

The following document is the minutes of the Council and Committee meetings held on 18 August 2005. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 1 September 2005 and therefore subject to change. Please refer to minutes of 1 September 2005 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

18 AUGUST 2005

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

18 AUGUST 2005

Present: Councillors K D Rhoades (Mayor), I D Hogbin (Deputy Mayor), J C Bonfield, W D Featherstone, C O Joass, R W McKelvey, I J Ovens, W R Palmer, G R Smithers.

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

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

PRESENTATIONS

The Mayor presented Lisa Owen with an APOLA Community Bravey Award for rescuing three people in a dangerous rip on Mullaway Beach in December 2004.

The Mayor presented a plaque to the General Manager, Mark Ferguson, as a memento of his time at Coffs Harbour City Council.

MAYORAL MINUTE

11 BUCCA ROAD SPEED LIMIT

To review the speed limit on Bucca Road.

115 RESOLVED (Rhoades):

1. That Council STRONGLY recommend that the relevant authorities urgently review the speed limit on Bucca Road between the Pacific Highway and Nana Glen with a view to its reduction from 100kph to 80kph.

2. That any matters regarding the upgrading or installation of safety signage be recommended to the traffic committee for urgent implementation.

PUBLIC ADDRESSES

1. Alan Bailey (representing Blue Circle Southern Cement & WH Bailey & Sons) addressed Council with regards to S54 B-Double Access: Stadium Drive And Hogbin Drive.
2. Reg Allen (Bentleigh Motor Inn) addressed Council with regards to Ped27 Development Application No. 1250/05 – Hotel Additions (Beer Garden To Be Used As An Optional Smokers Retreat, And Associated Internal Alterations) – Lot 2, Dp328242 And Lots A And B, Dp954648, Plantation Hotel, No. 88 Grafton Street, Coffs Harbour.
3. Harry Barry (Plantation Hotel) addressed Council with regards to Ped27 Development Application No. 1250/05 – Hotel Additions (Beer Garden To Be Used As An Optional Smokers Retreat, And Associated Internal Alterations) – Lot 2, Dp328242 And Lots A And B, Dp954648, Plantation Hotel, No. 88 Grafton Street, Coffs Harbour.

CONFIRMATION AND ADOPTION OF MINUTES

- 116** **RESOLVED** (Palmer/Ovens) that the minutes of the Planning, Environment & Development Committee Meeting held on 21 July 2005 be confirmed as a true and correct record of proceedings.
- 117** **RESOLVED** (Palmer/McKelvey) that the minutes of the City Services Committee Meeting held on 21 July 2005 be confirmed as a true and correct record of proceedings.

COMMITTEE REPORTS RELATING TO PUBLIC ADDRESSES

S54 B-Double Access: Stadium Drive And Hogbin Drive was addressed. See Resolution No.118, pg10.

PED27 Development Application No. 1250/05 – Hotel Additions (Beer Garden To Be Used As An Optional Smokers Retreat, And Associated Internal Alterations) – Lot 2, Dp328242 And Lots A And B, Dp 954648, Plantation Hotel, No. 88 Grafton Street, Coffs Harbour was addressed. See Resolution No.119 pg9.

PUBLIC FORUM

1. Wayne Clouten addressed Council with regards to "Community Concerns re: Proposed RTA Routes".
2. Marlon Saunders addressed Council with regards to "Use of Public Facilities & Insurances for the Eisteddford".
3. Barry Lee (representing Rates, Levies & Development Association) addressed Council with regards to "Lyon's Road Development".

GENERAL MANAGER'S REPORTS

11 REVISION OF 2005-2008 MANAGEMENT PLAN

To advise Council of the outcome of a Budget Review and to recommend budget variations and priority projects for the 2005-2008 Management Plan.

MOTION

MOVED (Ovens/Hogbin) that the City Facilities Program be deleted from the 2005-2008 Management Plan.

