

The following document is the minutes of the Council and Committee Meetings held on Thursday, 20 November 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 4 December 2008 and therefore subject to change. Please refer to the minutes of the meeting of 4 December 2008 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING (CORPORATE BUSINESS)

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

20 NOVEMBER 2008

Contents

ITEM	DESCRIPTION	PAGE
MAYORAL MINUTE		
	UPDATE OF DISCLOSURES OF INTEREST AT MEETING OF 16 OCTOBER 2008	2
LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT		
L28	STATUS OF LAND AND ENVIRONMENT COURT APPEAL ON COUNCIL'S REFUSAL OF DEVELOPMENT APPLICATION 808/07 FOR AN ANIMAL ESTABLISHMENT	3
CORPORATE BUSINESS DEPARTMENT REPORTS		
C74	CARAVAN PARKS TOURIST ACCOMMODATION TARIFFS 2009/2010	4
C75	ACQUISITION OF LAND FOR RECONSTRUCTION OF EVE CREEK BRIDGE, EASTERN DORRIGO WAY, BROOKLANA	4
C76	QUARTERLY PERFORMANCE REPORTING FOR QUARTER ENDED 30 SEPTEMBER 2008	5

C77	COUNCILLORS' FEES, EXPENSES AND FACILITIES POLICY	5
C78	QUARTERLY BUDGET REVIEW FOR SEPTEMBER 2008	6
C79	PECUNIARY DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS	6
C80	BANK BALANCES AND INVESTMENTS FOR AUGUST 2008	6
C81	2007/2008 ANNUAL REPORT AND 2007/2008 SUPPLEMENTARY STATE OF THE ENVIRONMENT REPORT	7
C82	ELECTION FUNDING DISCLOSURES BY COUNCILLORS	7
C73	ADVERTISING BUS SHELTERS	8

MATTERS OF AN URGENT NATURE

1.	Scarborough Street, Woolgoolga	9
2.	Development of Tavern in Beach Street, Woolgoolga	10
3.	MacKays Road - Maintenance	10
4.	Vegetation - Christmas Bells Road	10
5.	Federal Funding Allocations for Local Government	11
6.	Alcohol Free Zones - Tradewinds Apartments	11

QUESTIONS WITHOUT NOTICE

1.	Condition of Public Toilets in City	11
2.	Korff Street Footbridge	12
3.	Native Vegetation on blocks of land	12
4.	Web Casting of Council Meetings	12
5.	Federal Allocation of Funding	12
6.	Baggage Screening at Coffs Harbour Airport	13



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING (CORPORATE BUSINESS)

20 NOVEMBER 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, Acting Director of City Services, Director Land Use, Health & Development, Senior Development Planner and Executive Assistant

Leave of Absence: Councillor D Knight.

The meeting commenced at 5.10pm with the Mayor, Cr K Rhoades in the chair.

DISCLOSURE OF INTEREST

160 **RESOLVED** (Palmer/Hines) that the following disclosure be received and noted as follows:

Councillor	Item	Type of Interest
Cr Bonfield	C73 - Advertising Bus Shelters	Non Pecuniary
Cr Bonfield is an advertiser with the applicant.		

MAYORAL MINUTE

UPDATE OF DISCLOSURES OF INTEREST AT MEETING OF 16 OCTOBER 2008

- 161** **MOVED** that the minutes of the 16 October 2008 Ordinary Meeting of Council be updated to include the following:

Cr Hines Item C67 Pecuniary Interest
Both tenderers known to Councillor Hines – One is a Landlord

Cr Bonfield Item C67 Pecuniary Interest
Working with L J Hooker – One of the Tenderers

Cr Graham Item C72 Non Pecuniary / Significant
Cr Graham's Partner is a contractor to Handybin Waste Services

Cr Palmer Item C66 Non Pecuniary / Significant
Cr Palmer is a trustee of Surf Club Properties

CONFIRMATION OF MINUTES

- 162** **RESOLVED** (Palmer/Arkan) that the minutes of the Land Use, Health & Development Committee meeting held on 6 November 2008 be confirmed as a true and correct record of proceedings.

CONFIRMATION OF MINUTES

- 163** **RESOLVED** (Palmer/Hines) that the minutes of the City Services Committee meeting held on 6 November 2008 be confirmed as a true and correct record of proceedings.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

- 164** **RESOLVED** (Graham/Degens) that Item L28 - Status of Land and Environment Court Appeal on Council's Refusal of Development Application 808/08 for an Animal Establishment be discussed.

