

The following document is the minutes of the Council and Committee meetings held on 20 March 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 3 April 2008 and therefore subject to change. Please refer to minutes of 3 April 2008 for confirmation.



**COFFS HARBOUR CITY COUNCIL  
ORDINARY MEETING  
COUNCIL CHAMBERS  
COUNCIL ADMINISTRATION BUILDING  
COFF AND CASTLE STREETS, COFFS HARBOUR  
20 MARCH 2008**

**Contents**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<b>GENERAL MANAGER'S REPORTS</b>		
3	2008/2009 ENVIRONMENTAL PROJECTS SCHEDULE	1
4	2008/2011 MANAGEMENT PLAN - PROPOSED RATE VARIATIONS	3
<b>CORPORATE BUSINESS DEPARTMENT REPORTS</b>		
C9	ORARA VALLEY COMMUNITY SWIMMING POOL	5
C10	MONTHLY BUDGET REVIEW FOR JANUARY 2008	5
C11	OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION	6
C12	BANK BALANCES AND INVESTMENTS FOR JANUARY 2008	6
<b>CITY SERVICES DEPARTMENT REPORT</b>		
S9	TENDERS: INTERNAL REPAINTING AND INTERNAL ALTERATIONS OF RED HILL NO. 2 BALANCE TANK (CONTRACT 07/08-339-TO)	6



## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

20 MARCH 2008

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

**Staff:** General Manager, Director Corporate Business (Acting), Director Land Use, Health and Development, Director of City Services, Executive Manager – Business Units and Executive Assistant.

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

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#### CONFIRMATION AND ADOPTION OF MINUTES

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- 27 **RESOLVED** (Palmer/Ovens) that the minutes of the Land Use, Health & Development Committee meeting held on 6 March 2008 be confirmed as a true and correct record of proceedings.
- 28 **RESOLVED** (Palmer/Smithers) that the minutes of the City Services Committee meeting held on 6 March 2008 be confirmed as a true and correct record of proceedings.

#### GENERAL MANAGER'S REPORTS

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##### 3 2008/2009 ENVIRONMENTAL PROJECTS SCHEDULE

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To provide Council with the recommended program of works for the 2008/2009 Environmental Levy program for inclusion in the 2008/2009 Draft Management Plan.

**3 2008/2009 Environmental Projects Schedule ...(Cont'd)**

**29 RESOLVED** (Smithers/McKelvey) that:

1. That the Draft 2008/2009 Environmental Levy Program as recommended by the Environmental Levy Working Group as listed below, be incorporated into Council's 2008/2009 Draft Management Plan:

<b>PROJECT</b>	<b>RECOMMENDED AMOUNT</b>
Conservation and Sustainable Management of Biodiversity in the Coffs Harbour LGA	174,000
Orara River Restoration Project	
Camphor Laurel / Privet Control	101,264
Cat's Claw / Honey Locust Eradication	21,105
Revegetation / Tree Planter	26,031
CHCC Nursery	21,600
	Project Total
	170,000
Bushland Regeneration	150,000
Environmental Weed Control	
Bitou Bush	12,285
Camphor Laurel Removal	61,532
Privet	13,071
Glory Lily	21,984
Pine Trees	5,100
Celtis/Pepper Tree	6,028
	Project Total
	120,000
CHCC Local Environmental Plan Review: Vegetation Mapping Project – ground truth component	100,000
The Coffs Creek Flyingfox Camp Vegetation Management Plan Implementation Phase 1	80,000
NSW Coastline Cycleway	62,500
Landcare / Dunecare Vote 2008 / 2009	50,000
Environmental Levy Coordination	45,600
Environmental Education Officer	16,000
Regenerating and Enhancing Native Vegetation of Coffs Creek	10,000
Coffs Jetty Foreshore Reserve Follow Up	8,000
Impact on Freshwater Ecosystems	5,000
<b>TOTAL 2008/09 Allocation</b>	<b>991,100</b>

Funding available:

Environmental Levy	\$900,000
Interest	\$20,000
Water Fund Contribution	\$50,000
EL Reserve	<u>\$21,100</u>
 Total Available	 <u>\$991,100</u>

### **3 2008/2009 Environmental Projects Schedule ...(Cont'd)**

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2. That a contribution of \$50,000 from the Water Fund be provided in the 2008/2009 Management Plan towards the Orara River Restoration works.
3. That Council notes the Minutes of the Environmental Working Group meeting held on 12 February 2008.
4. That final replies to submissions be sent after Council's 2008/2009 Management Plan is adopted.
5. That members of the Environmental Working Group be thanked for their involvement and informed of the adopted program.
6. That \$50,000 be allocated to Adaptation to Climate Change in Coffs Harbour from the 2009/2010 Environmental Levy Program subject to \$50,000 grant funding approval.