AMENDMENT

MOVED (Palmer/Joass) that

1. The City Facilities Program be deleted from the 2005-2008 Management Plan.
2. The amendments to the 2005-2006 Budget - detailed in Attachment 1 of the Issues section of this report – be adopted, resulting in an estimated Budget deficit for 2005-2006 of \$346,977.
3. The amendments to the 2006-2007 Budget - detailed in Attachment 2 of the Issues section of this report – be adopted, resulting in an estimated Budget deficit for 2006-2007 of \$400,434.
4. The amendments to the 2007-2008 Budget - detailed in Attachment 3 of the Issues section of this report – be adopted, resulting in an estimated Budget deficit for 2007-2008 of \$302,360.
5. The adopted amendments be incorporated in the adopted 2005-2008 Management Plan for publication as the Revised 2005-2008 Management Plan.
6. Council re-assess requirements for major capital infrastructure works, including funding options, in conjunction with its preparations for the 2006-2007 Management Plan.
7. The cultural precinct facilities proposed for Brelsford Park be re-examined to determine the timing, priorities and overall strategy for the site.

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

DIVISION

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

FOR

Bonfield
Rhoades
Joass
Palmer

AGAINST

Ovens
Smithers
Hogbin
McKelvey
Featherstone

FURTHER AMENDMENT

- 120** **MOVED** (Hogbin/Ovens) that the matter be deferred to enable Council to meet to prioritise it's strategic directions.

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

12 QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 30 JUNE 2005

To report on the achievement of customer service guarantees and performance targets for the April to June 2005 quarter.

- 121** **RESOLVED** (Hogbin/McKelvey):
1. That Council note the issues surrounding those measures that have not been achieved for the period ending 30th June 2005, as listed in the body of this report
 2. That Council note the achievements of customer service guarantees, as outlined in Attachment 1 of the General Manager's Report for the January to March 2005 quarter
 3. That Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the April to June 2005 quarter
 4. That Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councillors' Room for the April to June 2005 quarter
 5. That Council continues to monitor its performance with a view to improving service delivery

13 2005 ECONOMIC DEVELOPMENT PLAN

The purpose of this report is to provide Council with a recommendation to exhibit the 2005 Draft Economic Development Plan (EDP) as a 5-year Plan for economic growth in the City.

- 122** **RESOLVED** (Ovens/McKelvey) that the Draft Coffs Harbour Economic Development Plan 2005, included as an attachment to this business paper, be placed on public exhibition for 28 days and further reported to Council when submissions have been considered .

14 MEMBERSHIP OF THE COFFS HARBOUR FUTURE DEVELOPMENT BOARD

The purpose of this report is to provide a recommendation to Council to change the structure of the Coffs Harbour Future Development Board by extending the membership of the Board from 9 members to 12 members.

- 123** **RESOLVED** (Ovens/Hogbin) that
1. That the Council extend the membership of the Coffs Harbour Future Development Board from 9 to 12 members.
 2. That the Council appoint an additional Councillor to the Coffs Harbour Future Development Board.
 3. That the two additional private sector members be appointed under delegated authority by the General Manager in consultation with the Mayor and upon the recommendation of the Coffs Harbour Future Development Board.

The Mayor invited nominations to the Board which resulted in Cr Ovens and Cr McKelvey being submitted to the meeting. Following a show of hands, the Mayor declared Cr Ovens elected as Council's delegate to the Coffs Harbour Future Development Board.

15 COMMUNICATION STRATEGY - HARBOURSIDE PROJECT

The purpose of this report is to provide Council with an overview of our communication strategy for the Harbourside Project, and provide a recommendation to Council with regard to a structure that will enable effective engagement with key stakeholders.

The Harbourside Communications Strategy April 2005, lists a range of Stakeholders and an Action Plan to engage the community, at various stages during the life of the Project.

MOTION

MOVED (Hogbin/Featherstone) that Council defer the item until Council meets to reassess it's strategic directions.

AMENDMENT

- 124** **MOVED** (Palmer/Bonfield):

1. That the project management structure be endorsed by Council.

2. That the Sub-Committee: Jetty Area Masterplan – Precincts West of the Harbour Working Group, be combined with the Strategic Planning Group, to bring together all key representatives of the expanded scope area, for efficient, effective communication and planning purposes for the Harbourside Project.

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

Cr Smithers gave his intension to lodge a recission motion for General Managers Report: 15 Communication Strategy – Harbourside Project.

PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE REPORTS

PED23 STRATEGIC PLANNING PROGRAM - 2005/2006

To advise Council on the status of the current strategic planning projects and seek endorsement for this year's planning program. A summary chart showing a general timetable for the projects is attached.

- 125 RESOLVED** (McKelvey/Joass) that Council endorse the attached 2005-2006 Strategic Planning Program, and note the following changes to the Business Paper.

