Plants Alliance.**
- (3) The General Manager be delegated authority to negotiate with GHD with a view to entering into a Contract for the Civil Designer, Water Reclamation Plants Alliance in accordance with Clause 19(3)(e) of the Local Government (Tendering) Regulations 1999. Such negotiations to be on the basis of:**
 - (i) the tender submitted by the Company dated 24 June 2003.**
 - (ii) GHD's varied Commercial Schedules as endorsed by Council's auditor,**
 - (iii) the form of any resulting Contract being the form of the Conditions of Contract as set out in the tender documents amended and/or adapted to incorporate any other terms and conditions which are agreed.**

cont'd

- 88 Tenders - Water Reclamation Plant Process Alliance Contract : Contract No. 02/03-133-TO (cont'd)**
- (4) In accordance with Clause 19(4) of the Local Government (Tendering) Regulations, the following reasons for Council declining to invite fresh tenders be noted:**
- (i) Based on the application of Council's Tender Value Selection System, the original tender of GHD is the most advantageous tender. The adoption of GHD's varied Commercial Schedules will not affect the relativity of tenders.**
 - (ii) The two stage selective tendering process adopted for the procurement of this project has fully canvassed the limited market for Alliance Contractors with expertise in the area of design and construction of water treatment plants. Therefore, it is most unlikely that recalling of tenders will attract better offers.**
- (5) That the TOC and alliance agreement be finalised for council approval and execution not later than 30 December 2003 unless otherwise approved by Council.**

Attachments:**18 - TENDERS: WRP PROCESS ALLIANCE CONTRACT****Purpose:**

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

Description of Item:

Council has previously decided to procure the WRP upgrades using an Alliance Contract (Relationship Contract).

In this instance we have opted to procure the contracts by what is commonly known as a "Forced Alliance", ie Council selects the expert partners required to design and build the WRPs and merges them to form an alliance partnership with Council.

This tender is for the process design supply of process and control equipment and the commissioning of this equipment.

The civil contractor/general designers will be selected under a separate tender process.

Tenders were received from three Process Contractors:

1. GHD/Aquatec Maxcon
2. ESI Ltd
3. Environmental Group (Operations) Pty Ltd.

Sustainability Assessment:

The Coffs Harbour EIS assessed the environmental, social and economic impacts of the WRP upgrades.

Particular attention will be paid to design of the plants to achieve high quality effluent standards and to minimise noise and odour impacts.

The project is to be funded jointly by the Department of Land and Water Conservation and Council under Stage 1 Sewerage Strategy funding agreement.

Consultation:

Extensive consultation was carried out with the community and agencies during the development of the EIS.

The community, agencies and key stakeholders will be consulted during the course of construction of the WRPs and monitoring results post commissioning will be communicated.

Related Policy and / or Precedents:

Tendering procedures were carried out generally in accordance with Local Government Tendering Regulations. Council's Tender Value Selection System was applied during the tender review process. Council's policy is that the tenderer with the highest score becomes the recommended tenderer.

A tender evaluation report has been prepared by the evaluation panel and is attached in the confidential section. The audit of commercial submissions was not finalised at the time of writing this report, however to expedite the process it recommended Council accept the recommended tender subject to confirmation by Council's auditor that commercial schedules are correct. Issues relating to professional indemnity insurance requirements are also yet to be resolved.

In this Alliance Contract it should be noted the price and final contract agreement (alliance agreement) are jointly developed after the civil alliance partner contracts are awarded.

Effectively what this contract does is to commit Council and the contractor (the alliance partners) to develop concept designs to a stage where an accurate costing of the project can be made, ie the TOC. The alliance partners then agree on the final TOC and alliance agreement which is then ratified by Council. This agreement is then the contract Council builds the WRPs under.

Statutory Requirements:

Based on the Council's Tender Value Selection System, GHD/Aquatec Maxcon was the most advantageous tenderer.

This group has continuous experience in the design and construction of water reclamation plants and bring to Council an experienced team who have worked in an alliance environment.

Implementation Date / Priority:

Work will commence immediately through a tender process to select the civil contractor/general designer which is expected to be completed by May, 2003. Construction should then commence early 2004 and be complete by December, 2004.

Legal

The draft Alliance Agreement (PAA) was prepared by the law firm Blake Dawson and Waldron who are experienced in alliance contracting.

MBT have peer reviewed the contract document and the PAA and have suggested minor amendments to the PAA which will be considered prior to the finalisation of the PAA.

