

The following document is the minutes of the Council and Committee meetings held on 17 April 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 1 May 2008 and therefore subject to change. Please refer to minutes of 1 May 2008 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
17 APRIL 2008

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

17 APRIL 2008

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

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

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

APOLOGY

- 39 **RESOLVED** (Smithers/Joass) that an apology received from Councillor Ovens for unavoidable absence be received and leave be granted for the current meeting of Council.

PUBLIC ADDRESS

Time	Speaker	Item
5.00pm	Dianne West – 18 Thrower Ave	Encroachments onto Laneway at Coramba – No. 4

CONFIRMATION AND ADOPTION OF MINUTES

- 40** **RESOLVED** (Joass/Palmer) that the minutes of the Land Use, Health & Development Committee meeting held on 3 April 2008 be confirmed as a true and correct record of proceedings.

CONFIRMATION AND ADOPTION OF MINUTES

- 41** **RESOLVED** (Joass/Smithers) that the minutes of the City Services Committee meeting held on 3 April 2008 be confirmed as a true and correct record of proceedings.

NOTICE OF RESCISSION MOTION

EXPRESSIONS OF INTEREST FOR PAID ADVERTISING AT THE AIRPORT TERMINAL

MOVED (McKelvey/Joass) that Resolution No. 36 (Recommendation No. T7) of Land Use, Health and Development Committee meeting held on 3 April 2008 and reading as follows, be rescinded:

“That the General Manager be given authority to negotiate and execute with Interspace Airport Advertising for a 5 year contract for the facilitation of paid advertising within the Airport Terminal.”

The **MOTION** on being put was **LOST**.

As a result of the Public Address, Item C18 – Encroachments onto Laneway at Coramba – No.4 was brought forward and considered in Open Council prior to the General Manager’s reports. Please see page 7 for details of the resolution.

GENERAL MANAGER'S REPORTS

6 2008/2011 MANAGEMENT PLAN - RATE VARIATION APPLICATION

To formally adopt amendments to Council's Application for Special Variation to General Income in 2008/2009.

MOVED (Palmer/Featherstone) that:

1. Coffs Harbour City Council applies to the NSW Department of Local Government for a Special Variation to General Income in 2008/2009 of 2.75% (exclusive of the approved 3.2% rate pegging increase) to be applied perpetually.
2. 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) (3.2% Rate pegging + 2.5% Variation)
 - Farmland (ordinary rate) (3.2% Rate pegging + 2.5% Variation)
 - Business - CBD (ordinary rate) (3.2% Rate pegging + 2.5% Variation)
 - Business (ordinary rate) (3.2% Rate pegging + 6.0% Variation)
3. 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) (6% inclusive of Rate pegging)
 - Farmland (ordinary rate) (6% inclusive of Rate pegging)
 - Business - CBD (ordinary rate) (6% inclusive of Rate pegging)
 - Business (ordinary rate) (6% inclusive of Rate pegging)

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.
5. Council notes that the revised recommendation has the effect of replacing the resolution of 20 March 2008 (as detailed in the Related Policy and/or Precedents section of this report).

6 2008/2011 Management Plan - Rate Variation Application ...(Cont'd)

AMENDMENT

43 **MOVED** (Hogbin/Joass) that:

1. Coffs Harbour City Council applies to the NSW Department of Local Government for a Special Variation to General Income in 2008/2009 of 2.75% (exclusive of the approved 3.2% rate pegging increase) to be applied perpetually.
2. 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) (3.2% Rate pegging + 2.5% Variation)
 - Farmland (ordinary rate) (3.2% Rate pegging + 2.5% Variation)
 - Business - CBD (ordinary rate) (3.2% Rate pegging + 2.5% Variation)
 - Business (ordinary rate) (3.2% Rate pegging + 6.0% Variation)
3. Council notes that the revised recommendation has the effect of replacing the resolution of 20 March 2008 (as detailed in the Related Policy and/or Precedents section of this report).

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

Cr Joass requested his vote against the motion be noted.

7 2008/2011 DRAFT MANAGEMENT PLAN

To present Council with the 2008/2011 Draft Management Plan (including Draft Program Budgets 2008/2011, Draft Fees and Charges 2008/2009 and Draft Work Programs 2008/2009) for consideration and adoption. This report recommends that the Draft Plan be adopted and released for exhibition for public comment for a period of 28 days, from Monday, 21 April 2008 to Monday, 19 May 2008.

44 **RESOLVED** (Hogbin/McKelvey) that:

1. That the proposed 2008/2011 Draft Management Plan (including Draft Program Budgets 2008/2011, Draft Fees and Charges 2008/2009 and Draft Work Programs 2008/2009), provided as separate attachments to the report, be adopted for public exhibition from Monday 21 April 2008 to Monday 19 May 2008 and submissions be sought from the community.

