

The following document is the minutes of the Council Meeting held on Thursday, 18 March 2004. These minutes are subject to confirmation as to their accuracy at the next meeting and therefore subject to change. Please refer to the minutes of the next Council meeting for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBER
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
18 MARCH 2004

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

18 MARCH 2004

Present: Councillors JC Bonfield (Mayor), PJ Howe, CM McKimm, IJ Ovens, WR Palmer, KD Rhoades, J Strom (Deputy Mayor) (from 5.45 pm), AD Williams and WA Wood.

Staff: General Manager, Acting Director of Planning, Environment and Development, Acting Director of City Business Units, Director of City Services, Acting Director of Corporate Services, Executive Assistant

The meeting commenced at 5.10 p.m. with the Mayor, Councillor JC Bonfield, in the chair.

PUBLIC ADDRESSES

Speaker	Subject
Steve Moody (spokesman, Woolgoolga Area Residents' Group)	PED9 - Coffs Harbour Highway Planning Strategy: Submission Revised Route Options
Alan Scott (President, Coffs Harbour U3A)	B12 - Healthy Living Centre and Mixed Use Development - 218 Harbour Drive, Coffs Harbour

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORT

PED9 COFFS HARBOUR HIGHWAY PLANNING STRATEGY: SUBMISSION REVISED ROUTE OPTIONS

To seek Council's endorsement for the attached submission in relation to the Coffs Harbour Highway Planning Strategy and revised highway bypass options currently being investigated by the Roads and Traffic Authority and the Department of Infrastructure, Planning and Natural Resources.

48 RESOLVED (Rhoades/Ovens):

1. That Council take no action at this time in relation to Community Update No. 4.
2. That Council seek an extension of time to respond on the Pacific Highway Upgrade options until a response to Council's preferred route is received from the Roads and Traffic Authority and the Department of Infrastructure, Planning and Natural Resources.

Councillor Strom entered the Chamber, the time being 5.45 p.m.

CITY BUSINESS UNITS REPORT

B12 HEALTHY LIVING CENTRE AND MIXED USE DEVELOPMENT - 218 HARBOUR DRIVE, COFFS HARBOUR

To report on a proposal to develop a Healthy Living Centre (a multi-purpose centre for Seniors) with a mix of housing and commercial/retail space located at 218 Harbour Drive, Coffs Harbour (Lot 9, Sec 18, DP 758258).

MOTION

49 MOVED (Bonfield/Strom):

1. That Council provide a Healthy Living Centre at 218 Harbour Drive, Coffs Harbour in accordance with Option 2 as described in the report.
2. That Council include funding in the 2004/2005 Management Plan for the provision of a Healthy Living Centre on 218 Harbour Drive, Coffs Harbour which will involve a capital expenditure of \$1.8 m - \$2 m or up to \$300,000 per annum for the next 10 years inclusive of loan repayments and running expenses.

cont'd

B12 Healthy Living Centre And Mixed Use Development - 218 Harbour Drive, Coffs Harbour (cont'd)

AMENDMENT

MOVED (Rhoades/Wood):

1. That further investigation be carried out on the option of building a Healthy Living Centre, shops and professional medical rooms on 218 Harbour Drive, Coffs Harbour.
2. If the proposed development in recommendation is not feasible, then plans and accurate costings be prepared for Option 2 as described in the report.
3. Council consider funding for the provision of a Healthy Living Centre on 218 Harbour Drive in the preparation of the 2004/2005 Management Plan. This will involve a capital expenditure of \$1.8 m - \$2 m based on Option 2 or up to \$300,000 per annum for the next 10 years inclusive of loan repayments and running expenses.

The amendment on being put to the meeting was lost.

The motion on being put to the meeting was carried.

