

The following document is the minutes of the Council and Committee meetings held on 20 September 2007. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 4 October 2007 and therefore subject to change. Please refer to minutes of 4 October 2007 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(CORPORATE BUSINESS COMMITTEE)

COUNCIL CHAMBERS

COUNCIL ADMINISTRATION BUILDING

COFF AND CASTLE STREETS, COFFS HARBOUR

20 SEPTEMBER 2007

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(CORPORATE BUSINESS COMMITTEE)

20 SEPTEMBER 2007

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

Leave of Absence: Cr W D Featherstone & I J Ovens

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

PRESENTATION

The Mayor presented Terry Shorten, and his wife Gae, with gifts in recognition and with gratitude for Terry's 43½ years of service to Local Government, prior to his retirement on 28 September 2007.

CONFIRMATION AND ADOPTION OF MINUTES

- 114 **RESOLVED** (Palmer/Joass) that the minutes of the Land Use, Health & Development Committee Meeting held on 6 September 2007 be confirmed as a true and correct record of proceedings, with the following amendment:

Cr Ovens be removed from the Leave of Absence section and recorded as an apology.

- 115 **RESOLVED** (Palmer/Joass) that the minutes of the City Services Committee Meeting held on 6 September 2007 be confirmed as a true and correct record of proceedings, with the following amendment:

Cr Ovens be removed from the Leave of Absence section and recorded as an apology.

GENERAL MANAGER'S REPORTS

17 ENVIRONMENTAL LEVY PROJECTS REPORT 2006/07

To provide Council with a status report on the projects funded under the Environmental Levy (EL) Program.

- 116 **RESOLVED** (McKelvey/Smithers) that:

1. Council notes the status of Environmental Levy Projects as at 30 June 2007 as outline in attachment "A".
2. The following projects' over expenditures be allocated from the funding pool of the Environmental Levy Reserve.

Project	Deficit Funds
	\$
Rivercare (Revegetation) Works	6,077
Sustainable Management of Biodiversity in the Coffs LGA	3,652
Coffs Harbour Glory Lily Project	1,269
Eradication of Madeira Vine adjacent to Coffs Creek	228
Environmental Weed Control – Roadside Camphor Laurel	1,359
Environmental Levy Coordination	1,320
Clearing Gross Pollutant Traps	3,874
Total	17,779

3. The following projects' surplus funds be returned to the funding pool for funding of future projects.

Project	Surplus Funds
	\$
Orara River Camphor/Privot Control	6,077
Sandy Beach Fence Stage 2	2,492
Native Seed Bank Support	2,357
Lowanna to Little Nymboida River Woody Weed	638
Lowanna River Park	678
Corindi/Red Rock Projects	227
Environmental Weed Control – Camphor Laurel Removal	1,359
Environmental Weed Control – Glory Lily	1,269
Total	15,097

17 Environmental Levy Projects Report 2006/07 ...(Cont'd)

4. A review of the 2007/08 program be undertaken with a view to eliminating the funding shortfall estimated at \$16,721.
5. That Council continues to monitor the Environmental Levy Program to ensure the earliest completion of projects.

18 NAMING PROPOSAL FOR HOGBIN DRIVE NORTH ROAD BRIDGE OVER COFFS CREEK

To report on the recommendation of Council's appointed working party on public proposals received for naming the Hogbin Drive North road bridge over Coffs Creek.

117 RECOMMENDED (Palmer/Joass) that Council:

1. approves *Bangalor* as the bridge name for Hogbin Drive over Coffs Creek
2. seeks the concurrence of the RTA
3. notifies Australia Post, the Registrar-General and the Surveyor-General of the Department of Lands of this decision
4. develops a policy for the dual naming of geographical and environmental features and its application across the local government area

CORPORATE BUSINESS COMMITTEE

118 RESOLVED (Palmer/Smithers) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.17pm.

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

CORPORATE BUSINESS DEPARTMENT REPORTS

C61 MONTHLY BUDGET REVIEW FOR JUNE 2007

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

CB80 RECOMMENDED (Smithers/Joass) that:

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

Estimated Budget Position as at 30 June 2007:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 29th June 2006	Nil	49,713 (D)	77,342 (S)
Approved variations to 31 May 2007	26,614 (D)	145,335 (D)	1,702,724 (S)
Recommended variations for June per attached exception report	Nil	Nil	Nil
Estimated result 2006/07 as at 30 June 2007	<u>26,614 (D)</u>	<u>195,048 (D)</u>	<u>1,780,066 (S)</u>

C62 FINANCIAL RESULT FOR YEAR ENDED 30 JUNE 2007

To report on the final results of the financial position of various activities to the year ended 30 June 2007.

