

The following document is the minutes of the Council and Committee Meetings held on Thursday, 16 October 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 6 November 2008 and therefore subject to change. Please refer to the minutes of the meeting of 6 November 2008 for confirmation.



## **COFFS HARBOUR CITY COUNCIL**

### **ORDINARY MEETING**

**COUNCIL CHAMBERS  
COUNCIL ADMINISTRATION BUILDING  
COFF AND CASTLE STREETS, COFFS HARBOUR**

**16 OCTOBER 2008**

#### **Contents**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
	<b>GENERAL MANAGER'S REPORT</b>	<b>2</b>
14	ELECTION OF DEPUTY MAYOR	2
15	ELECTION OF STANDING COMMITTEE CHAIRPERSON AND DEPUTY CHAIRPERSON	2
16	COUNCILLORS' FEES, EXPENSES AND FACILITIES POLICY	3
17	CODE OF MEETING PRACTICE	3
	<b>LAND USE HEALTH &amp; DEVELOPMENT DEPARTMENT REPORT</b>	<b>4</b>
L20	COFFS HARBOUR CITY PLAN 2030	4
	<b>CITY SERVICES DEPARTMENT REPORTS</b>	<b>4</b>
S40	GRANTING OF EASEMENTS TO COUNTRY ENERGY AT WATER TREATMENT PLANT & WATER RECLAMATION PLANT	4
S41	TENDER - SUPPLY & DELIVERY OF BITUMEN SEALING WORKS	5

<b>CORPORATE BUSINESS DEPARTMENT REPORTS</b>	<b>5</b>
C60 BANK BALANCES AND INVESTMENTS FOR JULY 2008	5
C61 COUNCILLORS' EXPENSES JANUARY - JUNE 2008	5
C62 FINANCIAL RESULT FOR YEAR END 30 JUNE2008	6
C63 DONATIONS PROGRAM 2008/2009	6
C64 ENVIRONMENTAL LEVY PROJECTS REPORT 2007/08	7
C65 CONDUCT OF AUDITS - SECTION 355 FACILITY MANAGEMENT COMMITTEES	8
C66 REPLACEMENT OF PARK BEACH PUBLIC AMENITIES AND COUNCIL LIFEGUARD FACILITIES	8
C67 SALE OF 218 HARBOUR DRIVE, COFFS HARBOUR	9
C68 DEDICATION OF LAND FOR ROAD PURPOSES	9
C69 ENCROACHMENTS ONTO LANEWAY AT CORAMBA - NO 5	10
C70 AIRPORT FEES AND CHARGES FOR REGULAR PASSENGER TRANSPORT (RPT)	11
C71 SUBDIVISION AND SALE OF SURPLUS COUNCIL LAND	11
C72 TENDER - COFFS COAST HOLIDAY PARKS WASTE AND RECYCLABLES COLLECTION 2008/2011	12
<b>QUESTION WITHOUT NOTICE</b>	
1. Sea Level Rise - Surf Life Saving Club	12



## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

16 OCTOBER 2008

**Present:** Councillors K Rhoades (Mayor), J Arkan, J Bonfield, R Degens, M Graham, K Hines, D Knight, W Palmer and P Templeton.

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

The meeting commenced at 5.04pm with the Mayor, Cr K Rhoades in the chair.

---

#### PUBLIC ADDRESS

---

Time	Speaker	Item
5.00pm	Dianne West	C69 - Encroachments onto Laneway at Coramba - No. 5.

---

#### CONFIRMATION AND ADOPTION OF MINUTES

121 **RESOLVED** (Palmer/Bonfield) that the minutes of the City Services Committee Meeting held on 4 September 2008 be confirmed as a true and correct record of proceedings.

---

#### DISCLOSURES OF INTEREST

Disclosures of interest were tabled by Councillors concerning the following items of business:

1. Councillor Palmer Item C66.
2. Councillor Bonfield Item C67.
3. Councillor Hines Item C67.
4. Councillor Graham Item C72.