DIVISION

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

For

Councillor Williams
Councillor Palmer
Councillor McKimm
Councillor Ovens
Councillor Howe
Councillor Bonfield
Councillor Strom

Against

Councillor Rhoades
Councillor Wood

COFFS HARBOUR CITY COUNCIL - ACHIEVEMENTS 1999-2004

The Mayor made a presentation which highlighted Council's achievements over the past four years, and also made presentations of appreciation to retiring Councillors McKimm, Strom and Williams.

CORPORATE SERVICES DEPARTMENT REPORT

F16 RATE REVIEW WORKING PARTY - RECOMMENDATIONS

To consider the recommendations made by the Rate Review Working Party.

50 RESOLVED (Ovens/Howe):

1. That Council make a submission to the Department of Local Government, encompassing:
 - a) Legislative change to permit incremental implementation of new valuations.
 - b) Legislative change to permit banding of valuation ranges which could have differential rates.
 - c) Legislative change to permit base amounts to be increased to greater than 50% at the discretion of the Minister for Local Government.
 - d) Legislative change to free-up the criteria for sub-categorisation (differential rating), which is currently based on centres of population for residential use and centres of activity for business use.
 - e) The State Government refunding 100% of pensioner rebates instead of the 55% currently provided.
2. That the submission include references to other States which have the use of such legislative options.
3. That a motion be submitted to the Local Government Association conference, seeking its support for Council's submission to the Department of Local Government.
4. That the rating structure be reviewed for 2005/2006 as this would enable:
 - a) A review of the structure following the impact of the anticipated revaluation with a base date of 1 July 2004.
 - b) Consideration of the legislative changes made by the State Government following Council's submission.
5. That Council continue to promote, through the media, the availability of Council staff to discuss hardship issues with ratepayers.
6. That the following items be referred back to the Rate Review Working Party to report back to Council by the 6 May 2004:
 - a) Legislative change to remove the requirement that the Farmland rate must be the lowest general purpose rate.
 - b) That Council maintain its current rating structure, of a minimum and an ad valorem rate, for 2004/2005.

The meeting was adjourned at 6.50 p.m. for ten minutes.

CONFIRMATION AND ADOPTION OF MINUTES

- 51 **RESOLVED** (McKimm/Wood) that the minutes of the City Business Units Committee meeting of 4 March 2004 be confirmed as a true and correct record of proceedings.
- 52 **RESOLVED** (McKimm/Wood) that the minutes of the Corporate Services Committee meeting of 4 March 2004 be confirmed as a true and correct record of proceedings.

NOTICE OF MOTION

COUNCIL CONTRIBUTION TOWARDS COST OF NEW YAMAHA QUAD BIKES

- 53 **RESOLVED** (Rhoades/Bonfield):
1. That Council contribute \$3,000 towards the cost of the purchase of a new Yamaha quad bike for the Sawtell Surf Life Saving Club.
 2. After confirmation by Council, that Coffs Harbour and Woolgoolga Surf Life Saving Clubs be funded 50% of the purchase price of new outboard motors valued at \$1,500 each after their successful application under the Yamaha Surf Rescue Grant. That enquiries be made as regards to any application by Red Rock/Corindi Surf Club to determine if application was made under the same program.
 3. That Council form a partnership with the Club or Clubs regarding its use by Council Lifeguards.

GENERAL MANAGER'S REPORT

3 CERTIFICATES OF SERVICE

To make a presentation of Certificates of Recognition of Service to retiring Councillors.

- 54 **RESOLVED** (Howe/Ovens) that presentations of Certificates of Recognition of Service be made to retiring Councillors Catherine McKimm, Jan Strom and Alpheus Williams.

The General Manager presented Councillors McKimm, Strom and Williams with Certificates of Recognition of Service.

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

PED7 DEVELOPMENT APPLICATION NO. 1086/04 - ULONG AND DISTRICT EX-SERVICES CLUB - LOTS 5 AND 6, DP 21752 AND LOT 7, DP 509642, 60 PINE AVENUE, ULONG

Development Application No. 1086/04 is for a new building to replace the old Ulong and District Ex-Services Club.