CB81 RECOMMENDED (Joass/Palmer) that:

1. The estimated results for the financial year 2006/07 be noted as follows:

	\$	
General Account	39,721	surplus
Water Account	45,362	surplus
Sewer Account	2,828,033	surplus

C62 Financial Result For Year Ended 30 June 2007 ...(Cont'd)

2. The various revotes from 2006/2007 to 2007/2008 as detailed in Attachment D as follows, be adopted.

SUMMARY	REVOTE \$	FUNDING			
		Revenue \$	External \$	Env Levy \$	Restricted Equity \$
General A/C	28,938,177	4,063,954	7,750,503	318,378	16,805,342
Water A/C	11,603,049	1,024,787			10,578,262
Sewer A/C	11,037,830	1,573,452	1,028,286		8,436,092

3. It is recommended that \$39,901 be allocated to Coffs Harbour boat ramp improvements.

C63 COUNCILLORS' EXPENSES JANUARY - JUNE 2007

To report to Council on those expenses of Councillors for the period January to June 2007.

- CB82 RECOMMENDED** (Smithers/Palmer) that the information be noted.

C64 NON ACCEPTANCE OF TENDERS FOR THE PROVISION OF AGENCY PAYMENTS 05/06-245-TO

The purpose of this report is to request that Council resolve not to accept any of the tenders for the Provision of Agency Payments (05/06-245-TO) and to invite fresh tenders based on an amended tender document in accordance with Clause 178 (3)(b) of the Local Government (General) Regulation 2005.

- CB83 RECOMMENDED** (Rhoades/Smithers) that Council not accept any of the tenders for Provision of Agency Payments 05/06-245-TO and that fresh tenders be called based on a revised tender document, in accordance with clause 178 (3)(b) of the Local Government (General) Regulation 2005.

C65 ORARA VALLEY COMMUNITY POOL, NANA GLEN

To obtain Council consent to the proposed leasing of the new Orara Valley Community Pool at Nana Glen.

CB84 RECOMMENDED (McKelvey/Joass) that:

1. Council accept the proposal as submitted by Michelle Irwin (t/as Glenreagh Swimming) and enter into a sub-lease agreement with the newly formed company to be established by her for the lease of Orara Valley Community Pool at Nana Glen, being Lot 10 DP 1096235, upon the general terms and conditions as indicated in the body of the report, with such sub-lease being subject to the consent of the Minister for Education and Training (as per the requirements of the head-lease held by Council).
2. Council agrees to pay the Sub-Lessee company a subsidy amount as submitted and reported in the confidential attachment for the 2007-2008 financial year and agree to the pool entry fees proposed by the Sub-Lessee.
3. A detailed review of the subsidy payment be undertaken with the Sub-Lessee at the end of the 2007-2008 swimming season to enable any required adjustments to be considered in the preparation of Council's 2008-2009 Management Plan.
4. Any necessary documents associated with the sub-lease of Orara Valley Community Pool at Nana Glen be executed under the Common Seal of Council.

C66 SUBDIVISION AND DISPOSAL OF RURAL LAND AT NANA GLEN

Report on the subdivision of Council land at Nana Glen and its subsequent sale along with two other adjoining Council properties.

Cr Bonfield declared a pecuniary interest due to her profession in real estate, vacated the chamber at 5.23pm and took no part in the discussion or voting.

CB85 RECOMMENDED (Rhoades/Joass) that:

1. Council proceed with the subdivision of the land as proposed in the report.
2. Council proceed with the sale of the five properties by private treaty.
3. The General Manager be given delegated authority to select an appropriate Real Estate Agent and negotiate a price reflective of the land's market value at this time.
4. All necessary documents associated with the matter be executed under the common seal of Council.

Cr Bonfield returned to the meeting, the time being 5.26pm.

**C67 ALLOCATION OF LAND FOR COMMUNITY TRANSPORT AND ST JOHN
AMBULANCE AT COFFS HARBOUR AIRPORT**

To seek Council approval to allocate a site in the Community Land Use precinct at Coffs Harbour Airport for the garaging of Community Vehicles and Equipment.

Cr Hogbin declared a pecuniary interest as he is part owner of a building currently leased by an organisation mentioned in the report, vacated the chamber at 5.28pm and took no part in the discussion or voting. Cr Rhoades chaired the meeting in Cr Hogbin's absence.

