

The following document is the minutes of the Council and Committee Meetings held on Thursday, 24 September 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 8 October 2009 and therefore subject to change. Please refer to the minutes of the meeting of 8 October 2009 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
24 SEPTEMBER 2009

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

24 SEPTEMBER 2009

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

Staff: General Manager, Director Corporate Business, Director of City Services, Director Land Use, Health & Development, Manager Land use Planning, Manager Land Use Management and Executive Assistant.

Leave of Absence: Councillor D Knight

The meeting commenced at 5.00pm with the Mayor, Cr K Rhoades in the chair.

Councillor Palmer advised that he recently attended the Caring for Our Country NSW LandCare Awards 2009, where Council got a second place in the Local Government LandCare Partnerships Award. Cr Palmer presented the award to Jeff Holmes, Council's Technical Officer, Recreational Services.

DISCLOSURE OF INTEREST

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

Councillor	Item	Type of Interest
Cr Degens	L28 - Coffs Harbour City Local Environmental Plan (LEP) 2000 Draft Amendment No. 46 - Bonville International Golf Resort Lands.	Pecuniary.
Cr Rhoades	L27 - Update on Joint Regional Planning Panel for the Northern Region	Non-Pecuniary.
General Manager Stephen Sawtell	C53 - Reappointment of General Manager	Pecuniary.

APOLOGY

- 144** **RESOLVED** (Templeton/Hines) that an apology received from Cr Knight for absence be received and leave be granted for the current meeting of Council.

MAYORAL MINUTE

LOCAL GOVERNMENT MANAGERS AUSTRALIA - AWARD

- 145** **MOVED** (Rhoades) that Council note the organisation's success in winning the LGMA NSW Division 2009 Management Excellence Award for Building New South Wales' Regions, and that partners be congratulated for their role in working with Coffs Harbour to improve opportunities and the quality of life in our region.

CONFIRMATION OF MINUTES

- 146** **RESOLVED** (Hines/Arkan) that the minutes of the Land Use, Health & Development Committee meeting held on 10 September 2009 be confirmed as a true and correct record of proceedings.

Cr Arkan requested that the tape be checked in relation to the nomination and seconder for the Chairperson for the meeting.

RESCISSION MOTION

DEVELOPMENT APPLICATION 311/09 - DUAL OCCUPANCY DEVELOPMENT LOT 310 DP 1074032, 7 BREAKERS WAY, KORORA

This matter was deferred until the end of the meeting pending further staff information.

GENERAL MANAGER'S REPORT

14 GOVERNANCE AND AUDIT COMMITTEE - APPOINTMENT OF INDEPENDENT MEMBERS

The purpose of this paper is to recommend the appointment of two selected candidates as independent members of the Governance and Audit Committee with a third to remain on the eligibility list.

147 RESOLVED (Bonfield/Templeton):

1. That Council approve the appointment of the two persons named in the confidential attachment as independent members of the Governance and Audit Committee.
2. That the third person assessed as suitable remain on the eligibility list to fill any vacancy that arises.
3. That Council delegate to the selection panel consisting of the General Manager, the Mayor, the Internal Auditor and a representative from Council's external auditors the authority to fill any further vacancies that arise as a result of the resignation of an independent member

CITY SERVICES DEPARTMENT REPORTS

S47 TRAFFIC COMMITTEE REPORT NO. 4/2009

To confirm minutes from the Traffic Committee Meeting held on 8 September 2009.

148 RESOLVED (Palmer/Templeton):

T.47 – Stadium Drive, Coffs Harbour - 40 km/h zone (R.510850 / P/N 2213700)

That traffic classifiers be placed in Cunninghams Road, Coffs Harbour, to determine whether changes to speed zone are required.

T.48 – Albany Street, Coffs Harbour - Parking Restrictions (R.503600)

That two (2) hour parking signs be installed on the northern side of Albany Street, Coffs Harbour, between Gordon Street and Earl Street, as per Plan T.48.

