

The following document is the minutes of the Council and Committee meetings held on 15 May 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 5 June 2008 and therefore subject to change. Please refer to minutes of 5 June 2008 for confirmation.



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

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

15 MAY 2008

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

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

Leave of Absence: Cr W R Palmer

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

PUBLIC ADDRESS

Time	Speaker	Item
5.00pm	Charles Bellemore	L8 - Development Application 1132/07 - Multi-Unit Housing (10 Apartments) and Strata Subdivision - Lot 9 Section 61 DP 758258, Lot 1 DP 1091932, Lots 2 and 3 DP 1118480, No. 7 Moore Street and Closed Public Road, Coffs Harbour

CONFIRMATION AND ADOPTION OF MINUTES

- 56 **RESOLVED** (Smithers/Joass) that the minutes of the Land Use, Health & Development Committee meeting held on 1 May 2008 be confirmed as a true and correct record of proceedings.

CONFIRMATION AND ADOPTION OF MINUTES

- 57 **RESOLVED** (McKelvey/Joass) that the minutes of the City Services Committee meeting held on 1 May 2008 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORT

8 NATIONAL SURF LIFE SAVING CHAMPIONSHIPS, COFFS HARBOUR; SURF LIFE SAVING AUSTRALIA - RENEGOTIATION OF CONTRACT

This report was withdrawn to allow additional information to be obtained and will be the subject of a further report to Council at a later date.

CORPORATE BUSINESS COMMITTEE

- 58 **RESOLVED** (Smithers/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.08pm.

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

GENERAL MANAGER'S REPORT

9 QUARTERLY PERFORMANCE REPORTING FOR QUARTER ENDED 31 MARCH 2008

To report on the achievement of customer service guarantees and performance targets for the January to March 2008 quarter.

- CB30 RECOMMENDED** (Smithers/Ovens) that:

1. Council adopt the revised strategies and performance indicators in the 2007-2010 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 2008, 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 2008 quarter.

**9 Quarterly Performance Reporting For Quarter Ended 31 March 2008
...(Cont'd)**

4. Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the January to March 2008 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 2008 quarter.
6. Council continues to monitor its performance with a view to improving service delivery.

Note: Land Use, Health & Development Report No. L8 – Development Application 1132/07 – Multi-Unit Housing (10 Apartments) and Strata Subdivision – Lot 9 Section 61 DP 758258, Lot 1 DP1091932, Lots 2 and 3 DP1118480, No 7 Moore Street and Closed Public Road, Coffs Harbour was brought forward for discussion. Please refer to Page 6 for further details.

CORPORATE BUSINESS DEPARTMENT REPORTS

C23 QUARTERLY BUDGET REVIEW FOR MARCH 2008

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

CB32 RECOMMENDED (Ovens/McKelvey) that

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 31 March 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 29 February 2008	152,604 (D)	38,135 (D)	48,135 (D)
Recommended variations for March per attached exception report	121,606 (S)	1,871,549 (S)	2,305,651 (S)
Estimated result 2007/08 as at 31 March 2008	<u>30,998</u> (D)	<u>681,463</u> (D)	<u>642,944</u> (D)

C24 ORARA VALLEY COMMUNITY SWIMMING POOL

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

CB33 RECOMMENDED (McKelvey/Rhoades) that:

1. Council seek the support of the Local Landcare Group to carry out the Option 2 works described in this report to improve the privacy of the property adjoining the Orara Valley Community Swimming Pool with Council to supply the plants.
2. Council erect a fence on the western side of the car park.
3. The estimated cost of \$2,100 be funded from the Community Facilities Programme.

C25 LOAN TO SAWTELL TOORMINA SPORT AND RECREATION CLUB INC

To report to Council on a request from Sawtell Toormina Sport and Recreation Club Inc to waive repayment of a loan.

CB34 RECOMMENDED (Joass/Ovens) that the loan to Sawtell Toormina Sport and Recreation Club Inc of \$10,000 be extended for a further 5 years.

C26 APPOINTMENT OF FOI OFFICERS

To formally appoint Freedom of Information Officers to deal with applications submitted to Council under the Freedom of Information Act, 1989, (FOI Act).

CB35 RECOMMENDED (Rhoades/McKelvey) that:

1. Council appoint Administration Officers, Sylvia Henderson and Nicole Baker as Freedom of Information Officers, to deal with Freedom of Information applications on behalf of Coffs Harbour City Council.
2. Council appoint Administration Manager, Bruce Coffee and the Acting Director of Corporate Business, Dale Allen as FOI officers for the purpose of dealing with Freedom of Information applications on behalf of Coffs Harbour City Council when required to do so due to the work requirements of the Administration Branch.

C27 AMENDMENTS TO THE COUNCIL MEETING DATE SCHEDULE

To propose the Council meeting scheduled for 18 September 2008 be cancelled and all business be considered at the first meeting of the new Council on Thursday 2 October 2008.

- CB36 RECOMMENDED** (Joass/Smithers) that the Ordinary meeting of Council, including the Corporate Business Committee, scheduled for Thursday 18 September 2008 be cancelled and all business be carried over to the meeting on Thursday 2 October 2008 commencing at 5pm.

C28 TENDER: SUPPLY OF DUCTILE PIPE AND WATER SERVICE FITTINGS

To report on tenders received for the supply of Ductile Pipe and various Water Service Fittings and to gain Council approval to accept one (1) tender for the supply and delivery of all relevant categories.

- CB37 RECOMMENDED** (Rhoades/McKelvey) that:

1. Council accept the tender offer of Tyco Water Pty Ltd in respect of Contract No- 08/09-346-TO for the supply and delivery of Ductile Pipe and Water Service Fittings on the basis that:
 - a) The tender offer is the most suitable and advantageous tender following the application of Council's Tender Value Selection System.
 - b) Tyco Water has the necessary experience in similar works and is a previous and proven supplier to Council.
2. The contract documents be executed under Council's Seal.