Pg. 26 "Basis for the draft policy in the Rural Lands Policy"

Pg. 27 "Appropriate for smaller dwellings" relating to carpark requirements.

Pg. 27 "Park Beach DCP included extending the review east and west of Hogbin Drive".

PED24 DEVELOPMENT APPLICATION 1727/05 LOT 10 DP1063832, NO. 62-64 MOONEE STREET, COFFS HARBOUR - CHANGE OF USE AND FITOUT OF COMMERCIAL PREMISES

This report describes Development Application 1727/05 for the redevelopment of 62-64 Moonee Street, Coffs Harbour. The existing furniture retail premises is proposed to be developed into a Medical Centre and offices. Conditional approval of the application is recommended with additional carparking demand being satisfied by way of developer contributions.

MOTION

MOVED (Hogbin/Featherstone) that the Development Application be refused because the parking requirements do not comply with the City Centre DCP.

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

- 126 FURTHER MOTION**
MOVED (Rhoades/ Palmer) that Development Application 1727/05 for the fitout and change of use of the bulky goods salesroom at Lot 10 DP1063832, 62-64 Moonee Street Coffs Harbour to a medical centre and business premises be approved subject to conditions as appended to the report (Appendix B).

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

DIVISION

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

| FOR | AGAINST |
|------------|----------------|
| Bonfield | McKelvey |
| Rhoades | Featherstone |
| Smithers | Hogbin |
| Palmer | Ovens |
| Joass | |

PED25 REQUESTS FOR RESIDENTIAL REZONINGS OF LANDS AT BIG BANANA AND BONVILLE INTERNATIONAL GOLF RESORT SITES

To present to Council two separate requests received in recent months for rezoning of lands at the Big Banana and the Bonville International Golf Resort sites, both to allow for the residential development of part of their sites.

- 127 RESOLVED** (McKelvey/Palmer) that
1. That Council state its in principle support of the development of the iconic tourist facilities within the City to ensure their continued viability.
 2. That both applicants be advised that Council is generally in support of the contents of their Masterplans.
 3. That Council invite a submission for the minor rezoning of the Big Banana site to allow for a limited expansion of The Summit development at the applicant's expense, in accordance with plans attached to the submission and accompanied by the relevant rezoning fee.
 4. That both applicants be advised that all other requests for rezoning of these sites must be incorporated within the Settlement Strategy process, and that Council will assign timeframes for priority release areas at the time the draft Settlement Strategy is placed on public exhibition.

PED26 DRAFT GATEWAY STRATEGY

To report to Council on submissions received during the public exhibition of the Draft Gateway Strategy. The report recommends elements of the Strategy be progressed in future to Council programs.

Cr Ovens declared a pecuniary interest, vacated the chamber and did not participate in the discussion or voting.

MOTION

128 MOVED (Smithers/Bonfield) that

1. Adopt the Gateway Strategy.
2. Incorporate the rezoning of the Marcia Street to Bray Street precinct, in its 2006/2007 Management Plan and Strategic Planning Program.
3. Include the Halls Road area in conjunction with any review of the North Boambee Valley planning controls and incorporate this in the 2006/2007 Management Plan and Strategic Planning Program process.
4. Council prioritise it's future works programs to be achieved upon availability of funding.
5. Actively pursue the RTA for funding of actions, arising from the Strategy.
6. Advise all those who lodged a submission of Council's resolution.

AMENDMENT

MOVED (Featherstone/ Hogbin) that

1. Adopt the Gateway Strategy.
2. Incorporate the rezoning of the Marcia Street to Bray Street precinct, in its 2006/2007 Management Plan and Strategic Planning Program.
3. Endorse the inclusion of works from Coffs Street to McLean Street into a future works program, to be achieved as/when funds are available.
4. Actively pursue the RTA for funding of actions, arising from the Strategy.
5. Advise all those who lodged a submission of Council's resolution.

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

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

Cr Ovens returned to the chamber at 7.35pm.

PED27 DEVELOPMENT APPLICATION NO. 1250/05 - HOTEL ADDITIONS (BEER GARDEN TO BE USED AS AN OPTIONAL SMOKERS RETREAT, AND ASSOCIATED INTERNAL ALTERATIONS) - LOT 2, DP328242 AND LOTS A AND B, DP954648, PLANTATION HOTEL, NO. 88 GRAFTON STREET, COFFS HARBOUR

The purpose of this report is to advise Council on an application for additions to the Plantation Hotel. The additions include the erection of a beer garden in the south-western corner of the site and internal alterations to enable access to the beer garden. The applicant has stated that the proposal is in response to the newly introduced anti-smoking legislation. The report recommends conditional approval of the application.