Councillor Arkan asked further investigations could be carried out into angle parking in Albany Street. The Director of City Services advised that he believed that it had been looked at before, but he would e-mail the information to Cr Arkan.

T.49 – First Avenue, Sawtell - Height Clearance Markers (R.501520)

That 'Height Clearance' signs be erected in First Avenue, Sawtell, at the intersections with Second Avenue and Boronia Street to indicate a low clearance of 3.4m for heavy transport, as per Plan T.49.

T.50 – Coorabin Crescent, Toormina - Exit onto Toormina Road (R.500910)

That 'Left Turn Only' signs be erected in Coorabin Crescent, Toormina, to turn onto Toormina Road, as per Plan T.50.

Councillor Hines asked if Traffic Committee would look at:

- a dangerous situation on Toormina Road, heading south towards the Busy Bee Shopping Centre, where two lanes merge into one.
- eastern turn into Toormina Road where a left/right turn from Minorie might be considered for safety reasons.

T.51 – Hobbs Crescent / Anderson Street, Toormina - Traffic Problems (R.501310 / R.500930 [2124928])

That no action be taken to install traffic calming in Hobbs Crescent and Anderson Street, Toormina.

T.52 – Gundagai Street / Frances Street, Coffs Harbour - Dangerous intersection (R.504710 / R.504540 [2194904])

That 'curve warning' signs be erected in Gundagai Street, Coffs Harbour, before the intersection with Frances Street, and 10m edge line be painted on western side of Frances Street, as per Plan T.52.

T.53 – Gilbey Lane, Coffs Harbour - Parking Problems (Gilbey Lane [2235010])

That no action be taken to change parking in Gilbey Lane, Coffs Harbour.

T.54 – Orlando Street / Druitt Close, Coffs Harbour - 'No Stopping' sign (R.504710 / R.504540 [2194904])

That 'No Stopping' signs be erected in Orlando Street, Coffs Harbour, east of Druitt Court, as per Plan T.54.

T.55 – Boronia Street, Sawtell - Parking Restrictions (R.501140 [2271920])

That two (2) hour parking restrictions be installed in Boronia Street, Sawtell, between First Avenue and Kidd Lane, as per Plan T.55.

T.56 – River Street / Beach Street, Woolgoolga - 'Give Way' signs (R.508570 / R.508400 [2273728])

That a 'Give Way' sign be installed in River Street, Woolgoolga, at its intersection with Beach Street, and intersection lines be repainted, as per Plan T.56.

T.57 – Upper Orara Recreation Grounds - Parking Problems (R.506220 [2190266])

That a concept design be investigated to provide better parking for buses and cars dropping off children using the Upper Orara Recreation Grounds.

T.58 – Lyons Road Cycleway - Linemarking (R.500170 [2258878])

That the design plans for a cycleway along Lyons Road, North Bonville, be adopted, in accordance with AustRoads Part 14, as per Plan T.58.

T.59 – B-Double Access - Sawtell Road and Pine Creek Way (R.502390 / Pine Creek Way)

That B-Double access be gazetted for the following roads associated with the Pacific Highway upgrade, as per Plan T.59.

- Sawtell Road at the Pacific Highway interchange.
- Lyons Road at the Pacific Highway interchange.
- Pine Creek Way (Gleniffer Road to Archville Station Road).
- Archville Station Road - Pacific Highway to Pine Creek Way.

Cr Degens asked if Councillors could be given some indication of what ultimately will be the entire B-Double access in the community. A copy of report will be forwarded by e-mail to Cr Degens.

T.60 – Beach Street, Woolgoolga - Triathlon (R.508400 / 1618 [2237206])

That :

- (a) the temporary road closure of Beach Street, Woolgoolga, between Bultitude and Carrington Streets, on Sunday, 27 September 2009, between 7.30am and 9.30am, for the purpose of conducting the Woolgoolga Triathlon, be advertised and providing no substantive objections are received, the closure be approved.
- (b) the organisers to 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.