C29 REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

- CB38 RECOMMENDED** (McKelvey/Smithers) that the report be noted.

C30 BANK BALANCES AND INVESTMENTS FOR MARCH 2008

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

CB39 RECOMMENDED (Ovens/Joass) that:

1. The bank balances and investments totalling one hundred and ninety four million, one hundred and three thousand three hundred and forty six dollars (\$194,103,346) as at 31 March 2008 be noted.
2. Noted that a substantial part of these funds relate to the Water and Sewerage Funds which are restricted for operational and capital purposes.

C31 GOODS AND SERVICES TAX CERTIFICATE

The objective of this report is to provide certification that Council has met its obligations regarding the payment of Goods and Services Tax to the Australian Taxation Office for the period 1st May 2007 to 30th April 2008 inclusive and that this was done in accordance with the statutory requirements of *The Goods and Services Tax Act (1999)* and subsequent regulations and rulings.

CB40 RECOMMENDED (Rhoades/McKelvey) that Council approve the certification of the Goods and Services Tax Certificate for the year ended 30 April 2008; and that this resolution be used on a recurring basis for future certification to the Department of Local Government, once the Goods and Services Tax Certificate has been signed by the Mayor, Councillor, the General Manager and the Responsible Accounting Officer.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L8 DEVELOPMENT APPLICATION 1132/07 - MULTI-UNIT HOUSING (10 APARTMENTS) AND STRATA SUBDIVISION - LOT 9 SECTION 61 DP 758258, LOT 1 DP 1091932, LOTS 2 AND 3 DP 1118480, NO. 7 MOORE STREET AND CLOSED PUBLIC ROAD, COFFS HARBOUR

The application proposes the construction of a residential development on the above described property, comprising 10 apartments and associated parking and landscaping. The multi-unit housing development is to be strata subdivided.

The estimated cost of the project is \$2.7 million.

The Development Application file will be available for review prior to the meeting in the Councillor's room.

L8 Development Application 1132/07 - Multi-Unit Housing (10 Apartments) And Strata Subdivision - Lot 9 Section 61 DP 758258, Lot 1 DP 1091932, Lots 2 And 3 DP 1118480, No. 7 Moore Street And Closed Public Road, Coffs Harbour ...(Cont'd)

A peer review of the application has been undertaken by Petersen Consulting Group (see Appendix D).

Conditional approval of the application is recommended.

CB31 RECOMMENDED (Rhoades/McKelvey) that:

1. Development Application 1132/07 for a multi-unit housing development and strata subdivision at - Lot 9 Section 61 DP 758258, Lot 1 DP 1091932, Lots 2 and 3 DP 1118480, No. 7 Moore Street and closed public road, Coffs Harbour be approved subject to technical conditions (see Appendix B).
2. Those persons who made a submission on this application be informed of Council's determination.

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 5.31pm.

OPEN COUNCIL

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

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

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

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

REQUESTS FOR LEAVE OF ABSENCE

- 61 **RESOLVED** by consent that Cr Rhoades be granted leave of absence from Council for the period 19 May – 4 June 2008.

MATTERS OF AN URGENT NATURE

1 **Outstanding Works – River Street, Woolgoolga**

Cr Featherstone asked for confirmation that the \$400,000 of funding allocated to works in River Street Woolgoolga, as part of the Community Facilities Program, will still be spend on this project.

The Director Corporate Business (Acting) indicated that funds are in the community facilities reserve accruing interest, and there is a commitment that the full amount of funding will be made available to allow for the project to be completed.

QUESTIONS WITHOUT NOTICE

1 **Recruitment – Director Corporate Business**

Cr Joass asked if Council could employ a firm of consultants to undertake the recruitment process for the vacant Director Corporate Business position.

The General Manager indicated that the cost of employing an external agency (approximately \$40,000) can not be justified in the current financial climate. It is expected the selection panel for the Directors position will comprise of the Mayor, the Chairman of Corporate Business Committee, the Human Resources Manager and possibly the General Manager.

GENERAL BUSINESS

1 **Reserved Parking – Bunker Cartoon Gallery**

Cr Featherstone asked if it is legal to reserve parking spaces on public roads for particular purposes eg. visitors to the Bunker Cartoon Gallery, therefore excluding people from parking in the spaces for other purposes.

The General Manager took this matter on notice.

2 Requirements for New Food Outlets

Cr Smithers advised of a recent resolution of Kogarah Council that new food outlets be not permitted to use trans and saturated fats, and asked if CHCC could introduce a similar requirement.

The General Manager undertook to prepare a report on this matter.

3 Youth Event in Woolgoolga

Cr Joass advised that a new committee has been formed in Woolgoolga called the Woopi Youth Initiative comprising of business owners, teachers, community members, the Police Liaison Officer and the School Liaison Officer. A successful Motion Picture night was held recently at the Youth Centre, which was attended by 210 teenagers and five police officers. A \$2.00 entry fee was charged, and both the local Rotary Club and Lions Club subsidised the event.

4 Brelsford Park Fence

Cr McKelvey expressed concern at the condition of fence around the cycle track at Brelsford Park, and asked if this was the result of vandalism.

The Director City Services indicated that the fence has deteriorated to its current condition and the estimated repair cost of approximately \$50,000 – \$60,000 was not justified when the Brelsford Park Redevelopment process could result in the fence needing to be relocated.

The Mayor requested the Councillors remain in the chamber for a confidential briefing following the closure of the meeting.

This concluded the business and the meeting closed at 5.50pm.

Confirmed: 5 June 2008

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Keith Rhoades AFSM
Mayor