119 RESOLVED (Bonfield/McKelvey):

1. That Development Application No. 1250/05 for Hotel Additions (*beer garden to be used as an optional smokers retreat, and associated internal alterations*) at Plantation Hotel; Lot 2 DP 328242, Lot A DP 954648, Lot B DP 954648 - 88 Grafton Street Coffs Harbour, be approved subject to standard and special conditions as appended to the report (Appendix B).
2. Further, that the objectors to the Development Application be advised of these actions.

CITY SERVICES COMMITTEE REPORTS

S52 WORKS BRANCH REPORT

To advise Council of the progress of construction and maintenance programs undertaken by Works Branch up to 31 July, 2005.

129 RESOLVED (Palmer/Joass) that Council note:

1. The progress report on construction and maintenance works undertaken by Works Branch up to 31 July, 2005.
2. That expenditures are being monitored for individual maintenance programs.

S53 COFFS HARBOUR WATER REPORT APRIL TO JUNE 2005

Information on maintenance, operation and construction activities for the three month period April to June 2005 for the Water Supply Fund.

130 RESOLVED (Palmer/Joass):

1. That the report on Coffs Harbour Water maintenance and operation activities for the three month period April to June 2005 be noted.
2. That the average daily consumption for the March quarter of 14.8 ML/day, total abstraction for the quarter from Cochranes Pool of 44.1 ML, total inflow to Karangi Dam from Regional Water Supply of 1319 ML, total consumption for the quarter of 1347 ML and Karangi Dam storage level of 99.3% on 5 August 2005 be noted.

S54 B-DOUBLE ACCESS : STADIUM DRIVE AND HOGBIN DRIVE

To consider an application for removal of time restrictions on B-Double access for Stadium Drive, Hogbin Drive and Christmas Bells Road.

Councillor Ovens declared a conflict of interest as he resides on one of the roads in question. He vacated the chamber at 5.34pm and took no part in discussion or voting.

118 RESOLVED (Hogbin/Bonfield) that Council approve B-Double operation on the following roads, excluding 8.00am-9.30am and 2.30pm-4.00pm on gazetted school days:

- Stadium Drive
- Hogbin Drive (Christmas Bells Road to Hi-Tech Drive)
- Christmas Bells Road
- Hi-Tech industrial Estate

Councillor Ovens returned to the chamber at 5.38pm.

S55 TENDERS: CONSTRUCTION OF SEWER MAINS, NEWMANS ROAD, WOOLGOOLGA

To report on tenders received for the construction of a 225mm diameter sewer main at Newmans Road, Woolgoolga and to gain Council approval to accept a tender.

131 RESOLVED (Joass/Smithers):

1. That Council accept the tender of Bob Chambers Pty Ltd, ABN 49 003 778 630, for Contract No. 05/06-211-QO, Construction of Sewer Main, Newmans Road Woolgoolga for the lump sum amount of \$302,148 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

S56 TENDER - ARCHITECTURAL SERVICES - MULTIPURPOSE CENTRE ON BRELSFORD PARK

To obtain Council's approval to accept a tender for the provision of architectural services for the Multipurpose Centre on Brelsford Park

132 RESOLVED (Joass/Palmer) that

1. That Council accept the tender of Brewster Hjorth Architects, ABN 59 912 230 391, for architectural services for the Multipurpose Centre on Brelsford Park for \$261,887.00 including GST for all four phases on the basis that it is the most advantageous tender.
2. That the contract documents be executed under the Common Seal of Council.

DIVISION

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

FOR

Smithers
Bonfield
Rhoades
Joass
Palmer
McKelvey

AGAINST

Ovens
Featherstone
Hogbin

CITY BUSINESS UNITS COMMITTEE REPORTS

B24 ACQUISITION OF CROWN LAND FOR EXTENSION TO HOGBIN DRIVE

For Council to consider the acquisition of Crown Land to facilitate extensions to Hogbin Drive at Coffs Harbour.

133 RESOLVED (Palmer/Joass):

1. That Council proceed with the compulsory acquisition of the Crown land described in this report and shown in the plan attached to this report.
2. That Council make the necessary application to the Minister for Local Government to gain the approval of both the Minister and the Governor to the acquisition of the land referred to in this report using the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991.
3. That Council execute under Seal all required documents in connection with this matter.
4. That the land to be acquired be classified as operational land under the Local Government Act, 1993.

