

The following document is the minutes of the Council and Committee meetings held on 19 June 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 3 July 2008 and therefore subject to change. Please refer to minutes of 3 July 2008 for confirmation.



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

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

19 JUNE 2008

Present: Councillors K D Rhoades (Mayor), R W McKelvey (Deputy Mayor), J C Bonfield, 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 and Executive Assistant.

Leave of Absence: Councillor W D Featherstone

The meeting commenced at 5.02pm with the Mayor, Cr K D Rhoades in the chair.

APOLOGY

- 78 **RESOLVED** (Palmer/McKelvey) that an apology received from Councillor Joass for unavoidable absence be received and leave be granted for the current meeting of Council.
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CONFIRMATION AND ADOPTION OF MINUTES

- 79 **RESOLVED** (Palmer/Smithers) that the minutes of the Land Use, Health & Development Committee meeting held on 5 June 2008 be confirmed as a true and correct record of proceedings.
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CONFIRMATION AND ADOPTION OF MINUTES

- 80 **RESOLVED** (Palmer/Smithers) that the minutes of the City Services Committee meeting held on 5 June 2008 be confirmed as a true and correct record of proceedings.
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Item L14 was brought forward and considered as the first item of Business. Please refer to Page 6 for details of Council's resolution.

GENERAL MANAGER'S REPORT

10 2008/2011 MANAGEMENT PLAN - NOTICE OF SPECIAL MEETING

To advise Council that a Special Meeting is required to consider the adoption of the 2008/2011 Management Plan. This report recommends that Councillors agree to attend a Special Meeting at 5.00pm on Monday, 30 June 2008.

- 82 RESOLVED** (Hogbin/McKelvey) that, as Council's Application for Special Variation to General Income 2008/2009 has not yet been determined, a Special Meeting of Council be held at 5.00pm on Monday, 30 June 2008 to allow the adoption of the 2008/2011 Management Plan.
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CORPORATE BUSINESS COMMITTEE

- 83 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.

CORPORATE BUSINESS DEPARTMENT REPORTS

C32 REVISED CODE OF MEETING PRACTICE

To update Council's Code of Meeting Practice, to reflect changes made from the Local Government (Meetings) Regulation 1999 to the current Local Government (General) regulation 2005.

- CB32 RECOMMENDED** (Smithers/Palmer) that:

1. Council adopt the Local Government (General) Regulation 2005, Clause 232 – 273, for incorporation into its Code of Meeting Practice.
2. It be noted that Council's Code of Meeting Practice, apart from the regulations, is under review and an amended Code will be reported to Council by October 2008.

C33 MONTHLY BUDGET REVIEW FOR APRIL 2008

To report on the estimated budget position as at 30 April 2008.

CB33 RECOMMENDED (Ovens/Palmer) that:

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 30 April 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 March 2008	30,998 (D)	1,833,414 (S)	2,257,516 (S)	
Recommended variations for April per attached exception report	339,300 (D)	525,000 (D)	918,750 (D)	
Estimated result 2007/08 as at 30 April 2008	<u>370,298</u> (D)	<u>1,206,463</u> (D)	<u>1,561,694</u> (D)	

C34 RENAMING THE EXISTING PACIFIC HIGHWAY SUBJECT TO REALIGNMENT AT BONVILLE

Renaming of the existing Pacific Highway and to report on the associated public consultations undertaken.

CB34 RECOMMENDED (Rhoades/Bonfield) that:

1. Council approves "Pine Creek Way" for the section of the Pacific Highway subject to realignment at Bonville.
2. Council seek the concurrence of the RTA.
3. Council notify Australia Post, The Registrar-General and the Surveyor-General of the Department of Lands of this decision.

C35 MOU BETWEEN SOUTHERN CROSS UNIVERSITY AND COFFS HARBOUR CITY COUNCIL

To recommend that Council enter into a Memorandum of Understanding (MOU) with Southern Cross University.

CB35 RECOMMENDED (Bonfield/Palmer) that:

1. Council enter into an MOU with the Southern Cross University
2. General Manager and the Mayor be authorised to sign the MOU on behalf of Council.

C36 RELOCATION OF DRAINAGE EASEMENT AFFECTING 95 ORLANDO STREET, COFFS HARBOUR

Report on the proposal to relocate an easement for drainage purposes at 95 Orlando Street, Coffs Harbour.

CB36 RECOMMENDED (Palmer/Bonfield) that:

1. Council consent to the release of Easement for Drainage of Water as shown in DP 644549 over 95 Orlando Street (Lot 8 DP 237663) on the condition a new easement is created as shown in the plan marked "A" attached to this report.
2. All costs associated with the matter be the responsibility of the owner of 95 Orlando Street, Coffs Harbour.
3. All necessary documents associated with this matter be executed under the Common Seal of Council.

C37 REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

CB37 RECOMMENDED (Ovens/Smithers) that the report be noted.

C38 BANK BALANCES AND INVESTMENTS FOR APRIL 2008

To list Council's Bank Balances and Investments as at 30 April 2008.