## **GENERAL MANAGER'S REPORT**

---

### **14 ELECTION OF DEPUTY MAYOR**

---

To seek Council's decision on the election of a Deputy Mayor.

**122 RESOLVED** (Palmer/Bonfield) that

1. That Council elect a Deputy Mayor for the ensuing twelve (12) months.
2. That nominations be called and the method of election be open voting.

The General Manager as Returning Officer advised that one nomination, being for Cr Palmer was received for the position of Deputy Mayor. Cr Palmer was declared elected as Deputy Mayor for the ensuing twelve months.

---

### **15 ELECTION OF STANDING COMMITTEE CHAIRPERSON AND DEPUTY CHAIRPERSON**

---

To seek Council's decision on the election of the Chairperson and Deputy Chairperson positions for the three Standing Committees

**123 RESOLVED** (Bonfield/Palmer) that

1. That Council elects a Chairperson and Deputy Chairperson for the following Standing Committees:
  - City Services
  - Land Use Health and Development
  - Corporate Business
2. That nominations be called and the method of election be open voting.

#### **CITY SERVICES**

##### **Chairperson**

- 124 RESOLVED** (Bonfield/Templeton) that Cr Palmer be nominated. As there were no other nominations, the Mayor declared Cr Palmer elected as Chairperson of City Services Committee.

##### **Deputy Chairperson**

- 125 RESOLVED** (Palmer/Bonfield) that Cr Arkan be nominated. As there were no other nominations, the Mayor declared Cr Arkan elected as Chairperson of City Services Committee.

## **CORPORATE BUSINESS**

### **Chairperson**

- 126 **RESOLVED** (Palmer/Knight) that Cr Bonfield be nominated.
- 127 **RESOLVED** (Hines/Degens) that Cr Templeton be nominated.

The Mayor declared Cr Bonfield elected Chairperson of Corporate Business Committee by a show of hands.

### **Deputy Chairperson**

- 128 **RESOLVED** (Palmer/Hines) that Cr Templeton be nominated. As there were no other nominations, the Mayor declared Cr Templeton elected as Deputy Chairperson of Corporate Business Committee.

## **LAND USE, HEALTH AND DEVELOPMENT**

### **Chairperson**

The Mayor retained Chairmanship of Land Use, Health and Development for the 12 months period and appointed Cr Palmer to act on his behalf when he is absent.

---

## **16 COUNCILLORS' FEES, EXPENSES AND FACILITIES POLICY**

---

To propose an amendment to Council policy in accordance with the requirement to review Council's policies within 12 months of the conduct of Local Government Elections.

This item was withdrawn. Awaiting advice from Department of Local Government.

---

## **17 CODE OF MEETING PRACTICE**

---

To review Council's Code of Meeting Practice with recommended changes to the existing Code.

- 129 **RESOLVED** (Palmer/Bonfield) that Council adopt the draft Code of Meeting Practice (7 October 2008) as its Code of Meeting Practice.

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

---

### L20 COFFS HARBOUR CITY PLAN 2030

---

The report provides an update on the progress of the Coffs Harbour City Plan 2030 and seeks appointment of Councillors to sit on the Steering Committee for the project.

**130 RESOLVED** (Palmer/Bonfield):

1. That Council note and endorse this progress report on the development of Coffs Harbour City Plan 2030.
2. That the Mayor, and any Councillor, together with the General Manager and his nominated staff participate on the Coffs Harbour City Plan 2030 Steering Committee which will oversee that project .
3. That a further report be brought before Council in November 2008 to report on the outcomes of the Vision 2030 community engagement process.

