

The following document is the minutes of the Council and Committee meetings held on 21 June 2007. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 5 July 2007 and therefore subject to change. Please refer to minutes of 5 July 2007 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(CORPORATE BUSINESS COMMITTEE)

COUNCIL CHAMBERS

COUNCIL ADMINISTRATION BUILDING

COFF AND CASTLE STREETS, COFFS HARBOUR

21 JUNE 2007

Contents

ITEM	DESCRIPTION	PAGE
GENERAL MANAGERS REPORTS		
12	2007/ 2010 MANAGEMENT PLAN	2
13	QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 31 MARCH 2007	3
CORPORATE BUSINESS		
C37	MONTHLY BUDGET REVIEW FOR APRIL 2007	4
C38	LOCAL GOVERNMENT REMUNERATION TRIBUNAL	4
C39	HARBOURSIDE MARKET PROPOSAL - COFFS HARBOUR JETTY FORESHORE	5
C40	BUSINESS TOURISM	5

ITEM	DESCRIPTION	PAGE
C41	PROPOSAL TO CREATE A YEARLY 24 HOUR SPECIAL EVENT ALCOHOL FREE ZONE FOR THE CARLTON DRAUGHT COFFS HARBOUR GOLD CUP ALONG HOWARD STREET	6
C42	SISTER CITY/ COUNTRY RELATIONSHIPS WITHIN NSW	6
C43	OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION	6
C44	BANK BALANCES AND INVESTMENTS FOR APRIL 2007	7

LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORT

LUHD25	DEVELOPMENT APPLICATION 989/07 - OFFICE PREMISES, ASSOCIATED PARKING, ACCESS, SERVICES AND LANDSCAPING - LOT 1, DP 1015730 - NO. 252 PACIFIC HIGHWAY NORTH, COFFS HARBOUR	7
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CITY SERVICES DEPARTMENT REPORTS

S35	ASSET MANAGEMENT PLANNING FOR NSW LOCAL GOVERNMENT	7
S36	TENDER: PLANT REPLACEMENT PROGRAM - SUPPLY OF ONE LONG REACH EXCAVATOR, CONTRACT 06/07-314-TO	8
S37	SENATE INQUIRY INTO ADDITIONAL WATER SUPPLIES FOR SOUTH EAST QUEENSLAND	8
S38	HUMPBACK WHALE MIGRATION ICON PROJECT	9
S39	COFFS HARBOUR INFRASTRUCTURE ALLIANCE	9



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(CORPORATE BUSINESS COMMITTEE)

21 JUNE 2007

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

Staff: General Manager, Assistant General Manager/ Director Corporate Business, Director Land Use, Health and Development, Director of City Services and Executive Assistant, Finance Manager, Executive Manager – Business Units & Executive Manager – Administration and Economic Development.

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

APOLOGY

- 73 **RESOLVED** (Joass/McKelvey) that an apology received from Cr J C Bonfield for unavoidable absence be received and leave be granted for the current meeting of Council.

PUBLIC ADDRESSES

Time	Speaker	Item
5.00pm	David Ryan Planning Workshop Australia	LUHD25 – Development Application 989/07 - Office Premises, Associated Parking, Access, Services and Landscaping - Lot 1, DP 1015730 - No. 252 Pacific Highway North, Coffs Harbour
5.05pm	Steve Gooley Bachrach Pty Ltd	LUHD25 – Development Application 989/07 - Office Premises, Associated Parking, Access, Services and Landscaping - Lot 1, DP 1015730 - No. 252 Pacific Highway North, Coffs Harbour
5.10pm	Kim Towner	C39 – Harbourside Market Proposal – Coffs Harbour Jetty Foreshores)

Following the public addresses a petition against C39 – Harbourside Market Proposal – Coffs Harbour Jetty Foreshores, submitted by Zeneck Duks, Manager of the markets which operate from the Big W carpark, was tabled.