CB86 RECOMMENDED (Palmer/Smithers) that:

1. Council allocate a site at the Coffs Harbour Airport to be leased to Coffs Harbour, Bellingen & Nambucca Community Transport Inc. The land will be of approximately 2000m², from the land designated for Community Purposes in the Airport Land Use Plan, in the general location indicated on the plan attached to the report. The land will be for the purpose of constructing premises to run the operation and the garaging of vehicles and equipment.
2. The lease to be for a term of 20 years at a nominal rental of \$1 per annum to commence upon registration of the plan of subdivision that creates the land which is the subject of the lease.
3. The lease to contain a special condition that requires the Lessee to provide an area of the premises for the Coffs Harbour Division of St John's Ambulance Australia. The area should be suitable for the storage of vehicles, trailers and equipment, with the two organisations coming to suitable arrangements in relation to access, cost sharing, maintenance, etc.
4. Council provide a serviced site that is ready for building as soon as possible after the first stage of the subdivision of the Airport development lands has been completed.
5. By providing this facility, Council recognises the valuable community benefit that the Coffs Harbour, Bellingen and Nambucca Community Transport Inc and St John's Ambulance inject into the area by their respective services.
6. Any necessary documents be executed under the common seal of Council.

Cr Hogbin returned to the meeting, the time being 5.28pm.

C68 CARAVAN PARKS TOURIST ACCOMMODATION TARIFFS 2008/2009

To recommend the Tourist Accommodation Tariffs to be charged during the 2008/2009 period for Park Beach Holiday Park, Sawtell Beach Caravan Park, Woolgoolga Beach Caravan Park and Lakeside Caravan Park.

CB87 RECOMMENDED (McKelvey/Palmer) that the Tourist Tariffs attached to the report for -

- Park Beach Holiday Park
- Sawtell Beach Caravan Park
- Woolgoolga Beach Caravan Park
- Lakeside Caravan Park

be adopted effective 1 February 2008.

C69 OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

CB88 RECOMMENDED (McKelvey/Palmer) that the report be noted.

C70 BANK BALANCES AND INVESTMENTS FOR JULY 2007

To list Council's Bank Balances and Investments as at 31 July 2007.

CB89 RECOMMENDED (Joass/McKelvey) that the bank balances and investments totalling one hundred and thirty three million, six hundred and twenty five thousand, five hundred and twenty nine dollars (\$133,625,529) as at 31 July 2007 be noted.

C71 LOAN TO COFFS HARBOUR TENNIS CLUB

Provide an extension to the loan of the Coffs Harbour Tennis Club to \$35,000 which would provide an additional \$15,641.91 to undertake urgent works.

CB90 RECOMMENDED (Rhoades/McKelvey) that:

1. The loan to the Coffs Harbour Tennis Club be extended by \$15,641.91 to a total of \$35,000.
2. The revised loan be paid over four years on the existing terms with the current quarterly repayments by bank transfer, of \$830.02, remaining in place for full term.
3. The \$15,641.91 in funds be provided to the Club subject to its agreement to the terms and conditions by an exchange of letters.

LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORT

LUHD35 OFF STREET CAR PARKING DEVELOPMENT CONTROL PLAN AND HIGH DENSITY HOUSING DEVELOPMENT CONTROL PLAN

The purpose of this report is to:

1. Provide comment on submissions received during the exhibition of the Coffs Harbour City Draft Off Street Car Parking Development Control Plan (DCP) and Draft High Density Housing DCP.
2. Recommend that Council adopt the amended Draft Plans.

RECOMMENDED (Rhoades/Palmer) that:

1. Council adopt the attached Off Street Car Parking Development Control Plan and High Density Housing Development Control Plan.
2. The adoption of the Off Street Car Parking Development Control Plan and High Density Housing Development Control Plan be notified publicly.
3. Parties who lodged submissions to the Draft Off Street Car Parking Development Control Plan be notified of Council's decision.
4. Council note that development applications received prior to the effective date may be assessed on the new controls where considered appropriate.

LUHD35 Off Street Car Parking Development Control Plan and High Density Housing Development Control Plan....(Cont'd)

5. As a result of the introduction of a visitor car parking requirement in the Off Street Car Parking Development Control Plan a review of the following Development Control Plans is considered essential and should occur as soon as possible:
- Low Density Housing Development Control Plan;
 - Medium Density Housing Development Control Plan;
 - Medium High Density Housing Development Control Plan;
 - Draft Complying Development Development Control Plan;
 - Park Beach Development Control Plan;
 - Hearnese Lake/Sandy Beach Development Control Plan;
 - Industrial Lands Development Control Plan;
 - Nana Glen/Bucca Development Control Plan;
 - Draft Coastal and Hinterland Rural Lands Development Control Plan; and
 - Coramba-Karangji-Upper Orara Development Control Plan.

AMENDMENT

CB91 RECOMMENDED (Hogbin/Smithers) that:

1. Council amend the draft 'Off Street Car Parking Development Control Plan' document as follows:

On page 2 remove:

"Visitor Car Parking Requirements for all Residential Development
Visitor car parking is to be provided at a rate of one space per every five dwellings or part thereof for all residential lands zoned 2A, 2B, 2C, and 2E.

On-street parking immediately adjacent to the development site may be used for visitor parking. Where onstreet parking is insufficient to fulfill this requirement, visitor parking is to be provided within the development site. In these cases visitor parking is to be behind the front setback and freely accessible at all times.