## CITY SERVICES DEPARTMENT REPORTS

---

### S40 GRANTING OF EASEMENTS TO COUNTRY ENERGY AT WATER TREATMENT PLANT & WATER RECLAMATION PLANT

---

The report is seeking Council approval for the granting of easements to Country Energy for high voltage power supply over Council owned properties. The properties are at:

- Lot 2 DP 1083920, 146 Upper Orara Road, Karangi (Water Treatment Plant), and
- Lot 2 DP 1067836 and Lot 7 DP 90246, Christmas Bells Road, Coffs Harbour. (Water Reclamation Plant)

**131 RESOLVED** (Arkan/Templeton):

1. That Council proceed to grant easements over electricity supply infrastructure to Country Energy at the following Council owned facilities as described in the plans attached to this report:
  - a. Water Treatment Plant at Lot 2 DP 1083920, 146 Upper Orara Road Karangi, and
  - b. Water Reclamation Plant at Lot 2 DP 1067836 and Lot 7 DP 90246, Christmas Bells Road, Coffs Harbour
2. That Council is responsible for all costs in the matter and that no compensation be required for the creation of the easements.
3. That all necessary documents associated with the granting of the easements be executed under the Common Seal of Council

---

## **S41 TENDER - SUPPLY & DELIVERY OF BITUMEN SEALING WORKS**

---

To obtain Council approval to accept a tender for the supply and delivery of bitumen sealing works for the 2008/09 financial year.

**132 RESOLVED** (Bonfield/Templeton):

1. That Council accept the tender submitted by Bitupave Ltd T/As Boral Asphalt, ABN 53 000 102 376, for Contract No. 08/09-353-TO, Supply and Delivery of Spray Bitumen Sealing Works, for the rates as tendered on the basis that it is the most advantageous tender.
2. That the contract documents be executed under the Common Seal of Council.

---

## **CORPORATE BUSINESS DEPARTMENT REPORTS**

---

### **C60 BANK BALANCES AND INVESTMENTS FOR JULY 2008**

---

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

**133 RESOLVED** (Palmer/Arkan):

1. That the bank balances and investments totaling two hundred and thirty nine million, four hundred and forty two thousand, seven hundred and twenty seven dollars (\$239,442,727) as at 31 July 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 \$237,926,404 the estimated General Fund unrestricted cash and investments is \$1,516,323.

---

### **C61 COUNCILLORS' EXPENSES JANUARY - JUNE 2008**

---

To report to Council on those expenses of Councillors for the period January to June 2008.

**134 RESOLVED** (Palmer/Templeton) that the information be noted.

---

**C62 FINANCIAL RESULT FOR YEAR END 30 JUNE2008**

---

To report on the final results of the financial position of various activities to the year ended 30 June 2008.

The following attachments are included with this report:

- Attachment A - 30 June 2008 Variations Report
- Attachment B - Summary of significant results by Department;
- Attachment C - Budget Summary at Department Level;
- Attachment D - Revotes from 2007/08 to 2008/09.

**135 RESOLVED** (Templeton/Hines) that:

1. The variations in the attached exception report be approved (Attachment A).
2. That the estimated results for the financial year 2007/08 be noted as follows:

	\$	
General Account	609,688	surplus
Water Account	(1,490,160)	deficit
Sewer Account	(1,693,688)	deficit

3. That the various revotes from 2007/2008 to 2008/2009 as detailed in Attachment D as follows, be adopted.

SUMMARY	REVOTE \$	FUNDING			
		Revenue \$	External \$	Env Levy \$	Restricted Equity \$
General Account	24,846,474	2,845,154	5,746,779	227,545	16,026,996
Water Account	15,219,600	1,288,067			13,931,533
Sewer Account	32,568,247	1,741,059	3,887,308		26,939,880

---

**C63 DONATIONS PROGRAM 2008/2009**

---

Determination of the Donations Program for 2008/2009.

**136 RESOLVED** (Palmer/Templeton) that:

1. The "Donations" and "Rates Subsidy" programs for 2008/2009 as set out in the report, totalling \$92,266 be adopted.
2. The "Donations" and "Rates Subsidy" budget allocations for 2009/2010 be adjusted to reflect CPI increases and changes in rate contribution requirements.



---

## C64 ENVIRONMENTAL LEVY PROJECTS REPORT 2007/08

---

To provide Council with a status report on the projects funded under the Environmental Levy (EL) Program.