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### **4 2008/2011 MANAGEMENT PLAN - PROPOSED RATE VARIATIONS**

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To formalise Council's proposal to seek a Special Variation to General Income in its 2008/2011 Management Plan.

#### **30 RESOLVED** (Hogbin/Featherstone) that:

1. That Coffs Harbour City Council applies to the NSW Department of Local Government for a Special Variation to General Income in 2008/2009 of 2.97% (exclusive of an anticipated 3.5% rate pegging increase) to be applied perpetually.
2. That the 2008/2009 application be made pursuant to Section 508(2) of the Local Government Act 1993 and contain a rating structure for 2008/2009 which incorporates the following rate increases:
  - Residential (ordinary rate) (3.5% Rate pegging + 2.5% Variation)
  - Farmland (ordinary rate) (3.5% Rate pegging + 2.5% Variation)
  - Business - CBD (ordinary rate) (3.5% Rate pegging + 2.5% Variation)
  - Business (ordinary rate) (3.5% Rate pegging + 6.0% Variation)
  - Environmental (special rate) (3.5% Rate pegging + 2.5% Variation)

#### 4 2008/2011 Management Plan - Proposed Rate Variations ...(Cont'd)

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3. That Coffs Harbour City Council applies to the NSW Department of Local Government for a Special Variation to General Income for a 5 year period starting from the 2009/2010 financial year incorporating the following percentage increases to Council's rating structure:

- Residential (ordinary rate) (Rate pegging + 2.5% Variation)
- Farmland (ordinary rate) (Rate pegging + 2.5% Variation)
- Business - CBD (ordinary rate) (Rate pegging + 2.5% Variation)
- Business (ordinary rate) (Rate pegging + 6.0% Variation)
- Environmental (special rate) (Rate pegging + 2.5% Variation)

This application is to be made in accordance with Section 508(A) of the Local Government Act 1993 and Departmental guidelines.

4. If required materials in support of a Section 508(A) application can not be supplied to the Department of Local Government to allow for adequate assessment timeframes, an application for a Special Variation to General Income be again made for 2009/2010 in accordance with Section 508(2) provisions.

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#### DIVISION

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

<b>FOR</b>	<b>AGAINST</b>
Rhoades	Joass
Smithers	
Palmer	
Ovens	
Hogbin	
Featherstone	
Bonfield	
McKelvey	

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#### CORPORATE BUSINESS COMMITTEE

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**31** **RESOLVED** (Palmer/Ovens) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.27pm.

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

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## CORPORATE BUSINESS DEPARTMENT REPORTS

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### C9 ORARA VALLEY COMMUNITY SWIMMING POOL

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To report to Council on investigations to provide additional privacy to the property adjoining the pool.

#### CB10 RECOMMENDED (Ovens/McKelvey) that:

This item be deferred and a report be brought back including:

1. Amenity costs incurred to date;
  2. Alternative construction methods; and
  3. Councillor inspection.
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### C10 MONTHLY BUDGET REVIEW FOR JANUARY 2008

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To report on the estimated budget position as at 31 January 2008.

#### CB11 RECOMMENDED (Ovens/Smithers) that:

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 31 January 2008 be noted:

	<b>General Account</b>	<b>Water Account</b>	<b>Sewer Account</b>
	\$	\$	\$
Original Budget adopted 21 June 2007	Nil	2,514,877 (D)	2,900,460 (D)
Approved variations to 31 Dec 2007	134,604 (D)	38,135 (D)	48,135 (D)
Recommended variations for January per attached exception report	Nil	Nil	Nil
Estimated result 2007/08 as at 31 January 2008	<u>134,604 (D)</u>	<u>2,553,012 (D)</u>	<u>2,948,595 (D)</u>

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**C11 OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION**

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

**CB12 RECOMMENDED** (Ovens/Palmer) that the report be noted.

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**C12 BANK BALANCES AND INVESTMENTS FOR JANUARY 2008**

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To list Council's Bank Balances and Investments as at 31 January 2008.

**CB13 RECOMMENDED** (Joass/Ovens) that the bank balances and investments totalling two hundred and twenty one million, seven hundred and fifty nine thousand and ninety four dollars (\$221,759,094) as at 31 January 2008 be noted.

**CITY SERVICES DEPARTMENT REPORT**

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**S9 TENDERS: INTERNAL REPAINTING AND INTERNAL ALTERATIONS OF RED HILL NO. 2 BALANCE TANK (CONTRACT 07/08-339-TO)**

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To report on tenders received for the internal repainting and internal alterations of Red Hill No. 2 Balance Tank and to gain Council approval to accept a tender.