B25 ACQUISITION OF LAND FOR FUTURE ROAD PURPOSES - PROPOSED LOT 8 NEWMANS ROAD, WOOLGOOLGA

Report seeking Council approval for the acquisition of land at Newmans Road, Woolgoolga for future road purposes.

Cr Joass declared a conflict of interest due to the location of his residence, left the chamber and did not participate in the discussion or voting.

134 RESOLVED (Bonfield/Featherstone):

1. That Council proceed to acquire that part of Lot 200 DP 1059909 shown on "Plan A" attached to this report as proposed Lot 8 for an amount of \$60,000 exclusive of GST.
2. That Council agree to acquire that part of Lot 200 DP 1059909 being 46.16 square metres from the Developer at no cost.
3. That both parcels of land being acquired by Council be classified as operational land under the Local Government Act, 1993.
4. That Council consent to the release of the right of way easement over Lot 200 DP 1059909 in conjunction with the transfer of proposed Lot 8 to Council.
5. That all necessary documents be executed under the Common Seal of Council.
6. That Council will be responsible for its costs in relation to this matter.

Cr Joass returned to the chamber at 7.52pm.

B26 COFFS HARBOUR AND DISTRICTS TENNIS FEASIBILITY STUDY

To inform Council of the completion of the Feasibility Study for the proposed future Regional Tennis Complex.

- 135 RESOLVED** (McKelvey/Palmer) that the Feasibility Study and its contents be noted by Council. A further report and recommendations will be presented to Council once investigations are completed and project scope identified.

B27 COFFS HARBOUR TENNIS CLUB APPLICATION FOR A LOAN FROM COUNCIL

To seek approval for a \$35,000 loan to the Coffs Harbour Tennis Club under the conditions outlined in the report.

- 136 RESOLVED**(Palmer/Joass):
1. That the loan of \$35,000 be made to the Coffs Harbour Tennis Club on the following terms and conditions.
 2. The principal be repaid over a term of 4 years as agreed, at an interest rate of 6.5% per annum with monthly repayments of \$830.02
 3. Repayments be made by a current bank transfer arrangement.
 4. The loan will commence in August/September 2005.

B28 LOAN REQUEST - ENGLANDS PARK TENNIS CLUB

Request for a loan to resurface two tennis courts in July 2006.

Cr Hogbin declared a conflict of interest due to his company is the honorary auditor for the organisation in question. He vacated the chambers and did not participate in the discussion or voting.

- 137 RESOLVED** (Ovens/McKelvey):
1. That a loan of up to \$29,000 be made to the Englands Park Tennis Club in 2006/07, with the final amount to be determined after a decision is made in relation to their grant application.

2. That the loan be on the following terms:
 - Interest rate of 6.5%; and
 - Repayable over 18 months, by monthly instalments by direct bank transfer.

Cr Hogbin returned to the chamber at 7.55pm.

B30 HARBOURSIDE PRECINCT - AGREEMENT WITH NSW DEPARTMENT OF LANDS

To obtain consent to enter into an Agreement with the NSW Department of Lands regarding the preparation and implementation of a Master Plan for the Harbourside Precinct.

Cr's Hogbin/ Ovens & Palmer declared pecuniary interests, vacated the chamber and did not participate in the discussion or voting. The nature of interest was property ownership in the Jetty area.

- 138 RESOLVED** (Bonfield/Featherstone) that Council enter into the Agreement titled "Harbourside Precinct Coffs Harbour Memorandum of Understanding" (as contained in the attachment to the report) with the NSW Department of Lands, to prepare and implement a Master Plan for the Harbourside Precinct.

Cr's Hogbin/ Oven & Palmer returned to the chamber at 8.05pm.

CORPORATE SERVICES COMMITTEE REPORTS

F52 DEVELOPER CONTRIBUTION PLANS REVIEW

To present to Council various draft Developer Contributions Plans, which contain minor amendments. This report recommends that the plans be adopted.