T.61 –Hogbin Drive, Coffs Harbour - Cycle Criterium (Hogbin Drive)

That :

- (a) the temporary road closure of Hogbin Drive, Coffs Harbour, between Harbour Drive and Orlando Street, from 7.00am to 12.00 noon on Sunday, 6 December 2009, for the purpose of conducting a Cycle Criterium be approved in principle, and be advertised when further information is obtained and providing no substantive objections are received, the closure be approved.
- (b) the organisers of the Criterium submit a Traffic Control Plan for 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 and clean up, including advertising.

T.62 – Blueberry Farms, Corindi - 'Give Way' signs (Kathleen Drive / Range Road [2295538])

That a 'Give Way' sign be erected in Bonita Drive, Blueberry Farms, at the intersection with Kathleen Drive, as per Plan T.62.

T.63 – Collison Place / Kiddell Place, North Boambee Valley - 'Give Way' sign (R.510610 / Kiddell Place)

That a 'Give Way' sign be installed in Kiddell Place, North Boambee Valley, at the intersection with Collison Place, as per Plan T.63.

T.64 – Fellowship Drive, Coffs Harbour - Airport Car Park (R.510610 / Kiddell Place)

That a two-way regulatory sign be installed at the southern Airport Car Park before exiting onto Fellowship Drive, Coffs Harbour, as per Plan T.64.

T.65 – Hogbin Drive North / Boulwood Street, Coffs Harbour - Pedestrian Refuge (Hogbin Drive / R.503960)

That design plans for the installation of a pedestrian refuge at the intersection of Hogbin Drive North and Boulwood Street, Coffs Harbour, be approved in accordance with Australian Standards including signposting and linemarking, as per Plan T.65.

T.66 – Hogbin Drive / Hi-Tech Drive, Toormina - Raised Median Strip (Hogbin Drive / R.501670)

That the design plans for the installation of a raised median strip at the intersection of Hogbin Drive and Hi-Tech Drive, Toormina, be approved in accordance with Australian Standards including signposting and linemarking, as per Plan T.66.

T.67 – Marina Drive, Coffs Harbour - 'No Stopping' signs (R.511190)

That 'No Stopping' signs be installed in Marina Drive, Coffs Harbour, for 10m on departure side of pedestrian crossing, as per Plan T.67.

T.68 – Orara Way, Karangi - Karangi Public School (R.510970)

That 'No Stopping' signs be extended on the western side of Orara Way, Karangi, adjacent Karangi Public School, as per Plan T.68.

T.69 – Market Street, Woolgoolga - Parking Restrictions (R.508710)

That the design plan for nose-in parking in Market Street, Woolgoolga, be adopted, as per Plan T.69.

Councillor Arkan requested a report on when the parking plan for Woolgoolga will be commenced and completed. The Director of City Services advised that the review is underway and he would advise Cr Arkan by e-mail when the report is expected back to Council.

Diamond Head Drive, Sandy Beach

Cr Arkan requested investigations be carried out into Diamond Head Drive, Sandy Beach in light of the recent accident there and should include not only speeds limits but a possible different design as you come up to the roundabout.

S48 COFFS COAST RECOVERY COMMITTEE - FINAL REPORT

To inform Council of the Coffs Coast Recovery Committee's Natural Disaster Recovery Report.

- 149** **RESOLVED** (Palmer/Hines) that Council review the Natural Disaster Recovery Report and consider recommendations regarding mitigation works, community preparedness measures and opportunities for building capacity and resilience in future Management Plans.

S49 TENDER: DESIGN, SUPPLY AND DELIVERY OF HOULAHANS BRIDGE - CONTRACT NO. 09/10-403-TO

To report on tenders received for the design, supply and delivery of precast concrete components for the replacement of Houlahans Bridge on Dairyville Road, Dairyville, and to gain Council's approval to accept a tender.