7 2008/2011 Draft Management Plan ...(Cont'd)

2. That the consultation program on the 2008/2011 Draft Management Plan includes:
 - Displays at the Council Administration Building foyer, at the three branch libraries, on the Council website, at the Karangi, Coramba, Nana Glen and Red Rock general stores, at the Corindi Beach Post Office, at the Ulong Rural Transaction Centre and at the Coffs Harbour Visitor Information centre.
 - Newspaper advertising (encouraging people to make submissions) during the public exhibition period.
 - A public meeting to increase awareness about the Draft Management Plan (including the proposed Special Variation to General Income) on Wednesday 30 April 2008.
 - Public access to briefings with Council senior staff and/or Councillors during the exhibition period.
3. That issues raised during the public exhibition period of the 2008/2011 Draft Management Plan be considered by Council at a meeting on 22 May 2008 and that Council resolve at that meeting to endorse, amend or withdraw its application for Special Variation to general Income.
4. That pending a determination from the Minister for Local Government (if required), Council adopt the 2008/2011 Management Plan by 30 June 2008.
5. That Council notes that changes to the Draft Fees and Charges may be required should legislative changes occur.

Cr Joass requested his vote against the motion be noted.

CORPORATE BUSINESS COMMITTEE

- 45 RESOLVED** (Smithers/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 6.48pm.

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

CORPORATE BUSINESS DEPARTMENT REPORTS

C15 MONTHLY BUDGET REVIEW FOR FEBRUARY 2008

To report on the estimated budget position as at 29 February 2008.

CB16 RECOMMENDED (Joass/Palmer) that:

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 29 February 2008 be noted:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 21st June 2007	Nil	2,514,877 (D)	2,900,460 (D)
Approved variations to 31 January 2008	134,604 (D)	38,135 (D)	48,135 (D)
Recommended variations for February per attached exception report	18,000 (D)	Nil	Nil
Estimated result 2007/08 as at 29 February 2008	<u>152,604 (D)</u>	<u>2,553,012 (D)</u>	<u>2,948,595 (D)</u>

C16 DEVELOPER CONTRIBUTIONS PLANS REVIEW

To present to Council various draft amended Developer Contributions Plans as listed in the body of this report, copies of which are available in the Councillor's room. This report recommends that the draft Plans be adopted.

CB17 RECOMMENDED (McKelvey/Featherstone) that:

1. In accordance with Clause 31 of the Environmental Planning and Assessment Regulation 2000, Council's Developer Contributions Plans and Developer Services Plans as listed in the body of this report be adopted.
2. Formal notification of the adoption of the plans be advertised in the local newspaper.

C17 LONG TERM SITE RENTALS FOR NEW RESIDENTIAL SITE AGREEMENTS AT PARK BEACH HOLIDAY PARK

To implement a new Long Term site rental structure for all new Residential Site Agreements at Park Beach Holiday Park.

- CB18 RECOMMENDED** (Palmer/Joass) that all new residential Site Agreements at Park Beach Holiday Park be set at a flat fee of \$95.00 per week effective 1 May 2008 with a further two annual increases of \$3.00 per week on the anniversary of the effective date.

C18 ENCROACHMENTS ONTO LANEWAY AT CORAMBA - NO 4

Determination of applications to close and purchase parts of the laneway affected by the encroachments.

- 42 RESOLVED** (Rhoades/McKelvey) that the matter be deferred subject to a further report to Council with regards to the works to be undertaken and the costs with respect to the diversion of water.

C19 SALE OF COUNCIL LAND - SURPLUS LAND CREATED BY HOGBIN DRIVE EXTENSION - PART LOT 13 SEC 77 DP 758258

To obtain Council approval for the sale of Part Lot 13 Section 77 DP 758258, Hogbin Drive, Coffs Harbour.

- CB19 RECOMMENDED** (Rhoades/Smithers) that:
1. Council dispose of Part Lot 13 Section 77 DP 758258 as described in this report on the terms and conditions outlined in this report to the owners of Lot 12 Section 77 DP 758258 Harbour Drive, Coffs Harbour.
 2. Council execute under seal any required documents to process the sale of the land.

C20 INVESTMENTS - COLLATERISED DEBT OBLIGATIONS

To inform of Council's holdings in Collateralised Debt Obligations (CDOs) and provide advice in relation to performance and security.

- CB20 RECOMMENDED** (Rhoades/Featherstone) that the report be noted.

C21 OUTSTANDING REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

CB21 RECOMMENDED (Palmer/Joass) that the report be noted.

