

The following document is the minutes of the Council and Committee meetings held on 21 August 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 4 September 2008 and therefore subject to change. Please refer to minutes of 4 September 2008 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(CORPORATE BUSINESS COMMITTEE)
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
21 AUGUST 2008

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COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(CORPORATE BUSINESS COMMITTEE)

21 AUGUST 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: Acting General Manager, Director Corporate Business (Acting), Director Land Use, Health and Development and Executive Assistant.

Leave of Absence: Councillor C O Joass

The meeting commenced at 5.34pm with the Mayor, Cr K D Rhoades in the chair.

APOLOGY

- 109** **RESOLVED** by consent that an apology received from Councillor WD Featherstone for unavoidable absence be received and leave be granted for the current meeting of Council.

CORPORATE BUSINESS COMMITTEE

- 110** **RESOLVED** (Palmer/Hogbin) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.35pm.

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

CORPORATE BUSINESS DEPARTMENT REPORTS

C51 INTERIM QUARTERLY BUDGET REVIEW FOR JUNE 2008

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

CB54 RECOMMENDED (Ovens/Palmer) that:

1. The variations in the attached exception report be approved.
2. The interim revised budget position as at 30 June 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 May 2008	260,798 (D)	1,308,414 (S)	1,338,766 (S)
Recommended variations for June per attached exception report	Nil	Nil	Nil
Estimated result 2007/08 as at 30 June 2008	<u>260,798 (D)</u>	<u>1,206,463 (D)</u>	<u>1,561,694 (D)</u>

3. It is noted that the updated position is \$115,000 (D) as verbally advised at the meeting by the Director Corporate Business (Acting).

C52 DRAFT PLANS OF MANAGEMENT FOR PARK BEACH AND SAWTELL RESERVE

Submitting Draft Plans of Management for Park Beach Reserve and Sawtell Reserve with the recommendation that the Draft Plans of Management be referred to the Department of Lands for approval to place on Public Exhibition.

CB55 RECOMMENDED (Palmer/Ovens) that Council, as Corporate Manager of the Coffs Coast State Park Trust, refer the Park Beach Reserve Plan of Management 2008 and the Sawtell Reserve Plan of Management 2008, to the Department of Lands for approval to place the plans on Public Exhibition.

C53 REPORTS AND RESOLUTIONS AWAITING IMPLEMENTATION

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

CB56 RECOMMENDED (Smithers/McKelvey) that the report be noted.

C54 BANK BALANCES AND INVESTMENTS FOR JUNE 2008

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

CB57 RECOMMENDED (Palmer/Ovens) that:

1. The bank balances and investments totaling one hundred and sixty five million, six hundred and sixty nine thousand, one hundred and sixty two dollars (\$165,669,162) as at 30 June 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 \$164,929,960 the estimated interim General Fund unrestricted cash and investments is \$739,202.

C55 TENDER: SUPPLY AND DELIVERY OF BULK FUELS

To report on 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 Fuels (Distillate, ULP, E10, B5, B10 & B20) and to gain Council approval.

CB58 RECOMMENDED (Palmer/McKelvey) that:

1. Council accepts the Tender offer of Caltex Energy NSW in respect of the Regional Procurement Initiative Tender T40809MNC for the supply & delivery of Bulk Fuels (Distillate & ULP Standard) on the basis that:
 - a) The tender offer is the most suitable and advantageous tender following the application of Regional Procurement's Tender Value Selection System.
 - b) Caltex Energy NSW has the necessary experience in similar works and is currently an active and proven supplier to Council.

C55 Tender: Supply And Delivery Of Bulk Fuels ...(Cont'd)

- c) By actively participating in this Regional Procurement Tender T40809MNC on behalf of the MNC Procurement Alliance of Councils, Coffs Harbour City Council will not be in breach of the Local Government (General) Regulation 2005- Section 7 Tendering for annual expenditure over \$150,000.00
- d) Savings will be made as follows:
 - Based on benchmarking the NSW Department of Commerce (Smartbuy) contract 366 for the supply of Fuels, Council will make an average saving of between \$0.025 & \$0.03cpl for the delivery of both Distillate and ULP Standard.
 - If all Mid North Coast Procurement Alliance Member Councils agree to the Caltex Energy NSW tender offer, Council will make a further saving of \$0.005cpl off the supply of Distillate & ULP Standard
 - Caltex Energy NSW have further offered Council a savings of \$0.005cpl off the supply of both Distillate & ULP Standard if we purchase all our Oils and Lubricants from their company.

2. The contract documents be executed under Council's Seal

Item C56 was considered in Closed Council. Please refer to page 8 for details.

C57 TENDER - COFFS HARBOUR AIRPORT - BAGGAGE HANDLING BUILDING EXTENSION (CONTRACT 08/09-364-TO)

To report on Tenders received for the *Contract 08/09-364-TO Coffs Harbour Airport – Baggage Handling Building Extension* and to gain Council approval to accept a conforming Tender.

CB59 RECOMMENDED (Ovens/Smithers) that:

1. Council accept the Tender of *Robert Shone Constructions* ABN 84 056 803 439 for the Coffs Harbour Airport – Baggage Handling Building Extension - Contract No. 08/09-364-TO in the amount of \$ 509,593.00 including GST, on the basis that:
 - a. The Tender is lowest conforming Tender received.
 - b. The Tendered amount is considered reasonable and in line with current market prices.
 - c. The Tenderer has the necessary experience in similar works and his referees have confirmed his ability and satisfactory performance.
 - d. The Tenderer's financial references are satisfactory.
2. The contract documents be completed under Seal of Council.