Recommendation:

- 1. That subject to Council's auditors confirming that commercial schedules are correct and finalisation of Professional Liability insurances, Council accept the tender of GHD Pty Ltd, ABN 39 008 488 373 and Aquatec Maxcon Pty Ltd, ABN 45 002 250 482, for contract No. 02/03-119-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 the Alliance Team finalise the alliance agreement to enable execution by Council.**
- 3. 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 October, 2003 unless otherwise approved by Council.**

CITY BUSINESS UNITS DEPARTMENT REPORTS

E76 COFFS HARBOUR REGIONAL AIRPORT CONTROL TOWER

Purpose:

The purpose of this report is to advise Council of the outcome of the latest control tower review recently completed by Airservices Australia and to seek Council's concurrence for the response given to the Department of Transport and Regional Services on Location Specific Pricing.

Description of Item:

Control Tower Review

The *Coffs Harbour Control Tower Cost and Safety Benefit Analysis* issued by Airservices Australia on 10 November 2003 (received on 27 November 2003) is the seventh (7th) review undertaken on the tower in the past ten years. The review concludes that the Coffs Harbour tower has a benefit-cost ratio of 0.71. Any benefit-cost ratio of less than 1.00 implies the service provided is not justified in terms of cost and safety.

As a result of this Airservices Australia is recommending that it:

1. *Proceed to a safety case for the total withdrawal of services, and/or*
2. *Enter into negotiation with various Coffs Harbour airport stakeholders for the transfer of funding of the ATC tower services to those organisations for which continuing ATC service are integral to their business.*

Airservices Australia has reached this conclusion in earlier reports and Council has previously been able to argue for the tower to remain open for safety and economic reasons and because of the potential for growth at the airport.

Location Specific Pricing

The Department of Transport and Regional Services (DoTaRS) is currently undertaking a review of the Federal Government's policy on Location Specific Pricing. Although this and the tower review have been undertaken independently, for Coffs Harbour they are inexplicitly linked.

DoTaRS was seeking Council's position on the matter of the Location Specific Pricing Subsidy but required a response by 10 December 2003. Notice was only given on 1 December.

The Federal Government introduced Location Specific Pricing about five years ago when it changed its policy on how air traffic services were to be funded. Previously costs were recovered by network charging using weight charges and aviation fuel levies.

The intention with Location Specific Pricing was to establish a user pays system. However, this introduced some rather large charges for the aviation industry in regional centres such as Coffs Harbour. For example terminal navigation charges for air traffic control at Coffs Harbour could have risen from something like \$3.00 per tonne to as much as \$70.00 per tonne.

As a short-term solution the Federal Government capped prices at 14 regional and other general aviation airports and retained a small fuel levy to cover any shortfall in operational costs for those services. The current capped price is at these locations is \$7.42/tonne and the fuel levy is 0.26 cents/litre.

cont'd

E76 Coffs Harbour Regional Airport Control Tower (cont'd)

The reason the government is reviewing Location Specific Pricing is two-fold. Firstly the subsidy was never meant to be permanent and secondly it is concerned that Airservices Australia has had no incentive to improve efficiency. The advice given by the Department is that the broad policy objective for the review is to:

Provide encouragement for Airservices to pursue more efficient pricing approaches for the provision of tower services whilst preserving the affordability of these services for the local industry, and regional airlines and flying training in particular.

The Department was seeking Council's opinion on the matter and on four proposed options. They are: retain the current subsidy and fuel levy; full government subsidy and price cap; discontinue support; and a combined system of network pricing and location specific pricing.

Sustainability Assessment:

- **Environment**

The removal of air traffic control at Coffs Harbour could result in increase aircraft emissions and a breakdown of the current noise abatement procedures. Increased emissions could result from the less efficient use of the airspace around the airport at peak times. High performance commercial aircraft may avoid straight-in approaches at these times in the interest of safety. They would no longer have priority and would need to take their place in the queue to land. This is at a time when the aircraft is in the high thrust, high drag approach configuration resulting in higher fuel consumption and emissions.

The published noise abatement procedures for Coffs Harbour allow for certain procedures during tower hours, which differ from those when the tower is closed. The noise abatement procedures are most effective during tower hours when the airspace around Coffs Harbour is controlled. The procedures for when the tower is closed are still effective but are based on the assumption of lower traffic volumes and will not be as effective should air traffic control services be removed permanently.

Any increase in emissions due to tower closure is likely to be minor.