C22 BANK BALANCES AND INVESTMENTS FOR FEBRUARY 2008

To list Council's Bank Balances and Investments as at 29 February 2008.

CB22 RECOMMENDED (Joass/Featherstone) that the bank balances and investments totalling two hundred and four million, seven hundred and forty one thousand five hundred and forty seven dollars (\$204,741,547) as at 29 February 2008 be noted.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L4 COFFS HARBOUR CITY PLAN 2030

The report seeks Council's endorsement to proceed with a proposal to develop a City strategic sustainability plan, to be known as the "Coffs Harbour City Plan 2030". The Plan will revise Vision 2020 to define community values and the vision for Coffs Harbour to 2030.

Development of the Plan over the next twelve months will require engagement with the community, stakeholders, and partners, to identify community values and the strategic directions for the City to the year 2030.

The Coffs Harbour City Plan 2030 will encourage partnerships and collaboration, and will provide an integrated planning and decision-making framework for Council, to work towards creating a more sustainable City.

CB23 RECOMMENDED (McKelvey/Smithers) that:

1. That Council endorse the proposal as outlined in this report to develop the Coffs Harbour City Plan 2030, which will include a Vision 2030 statement of community values and aspirations for the City.
2. That the Mayor, and Councillors and (*two Councillors required*), together with the General Manager, and his nominated staff participate on the Coffs Harbour City Plan 2030 Steering Committee, which will oversee that project.

L4 Coffs Harbour City Plan 2030 ...(Cont'd)

3. That a Coffs Harbour City Plan 2030 Partnerships Group be formed, to consist of state and federal agencies that provide key programs and/or services, to collaborate on the development of the Plan and delivery of the City's strategic priorities.
4. That regular progress reports on the development of Coffs Harbour City Plan 2030 be submitted to Council for consideration and endorsement.

SUPPLEMENTARY

CB24 RECOMMENDED (Rhoades/Palmer) that

Cr Bonfield & Cr McKelvey accept nomination as the two Councillor representatives on the Coffs Harbour City Plan 2030 Steering Committee.

CITY SERVICES DEPARTMENT REPORTS

S14 TENDER: PLANT REPLACEMENT PROGRAM - SUPPLY OF A WHEEL LOADER EGR CLASS WL7, CONTRACT NO. 07/08-340-TO

To advise Council of tenders received for the replacement of Council's Wheel Loader and recommend approval to purchase under the 2007/2008 Plant Replacement Program.

The unit being replaced is based in Council's Plant Pool, and provides operational support for all construction, maintenance, water and sewer services.

CB25 RECOMMENDED (Rhoades/Bonfield) that:

1. Council accepts the tender (option B – without trade-in) submitted by Komatsu Australia Pty Ltd ABN 63053514739 for the purchase of one Komatsu WA250 PZ-6 Wheel Loader, for the price of \$248,633.00 (GST inclusive) plus \$9,066.00 (GST inclusive) for optional extras of machine monitoring system, rear vision camera and weight scales and \$3,456.00(GST inclusive) for extended warranty.
2. Council accept the tender (Option C – Buy outright) for the Wheel Loader submitted by Wangaratta machinery sales ABN 82540244883 for the price of \$90,383.70 (GST inclusive).

S15 TENDER: PLANT REPLACEMENT PROGRAM - SUPPLY OF TWO SINGLE SMOOTH DRUM ROLLERS ERG CLASS RR8 CONTRACT NO. 07/08-343-TO

To advise Council of tenders received for the replacement of Council's two rural road rollers and recommend approval to purchase under the 2007/2008 Plant Replacement Program.

The units being replaced are based in Council's Plant Pool, and are primarily used in the construction and maintenance of Councils road network.

CB26 RECOMMENDED (Rhoades/Bonfield) that:

1. Council accepts the tender (option B – without trade-in) submitted by WesTrac Pty Ltd ABN 63009342572 for the supply of two Caterpillar CS56 rollers, for the price of \$323,950.00 (GST inclusive) plus \$13,960.00 (GST inclusive) for the optional extras of machine monitoring system, rear vision camera and \$4,752.00(GST inclusive) for extended warranty.
2. Council accept the tender (Option C – Buy outright) for the two rollers submitted by Queensland heavy equipment PTY LTD trading as Hedger's Heavy Equipment Sales ABN 60010101863 for the price of \$75,900.00 (GST inclusive).

S16 TENDER: PLANT REPLACEMENT PROGRAM - SUPPLY OF ONE TIPPER TRUCK 16,000KG GVM WITH CRANE , CONTRACT NO. 07/08-342-TO

To advise Council of tenders received for the replacement of Council's tipper truck 16,000kg GVM and crane and recommend approval to purchase under the 2007/2008 Plant Replacement Program.