CONFIRMATION AND ADOPTION OF MINUTES

- 74 **RESOLVED** (Joass/Palmer) that the minutes of the Land Use, Health & Development Committee Meeting held on 7 June 2007 be confirmed as a true and correct record of proceedings.
- 75 **RESOLVED** (Palmer/Joass) that the minutes of the City Services Committee Meeting held on 7 June 2007 be confirmed as a true and correct record of proceedings.

GENERAL MANAGERS REPORTS

12 2007/ 2010 MANAGEMENT PLAN

To present Council with the Final Draft 2007/2010 Management Plan (including Final Draft Program Budgets) and Final Draft 2007/2008 Fees and Charges for consideration and adoption as the 2007/2010 Management Plan and 2007/2008 Fees and Charges.

- 76 **RESOLVED** (Hogbin/Smithers) that:
1. The 2007/2010 Management Plan be adopted with amendments as detailed in the Issues section of this report, with the following estimated budget results:
 - General Account: Balanced Budget
 - Water Account: \$2,514,877 (Deficit)
 - Sewer Account: \$2,900,460 (Deficit)
 2. The 2007/2008 Fees and Charges be adopted with amendments as detailed in the Issues section of this report.
 3. Council notes the issues raised and the proposed responses to community submissions to the Draft 2007/2010 Management Plan, and all those who have made submissions be thanked and informed of Council's decision.
 4. Council continue to lobby the NSW and Federal Government for assistance in funding additional works and services in the local government sector.
 5. Council write to both state and federal ministers for local government, highlighting those projects that have been deleted and provide a list of those important community projects that we are unable to fund.

13 QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 31 MARCH 2007

To report on the achievement of customer service guarantees and performance targets for the January to March 2007 quarter.

77 RESOLVED (Ovens/Palmer) that:

1. Council adopt the revised strategies and performance indicators in the 2006-2009 Management Plan as outlined in the Issues section of this report.
2. Council note the issues surrounding those measures that have not been achieved for the period ending 31 March 2007, as listed in the body of this report.
3. Council note the achievements of customer service guarantees, as outlined in Attachment 1 of the General Manager's Report for the January to March 2007 quarter.
4. Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the January to March 2007 quarter.
5. Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councillors' Room for the January to March 2007.
6. Council continues to monitor its performance with a view to improving service delivery.

CORPORATE BUSINESS COMMITTEE

78 RESOLVED (Joass/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.59pm.

The Mayor invited Councillor Hogbin to chair the Corporate Business Committee.

Items C39 and LUHD25 were brought forward for discussion as they were the topic of public addresses. Please refer to pages 5 and 7 respectively, for details.

CORPORATE BUSINESS DEPARTMENT REPORTS

C37 MONTHLY BUDGET REVIEW FOR APRIL 2007

To report on the estimated budget position as at 30 April 2007.

CB47 RECOMMENDED (McKelvey/Palmer) that:

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 30 April 2007 be noted:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 29th June 2006	Nil	49,713 (D)	77,342 (S)
Approved variations to 31 March 2007	331,101 (D)	1,051,829 (S)	971,664 (S)
Recommended variations for April per attached exception report	304,487 (S)	1,197,164 (D)	731,060 (S)
Estimated result 2006/07 as at 30 April 2007	<u>26,614</u> (D)	<u>195,048</u> (D)	<u>1,780,066</u> (S)

C38 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

To advise Council of a determination by the Local Government Remuneration Tribunal of fees for Councillors and Mayors for 2007/08.

CB48 RECOMMENDED (McKelvey/Smithers) that:

1. Pursuant to the provisions of Sections 248 and 249 of the Local Government Act 1993, the annual fee for Councillors be fixed at \$14,540 for the 2007/08 financial year.
2. An additional annual fee for the position of Mayor be set at \$31,740 for the 2007/08 financial year.

**C39 HARBOURSIDE MARKET PROPOSAL - COFFS HARBOUR JETTY
FORESHORE**

Cr Palmer declared a pecuniary interest in the matter as he is a unit holder in one of the other markets in town, vacated the chamber at 6.01pm, and took no part in the discussion or voting.