- **Social**

The removal of air traffic control services at Coffs Harbour, for whatever reason, is another example of the removal of services to Regional Australia. Without air traffic control the airspace becomes less efficient at peak times and direct separation of aircraft is replaced by (pilot) self-separation.

Self-separation is based on a see and be seen principle and relies heavily on pilots communicating with each other. In airspace such as ours where traffic mix varies from skydivers to fast jets pilot workload becomes much greater, particularly in commercial aircraft.

cont'd

E76 Coffs Harbour Regional Airport Control Tower (cont'd)

- **Economic**

Broader Economic Implications

Tower closure has a number of economic implications. First and foremost is the loss to the City of four highly paid jobs. Also the effect on those businesses that currently service the tower. Other implications include making the airport less attractive for commercial pilot training and associated organisations. This could result in the current operator closing down or relocating. The removal of the tower could make Coffs Harbour less attractive to major airlines in particular international operators.

Conversely, the tower is currently subsidised and this will remain the case for some years. Traffic type and volume is not sufficient for the tower to be self-funding. If Location Specific Pricing were to be introduced fully then Terminal Navigation Charges of up to \$70.00 per tonne could result. This would virtually kill General Aviation and commercial training at Coffs Harbour and make us a very costly port to service for airlines.

If network pricing is to apply then the dilemma is should the rest of the aviation industry subsidise our operations at Coffs Harbour. To an extent this is what is happening at the moment. The funds to run the tower come from government subsidy sourced from a fuel levy, Airservices Australia and local terminal navigation charges. The former two being equivalent to network funds the latter local charges.

Management Plan Implications

There are no implications for the current Management Plan arising from these matters. The effect on future Management Plan will depend on a number of issues. The Governments decision on Location Specific Pricing generally and its specific position on whether the tower is to stay and how it is to be funded.

Consultation:

In preparing this report consultation was undertaken with Airservices Australia, Combined Aviation Services, Civil Air, The Ambidji Group and the airport focus group.

Related Policy and / or Precedents:

The Coffs Harbour Control Tower has been marked for closure on a number of occasions. Council's position in the past has been to retain the tower as it is considered vital to the continued development of the airport and the city. In the past Council has successfully approached the Minister of Transport seeking the tower remain.

Council has not previously taken a position on Location Specific Pricing other than to ask staff to monitor its implementation and operation.

Statutory Requirements:

The matter of Location Specific Pricing is government policy and has no statutory basis. However, the matter of the control tower is covered by Civil Aviation Regulations, which are currently under review.

cont'd

E76 Coffs Harbour Regional Airport Control Tower (cont'd)

Recommendation 1 from the tower review document recommends Airservices Australia proceed to a safety case for the withdrawal of services. The Civil Aviation Regulations that relate to air traffic services have not yet been finalised. The new draft regulations suggest that before tower closure is undertaken at an airport with the traffic density and mix we have at Coffs Harbour that a safety case be undertaken. It appears Airservices Australia is intending to follow this path.

Once the safety case is prepared it must be put to the Civil Aviation Safety Authority (CASA) for consideration. CASA must satisfy itself that the safety case is sound and tower closure will not degrade safety to an unacceptable level. If this is satisfied Airservices can then proceed with closure. If the safety case is unacceptable or CASA is unhappy then the tower will have to remain open.

At this time it is not clear which way the safety case for the closure of the control tower at Coffs Harbour would go.

Issues:

Tower Closure

Council had the opportunity during October 2003 to make comment on the draft cost safety benefit report for the tower. That draft report made no recommendations but instead came to the "conclusion" that Airservices could:

1. Proceed with a safety case for the total withdrawal of services
2. *Reduce staffing levels to three controllers, effectively placing Coffs Harbour Tower in 'caretaker mode'. This would allow Airport Services to maintain an ATC service at minimum cost whilst awaiting both stabilisation of traffic levels and resolution of the uncertainties of the NAS; or*
3. *Continue with the current staffing arrangements and pursue savings in other areas such as base staff costs, facilities and maintenance.*

The Council response argued that "conclusion" 3 should be adopted by Airservices Australia given:

- The strength of growth currently being experienced by the airport;
- The likelihood of further services being introduced soon;
- The uncertainty and concern presently being experienced within the aviation industry with the implementation of the National Airspace System (NAS);
- The fact that two of our RPT carriers feel the tower should remain (at least until NAS is bedded in) and;
- The fact that commercial aircraft movements exceed 15,000 per annum.