- 55 RESOLVED** (Rhoades/Howe) that Development Application No. 1086/04 for Ulong and District Ex-Services Club on Lots 5 and 6, DP 21752 and Lot 7, DP 509642, 60 Pine Avenue, Ulong be approved subject to standard technical conditions as appended to the report (Appendix B).

PED8 DEVELOPMENT APPLICATION NO. 669/04 - PROPOSED SUPERMARKET - LOT 31, DP 1055662, 8 QUEEN STREET, WOOLGOOLGA AND LOT 4, DP 329910, 21 MARKET STREET, WOOLGOOLGA

Application is made to Council for development consent for the construction of a new supermarket at 21 Market Street/8 Queen Street, Woolgoolga.

- 56 RESOLVED** (Wood/Palmer) that Development Application No. 669/04 for the demolition of existing structures on the site and the construction of a shop (new supermarket) on Lot 31, DP 1055662, 8 Queen Street, Woolgoolga and Lot 4, DP 329910, 21 Market Street, Woolgoolga be approved subject to technical conditions as appended to the report (Appendix B).

CITY SERVICES DEPARTMENT REPORTS

S14 TRAFFIC COMMITTEE MEETING 2/2004

To confirm minutes from the Traffic Committee Meeting held on 4 March 2004.

- 57 RESOLVED** (Rhoades/Williams):

T.15 – Representation on Traffic Committee (1774 [826749])

That Andrew Fraser MP be advised that he is able to nominate a representative to attend Traffic Committee meetings if he is unable to be present.

cont'd

S14 Traffic Committee Meeting 2/2004 (cont'd)

T.16 – Orlando Street, Coffs Harbour - Casuarina School Bus Bay (R.504030 [792340])

That :

- (a) 'No Stopping' signs be installed on northern side of Gentle Street, Coffs Harbour, as per Plan T.16.
- (b) Further discussions be held with Casuarina School in relation to the installation of a bus bay and vehicle drop off-pick up point for school children in Gentle Street, Coffs Harbour.

T.17 – Sawtell Road, Toormina- Pedestrian Crossing (502390 [848286])

That approaches be made to Sawtell Coaches to service the Lamberts Road subdivision.

T.18 – Grafton Street, Nana Glen- Traffic Calming (507430 / 510980 / 500020 [815246])

That the request for traffic calming measures in Grafton Street, Nana Glen Rail, be referred to the Nana Glen Place Committee for consideration.

T.19 – Howard Lane, Coffs Harbour- Traffic Calming (509870 / 504040 / 501140 [856204])

That the installation of traffic calming measures in the following streets be listed for consideration in the 2003/04 Management Plan:

1. Howard Lane, Coffs Harbour
2. Brunswick Avenue / Manning Avenue, Coffs Harbour
3. Boronia Street, Sawtell.

T.20 – Pacific Highway / Combine Street, Coffs Harbour- Traffic Signals (511420 / 504240 / 504410 [854733])

That :

- (a) The Roads & Traffic Authority be requested to review the traffic signal operations at the intersection of Pacific Highway and Combine Street, Coffs Harbour.
- (b) The 'Keep Clear' signs be repainted at the intersection of Elizabeth Street and Combine Street, Coffs Harbour.

cont'd

S14 Traffic Committee Meeting 2/2004 (cont'd)

T.21 – First/Second/Fourth Avenues, Sawtell - Temporary Road Closure - Anzac Day (501520 / 501480 / 501550 / 1618 [850460])

That:-

1. The following temporary road closures associated with the Sawtell Anzac March to be held on Sunday, 25 April 2004, between the hours of 10.00am and 11:30am be advertised and providing no substantive objections are received, the temporary closures be approved.
 - ♦ First Avenue (Second Avenue to Boronia Street)
 - ♦ Second Avenue (First Avenue to Fourth Avenue)
 - ♦ Fourth Avenue (Second Avenue to East Street).
2. A traffic control plan to be submitted for this event. This should include details of all traffic signs, barricades and traffic controllers required for this event.