L28 STATUS OF LAND AND ENVIRONMENT COURT APPEAL ON COUNCIL'S REFUSAL OF DEVELOPMENT APPLICATION 808/07 FOR AN ANIMAL ESTABLISHMENT

To update Council on the status of a Land and Environment court appeal on council's refusal of Development Application 808/07 for an animal establishment at Lot 4, DP 553165, No. 59 Gaudrons Road, Sapphire Beach.

- 165 RESOLVED** (Bonfield/Arkan) that Council continue to defend the appeal to the Land and Environment Court and additional expert evidence be obtained.

VOTE FOR

Templeton
Hines
Bonfield
Rhoades
Palmer
Arkan
Degens
Graham

VOTE AGAINST

The Mayor requested a motion to adjourn the Ordinary meeting and resolve into the Corporate Business Committee meeting.

CORPORATE BUSINESS COMMITTEE

- 166 RESOLVED** (Graham/Templeton) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Corporate Business Committee meeting, the time being 5.20pm.

The Mayor invited Councillor Bonfield to chair the Corporate Business Committee meeting.

CORPORATE BUSINESS DEPARTMENT REPORTS

C74 CARAVAN PARKS TOURIST ACCOMMODATION TARIFFS 2009/2010

To recommend the Tourist Accommodation Tariffs to be charged during the 2009/2010 period for Park Beach Holiday Park, Sawtell Beach Caravan Park, Woolgoolga Beach Caravan Park and Lakeside Caravan Park.

CB62 RECOMMENDED (Templeton/Palmer):

1. That Council, as Corporate Manager of the Coffs Coast State Park Trust and Woolgoolga Beach Reserve Trust, adopt the Tourist Tariffs attached to the report for -
 - Park Beach Holiday Park
 - Sawtell Beach Caravan Park
 - Woolgoolga Beach Caravan Park
 - Lakeside Caravan Park
2. That the fees be effective 1 February 2009.

C75 ACQUISITION OF LAND FOR RECONSTRUCTION OF EVE CREEK BRIDGE, EASTERN DORRIGO WAY, BROOKLANA

Report seeking Council approval for the acquisition of land required for the reconstruction of a bridge on Eastern Dorrigo Way, Brooklana which crosses Eve Creek.

CB63 RECOMMENDED (Palmer/Hines):

1. That Council proceed to acquire that area of land being approximately 2,610 square metres as shown on the attached plan, being part of Lot 131 DP 878005 at Brooklana.
2. That Council purchase the land on the terms and conditions as detailed in this report.
3. That all necessary documents associated with the acquisition of the land be executed under the common seal of Council.
4. That the land acquired by Council be dedicated as public road.

C76 QUARTERLY PERFORMANCE REPORTING FOR QUARTER ENDED 30 SEPTEMBER 2008

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

CB64 RECOMMENDED (Palmer/Hines) :

1. That Council notes the issues surrounding those measures that have not been achieved for the period ending 30 September 2008, as listed in the body of this report.
2. That Council note the achievements of customer service guarantees, as outlined in Attachment 1 of the General Manager's Report for the July to September 2008 quarter.
3. That Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the July to September 2008 quarter.
4. That Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councillors' Room for the July to September 2008 quarter.
5. That Council continues to monitor its performance with a view to improving service delivery.

C77 COUNCILLORS' FEES, EXPENSES AND FACILITIES POLICY

To propose minor amendments to Council policy in order to confirm existing arrangements regarding Councillors' expenses and entitlements.

CB65 RECOMMENDED (Templeton/Hines) that:

1. In accordance with Section 253(3) of the Local Government Act, Council determines that the amendments to the *'Policy for Payment of Expenses incurred by, and Provision of Facilities to, The Mayor and Councillors'* as set out in this report are not of a substantial nature and therefore do not necessitate community consultation.
2. Council adopts the amendments to the *'Policy for Payment of Expenses incurred by, and Provision of Facilities to, The Mayor and Councillors'* as set out in this report.
3. Council publish the amended policy on its website and forward a copy to the Department of Local Government.

C78 QUARTERLY BUDGET REVIEW FOR SEPTEMBER 2008

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

CB66 RECOMMENDED (Hines/Palmer) that:

1. The variations in the attached exception report be approved.
2. The revised Budget position as at 30 September 2008 be noted:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 30th June 2008	93,365 (D)	6,695,376 (D)	6,820,832 (D)
Recommended variations for September per attached exception report	6,970 (S)	280,826 (S)	289,103 (S)
Estimated result 2008/09 as at 30 September 2008	<u>86,395</u> (D)	<u>6,414,550</u> (D)	<u>6,531,729</u> (D)

C79 PECUNIARY DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

To table the Register of Returns received.

CB67 RECOMMENDED (Rhoades/Templeton) that the Register of Disclosures by Councillors and designated persons for the period July 2007 – June 2008, as tabled, be noted.