- 139 RESOLVED** (McKelvey/Bonfield):
1. That, in accordance with Clause 31 (1) of the EP & A Regulation, the Draft Developer Contributions Plans for Surf Rescue Equipment, Moonee Release Area, Korora Rural Residential Area, West Coffs Release Area, Coffs Harbour Road Network, West Woolgoolga Release Area, Regional District & Neighbourhood Facilities, Roads & Trunk Drainage, and Boambee Creek Release Area as circulated, be adopted
 2. That formal notification of the adoption of the plans be advertised in the local newspaper.

F53 COUNCILLORS' EXPENSES JANUARY TO JUNE 2005

To report to Council on those expenses that Councillors have chosen to claim for the period January to June 2005.

- 140 RESOLVED** (Bonfield/Palmer) that the report be noted, and expenses omitted of \$674.91 for Councillor Hogbin's attendance with a Council delegation to Townsville also be noted.

F54 DONATIONS PROGRAM 2005/2006

Determination of the Donations Program for 2005/2006 and review of the current Donations Policy.

- 141 RESOLVED** (Bonfield/Joass) that

1. The "Donations" and "Rates Subsidy" programs for 2005/2006 as set out in the report, totalling \$59,190 be adopted.
2. The proposed Donations Policy be confirmed.
3. That consideration be given to adjusting the "Donations" and "Rates Subsidy" votes for 2006/2007 to reflect CPI increases.

F55 2005 LOCAL GOVERNMENT ANNUAL CONFERENCE

Report advising of distribution of 2005 conference information.

- 142 RESOLVED** (McKelvey/Palmer):

1. That Council approve the attendance of Councillors wishing to attend the Local Government Association Conference in Mudgee and delegate to the Mayor and General Manager determination of voting delegates.
2. That Councillors submit any issues seeking to amend, introduce, reaffirm or delete any Local Government Association policies to the General Manager as soon as possible but prior to 1 September 2005.

The following motions for submission to the Local Government Association conference were noted:

Cr Rhoades: That the State Govt review the method for rate pegging in NSW.

Cr Palmer: That Govt should be obliged to gift Crown Lands wherein community benefits occur and on projects of State significance.

F56 ONE LOCAL GOVERNMENT ASSOCIATION IN NSW - OPTIONS PAPER

To seek Council's support to form one Local Government Association in NSW.

143 RESOLVED (McKelvey/Featherstone):

1. That Council note the options paper provided by the Association.
2. That Council support the move to one Local Government Association in NSW as the basis for future effective and efficient representation and management of the Association for its member Councils.
3. That Council support Option 1 with regard to composition and election of the Executive as it delivers equal representation between Country Councils and Metro Councils and a more manageable overall size to the Executive of 25.
4. That Option 1 acknowledges the differences in representation between Metro, Lower Hunter, South Coast/ Illawarra and the smallest Country zone due to their special disadvantages of distance and other disabilities.

F57 OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

144 RESOLVED (Bonfield/Palmer) that the report be noted.

F58 BANK BALANCES AND INVESTMENTS AS AT 30 JUNE 2005

To list Council's Bank Balances and Investments as at 30 June 2005.

145 RESOLVED (Palmer/Joass) that the bank balances and investments totalling one hundred and fifteen million, sixty two thousand, six hundred and twenty nine dollars (\$115,062,629) as at 30 June 2005 be noted.

REQUESTS FOR LEAVE OF ABSENCE

146 RESOLVED (Joass/Bonfield) that Cr Featherstone, Rhoades & Palmer be granted leave of absence from Council on 1 September 2005.

QUESTIONS WITHOUT NOTICE

1. Beach Access

Cr Ovens voiced the frustrations of a community member with regards to the restriction of beach access at the railway line adjoining the Coffs Harbour race-course, and questioned whether this was the result of Council works.

Director of City Services took the question on notice.

Cr Ovens questioned whether Council has pursued permanent beach access through State Rail, as previously discussed.

The General Manager indicated that permanent access will not be possible.

2. Private Property Boundary Issues

Cr Bonfield questioned whether conflicts over fencing and tree removal on private property are civil or council matters.

Director of Planning, Environment & Development indicated that these issues would generally be civil matters, however with regards to tree removal, the size of the property would determine whether Council's Tree Preservation Order applies.

3. Multi-Purpose Centre

Cr Palmer questioned whether the proposed Multi-Purpose Facility would be able to host eisteddford events.

The General Manager indicated that the contract Architect will evaluate the potential uses of the facility, however the Multi-Purpose Centre was not initially intended as a Performing Arts Centre.