Seeking approval for the grant of a licence to Ms Kim Towner, trading as Harbourside Markets Coffs Harbour, for the establishment and operation of a proposed new open air market to be held each Sunday at the Coffs Harbour Jetty area.

CB45 RECOMMENDED (McKelvey/Joass) that:

1. Council, as Corporate manager of the Coffs Coast State Park Trust, approve the grant of a Temporary Licence in accordance with the provisions of the Crown Lands Act 1989 to Ms Kim Towner for the establishment and operation of the proposed 'Coffs Harbour Harbourside Markets' at Coffs Harbour Foreshore area, and being that part of Crown Reserve 140102 indicated by hatching on the plan attached to this report.
2. The Licence be granted in accordance with the terms and conditions as outlined in the body of this report.
3. All necessary documents associated with the grant of the Temporary Licence to Ms Kim Towner in respect of part Crown Reserve 140102 be executed under the Common Seal of Council.

Cr Palmer returned to the meeting at 6.08pm.

C40 BUSINESS TOURISM

To advise Council of the review of conference and meetings promotions systems and to recommend a way ahead for Coffs Coast business tourism promotion.

CB49 RECOMMENDED (Smithers/McKelvey) that

1. That Council note the report and through Coffs Coast Marketing continue to manage the ongoing promotion of Coffs Coast as a business tourism destination.
2. That Council not support, the implementation of a Convention Bureau by Council at this stage but continue to consider any submissions for private development in association with any accommodation houses etc.
3. That the structure be periodically reviewed to best practice and improved operating efficiency.

C41 PROPOSAL TO CREATE A YEARLY 24 HOUR SPECIAL EVENT ALCOHOL FREE ZONE FOR THE CARLTON DRAUGHT COFFS HARBOUR GOLD CUP ALONG HOWARD STREET

To report on a proposal submitted by the Coffs Harbour Racing Club Ltd and NSW Police to create a yearly 24 hour Special Event Alcohol Free Zone for the Carlton Draught Coffs Harbour Gold Cup.

CB50 RECOMMENDED (Ovens/Joass) that:

1. Council undertake public consultation on the creation of the 24 hour Special Event Alcohol Free Zone coinciding with the Carlton Draught Coffs Harbour Gold Cup along Howard Street as identified on the plan attached to this report.
2. Subject to no substantial objections being received Council establish a Special Event Alcohol Free Zone for commencement on 2 August 2007.
3. Council reviews the Special Event Alcohol Free Zone with the existing Alcohol Free Zones enforceable to 30 September 2008 to determine an extension of their operation.

C42 SISTER CITY/ COUNTRY RELATIONSHIPS WITHIN NSW

To propose to Council that it investigate the opportunity to form a Sister City/ Country Relationship.

CB51 RECOMMENDED (Ovens/Joass) that:

1. Council agree in principle to forming a Community Relationship with a rural council.
2. The General Manager investigate and report back to Council on the formation of a community relationship with a nominated Council.

C43 OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

CB52 RECOMMENDED (Joass/McKelvey) that the report be noted.

C44 BANK BALANCES AND INVESTMENTS FOR APRIL 2007

To list Council's Bank Balances and Investments as at 30 April 2007.

- CB53 RECOMMENDED** (Joass/Smithers) that the bank balances and investments totalling one hundred and forty six million, eighty seven thousand, three hundred and seventy nine dollars (\$146,087,379) as at 30 April 2007 be noted.

LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORT

LUHD25 DEVELOPMENT APPLICATION 989/07 - OFFICE PREMISES, ASSOCIATED PARKING, ACCESS, SERVICES AND LANDSCAPING - LOT 1, DP 1015730 - NO. 252 PACIFIC HIGHWAY NORTH, COFFS HARBOUR

This report recommends conditional approval of Development Application 989/07 for the construction of a commercial development comprising a gross floor area (GFA) of 4,987m² of office premises, associated carparking, access, services and landscaping at Lot 1, DP 1015730, No. 252 Pacific Highway North, Coffs Harbour.

