

The following document is the minutes of the Council and Committee Meetings held on Thursday, 5 June 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 19 June 2008 and therefore subject to change. Please refer to the minutes of the meeting of 19 June 2008 for confirmation.



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

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

5 June 2008

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

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

The meeting commenced at 6.26pm with the Mayor, Cr K Rhoades in the chair.

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#### APOLOGY

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- 69** **RESOLVED** (McKelvey/Palmer) that an apology received from Councillor Joass for unavoidable absence is received and leave be granted for the current meeting of Council.

The Mayor requested a motion to adjourn the Ordinary meeting and resolve into the City Services Committee meeting.

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#### CITY SERVICES COMMITTEE

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- 70** **RESOLVED** (Palmer/Ovens) that the Ordinary Meeting of Council be adjourned and Council now resolve into the City Services Committee meeting, the time being 6.27pm.

The Mayor invited Councillor Palmer to chair the City Services Committee meeting.

## **CITY SERVICES DEPARTMENT REPORTS**

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### **S24 TRAFFIC COMMITTEE REPORT NO 3/2008**

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To confirm minutes from the May 2008 Traffic Committee Meeting.

**EN23 RECOMMENDED** (Hogbin/McKelvey):

T.28 – First Avenue, Sawtell - Temporary Road Closure - Sawtell Chilli Festival (R.501520 [1925927])

That:

- (a) The temporary road closure of First Avenue, Sawtell, between Second Avenue and Boronia Street between the hours of 6.00am and 6.00pm on Saturday, 5 July 2008, for the purpose of holding the Sawtell Chilli Festival, be advertised and providing no substantive objections are received, the closure be approved.
- (b) The organisers of the Chilli Festival liaise with affected traders and obtain traders approval.
- (c) The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
- (d) The organisers be responsible for all costs associated with the temporary closure, including advertising.
- (e) A temporary bus zone be established on the east side of First Avenue, Sawtell, north of Second Avenue to enable buses to continue to operate.

T.29 – Albany Street, Coffs Harbour – Traffic Calming and pedestrian refuge (R.503600)

That plans for improved traffic calming and pedestrian access in Albany Street between Salamander Street and Curacoa Street be approved as per Plan No T29.

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### **S25 COFFS HARBOUR DRAFT ROAD HIERARCHY PLAN**

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To consider the Draft Coffs Harbour Road Hierarchy Plan and seek approval to place the plan on public exhibition.

**EN24 RECOMMENDED** (Smithers/McKelvey) that Council approve the placement of the Draft Coffs Harbour Road Hierarchy Plan on public exhibition for a period of 28 days from the date of the first advertisement (anticipated 17 June 2008).

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**S26 B-DOUBLE ACCESS APPLICATION - HULBERTS ROAD INDUSTRIAL AREA**

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To consider an application for 25m B-Double access to the Hulberts Road industrial area.

**EN25 RECOMMENDED (Bonfield/Hogbin):**

1. That Council defer consideration of B-Double access to the Hulberts Road Industrial area pending the results of the Coffs Harbour Industrial Lands review.
2. That the B-Double routes through the local government area of Coffs Harbour be re-examined as part of the industrial lands review.

**Councillors Hogbin and McKelvey declared a non pecuniary interest in the following item, vacated the Chamber at 6.33pm and took no part in the discussion or voting.**

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**S27 REPORT ON TRADE WASTE CHARGING FOR CHARITABLE ORGANISATIONS**

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To report on the exemption of the Trade Waste Application Fee to charitable organisations.

**EN26 RECOMMENDED (Bonfield/Featherstone):**

1. That as allowed by Section 608 of the Local Government Act, Council exempt the following institutions, from the Trade Waste Application Fee:
  - Chill-Out Café (Coffs Harbour Meals on Wheels).
  - Salvation Army Centre.
  - Uniting Church (Soup Kitchen).
  - Woolgoolga Meals on Wheels.
  - Sawtell Meals on Wheels.
2. That in the event other charitable organisations make representation to Council for exemption from the Trade Waste Application Fee, they be evaluated by the General Manager on a case by case basis.

**Councillors Hogbin and McKelvey returned to the meeting, the time being 6.35pm.**

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**S28 NATIONAL YOUTH WEEK 2008**

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To report to Council on the activities of National Youth Week 2008.

- EN27 RECOMMENDED** (Rhoades/McKelvey) that organisations as detailed in the report who participated in the 2008 National Youth Week celebrations in the Coffs Harbour local government area be commended in writing for the valuable contribution they have made to the young people in the community.

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**S29 NAME OF THE CENTRAL LIBRARY AT COFFS HARBOUR**

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The purpose of this report is to inform Council about the change of name of the central library at Coffs Harbour, from Harry Bailey Memorial Library to Coffs Harbour City Library and Information Centre in 1997.

- EN28 RECOMMENDED** (Hogbin/Bonfield):

1. That the central library's current name 'Coffs Harbour City Library and Information Centre' and the resolution of Council on 26 June 1997 be noted, and
2. That on completion of a planned multi-use meeting/seminar room at Coffs Harbour Library and Information Centre, that it be named the 'Harry Bailey Room'.