Cr Bonfield indicated that the Arts & Cultural Committee discussed eisteddford events being held at SPORTZ Central.

4. Jetty Oval

Cr Palmer questioned the intended use of the remaining land at the Jetty Oval if the proposed extension of the Pet Porpoise Pool goes ahead.

The Director of City Business Units indicated that the entire Jetty Oval will be utilised in the proposed developments. However discussions have been held with the cricket association, and the fields at Combine St & Englands Park have been identified as alternatives to the Jetty Oval.

5. Bonville International Golf Club

Cr Palmer asked if a site inspection of the Bonville International Golf Club could be organised to enable Councillors to gain a better appreciation of the Golf Club's proposal outlined in Agenda Item PED25 – Request for Residential Rezonings of Lands at Big Banana and Bonville International Golf Resort Sites.

The General Manager undertook to organise a site inspection as requested.

6. Contract Assessment

Cr Featherstone asked if a Councillor briefing could be organised to discuss the process for assessing supply contracts, and in particular the criteria, weighting & scores.

The General Manager undertook to organise a Councillor briefing as requested.

7. Coffs Coast Marketing

Cr McKelvey asked why Coffs Coast Marketing have recently produced promotional banners which do not match the standard design for the Coffs Coast, that was agreed upon.

The General Manager indicated that the design (as displayed by Cr McKelvey) was not intended to be used for everything and is considered more suitable for desktop applications rather than banners.

8. Section 94 Funding – Jetty Area Parking

Cr Hogbin asked for an update on the progress of the Section 94 plan for parking in the Jetty area and a likely implementation date.

The Director of Planning, Environment & Development indicated that a multi-disciplinary team are looking at the financial viability of Section 94 plan and potential parking sites are currently being identified.

The Director of City Services advised that November/ December 2005 is a potential completion date and undertook to update Councillors in a briefing session in September 2005.

Cr Ovens questioned whether this process will hold up Development Applications in the Jetty area.

The Director of Planning, Environment & Development indicated that there could be an impact on new applications and undertook to report back to Council in October 2005.

9. Community Concerns re: Proposed RTA Route

Cr Ovens questioned whether a copy of CD presentation given by Wayne Clouten, at the public forum, could be obtained and forwarded to the two local members of parliament.

The General Manager agreed to co-ordinate this request.

10. Public Liability Insurance

Cr Ovens asked for a report on Public Liability Insurance for users of Council facilities.

Director of Corporate Services undertook to report back to Council on this issue.

11. Funding – Western Bypass

Cr Smithers asked whether three way funding could be pursued for a Western Bypass using the same model as the Hogbin Drive funding?

The General Manager indicated that this would not be possible because Council does not have funds available to contribute to such a plan.

GENERAL BUSINESS

1. Multi-Purpose Facility – Port Macquarie

After attending a presentation on the Multi-purpose facility in Port Macquarie, Cr Smithers advised that it was 30% funded by Section 94's, and asked whether Council had considered securing Section 94 funds for the proposed Brelsford Park facility.

The General Manager indicated that Section 94 funds can be secured for the element of any new facility which relates to development that occurs.

Cr Smithers then asked the Councillors if they were interested in hearing the presentation on the Port Macquarie Multi-purpose facility. Following a positive response from the Councillors, Cr Smithers asked the General Manager to contact Craig Milburn to organise the presentation.

The General Manager undertook to organise the presentation.

2. Brelsford Park

Cr Ovens asked how Section 94 funds would be levied for Brelsford Park.

The General Manager indicated that Section 94 funds would be levied on the section of any new development which generates a demand for regional facilities.

3. Woolgoolga Industrial Estate

Cr McKelvey indicated that storage facilities in the Woolgoolga Industrial Estate are being used for residential purposes, and asked for Council's view on this practice.

The General Manager took this question on notice.

4. Hogbin Drive

Cr McKelvey asked Council to provide cost estimates for different types of bridge structures versus compacting solid base fill, prior to finalisation of any plans for the Hogbin Drive missing link in order to identify an economically viable method of crossing Coffs Creek whilst minimising disturbance of vegetation as well as minimising drainage of the catchment.

5. Koala Fencing

Cr McKelvey forecast a notice of motion. WIRES records for the past six weeks have recorded the unsustainable and unacceptable deaths of eight koalas in the Local Government Area. Cr McKelvey requested that Council honour a long standing commitment to provide protective Koala fencing along the Hogbin Drive 'black spots'. The intent of the 'Notice of Motion' is for Council to seek support from the business community and commercial sponsors to sponsor sections of the fence.