**137 RESOLVED** (Bonfield/Palmer):

1. That Council notes the status of Environmental Levy Projects as at 30 June 2008 as outline in attachment "A".
2. That the following projects' over-expenditures be allocated from existing Environmental Levy projects

Project Funds	Deficit
	\$
Propagation Nursery at Nana Lane	\$3,859
Sustainable Management of Biodiversity in the Coffs LGA	(\$3,859)
Hills Beach Walkway	\$1,928
Charlesworth Bay to Breakers Way	(\$1,928)
Drainage Program (Revenue)	(\$1,702)
Clearing Gross Pollutant Traps	\$1,702

3. That the following projects' surplus funds be returned to the funding pool for allocation to future projects.

Project Funds	Surplus
	\$
Sustainable Management of Biodiversity in the Coffs LGA	\$9,944
Environmental Levy Coordination	\$11,300
Coffs Harbour Wires	\$548
Camphor Laurel Removal	\$13,472
Water Sensitive Urban Design	\$32
Total	\$35,296

4. That it be noted the report to this meeting "Financial Result for Year Ended 30 June 2008" incorporates the Environmental Levy Revotes as recommended in this Report.
5. That Council continues to monitor the Environmental Levy Program to ensure the earliest completion of projects.

---

**C65 CONDUCT OF AUDITS - SECTION 355 FACILITY MANAGEMENT COMMITTEES**

---

To provide Council with details of the audit of the financial records of Council's Section 355 facility management committees for the year ended 30 June 2008.

- 138 RESOLVED** (Bonfield/Templeton) that the report on the audit of the Section 355 facility management committees be noted.

**Councillor Palmer declared a pecuniary interest in item C66, vacated the chamber at 5.43pm and took no part in the discussion or voting.**

---

**C66 REPLACEMENT OF PARK BEACH PUBLIC AMENITIES AND COUNCIL LIFEGUARD FACILITIES**

---

To recommend Council contribute an additional \$70,000.00 towards the cost of new public amenities and Lifeguard facilities at Coffs Harbour Surf Life Saving Club at Park Beach.

- 139 RESOLVED** (Bonfield/Arkan) that Council, as Corporate Manager of the Coffs Coast State Park, approves Option 4 and reallocates \$70,000.00 of State Park funds, previously contributed to Park Beach Masterplan work, towards the Park Beach Surf Life Saving Club public amenities and Lifeguard facilities.

Councillor Palmer returned to the chamber, the time being 5.45pm.

**Councillors Bonfield and Hines declared a pecuniary interest in item C67, vacated the chamber at 5.46pm and took no part in the discussion or voting.**

---

### **C67 SALE OF 218 HARBOUR DRIVE, COFFS HARBOUR**

---

To determine the sale process for Council's property at 218 Harbour Drive, Coffs Harbour. This report recommends an appropriate agent to handle the sale by auction.

**140 RESOLVED (Palmer/Templeton):**

1. That Council appoint Colliers International as agents to conduct the sale by auction of 218 Harbour Drive, Coffs Harbour on Council's behalf.
2. That the General Manager be given delegated authority to set a reserve price for the auction and to negotiate the sale of the property if not sold at auction, in conjunction with Council's Valuation staff.
3. That Council execute under seal all required documents to facilitate the sale of the property.
4. That the funds received from the sale of the land be allocated as per Council's previous resolution of 13 December 2007.

Councillors Bonfield and Hines returned to the chamber, the time being 5.50pm.

---

### **C68 DEDICATION OF LAND FOR ROAD PURPOSES**

---

To obtain Council approval to dedicate land owned by Council as Public Road on Hogbin Drive.

**141 RESOLVED (Palmer/Arkan):**

1. That part of Lot 13 DP 735083 and Lot 22 DP 1110078 Hogbin Drive, shown as proposed road widening on the plan attached to the report, be dedicated as public road.
2. That any necessary documents be executed under the common seal of Council.