T.22 – Park Avenue / Gordon Street / Vernon Street, Coffs Harbour - Temporary Road Closure - Anzac Day (505670 / 504620 / 504180 / 1618 [866365])

That:-

1. The following temporary road closures associated with the Coffs Harbour Anzac March to be held on Sunday, 25 April 2004, between the hours of 9.00am and 10:30am be advertised and providing no substantive objections are received, the temporary closures be approved.
 - ♦ Park Avenue (Earl Street to Gordon Street)
 - ♦ Gordon Street (Park Avenue to Vernon Street).
 - ♦ Vernon Street (Gordon Street to Pacific Highway).
2. A traffic control plan to be submitted for this event. This should include details of all traffic signs, barricades and traffic controllers required for this event.

T.23 – Pacific Highway / Flinty Road, Corindi- Road Safety (511410 / Flinty Road [842195])

That the request for improvements to the intersection of Pacific Highway and Flinty Road, Corindi, be referred to the Roads & Traffic Authority for consideration.

T.24 – Pacific Highway / Harbour Drive, Coffs Harbour - Bus Zone (511410)

That the existing 'Loading Zone' be converted to a combination 'Loading Zone' (8am - 4pm Mon - Sat) and 'Bus Zone' (4-5pm school days), as per Plan T.24.

cont'd

S14 Traffic Committee Meeting 2/2004 (cont'd)

T.25 – Orlando Street, Coffs Harbour- Cycleway (504030)

That the installation of a cycleway on the northern side of Orlando Street, Coffs Harbour, between Ocean Parade and Hogbin Drive North, be approved, as per Plan T.25.

T.26 – Pine Avenue, Ulong - School Zone (507630)

That the request for school zone signs to be installed in Pine Avenue, Ulong, be referred to the Roads and Traffic Authority.

S15 COFFS HARBOUR BOAT RAMP : GROYPNE EXTENSION FUNDING

This report deals with the funding of the extension of the groyne at the Coffs Harbour boat ramp.

58 RESOLVED (Rhoades/Bonfield) that the groyne extension at the Coffs Harbour boat ramp be funded from:

1. \$70,000 from the 2003/04 Management Plan allocation for Boat Ramp Upgrade.
2. Up to \$80,000 be transferred from funds allocated to the Harbour Foreshores Improvements allocation.

S16 REGIONAL WATER SUPPLY

To update Council on the present progress and operation of the Regional Water Supply Project.

59 RESOLVED (Rhoades/Strom) that the progress and present operation of the Regional Water Supply Project be noted.

S17 WORKS BRANCH REPORT

To advise Council of the progress of construction and maintenance programs undertaken by Works Branch up to 5 March 2004.

60 RESOLVED (Howe/McKimm) that:

1. Council notes the progress report on construction and maintenance works undertaken by Works Branch up to 5 March 2004.
2. Council notes that individual program expenditures are being monitored to ensure that the total program costs for 2003/2004 are contained within the approved budget.

S18 HANDOVER OF HIGHWAY UPGRADE WORKS

To recommend Council acceptance of a negotiated agreement reached with the RTA for handover to Council of an amount of \$449,714.28 together with selected assets associated with highway upgrade projects.

61 RESOLVED (Strom/Wood):

1. That Council accept formal handover of agreed works within the Pacific Highway road reserve, completed in association with highway upgrade projects at:-
 - Lyons Road to Englands Road
 - Bray Street to Arthur Street
 - Korora Bus Baysfor the lump sum payment to Council of \$449,714.28.
2. That Council treat the \$375,164.28 maintenance component as restricted equity, initially, to meet future maintenance costs.

CITY BUSINESS UNITS REPORTS

B11 SALE OF SURPLUS COUNCIL LAND - LAGOONA CLOSE, KORORA

The purpose of this report is to obtain approval for the sale and disposal of part of an old Council Reserve to an adjoining owner.