CLOSED MEETING – SECTION 10(A)

The Mayor requested a motion to close the meeting to consider a confidential reports as outlined in the meeting agenda, the time was 8.50pm.

- 147** **RESOLVED** (Ovens/Bonfield) that the meeting be closed to the press and public during consideration of the following items for the reason as stated:

MAYORAL MINUTE 12: APPOINTMENT OF AN ACTING GENERAL MANAGER was confidential for the reason of Section 10A(2a): Personnel matters concerning particular individuals.

B29: REVIEW OF AIRPORT LANDING FEES was confidential for the reason of Section 10A(2c): information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

PED28: HARBOURSIDE PROJECT – APPOINTMENT OF A CONSULTANT TO UNDERTAKE THE PROJECT was confidential for the reason of Section 10A(2d)(i): Contained commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

The press and public vacated the chamber.

CITY BUSINESS UNITS DEPARTMENT REPORT

B29 REVIEW OF AIRPORT LANDING FEES

The purpose of this report is to make Council aware of the market shift in Regular Public Transport (RPT) air services for Coffs Harbour and to recommend that airport landing fees be altered in recognition of these changes.

- 148** **RESOLVED**(Ovens/Bonfield) that It is recommended that current airport landing fees for Regular Public Transport services be capped at 24 landings per week for each operator to commence from 1 July 2005 and to remain in place for the rest of the 2005/06 financial year.

Members of the press and public were excluded from consideration of the above item, the reason being it contained information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORT

PED28 HARBOURSIDE PROJECT - APPOINTMENT OF A CONSULTANT TO UNDERTAKE THE PROJECT

This report was deferred from Council's meeting of 21 July 2005.

This report seeks Council's approval to engage a Consultant to undertake the preparation of a Masterplan and Development Control Plans for the Harbourside area. The report recommends the engagement of Pittendrigh Shinkfield Bruce (PSB) as the successful consultant following calls for Expressions of Interest in the Harbourside Project, and subsequent assessment of responses received to the Project Brief.

Cr's Ovens/ Hogbin/ Palmer declared a pecuniary interest, vacated the chamber and took no part in discussion or voting. The nature of interest was property ownership in the Jetty area.

149 RESOLVED (Bonfield/Joass):

1. That Council endorse the engagement of Pittendrigh Shinkfield Bruce (PSB) as the Consultant to undertake the Harbourside Project Masterplan and subsequent Development Control Plans.
2. That contract documents be executed under the Common Seal of Council.

Cr's Ovens/ Hogbin/ Palmer returned to the chamber at 9.05pm.

Members of the press and public were excluded from consideration of the above item, the reason being that it contained commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

MAYORAL MINUTE

12 APPOINTMENT OF AN ACTING GENERAL MANAGER

To appoint a General Manager to act for the period of time to allow Council to undertake the process and appointment to the vacant position of General Manager.

MOTION

MOVED (Rhoades):

1. That Council appoint Stephen Michael Sawtell as General Manager of Coffs Harbour City Council to act in the position in accordance with S.336(1) of the Local Government Act.
2. That the term of this appointment commence on 1 September 2005 and concludes on the appointment of a new General Manager to fill the vacancy.

3. That the delegations of the Council to the General Manager as attached be delegated to Stephen Michael Sawtell for the duration of this appointment.

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

FURTHER MOTION

150 RESOLVED (Rhoades) :

1. That Council appoint Stephen Michael Sawtell as General Manager of Coffs Harbour City Council to act in the position in accordance with S.336(1) of the Local Government Act.
2. That the term of this appointment be from 1 September 2005 until 31 December 2005.
3. That the delegations of the Council to the General Manager as attached be delegated to Stephen Michael Sawtell for the duration of this appointment.

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

SUPPLEMENTARY MOTION

151 RESOLVED (Rhoades) that the Acting General Manager's remuneration be the existing Directors salary package plus an allowance of \$600 per week whilst acting in the position.

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

Members of the press and public were excluded from consideration of the above item, the reason being that it contained personnel matters concerning particular individuals.

OPEN MEETING

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

152 RESOLVED (Rhoades) that Council return to Open Council.

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

This concluded the business and the meeting closed at 9.30pm.

Confirmed:

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K D Rhoades
Mayor