Visitor car parking where proposed on site/on street must be clearly detailed in the development documentation."

And replace it with:

"Visitor/ Overflow Car Parking Requirements for all Residential Development
Visitor/ Overflow carparking is to be provided at a rate of one space per every five dwellings or part thereof for all residential lands zoned 2A, 2B, 2C, and 2E.

Visitor/ Overflow carparking is to be provided within the development site. Visitor/ overflow parking is to be behind the front setback and freely accessible at all times.

Visitor/ Overflow carparking where proposed must be clearly detailed in the development documentation."

LUHD35 Off Street Car Parking Development Control Plan and High Density Housing Development Control Plan....(Cont'd)

2. Council adopt the amended Off Street Car Parking Development Control Plan and High Density Housing Development Control Plan.
3. The adoption of the Off Street Car Parking Development Control Plan and High Density Housing Development Control Plan be notified publicly.
4. Parties who lodged submissions to the Draft Off Street Car Parking Development Control Plan be notified of Council's decision.
5. Council note that development applications received prior to the effective date may be assessed on the new controls where considered appropriate.
6. As a result of the introduction of a visitor car parking requirement in the Off Street Car Parking Development Control Plan a review of the following Development Control Plans is considered essential and should occur as soon as possible:
 - Low Density Housing Development Control Plan;
 - Medium Density Housing Development Control Plan;
 - Medium High Density Housing Development Control Plan;
 - Draft Complying Development Development Control Plan;
 - Park Beach Development Control Plan;
 - Hearnes Lake/Sandy Beach Development Control Plan;
 - Industrial Lands Development Control Plan;
 - Nana Glen/Bucca Development Control Plan;
 - Draft Coastal and Hinterland Rural Lands Development Control Plan; and
 - Coramba-Karangi-Upper Orara Development Control Plan.

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

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.

CB92 RECOMMENDED (Smithers/McKelvey) 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 6.03pm.

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

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

REQUESTS FOR LEAVE OF ABSENCE

- 120 **RESOLVED** (Rhoades/Smithers) that Cr Ovens be granted leave of absence from Council until the first meeting of Council in November 2007.
-

QUESTIONS WITHOUT NOTICE

1. Pensioner Rebates on Council Rates

Cr Joass requested information relating to pensioner rebates, and in particular how the rebate is calculated and the process by which it is adjusted or increased.

Cr Hogbin also requested the absolute value that rebates cost Council.

The General Manager took these questions on notice.

2. Airport Cleaning Contract

Cr McKelvey questioned the content of the Airport cleaning contract and suggested that it may need to be reviewed, as there are areas of the Airport Terminal that are not being adequately maintained.

The General Manager to organise for this matter to be addressed.

GENERAL BUSINESS

1. Shannon Creek Dam - Regional Water Supply

Cr Palmer provided update reports from meetings held with the contractors who are constructing Shannon Creek Dam, and the Shannon Creek Dam Project Committee.

2. Transport Working Group Meeting

Cr Palmer reported there was a lot of discussion regarding seat belts on buses at a recent Transport Working Group Meeting, including the difficulties associated with retro fitting seat belts, and the announcement that the Government is going to allocate \$40m for this project.

3. Aboriginal Local Government Network Conference

Cr Smithers provided a summary of the recent Aboriginal Local Government Network Conference which was attended by Cr's Smithers, Palmer and McKelvey and opened by Cr Rhoades.

4. Boat Ramp User Pays System

Cr Smithers suggested Council discuss a proposal to introduce a user pays system for the boat ramp, considering the costs it has incurred over the years.

5. African Congress

Cr Joass reported on his attendance at the recent African Congress at the Showground and expressed his belief that the African residents will be a credit to Coffs Harbour.

6. A Vote for Cycling Campaign

Cr McKelvey identified a campaign that is being run by several bicycle organisations in the lead up to the Federal Election which is similar to 'Roads to Recovery' for cycle/ walkways, and asked if Council would support this initiative?

The General Manager undertook to provide written correspondence with seven days.

7. Local Government Sustainability Conference

Cr McKelvey provided a summary of the Local Government Sustainability Conference which he attended in Victoria recently, and congratulated staff and previous Councils for instigating programs which minimise the use of resources and maximise waste recovery in the local area.

8. Bike Week

Cr Hogbin thanked Council's Safety Officer, Anne Shearer for her effort in organising activities for Bike Week which will promote Council's facilities such as the Swimming Pool, Bunker Cartoon Gallery, the Velodrome, Bike paths around the front of Beacon Hill, the Sawtell strip and the Museum.

This concluded the business and the meeting closed at 6.27pm.

Confirmed 4 October 2007

.....
Keith Rhoades AFSM
Mayor