62 RESOLVED (McKimm/Howe):

1. That the land shown in the plan attached to this report be sold to the owner of Lot 32 DP 1017284 which adjoins on the terms set out within the body of this report.
2. That all necessary documents be executed under the Common Seal of Council.

B13 ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES - PART 3 BARRIE STREET, COFFS HARBOUR

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

63 RESOLVED (Strom/Ovens):

1. That Council proceed to acquire that section of land described as Lot 29, DP 244760 being part of 3 Barrie Street, Coffs Harbour.
2. That Council acquire the above land on the terms and conditions contained within the body of this 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.

CITY SERVICES DEPARTMENT REPORTS

S19 TENDERS: CONSTRUCTION OF MAINS, PINE BRUSH CREEK TO SAPPHIRE SERVICE STATION

To report on tenders received for the construction of reclaimed water and potable water mains along the Pacific Highway from Pine Brush Creek, Korora to Sapphire Service Station and to gain Council approval to accept a tender.

64 RESOLVED (Strom/Ovens):

1. That Council accept the tender of A J Pipelines and Constructions Pty Ltd, ABN 40 083 081 645, for Contract No. 03/04-142-TO, Construction of Mains, Pine Brush Creek to Sapphire Service Station, for the lump sum amount of \$2,640,497.02 including GST, on the basis that:-
 - a) The tender is the highest scoring tender following the application of Council's Tender Value Selection System
 - b) The Tenderer has the necessary experience in similar works and his referees have confirmed his ability and satisfactory performance
 - c) The Tenderer's financial references are satisfactory
2. That the contract documents be completed under Seal of Council

S20 TENDERS: CONSTRUCTION OF SEWAGE PUMPING STATION & RISING MAIN AT NORTH BOAMBEE VALLEY

To report on tenders received for the Construction of a Sewage Pumping Station and Rising main to service the North Boambee Valley, and to gain Council approval to accept a conforming tender.

65 RESOLVED (Strom/Ovens) that Council accept the tender of Precision Pipelines P/L ABN 86 690 603 701, subject

1. to financial assurances being given from Precision Pipelines Partnership, for the Contract No. 03/04-157-TO, Construction Sewage Pumping Station and Rising Main at North Boambee Valley, for the lump sum amount of \$391,062.10 including GST, on the basis that: -
 - a) The tender is the highest scoring tender following the application of Council's Tender Value Selection System
 - b) The Tenderer has the necessary experience in similar works and his referees have confirmed his ability and satisfactory performance
 - c) The Tenderer's financial references are satisfactory
2. That the contract documents be completed under Seal of Council

MATTERS OF AN URGENT NATURE

1. Jetty Memorial Theatre - Spring on Stage

- 66 **RESOLVED** (McKimm/Strom) that Council provide an extra \$1000 as a special grant to the Spring on Stage 2004 organisers to help put on a year of amateur theatre for the benefit of Coffs Harbour.

QUESTIONS WITHOUT NOTICE

1. Regional Water Supply - Pipelines

Councillor Ovens questioned whether there were any issues with the Nymboida pipelines, particularly whether there were any leaks, as he understood that there are repairs being made to the pipeline on a constant basis.

The Director of City Services advised he would seek advice and advise Councillor Ovens.

Councillor Howe questioned whether anything could be done to fix the southern bank of the Orara River, just upstream of Hartleys Bridge, where the planting has gone and there is now an exposed bank. Cr Howe expressed concern that if we received significant rainfall it would be a cause a severe erosion problem.

The Director of City Services advised that he would attend to the matter.

2. Completion of the Hogbin Drive Extension

Councillor Wood questioned whether any action had been taken on a Matter of an Urgent Nature of 4 March 2004 where it was moved "*that Council write to the Federal Member for Cowper, Mr Luke Hartsuyker MP and requesting a meeting with the Deputy Prime Minister and Minister for Transport, Mr John Anderson MP, to discuss Federal Government assistance with the Hogbin Drive extension*".