**CB14 RECOMMENDED** (Palmer/McKelvey) that:

1. Council accept the tender of Ray's Machinery Painting Pty Ltd, ABN 43 003 763 639, for Contract No 07/08-339-TO to repaint and make internal alterations to Red Hill No. 2 Balance Tank, for the lump sum of \$329,172.80 including GST, on the basis that:
  - a) The Tender Value Selection System has identified this tender as the most advantageous
  - b) The tenderer has the necessary experience in similar works
  - c) The tenderer's financial capacity is adequate
  - d) The Contract is conditional upon the satisfactory testing, by Council, of the water supply system to ensure that having Red Hill No. 2 Balance Tank off-line for 8 weeks will not cause significant problems in the water supply system generally
  - e) The Letter of Acceptance incorporates the tenderer's agreement that in the event the works have to be postponed or cancelled for reasons outlined in d) above, prior to commencement, then no financial penalty will devolve on Council other than in the case of a delay in excess of 90 working days from the date tenders closed, then the contractor will be entitled to escalation in line with the Consumer Price Index from the date tenders closed.
2. The contract documents be executed under Council's Seal.

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## CONCLUSION OF MEETING

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The Chairman advised that the business of the Corporate Business Committee was concluded and invited the Mayor to resume the chair.

The Mayor resumed chairmanship of the meeting at 5.38pm.

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## OPEN COUNCIL

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The Mayor requested a motion to close the Committee meeting and move into Open Council.

- CB15 RECOMMENDED** (Palmer/Joass) that the Committee now move into Open Council.
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## ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

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- 31 RESOLVED** (Palmer/Smithers) that the recommendations of the Corporate Business Committee meeting be received and adopted.
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## REQUESTS FOR LEAVE OF ABSENCE

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- 32 RESOLVED** by consent that Cr Ovens be granted leave of absence from Council on 3 April 2008.
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## QUESTIONS WITHOUT NOTICE

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### 1. Business Advertising in Residential Areas

Cr Ovens asked for details of Council's policy regarding businesses advertising on houses.

*The Director Land Use, Health & Development advised that business signage not relating to the property where it is displayed is not allowed under the DCP and the matter would be investigated by staff.*

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## **2. Legal Services Review**

Cr Ovens asked if Council staff are diligent in ensuring outstanding monies identified in the monthly Legal Services report are recovered.

*The General Manager took this question on notice.*

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## **GENERAL BUSINESS**

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### **1. Pacific Highway Issues**

Cr Joass requested the Traffic Committee investigate the dangerous intersection at the corner of Fiddamens Road and the Pacific Hwy.

*The General Manager advised that the matter would be referred to the RTA.*

### **2. Woolgoolga High School**

Cr Joass requested traffic control measures be installed on the highway adjacent to Woolgoolga High School to protect the students from highway traffic.

*The General Manager advised the matter would be referred to the RTA.*

### **3. Flexible Working Arrangements**

Cr Joass requested a committee comprising of representatives from staff, Councillors and the union be formed to investigate flexible working arrangements for Council staff.

*The General Manager advised one of the tasks of Council's Consultative Committee is to review flexible working arrangements, which it has done on a number of occasions, and face to face contact remains to be a necessary aspect of most positions. However, the matter will be reviewed again, with the Councillors advised of the outcome.*

### **4. Traffic Lights**

Cr Ovens asked if a list of proposed traffic lights could be requested from the RTA. Cr Palmer was specifically interested to know if traffic lights are proposed for Newmans Rd, Woolgoolga.

*The Director of City Services advised the information will be requested from the RTA.*

**5. Arts Mid North Coast**

Cr Smithers tabled the Arts Mid North Coast Inc quarterly report.

**6. Solitary Islands Marine Park Advisory Committee**

Cr Smithers advised the Solitary Islands Marine Parks Advisory Committee is likely to be going through a zoning review process over the next few months and asked if Council has a position on this.

*The General Manager took this matter on notice.*

**7. Bush Fire Management Committee**

Cr Smithers advised there is a proposal to combine the Coffs Harbour and Bellingen Bush Fire Management Committees. Risk Management Plans will be produced for both Coffs Harbour and Bellingen, and Council's GIS staff are expected to be instrumental in producing this document. Details relating to recovering costs for the use of Council resources have not yet been decided.

**8. Flying Foxes – West Coffs**

Cr Rhoades asked for the accuracy of the following information, which is currently circulating in the community, to be clarified prior to the next meeting of Council:

- Council no longer has funds to do the remediation work which was to be carried out and completed prior to the flying fox colony returning;
- The Department of Environment & Conservation is requesting land owners have consultants engaged to prepare reports about any tree removal that may occur;
- A requirement for compensatory planting for any trees removed on private land that are currently nesting/ harbouring/ supporting flying foxes;

*The General Manager undertook to provide the required information.*

This concluded the business and the meeting closed at 5.58 pm.

Confirmed: 3 April 2008

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Keith Rhoades AFSM  
**Mayor**