The unit being replaced is based in Council's Plant Pool, and provides operational support for all construction, maintenance, water and sewer services.

CB27 RECOMMENDED (Rhoades/Bonfield) that:

1. Council accepts the tender (Option B – without trade-in) submitted by RH Taylor Australia Pty Ltd for the price of \$167,220.00 (GST inclusive) plus \$1,760.00 (GST inclusive) for extended warranty.
2. Council accept the tender (Option C – Buy outright) for the Tipper truck 16,000kg GVM and crane submitted by Brigold Pty Ltd for the price of \$61,311.00 (GST inclusive).

S17 TENDER: PLANT REPLACEMENT PROGRAM - SUPPLY OF THREE GRADERS EGR CLASS MG8, CONTRACT NO. 07/08-344-TO

To advise Council of tenders received for the replacement of Council's three Graders and recommend approval to purchase under the 2007/2008 Plant Replacement Program.

The units being replaced are based in Council's Plant Pool, and are primarily used in the construction and maintenance of Councils road network.

- CB28 RECOMMENDED** (Rhoades/Bonfield) that Council accepts the tender (option A – with trade-in) submitted by WesTrac Pty Ltd ABN 63009342572 for the supply including trade-in of three Caterpillar 12M Graders, for the price of \$522,390.00 (GST inclusive) plus \$25,100.00 (GST inclusive) for the optional extras of machine monitoring system, rear vision camera, the change over of dozer blade and \$9,000.00(GST inclusive) for extended warranty.

CONCLUSION OF MEETING

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 7.15pm.

OPEN COUNCIL

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

- CB29 RECOMMENDED** (McKelvey/Palmer) that the Committee now move into Open Council.

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

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

QUESTIONS WITHOUT NOTICE

1. Alternate Access to Health Campus

Cr Palmer enquired as to whether there is an alternate access to the health campus

The Director of Land Use, Health & Development indicated the current masterplan for the health campus shows an alternate access via Stadium Drive, and suggested Council write to the Department of Health requesting the timeframe for which this access will be upgraded to full standard.

2. Proposed Planning Law Reforms

Cr Smithers asked if Council will be preparing a submission to the Minister on the proposed Planning Law Reforms, and if Council has contributed financially to the Local Government & Shires Association campaign regarding this matter.

The Director Land Use, Health & Development advised that Council made a submission during the first exhibition period, relating to changes to the Bill affecting Development Assessment, changes to the Bill on how LEP's are going to be implemented and proposed changes to Section 94 Contributions. Another submission will be made to the Department of Planning, particularly in relation to Section 94 Contributions. It was also noted that Council has contributed \$1,800 to the campaign fund.

3. Requests for Traffic Calming

Cr Palmer asked if Council has a Traffic Calming Policy or if requests for traffic calming are addressed on an individual basis.

The General Manager indicated that requests for traffic calming are addressed on an individual basis.

4. Morrow's Road Bridge

Cr McKelvey advised that Morrow's Road bridge at Nana Glen is no longer trafficable to farm machinery since Council upgraded it.

The General Manager took this question on notice.

GENERAL BUSINESS

1. Shannon Creek Dam Upgrade

Cr Palmer gave a Shannon Creek Dam project update and provided information relating to a Community Open Day scheduled for 1 June 2008.

2. Water Treatment Plant

Cr Palmer visited the construction site for the new Water Treatment Plant and noted the community will benefit from this asset which is expected to cost \$60m.

3. Speeding Traffic

Cr Smithers suggested traffic calming or policing may be required in Beryl St and Bray St to combat speeding traffic and asked if the issue could be referred to the Traffic Committee for consideration.

4. Port Macquarie/ Hastings Council

Cr Smithers asked if Council should support Port Macquarie/ Hastings Council to have an election in six months time rather than postponing it for another 4½ years.

Cr Rhoades advised this was supported by all Councils at a recent meeting of the Mid North Coast Group of Councils.

5. Waste Management Facility

Cr Rhoades asked for confirmation that the odour management problems at the Englands Road Waste Management Facility could potentially take two years to resolve.

Council's Executive Manager Strategy & Sustainability indicated that the odour management issues at the Waste Management Facility have various causes such as issues relating to the Biomass Facility, gas emissions from the landfill, as well as putrescible and commercial waste going to landfill. A working party has been formed to address the various issues and a report will be submitted to Council in approximately three months.

The General Manager indicated the Councillors will be provided with a written update.

Cr Rhoades requested that only the General Manager and Councillors remain in the chamber after the closure of the meeting, to discuss a confidential matter.

This concluded the business and the meeting closed at 7.36 pm.

Confirmed: 1 May 2008

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Keith Rhoades AFSM
Mayor