The Director of City Services advised that an appointment has been made with Mr Hartsuyker to progress the motion.

3. Gateway Statements

Councillor Strom questioned whether the gateway statements, to be erected at the Combine Street/Pacific Highway intersection and the Coff Street/Pacific Highway intersection, would be constructed shortly or whether there was a shortfall in funds.

The Director of City Services advised that there was a shortfall of \$5000, however it was hoped to fund this shortfall from City Centre Revitalisation Program. A report would be provided to the next Council meeting regarding the projected date of commencement.

4. Jetty Memorial Theatre - Signage

Councillor Wood questioned whether there were any plans in place to put signage on the Jetty Memorial Theatre.

The Director of City Services advised he would investigate the matter and advise Councillor Wood.

5. Deep Sea Release - Pipelines

Councillor Rhoades questioned whether the pipelines in the harbour had been filled with town water in order to sink them.

The Director of City Services advised that the pipes on the beach had been filled with town water as it was classed as an emergency situation and it was necessary to fill those pipes rapidly. The Director advised that if the equipment had been available to pump salt water, this would have been done.

The General Manager advised that he would take the matter on notice.

GENERAL BUSINESS

1. Thank you to Staff

Councillor Wood requested that his thanks be recorded and passed on to staff at all levels of Coffs Harbour City Council for unfailing courtesy, consideration and assistance given to him over the past 8½ years he has been a Councillor.

2. Coramba Road - Traffic Issues

Councillor Howe advised that she had received representations expressing concern about traffic speed, danger for pedestrians, kids on bikes, people pushing prams and the lack of pedestrian access on Coramba Road, between Shephards Lane and Red Hill. Cr Howe requested that the matter be investigated to see if it could be made more user friendly.

The Director of City Services to provide report.

3. Insurance Issues

Councillor McKimm spoke about the issue of Public Liability insurance and the enormous impact it has on community activities using the recent Boewulf performance at the Jetty Memorial Theatre as an example. Cr McKimm pointed out that insurance profits have escalated and payouts have reduced but no benefits have flowed on to the community.

- 67** **RESOLVED** (McKimm/Howe) that Council write to the Premier asking him to initiate an investigation into the implications and the lack of flow on effects to the community by insurance companies as a consequence of the legislation introduced.

4. Study - Post Natal Depression

Councillor Howe referred to the recent Post Natal Depression Study that highlighted the extreme need for services in the Coffs Harbour Area. Cr Howe questioned whether funding was available to provide services to help people in this position.

Mayor Bonfield advised that it would be appropriate to investigate the matter and ask the question of the Mid North Coast Area Health Board and, as she was a member of the Board, she would ask the question.

- 68** **RESOLVED** (Howe/Strom) that Council lobby with as much strength as we can gather for provision of services to help people suffering from post natal depression.

CLOSED MEETING – SECTION 10(A)

The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 8.00pm.

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

Notice of Motion

Legal Expenses - Development Application No. 1006/03 - Recreation Facility Laserball and Paintball: Lot 50, DP 630131, 8 Herdegen Close, Bonville

This report was 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.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

Councillor Rhoades declared a conflict of interest for the reason of grouping of candidates at the next Council election, left the meeting and took no part in the discussion or voting of the following item.

NOTICE OF MOTION

LEGAL EXPENSES - DEVELOPMENT APPLICATION NO. 1006/03 - RECREATION FACILITY LASERBALL AND PAINTBALL: LOT 50, DP 630131, 8 HERDEGEN CLOSE, BONVILLE

- 70** **RESOLVED** (Williams/McKimm) that Council's solicitors be authorised to negotiate reimbursement of legal expenses incurred by the plaintiffs of the paintball facility at Bonville.

Members of the press and public were excluded from consideration of the above item, the reason being that it contained advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

OPEN MEETING

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 8.30 pm.

Confirmed: Next Council meeting.

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J C Bonfield
Mayor