**Councillor Hogbin declared a pecuniary interest in item S30 - Tender - Management of Sportz Central Bray Street, Coffs Harbour - Contract No. 07/08-318-TO, vacated the Chamber at 6.37pm and took no further part in the meeting.**

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**REQUESTS FOR LEAVE OF ABSENCE**

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- EN29 RECOMMENDED** (Smithers/McKelvey) that Cr Hogbin be granted leave of absence from Council for the remainder of the meeting, the time being 6.37pm.

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## **CONCLUSION OF MEETING**

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

The Mayor resumed chairmanship of the meeting at 6.40pm.

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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.

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

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## **ADOPTION OF CITY SERVICES COMMITTEE REPORT**

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- 72**     **RESOLVED** (Smithers/McKelvey) that the recommendations of the City Services Committee meeting be received and adopted.

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## **QUESTIONS WITHOUT NOTICE**

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### **1.     Companion Animals Act - dog numbers in household**

Councillor Bonfield questioned how many dogs were allowed in one household, or if there was any restriction even if there is professional breeding of dogs in a residential area.

The Director of Land Use, Health and Development took the matter on notice and will provide information to Cr Bonfield.

### **2.     Rural Residential Land - letterbox drop in Orara Valley**

Councillor McKelvey advised that he had received several complaints from people in the Orara Valley area re a letterbox drop in the Orara Valley concerning Council's strategy for rural residential living. This was not a Council document.

The General Manager took the matter on notice.

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## **GENERAL BUSINESS**

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### **1. Council Chambers audio system**

Councillor Smithers asked if something could be done to fix the audio system in the Council Chambers.

The General Manager to investigate.

### **2. Industrial Lands Review**

Councillor Smithers asked if, when the review of industrial lands takes place:

1. the issue of shops opening in industrial areas can be looked, and
2. whether it is proposed to have zonings that reflect light and heavy industry, and, if not, can this be considered.

The General Manager and the Director of Land Use, Health and Development advised that these issues would be considered in the LEP review.

### **3. Report on activities - Cr Smithers**

1. Councillor Smithers tabled the Annual Report from Arts Mid North Coast.
2. Cr Smithers reported on his attendance at recent Rail Forum held by the Greens and Pacific Highway Alliance.

### **4. DA 875/08 Dual Occupancy Development, 24 Breakers Way, Korora**

Councillor Smithers requested that Council write to State Government seeking a review of the relationship between Section 88B of the Conveyancing Act and LEPs.

### **5. Museum - Budget**

Councillor Bonfield questioned what the implications of the speaker's address to the meeting on the Museum would have on the budget.

The General Manager advised that the matter could be revisited but a report would come to Council on the draft budget where it would be addressed.



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**CLOSED MEETING – SECTION 10(A)**

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The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.48 pm.

- 73** **RESOLVED** (Palmer/Smithers) that the meeting be closed to the press and public during consideration of the following items for the reasons as stated:

**S30 - Tender: Management of Sportz Central Bray Street, Coffs Harbour - Contract No 07/08-318-TO**

This report was confidential for the reason of Section 10A(2):

- (d) Contained commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

- 74** **RESOLVED** (Smithers/Palmer) that the meeting be adjourned for five minutes, the time being 6.48pm.

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**S30 TENDER: MANAGEMENT OF SPORTZ CENTRAL BRAY STREET, COFFS HARBOUR - CONTRACT NO 07/08-318-TO**

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To report to Council on tenders received for the Management of Sportz Central Bray Street, Coffs Harbour - Contract No. 07/08-318-TO.

- 75** **RESOLVED** (Smithers/McKelvey):

1. That Council accept the tender of Sportsrite Pty Ltd, ABN 16 002 838 066, as the recommended tender for Contract No. 07/08-318-TO Management of Sportz Central Bray Street, Coffs Harbour for the amount of \$119,000 per annum plus GST, and other conditions as detailed in the contract documentation, on the basis that:
  - (a) The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
  - (b) The Tenderer has the necessary experience in similar works and with ability and performance which are seen as satisfactory.
  - (c) The Tenderer's financial capacity is acceptable.
2. That the contract documents be executed under the Seal of Council.

**Members of the press and public were excluded from consideration of the above item, the reason being that it contained commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.**

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**OPEN MEETING**

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The Mayor requested an appropriate motion to enable the meeting to resolve into Open Meeting.

- 76** **RESOLVED** (Palmer/Bonfield) that the Committee now move into Open Meeting.

The Mayor read to the meeting the resolution of the Closed Meeting.

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**REQUESTS FOR LEAVE OF ABSENCE**

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- 77** **RESOLVED** (Palmer/Bonfield) that Cr (Featherstone) be granted leave of absence from Council for the next two meetings of Council, ie 19 June and 3 July 2008.

This concluded the business and the meeting closed at 7.14 pm.

Confirmed: 19 June 2008.

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K D Rhoades, AFSM  
Mayor