---

## **C69 ENCROACHMENTS ONTO LANEWAY AT CORAMBA - NO 5**

---

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

### **MOTION**

**MOVED** (Templeton/Palmer):

1. That Council note that the owners of number 16 Thrower Avenue, Coramba have withdrawn their application to close and purchase that part of the laneway that adjoins the rear of their property.
2. That Council not approve the application of the owners of number 18 Thrower Avenue, Coramba to close and purchase that part of the laneway that adjoins the rear of their property.
3. That the owners of both numbers 16 and 18 Thrower Avenue, Coramba be requested to remove fences or other structures that block the laneway within three months from Council's decision.
4. That land owners who adjoin the lane, and those persons who lodged objections be informed of Council's decision.
5. That Council re-affirm that it has no intention to form or construct the laneway to a trafficable condition.
6. After removal of the encroachments, Council monitor the situation in relation to drainage from the laneway.

### **AMENDMENT**

- 142** **MOVED** (Degens/Arkan) that a decision be deferred subject to a site inspection with a report to come back to Council in February 2009.

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**.

---

## **C70 AIRPORT FEES AND CHARGES FOR REGULAR PASSENGER TRANSPORT (RPT)**

---

Adoption of Fees and Charges for RPT at Coffs Harbour Regional Airport

- 143** **RESOLVED** (Templeton/Hines) that Council adopt the following fees and charges for Regular Passenger Transport for the use of Coffs Harbour Regional Airport from 1 October 2008.

	Virgin Blue	Qantas & Brindabella
Landing Fee	\$98.00	Nil
Passengers 1-50	\$9.00	\$10.00
Passengers 51-75	\$5.00	\$5.50
Passengers 76-150	\$4.00	\$4.50
Passengers 151+	\$3.00	\$3.5043

---

## **C71 SUBDIVISION AND SALE OF SURPLUS COUNCIL LAND**

---

The purpose of the report is to obtain approval for the sale of surplus land at Sapphire Beach.

- 144** **RESOLVED** (Palmer/Arkan):
1. That Council sell that part of Lot 19 DP 241476 Warrawee Street, Sapphire, as defined in this report to the adjoining owners, M and D McGaw, on the terms and conditions contained in this report.
  2. That Council proceed with a subdivision of the land as proposed in this report as depicted in Appendices "B1" and "B2".
  3. That the General Manager be given delegated authority to select a real estate agent, set a price and negotiate the sale of the two vacant land parcels shown in Appendices "B1" and "B2" attached to this report, as proposed Lot 1 and proposed Lot 4.
  4. That all necessary documents associated with the disposal of these properties be executed under the Common Seal of Council.

Councillor Graham declared a pecuniary interest in item C72, vacated the chamber at 5.54pm and took no part in the discussion or voting.

---

**C72 TENDER - COFFS COAST HOLIDAY PARKS WASTE AND RECYCLABLES COLLECTION 2008/2011**

---

To report on tenders received for the supply of Waste and Recyclables Collection at Park Beach Holiday Park, Sawtell Beach Caravan Park, Woolgoolga Beach Caravan Park, Lakeside Caravan Park and Woolgoolga Beach Reserve.

**145 RESOLVED** (Bonfield/Templeton):

1. That Council accept the Tender from Total Waste Solution ABN 63 068 204 473 for Contract No. 08/09-368-TO for the lump sum amount of \$313,792.00 (GST inclusive) on the basis that the tender is the most advantageous tender.
2. That contract documents be executed under the Common Seal of Council.

Councillor Graham returned to the chamber, the time being 5.56pm.

---

**REQUESTS FOR LEAVE OF ABSENCE**

---

**146 RESOLVED** (Palmer/Bonfield)) that Cr (Knight) be granted leave of absence from Council for the two meetings in November 2008.

---

**QUESTIONS WITHOUT NOTICE**

---

**1. Sea Level Rise - Surf Life Saving Club**

Cr Graham requested information be brought back regarding the risk to rise in sea level to the Surf Life Saving Club. Cr Graham expressed concerns re the spending of a significant amount of money in what he considers a risky location.

The General Manager took the matter on notice and will provide the information to Cr Graham.

This concluded the business and the meeting closed at 5.58 pm.

Confirmed: 6 November 2008.

.....  
K D Rhoades, AFSM  
Mayor