C80 BANK BALANCES AND INVESTMENTS FOR AUGUST 2008

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

CB68 RECOMMENDED (Rhoades/Templeton):

1. That the bank balances and investments totaling two hundred and thirty four million, nine hundred and fifty seven thousand, three hundred and sixty three dollars (\$234,957,363) as at 31 August 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 \$233,441,040 the estimated General Fund unrestricted cash and investments is \$1,516,323.

C81 2007/2008 ANNUAL REPORT AND 2007/2008 SUPPLEMENTARY STATE OF THE ENVIRONMENT REPORT

To provide Council with the Annual Report and Supplementary State of the Environment Report for the 2007/2008 financial year. This report recommends that the 2007/2008 Annual Report (except for the 2007/2008 Financial Report) and 2007/2008 Supplementary State of the Environment Report be adopted.

CB69 RECOMMENDED (Graham/Arkan) that Council:

1. Adopts the 2007/2008 Annual Report and 2007/2008 Supplementary State of the Environment Report.
2. Note that the 2007/2008 Annual Financial Reports will be presented to Council for consideration at the meeting on 18 December 2008.

Congratulations to be given to staff for a job well done.

C82 ELECTION FUNDING DISCLOSURES BY COUNCILLORS

To ensure that all councillors have acknowledged that they have received correspondence from the Election Funding Authority, dated the 22 October 2008, and that they are aware of their obligations under the Election Funding and Disclosure Act 1981

CB70 RECOMMENDED (Graham/Palmer):

1. That each Councillor acknowledges in this meeting of Council that they have received the correspondence addressed to them individually from the Election Funding Authority, dated the 22 October 2008.
2. That each Councillor acknowledges in this meeting of Council that they are aware of their obligations under the Election Funding and Disclosure Act 1981.

Councillor Bonfield declared a non pecuniary interest in item C73 as she is an advertiser with the applicant, vacated the Chamber and took no part in the discussion or voting, the time being 5.39pm.

Councillor Templeton assumed the Chair.

C73 ADVERTISING BUS SHELTERS

Informing Council of the current position relating to advertising bus shelters throughout Coffs Harbour and also seeking approval for variation of the present contractual arrangement with Metro Advertising Pty Limited.

CB71 RECOMMENDED (Palmer/Degens):

1. That Council agree to vary/amend the existing contractual agreement between Council and Metro Advertising Pty Limited (Claude Group) in respect of the provision of advertising bus shelters within the Coffs Harbour local government area as follows:
 - The agreement term being varied to permit a remaining term of fifteen (15) years from present date (ie, an extension of approx. seven years).
 - The existing thirty (30) advertising bus shelters to be replaced with the new design shelters as submitted by Claude Group.
 - Claude Group to provide an additional 5 new advertising bus shelters to be located at sites agreed between Council's Design section and the company.
 - Council having the right to require that Claude Group install up to an additional ten (10) advertising bus shelters within the first five (5) years of the amended/varied agreement, without further extension of the term of the agreement.
 - The existing thirty (30) advertising bus shelters being modified as proposed by Claude Group and then relocated to alternative non-advertising sites as selected by Council. Claude Group to be responsible for all costs of modification and relocation, excepting the provision of thirty new concrete base pads, which will be provided by Council.
 - Council being granted the right to use the bus shelter design in respect of the acquisition of future bus shelters, even when acquired from a supplier other than Claude Group.
2. That all necessary documents associated with variation/amendment of the existing advertising bus shelter agreement between Council and Metro Advertising Pty Ltd (Claude Group) be executed under the Common Seal of Council.
3. That an allocation of \$6,000 be included for consideration in the 2009/10 management plan for maintenance of the relocated bus shelters.
4. That a further report be brought back to Council on the proposed new locations for the existing 30 bus shelters.

Councillor Bonfield returned to the Chamber and chaired the meeting, the time being 5.50pm.

CONCLUSION OF MEETING

The Chairperson 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 5.51pm.

OPEN COUNCIL

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

- CB72** **RECOMMENDED** (Rhoades/Templeton) that the Committee now move into Open Council.
-

ADOPTION OF CORPORATE BUSINESS COMMITTEE REPORT

- 167** **RESOLVED** (Palmer/Hines) that the recommendations of the Corporate Business Committee meeting be received and adopted.
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REQUESTS FOR LEAVE OF ABSENCE

- 168** **RESOLVED** (Bonfield/Hines)) that Cr Palmer be granted leave of absence from Council from 4 December 2008.
-

MATTERS OF AN URGENT NATURE

1. Scarborough Street, Woolgoolga

Councillor Arkan advised that he had received advice that there was a dangerous situation in Scarborough Street near the public school where children are crossing the road to where the buses are. Cr Arkan asked that the matter be investigated and consideration be given to a drop off zone.