C58 TENDER - COFFS HARBOUR AIRPORT - BAGGAGE HANDLING SYSTEM (CONTRACT 08/09-365-TO)

To report on Tenders received for the *Contract 08/09-365-TO Coffs Harbour Airport – Baggage Handling System* and to gain Council approval to accept a conforming Tender.

CB60 RECOMMENDED (McKelvey/Ovens) that:

1. Council accept the Tender of *Siemens Ltd* ABN 98 004 347 880 for the Coffs Harbour Airport – Baggage Handling System - Contract No. 08/09-365-TO in the amount of \$ 464,819.00 including GST, on the basis that:
 - a. The Tender is lowest conforming Tender received.
 - b. The Tendered amount is considered reasonable and in line with current market prices.
 - c. The Tenderer has the necessary experience in similar works and his referees have confirmed his ability and satisfactory performance.
 - d. The Tenderer's financial references are satisfactory.
2. The contract documents be completed under Seal of Council.

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 6.12pm.

OPEN COUNCIL

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

CB61 RECOMMENDED (Ovens/Palmer) that the Committee now move into Open Council.

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

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

REQUESTS FOR LEAVE OF ABSENCE

- 112 **RESOLVED** by consent that Cr Hogbin be granted leave of absence from Council on 4 September 2008.

MATTERS OF AN URGENT NATURE

1. Threatened Species

Cr McKelvey asked if an EIS was required before slashing commenced in Eastern Ground Parrot habitat, in the Red Rock area.

The Director Land Use, Health & Development indicated that a Part 5 Assessment would be required under the Environmental Planning Act, and undertook to investigate the matter.

QUESTIONS WITHOUT NOTICE

1. Coastal Walk

Cr Bonfield asked if the Coastal Walk, in the Tiki Rd area, will be opened for public use, or continue to be accessible only by a few residents who have been issued with keys to the locked gate.

The Director Land Use, Health & Development advised that Councils Parks & Recreation staff will investigate the matter and provide information to the Councillors.

2. Dog Kennels – Gaudrons Road

Cr Bonfield asked for an update regarding the Development Application to establish Dog Kennels in Gaudrons Road.

The Director Land Use, Health & Development advised that since Council refused the Development Application, the applicant has lodged an appeal with the Land of Environment Court.

3. Cycleways

Cr Palmer asked if there is a program of works for establishing cycleways in the local government area, and if the works were dependent on external funding?

The Acting General Manager advised he would provide Councillors with a copy of the current program, and advised it is heavily dependent on external parties, including the RTA.

GENERAL BUSINESS

1. Sportz Central Upgrade

Cr Smithers asked if there are any alternate avenues to source funding, following the cancellation of the Regional Partnerships program and subsequent withdrawal of approved funding for the Sportz Central upgrade.

The Acting General Manager advised that staff are currently reevaluating how to best use the existing funding for this project.

2. Councillor Hogbin

Cr Rhoades publicly thanked Cr Hogbin, on behalf of the community, for his time and commitment over the past 4½ years in his role of Councillor as well as Chair of the Corporate Business Committee for the entire term.

Cr Hogbin responded that it has been a privilege to serve the community on Council and indicated that he looks forward to making a contribution to the community through external projects in the future.

3. Litigation – Outstanding Debts

Cr Ovens requested a confidential report be presented to Council on outstanding debts as a result of litigation.

The Acting General Manager undertook to supply the requested report to Councillors.

CLOSED MEETING – SECTION 10(A)

The Mayor requested a motion to close the meeting to consider a confidential report as outlined in the meeting agenda, the time was 6.35pm.

- 113 RESOLVED** by consent that the meeting be closed to the press and public during consideration of the following items for the reason as stated:

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

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d)(i) Contained commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
 - (ii) Confer a commercial advantage on a competitor of council, or
 - (iii) reveal a trade secret.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

C56 TENDER - COFFS HARBOUR AIRPORT - CHECKED BAG SCREENING (CONTRACT 08/09-355-TO)

To report on Tenders received for the *Contract 08/09-355-TO Coffs Harbour Airport – Checked Bag Screening* and to gain Council approval to accept a conforming Tender.

- 114 RESOLVED** (Palmer/McKelvey) that:

1. Council accept the Tender of *Smiths Detection (Australia) Pty Ltd* ABN 088 868 062 for the Coffs Harbour Airport – Checked Bag Screening - Contract No. 08/09-355-TO in the amount of \$ 422,765.02 including GST, on the basis that:
 - a. The Tender is lowest conforming Tender received.
 - b. The Tendered amount is considered reasonable and in line with current market prices.
 - c. The Tenderer has the necessary experience in similar works and his referees have confirmed his ability and satisfactory performance.
 - d. That appropriate security documents be provided to Council by the Smiths Group to guarantee performance under the contract.
2. The contract documents be completed under Seal of Council.

OPEN MEETING

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

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

This concluded the business and the meeting closed at 6.43 pm.

Confirmed: 4 September 2008

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Keith Rhoades AFSM
Mayor