CB38 RECOMMENDED (Ovens/Smithers) that:

1. The bank balances and investments totalling one hundred and eighty five million, two hundred and eighteen thousand seven hundred and ninety six dollars (\$185,218,796) on hand as at 30 April 2008 be noted.
2. It is also noted that after deducting from the total bank and investment balances, the estimated restricted General, Water & Sewerage cash and investments of \$184,589,095, the estimated General Fund unrestricted cash and investments is \$629,702.

C39 TENDER: SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS

To report on the tenders received by Regional Procurement Initiative (division of Hunter Council Incorporated) acting for and on behalf of the Mid North Coast Procurement Alliance Group of Councils for the Supply and Delivery of Bulk Water Treatment Chemicals and to gain Council approval.

CB39 RECOMMENDED (Palmer/Smithers) that:

1. Council accepts the Tender offers of both Orica Australia and Omega Chemicals in respect of the Regional Procurement Initiative Tender T30809MNC for the supply & delivery of the three (3) Water Chemicals (mentioned above) on the basis that:
 - a) The tender offers are the most suitable and advantageous tenders following the application of Regional Procurement's Tender Value Selection System
 - b) Both Orica Australia and Omega Chemicals have the necessary experience in similar works and are currently active and proven suppliers to Council
 - c) Savings will be made as follows:
 - Sodium Hypochlorite - \$0.03854 per litre
 - Polymer (20 litre) - \$1.28 kg
 - Aluminium Sulphate - \$0.00Even though savings will not be realised on Aluminium Sulphate, Council will not pay more than the current pricing arrangement and will simultaneously address our own Tender Policy & Procedures for expenditure over \$75,000.00.
2. That the contract documents be executed under Council's Seal.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L14 DEVELOPMENT APPLICATION 1011/08 - MEDITATION CENTRE (EDUCATIONAL ESTABLISHMENT), LOT 33 DP 862643, 26B JABOH CLOSE, UPPER ORARA

This report addresses issues raised in a public address to Council on Development Application 1011/08 for a Meditation Centre (Educational Establishment) at 26B Jaboh Close, Upper Orara on 5 June 2008.

All of the matters and issues addressed in the former Council report are still relevant to Council's determination on this application.

81 RESOLVED (Bonfield/Palmer) that:

1. Development Application 1011/08 for a Meditation Centre (Educational Establishment) at 26B Jaboh Close, Upper Orara be approved subject to the conditions provided as Appendix C of the former Council report of 5 June 2008.
2. That those persons who made submissions on this Development Application be informed of Council's decision.

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 5.25pm.

OPEN COUNCIL

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

CB40 RECOMMENDED (Smithers/McKelvey) that the Committee now move into Open Council.

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

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

REQUESTS FOR LEAVE OF ABSENCE

- 85 **RESOLVED** (Palmer/McKelvey) that Cr Smithers be granted leave of absence from the Council meetings on 30 June and 3 July 2008.
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GENERAL BUSINESS

1. Centro - Toormina

Councillor Smithers asked if Council is in a position to investigate complaints about Centro at Toormina reported in the newspaper relating to working late, water pollution and OH&S issues.

The Director of Land Use, Health & Development advised that Centro has been interviewed and information will be circulated to Councillors.

2. State Planning Legislation

Cr Smithers asked if the extent of additional staff resources, that will be required as a result of changes to the State Planning legislation, has been determined.

The Director of Land Use, Health & Development advised that the extent of additional workload will not be known until details of the regulations have been received.

3. Local Roads Congress

Councillor Palmer gave an overview of the Local Roads & Transport Congress that he attended in Shepparton this week.

4. Local Roundabouts

Councillor Bonfield was asked by a representative from Tourism NSW to request that Council's Parks and Gardens staff be congratulated for outstanding floral displays on local roundabouts.

5. National Whale Day

Councillor Bonfield conveyed the great sense of community that was felt at the inaugural National Whale Day on Saturday 14 June 2008 and congratulated Council's Cultural Development Officer, Malcolm McLeod, for his contribution to the event.

6. Councillor Attendance at Meetings

Councillor Bonfield advised that due to a large number of commitments she is not always able to accommodate changes to meetings at short notice, and requested that staff take the Councillors into consideration before rescheduling meetings.

7. Nana Glen Heart Start

Councillor McKelvey advised that volunteers from Nana Glen Heart Start, which is supported by Council, had recently saved the life of a Nana Glen resident. He also encouraged Council to continue lobbying for a Westpac Helicopter to be based in Coffs Harbour to further assist residents, particularly in the remote areas.

8. Announcement - Foreshore Tenders

Councillor Bonfield asked when Minister Kelly is expected to make an announcement for the Foreshore Tenders.

Council's Executive Manager – Business Units confirmed that the announcement has been deferred until 30 June 2008

This concluded the business and the meeting closed at 5.55 pm.

Confirmed: 3 July 2008

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Keith Rhoades AFSM
Mayor