2. Development of Tavern in Beach Street, Woolgoolga

Councillor Arkan requested that the contents of the development application for a tavern in Beach Street, Woolgoolga be placed on display at Woolgoolga Library.

The Director of Land Use, Health & Development to action.

3. MacKays Road - Maintenance

Councillor Arkan advised that an ambulance was unable to get to a house at the end of MacKays Road because of the condition of the road. Cr Arkan questioned whether the road was Council owned or privately owned.

The General Manager advised that the road in question may not be maintained by Council but if Cr Arkan provided details the matter would be investigated.

4. Vegetation - Christmas Bells Road

Councillor Graham sought clarification of a claim made by a staff member at the last meeting that the 20ha of industrial zoned land at Christmas Bells Road has no native vegetation as it is his understanding after reading of the Industrial Lands Strategy and reviewing the LEP that the majority of the land is vegetated.

The Director of Land Use, Health & Development advised that the majority of land at the airport which is proposed to be developed is not vegetated but would clarify the matter.

5. Federal Funding Allocations for Local Government

Councillor Rhoades advised the following in relation to the Federal government funding for Local Government:

1. - Council's allocation is \$1,068,000.
 - The money is to be expended by September 2009.
 - Need to resolve fairly quickly by means of a workshop the list of projects that Council has, what meets the criteria, ascertain what is outstanding, costs incurred for each project to be completed and projects that meet the classification.
2. There is a \$250M allocation for projects wide and varied.
3. The remaining \$50M of the \$300M allocation is for Council to make application to the Federal Government for up to, but with a ceiling of, \$2M for a project. Projects could be a new swimming pool, performing arts center, new sports facility etc.
A list of projects that would meet the criteria need to go to the workshop so that an application is placed before the Federal Government.

The General Manager advised that the next Councillor briefing could be either extended or replaced with two lists being prepared, one for below \$1M and one for \$2M and above.

6. Alcohol Free Zones - Tradewinds Apartments

Councillor Hines advised that she had received a letter from a concerned resident of Tradewinds Apartment asking for ban on alcohol usage from 8pm at night through to the morning due to continued noise.

Councillor Rhoades advised that the letter has been recorded in Council's system and would be dealt with as a matter of course.

QUESTIONS WITHOUT NOTICE

1. Condition of Public Toilets in City

Councillor Palmer requested that staff look at the condition of the public toilets in the City.

The General Manager advised that an audit of the toilets would be carried out as part of the City Image Program.

2. Korff Street Footbridge

Councillor Palmer questioned whether there was a policy in relation to the replacement of Korff Street footbridge or whether the bridge was going to be done away with.

The Executive Manager, Design, advised that the footbridge is being looked as part of the Open Space Strategy but it has been taken out as a specific project and options for replacement of the bridge are now being looked at. The matter should come before Council prior to the last Council meeting this year.

3. Native Vegetation on blocks of land

Councillor Graham questioned whether Council could explore the potential of working co-operatively with the local real estate industry to promote and effectively market the value of blocks of land containing native vegetation.

The General Manager advised that workshops could be held collectively with the industry.

Councillor Hines suggested that the matter should be referred to local developers, rather than real estate agents.

4. Web Casting of Council Meetings

Councillor Graham suggested that there was potential for web casting of Council meetings to enable residents that are away from the City or unable to attend to view proceedings. Cr Graham requested the matter be investigated.

The Director of Corporate Business advised that there were costs involved but the matter would be investigated.

5. Federal Allocation of Funding

Councillor Degens questioned whether the money coming from the Prime Minister could be used for major infrastructure projects, that is projects that would generate income, employment, sustainable public transport systems, bicycle ways, major infrastructure nature which can give an economic boost to our City in the future.

Matter to be raised at the Workshop and subsequent Council meeting.

6. **Baggage Screening at Coffs Harbour Airport**

Councillor Rhoades asked the following questions in relation to the baggage screening at Coffs Harbour Airport:

1. Whether it was true that Council has just expended approximately \$1.5M for full baggage screening at Coffs Harbour Airport.
The Director of Corporate Business advised that it was true.
2. Whether it will be ready for partial operation on 1 December.
3. Whether it will it be fully operational on 18 December.
The Director of Corporate Business advised that the company hasn't been able to supply for 1 December, but would be there on 18 December with manual handling of baggage between 1 December and 18 December ensuring compliance with the Federal Government requirements.

This concluded the business and the meeting closed at 6.08 pm.

Confirmed: 4 December 2008.

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K D Rhoades, AFSM
Mayor