It is very difficult to criticise the methodology used by Airservices Australia in undertaking the cost safety benefit. It is a specialist area and Airservices has refined its process over subsequent studies. An independent review of the draft study was sought and subsequent comments used in Council's response.

cont'd

E76 Coffs Harbour Regional Airport Control Tower (cont'd)

The comments made about the draft document included:

- Air traffic control is vital during periods of bad weather (on average 117 days per year) given the local terrain and the funneling of through air traffic over the airport mixing with local traffic.
- The methodology did not allow for these local conditions to be factored into equations used to derive the final cost benefit figure.
- The implications of the new National Airspace System has for arriving aircraft should the tower close.
- Noise abatement not being taken into account.
- Security not being taken into account – the tower staff provides an additional set of eyes for overall airport operational security.
- The effects tower closure would have on a developing port not being considered.

Location Specific Pricing

DoTaRS is currently reviewing the Federal Government's position Location Specific Pricing Subsidy which is due to finish at the end of June. Any changes to the current arrangements could have costly implications for local operators and the airlines flying into those ports. There are 14 of these towers and the Department asked each airport operator, this council included, to consider four options:

Partial Subsidy and Price Cap Arrangement – leave terminal navigation charges capped with CPI adjustment and the current \$7m pa subsidy would continue. Increase the fuel levy to 0.33 cents/litre (from 0.26 cents) to cover current shortfall.

Full Government Subsidy of Tower Services and Price Cap – current capped charge remains with CPI adjustment and Government covers remaining costs. Likely that fuel levy would rise to 1.03 cents/litre.

Discontinue Subsidy and Remove Fuel Levy – once fully implemented, this could result in costs of between \$7.14 and \$70.57 per tonne depending on the airport.

NB Current tower charges are \$7.14/tonne for the 14 airports.

Combination of Network Pricing and LSP Pricing Arrangement – This would result in a price of around \$19.00 per tonne at all 14 airports and the fuel levy would cease.

DoTaRS has indicated there are 14 airports that enjoy some form of subsidy for tower services. There is no doubt that many if not all of these towers need to remain for safety and economic reasons. So even with a rigorous rationalisation process, many if not all, would be required to remain operational, Coffs Harbour included.

If the subsidy were to be removed then many if not all airports would become non-viable due to the high costs of tower services. There would then be a vicious cycle of loss of traffic due to charges, traffic services being removed, fees going down, then traffic increasing once again introducing the need for traffic services and so on.

These ports are all part of Australia's vital air transport infrastructure and must be retained.

cont'd

E76 Coffs Harbour Regional Airport Control Tower (cont'd)

A similar argument can be applied to the option of combined network pricing amongst all 14 airports. A figure of \$19.00 per tonne is still unacceptable forcing many operators to the wall. It would also create the unsavoury situation of pitting aviator against aviator amongst the 14 airports. Those from larger airports would no doubt object to paying \$19.00 to assist aviators at lesser ports.

The remaining two options balance Government subsidy against a fuel levy whilst retaining a cap on local charges. This approach seems of the most benefit for the nation and for each port for the following reasons:

- All ports play a vital role for their community or for aviation generally. Whether it is for local (regional) economic development, community service, aviation training or the provision of a holistic aviation network.
- A complete and robust aviation network is vital for the Nation.
- Australia has an excellent aviation safety record and these towers are vital in that respect. Safety should not be compromised and the broader community expects this to be the case.
- The aviation industry in this country is the closest any transport industry has come to being totally user pays. It may not be practical or wise to push that goal any further. We must retain a robust network.
- If some form of cross subsidy is to exist within the industry then it is better spread across the whole industry where its impact on the "individual" is less than just spread over a selected few.
- The larger capital city airports enjoy an economy of scale making their air traffic operations less costly per tonne. However, they still rely on the regional ports to provide them with the "city pairs" that are needed for their regional operators to exist. It is reasonable given their economies of scale that they contribute towards safety costs for their customers operating in and out of busy regional centres.
- There are other ways of seeking efficiencies in air traffic services. Competition is one way yet the Government still allows Airservices Australia to operate as a monopoly.

If the Government wishes to push the ideal of the aviation industry being fully self-funding then the adoption of a 1.03 cent per litre levy to retain aviation safety at current levels is reasonable.