- CB46 RECOMMENDED** (Featherstone/McKelvey) that:

1. Development Application 989/07 – Office premises, associated parking, access, services and landscaping on Lot 1, DP 1015730, No. 252 Pacific Highway North, Coffs Harbour be approved subject to conditions as appended to this report (Appendix C).
2. Those persons who made submissions on the application be advised of Council's determination.

CITY SERVICES DEPARTMENT REPORTS

S35 ASSET MANAGEMENT PLANNING FOR NSW LOCAL GOVERNMENT

To advise Council of the release of the Department of Local Government's position paper entitled '*Asset Management Planning for NSW Local Government*' and to recommend that Council support the recommendations of the position paper and commence their implementation over the next 12 months.

- CB54 RECOMMENDED** (Featherstone/Smithers) that:

1. Council note that the Department of Local Government has released a position paper entitled '*Asset Management Planning for NSW Local Government*'.

S35 Asset Management Planning For Nsw Local Government ...(Cont'd)

2. Council provide 'in principle' support to the recommendations of the position paper on Asset Management Planning for NSW Local Government and in doing so noting Council's concern at the State and Federal Government's lack of funding to asset replacement.
3. Council commence the implementation of the draft recommendations where applicable
4. Council request State and Local Members to lobby State and Federal Governments for funding to meet the gap in asset replacement and in implementing the recommendations of the position paper on Asset Management Planning for NSW Local Government.

S36 TENDER: PLANT REPLACEMENT PROGRAM - SUPPLY OF ONE LONG REACH EXCAVATOR, CONTRACT 06/07-314-TO

To advise Council of tenders received for the purchase of a long reach excavator and recommend an appropriate course of action.

CB55 RECOMMENDED (McKelvey/Ovens) that:

1. Council not accept the non-complying tender submitted by WesTrac Pty Ltd, ABN 63 009 342 572 for the purchase of one Longreach excavator.
2. Council resolve to delegate to the General Manager the power to enter into negotiations with any supplier for this purchase with view to entering into a contract in relation to the Longreach excavator on the basis that the competitive tendering process failed to produce a acceptable result.
3. Council carry over Funds within the Plant Fund budget to purchase equipment in the 2007/2008 financial year for the excavator.

S37 SENATE INQUIRY INTO ADDITIONAL WATER SUPPLIES FOR SOUTH EAST QUEENSLAND

To update Council on the current status of proposal to further dam the Clarence River catchment with a view to provide water for South East Queensland and to seek approval to give Council support for Clarence Valley Council's submission to the Senate Inquiry.

CB56 RECOMMENDED (Palmer/Joass) that Council write to the Senate Inquiry supporting Clarence Valley Council's submission to the Inquiry into Additional Water Supplies to South East Queensland.

S38 HUMPBACK WHALE MIGRATION ICON PROJECT

To discuss Council participation in the Humpback Whale Migration Icon Project.

CB57 RECOMMENDED (McKelvey/Joass) that:

1. Council agrees to participate in the Humpback Whale Migration Icon Project and adopt an unnamed whale as Coffs Harbour's local whale.
2. Council seeks input from the community to name the city's adopted whale and submissions in the naming of the whale close on 13 July 2007.
3. Council explores ways it can work with the Coffs Harbour Youth Environment Council, Korora Public School and other schools, and interested community groups to implement the project.
4. A report be submitted to Council after 13 July 2007 with the community's suggested whale names for Council to debate and decide on a name for the city's adopted whale.
5. That provision of \$2,500 be noted in the 2007/2008 budget for the creation and installation of a banner, promotion, publicity and festival day activities associated with the Humpback Whale Migration Icon Project.

S39 COFFS HARBOUR INFRASTRUCTURE ALLIANCE

To update Council on the current status of the Total Outturn Cost (TOC) negotiations with the CIA (Coffs Infrastructure Alliance) relating to Coffs Harbour Water Treatment Plant and to recommend that the General Manager be given delegated authority to sign the amended PAA Agreement to incorporate the WTP.