Coffs Harbour Tower and Location Specific Pricing

One implication of recommendation 2 of the tower review is the inference by Airservices Australia that if the tower is to remain somebody else should pay for it. This could result in an untenable situation for Council and the airport. Although not stated Airservices is implying that the tower does not return an appropriate safety benefit so Airservices should not be burdened with it. So regardless of the outcome of the safety case, or Government deliberation, if it stays or for safety reasons is required to stay others should pay for it.

This would put the airport into the vicious cycle of excessive terminal navigation costs chasing away business, traffic levels falling, tower closing, charges reducing, traffic building, tower needing reinstatement and so on. It would cause major economic hardship for the city and the region.

Couple this with the removal of the Location Specific Pricing subsidy and the effects and the cycles become even more exaggerated.

cont'd

E76 Coffs Harbour Regional Airport Control Tower (cont'd)

Implementation Date / Priority:

Tower Closure

Any resolutions arising from this report on the closure of the potential of the control tower will be acted upon as soon as practical.

Location Specific Pricing Subsidy

Council's response to DoTaRS was sent on 10 December 2003. Although it is likely that further comment will be accepted after that date.

Recommendation:

- 1. That a response be sent to Airservices Australia expressing Council's disappointment with its recommendations arising from the Coffs Harbour Control Tower Cost Safety Benefit Analysis Final Report – November 2003.**
- 2. That a case be prepared and submitted to the Minister of Transport supporting the retention of Air Traffic Control Services at Coffs Harbour.**
- 3. That Mr Luke Hartsuyker, MP, be enlisted to assist in putting the case for the retention of Air Traffic Control Services at Coffs Harbour.**
- 4. That Council endorse the response given to the Department of Transport and Regional Services listing the Partial Subsidy and Price Cap Arrangement and the Full Government Subsidy of Tower Services and Price Cap as the best options arising from the Location Specific Pricing Subsidy Review.**

CITY SERVICES DEPARTMENT REPORT

89 WATER RECLAMATION PLANT ALLIANCE CONTRACT

Purpose:

To update Council on the current status of the Total Outturn Cost (TOC) negotiations with the Water Reclamation Plant (WRP) Alliance Contractors.

Description of Item:

Council has previously decided to procure the WRP upgrades using an Alliance Contract.

Tenderers, ABI Group, Aquatec Maxcon and GHD are currently developing the Total Outturn Cost and we expect this to be completed and agreed to before Christmas.

Estimates to date exceed the current budget which was based on 1998 estimates.

The 1998 estimate totalled \$9,275,000. The revised 2003 costings are now estimated at \$17,655,000.

There are a variety of reasons for this exceedance as follows:

- 16% CPI increase since 1998 estimate.
- Lack of competition in the construction market due to the current building boom etc. Estimated to be adding up to 25% to costs and in some cases we are having some trades not interested in quoting because of the volume of work around at this time.
- Scope of work has increased due to unforeseen conditions, ie 20% of original budget.
- Modifications to treatment process to give a more robust and reliable process which will comply to new marine discharge requirements.

Total costs of Stage 1 works have also increased, though not of the same proportion rising from \$54,528,000 to \$61,391,000.

Variations in budget will require the Ministry of Energy and Utilities approval before subsidy is made available to Council. Works commenced prior to obtaining this approval run the risk of not receiving the subsidy.

In order to contain Stage 1 costs within the Stage 1 budget, it is recommended the scope of works for Stage 1 be adjusted. This will involve the inlet works at Coffs Harbour and some reclaimed main works being deferred until Stage 2 (see confidential sections).

Sustainability Assessment:

The Coffs Harbour EIS assessed the environmental, social and economic impacts of the WRP upgrades.

Consultation:

Extensive consultation was carried out with the community and agencies during the EIS process and will continue during the construction phase of the WRPs.

cont'd

89 Water Reclamation Plant Alliance Contract (cont'd)

Corporate Services Branch advise that the net cost increase in relation to the Water Reclamation Plant will be met initially from existing developer contributions, loan and reserve funds. It may bring forward the need to borrow additional funding in relation to the implementation of the Sewerage Strategy. This will be determined in conjunction with the 2004/05 Management Plan.

The additional costs will be incorporated into the review of developer contributions currently being undertaken by a consultant (an interim plan is currently in operation). A report on revised developer contributions will be provided early in the new year.

Legal

The Alliance Agreement (PAA) has been prepared by the law firm Blake Dawson and Waldron who are experienced in Alliance Contracting.

MBT have peer reviewed the draft PAA.

Implementation Date / Priority:

Work will need to commence immediately the TOC and PAA have been agreed to in order to enable construction to be completed in early 2005.

In order to enable works to continue over the December/January period it is recommended the General Manager be given delegated authority to agree on a TOC figure and sign the PAA on Council's behalf.

Recommendation:

- 1. That subject to a satisfactory Total Outturn Cost being agreed between the Alliance parties, the General Manager be given delegated authority to sign the PAA on behalf of Council.**
- 2. That Council seek the Ministry of Energy and Utilities' concurrence to additional funding requirements.**
- 3. That the additional costs be considered as part of the current review of developer contribution charges.**

Stephen Sawtell
Director, City Services

CITY BUSINESS UNITS DEPARTMENT REPORT

E77 COMMERCIAL PROPERTY - GORDON STREET, COFFS HARBOUR

Purpose:

To seek Council approval for the acquisition of 25-31 Gordon Street, Coffs Harbour.

Description of Item:

The subject property is situated on the western side of Gordon Street and is currently owned and occupied by the Salvation Army. Erected across the rear of the property is a mixture of buildings of mainly brick construction, comprising a shop, hall, meeting rooms and offices. In all there is slightly in excess of 1,000 square metres of floor space. The existing improvements are in reasonable order and condition. At the front of the property there is a bitumen sealed car park providing 16 spaces and an undeveloped grass area providing informal parking arrangements. The land has an area of 2,235.9 square metres and is immediately adjacent and to the north of 23 Gordon Street, which Council purchased earlier this year.

Sustainability Assessment:

- **Environment**

There are no environmental issues associated with the acquisition of the property.

- **Social**

As the Salvation Army are going to continue to provide services to the community from their new premises, purchase of the property by Council should have no social impact.

- **Economic**

Broader Economic Implications

The economic rationale for the acquisition of the property has been discussed in the confidential attachment of the report. The acquisition is seen as positive, showing Council as being pro-active to ensure that it can provide for the future requirements of a growing City.

Management Plan Implications

Funding for the acquisition is to be from the Sewerage Fund as recommended by Corporate Services.

Consultation:

Corporate Services

It is considered that the property be acquired as an investment by Coffs Harbour Water.

cont'd

E77 Commercial Property - Gordon Street, Coffs Harbour (cont'd)

Implementation Date / Priority:

If Council approves the acquisition of the property, contracts will be called for, but due to the time of year, contracts would not be exchanged until January 2004.

Recommendation:

- 1. That Council acquire 25-31 Gordon Street, Coffs Harbour for the amount and under the terms and conditions indicated in the confidential attachment of the report.**
- 2. That any necessary documents associated with the acquisition of the property be executed under the common seal of Council.**
- 3. That the property be classified as operational land under the Local Government Act, 1993 as amended.**
- 4. That initially funding for the acquisition be from the Sewerage Fund.**

Pat Littler
Director, City Business Units

PED98 LEGAL APPEAL REGARDING A DOG MATTER

Purpose:

Following the impoundment of two dogs on 5 February 2003, the owner initiated a series of legal actions against Council and staff which have been heard in the Administrative Decisions Tribunal, Supreme Court of NSW, and the Appeals Court of NSW. All have been dismissed. The owner has now sought special leave to appeal to the High Court of Australia.

Description of Item:

The owner has a history of actions relating to her dogs, which are outlined in the confidential attachment, together with details of the current matter which is the subject of legal action. The owner has initiated action against Council and Council's ranger regarding the impounding of her two dogs on 5 February 2003.

Sustainability Assessment:

- **Environment**

There are obligations upon all dog owners to keep their dogs under effective control in accordance with the provisions of the Companion Animals Act 1998. These rules are in place to protect amenity and the environment. It is of great concern that the two dogs have remained in the confines of RSPCA impoundment since February until court matters are resolved.

- **Social**

Council has applied the law relating to this matter fairly and equitably for the protection of the wider community. The matter would not have arisen if the owner had abided by previous warnings and kept her dogs under control. Council had shown leniency by reducing the impounding costs and giving extended time to pay.

- **Economic**

Costs in excess of \$30,000 have been incurred thus far in defending the owner's actions against Council and Council staff. Had the owner initially paid the \$140 impounding fees to release her dogs and \$266 for micro chipping and registration, legal expenses would have been avoided. Alternatively the owner had the option of handing the dogs in to the RSPCA.

Recommendation:

That it be noted that Council will be defending the owner's application for special leave to appeal to the High Court of Australia with respect to the impoundment of two dogs on 5 February 2003.

Mark Salter
Acting Director, Planning Environment and Development