CB58 RECOMMENDED (Ovens/Palmer) that:

1. Subject to a satisfactory Total Outturn Cost for the Coffs Harbour Water Treatment Plant being agreed between the Alliance Contractor and Council, the General Manager be given delegated authority to sign the PAA on behalf of Council.
2. Council approve the expenditure of up to \$9.0M for design, preliminaries and early procurement of long lead time pieces of equipment.

CONCLUSION OF CORPORATE BUSINESS COMMITTEE MEETING

The Chairperson advised that the business of the Corporate Business Committee had concluded and requested a motion to close the Committee meeting and move into Open Council.

- CB59 RECOMMENDED** (Joass/Palmer) that the Committee now move into Open Council.

The chairperson invited the Mayor to resume the chair. The Mayor resumed chairmanship of the meeting at 6.34pm.

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

- 79 RESOLVED** (Palmer/Joass) that the recommendations of the Corporate Business Committee meeting be received and adopted.

REQUESTS FOR LEAVE OF ABSENCE

- 80 RESOLVED** by consent that Cr Rhoades be absent from Council on 5 July 2007.

MATTERS OF AN URGENT NATURE

1. Vandalism

Cr Ovens raised concerns about the level of vandalism in the city following an arson attack on the bus terminal adjacent to the Visitor Information Centre, and asked for a report to be brought back on Council's rights under the civil code to force the culprits to pay for damages.

The General Manager agreed to report back.

QUESTIONS WITHOUT NOTICE

1. Signage

Cr Palmer asked for an update with regards to the process of eliminating certain signs around the City, as not all businesses are complying with orders to remove signage.

The Director of Land Use, Health & Development indicated that most of the non compliance relates to the large companies who rent out the signs, such as the billboards on highway, and Council will meet with these companies to discuss the issues. Also the removal of A-frame signs from the commercial areas has been delayed due to a complaint lodged with the Human Rights Commission relating to shopfront access. A report will be submitted to Council within the next month on this issue.

2. Farm Machine Heritage Museum

Cr Palmer asked if a suitable site has been found for the proposed Farm Machine Heritage Museum.

The General Manager indicated that a couple of options are currently being investigated, and discussions have been held with Glenreagh Mountain Railway and the Department of Lands to secure a site and obtain federal funding. A report will be brought back to Council.

3. Roadworks

Cr Hogbin requested that the section of Harbour Drive displaying outdated line markings be attended to before an accident occurs.

The Mayor noted that the section of road in question is scheduled to be hot sealed in the first week of July, and supported Cr Hogbin's request to have it line marked as a matter of urgency.

4. Traffic Issues

Cr McKelvey suggested the sign prior to the airport roundabout on Hogbin Drive which currently states "keep left unless overtaking" be replaced with "airport traffic – left lane", as it is difficult for vehicles to merge into the right hand lane in heavy traffic conditions.

The General Manager agreed to investigate this matter.

GENERAL BUSINESS

1. Corporate Challenge – Biggest Winner

Cr Hogbin congratulated the staff who participated in Council's Health & Wellbeing Corporate Challenge – Biggest Winner program, which was designed to promote health and fitness amongst the workforce. It was noted that participants lost a combined weight of 0.4 tonnes over the three months of the challenge.

2. Public Pools

Cr Rhoades requested an update with regards to the Coffs Harbour and Sawtell public pools.

The General Manager indicated that negotiations are currently underway with both of the lessees.

3. Mental Health Unit

Cr Rhoades advised that the development application for the new Mental Health Unit has been signed and stated that the Mental Health Unit will be a great addition to the Health Campus.

4. Health Campus Carparking

Cr Palmer asked that Council enter discussions with the Department of Health, with regards to an elevated carpark being built at the Health Campus.

The General Manager indicated Council will continue to raise this issue, as it has done during previous meetings with the Department of Health, however budgetary constraints have inhibited this project to date.

This concluded the business and the meeting closed at 6.52pm.

Confirmed 5 July 2007

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Keith Rhoades AFSM
Mayor