- 150** **RESOLVED** (Bonfield/Templeton):
1. That in accordance with clause 178(1)(a) of the *Local Government (General) Regulation 2005*, Council accept the tender of Country Rite Mix, ABN 53 003 675 394, for Contract No. 09/10-403-TO for design, supply and delivery of precast reinforced concrete bridge, Houlahans Bridge, Dairyville Road, Dairyville, for the lump sum amount of \$233,200.00 excl GST on the basis:-
 - a) The tender is the highest scoring tender following the application of Council's Tender Value Selection System.
 - b) The tenderer has the necessary experience in similar works and his referees have confirmed his ability and performance are satisfactory.
 2. That the contract document be executed under the Seal of Council.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L27 UPDATE ON JOINT REGIONAL PLANNING PANEL FOR THE NORTHERN REGION

The purpose of this report is to provide Council with an update on the Joint Regional Planning Panel (JRPP) for the Northern Region.

Cr Rhoades declared an interest in the following item, vacated the Chamber and took no part in the discussion or voting, the time being 5.38pm.

MOVED (Graham/Degens) that Council notes the state nominations of the Northern Region Joint Regional Planning Panel.

AMENDMENT

151 RESOLVED Bonfield/Hines

1. That Council notes the state nominations of the Northern Region Joint Regional Planning Panel.
2. That Council remunerate its nominees to the Northern Region Joint Regional Planning Panel as recommended by the Minister of Planning.
3. That Councillors be notified as to all DA applications assessed by the JRPP.

The **AMENDMENT** on being put was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

VOTED FOR
Bonfield
Hines
Palmer
Templeton
Arkan

VOTED AGAINST
Degens
Graham

Cr Rhoades returned to the chamber, the time being 5.48pm.

**L28 COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN (LEP) 2000
DRAFT AMENDMENT NO. 46 - BONVILLE INTERNATIONAL GOLF
RESORT LANDS**

The purpose of this report is to present to Council a draft LEP Amendment for consideration, which has been prepared following a request by the landowner for rezoning part of the Bonville International Golf Resort. This report also includes a revision of the Residential Tourist Lands DCP, which is required as a consequence of the rezoning request.

The report recommends that Council progress the draft LEP Amendment, and to place the draft Residential Tourist Lands Development Control Plan (DCP) on public exhibition. This DCP has been amended to reflect the contents of this report. The draft LEP Amendment is attached to this report, the draft Residential Tourist Lands DCP and the Statement of Environmental Effects are supplied separate to this report.

Councillor Degens declared an interest in the following item, vacated the Chamber and took no part in the discussion or voting, the time being 5.50pm

152 RESOLVED (Palmer/Hines):

1. That Council resolve to place the draft Residential Tourist Lands Development Control Plan on exhibition, concurrently with draft Coffs Harbour City Local Environmental Plan (Amendment No. 46 (subject to the issue of a Section 65 Certificate from the Department of Planning); and Development Applications 1179/09 and 1180/09.
2. That the draft Coffs Harbour City Local Environmental Plan (Amendment No. 46), amendment to the Exceptions Clause 24 of Coffs Harbour City Local Environmental Plan 2000 contain an area requirement to limit the additional proposed land uses of shops to a maximum of 2,000m² Gross Floor Area; and the proposed land uses of Medical Centres, Office Premises and Business Premises to a maximum of 3,000m² Gross Floor Area, with all land uses being subject to the floor space restrictions nominated in the draft Amendment.
3. That the proposed land uses described in Recommendation 2 be contained within the area indicated on the map shown in the Exceptions Clause 24 of draft Coffs Harbour Local Environmental Plan (Amendment No. 46).
4. That a future report be prepared, reporting the outcome of the exhibition of draft Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 46) and the draft Residential Tourist Lands Development Control Plan.

AMENDMENT

MOVED (Graham/) that Council prohibit residential development at North Bonville because of the nationally significant agricultural value of those lands and the unsustainability of establishing what is effectively a new satellite town many kilometres from existing development.

The **AMENDMENT** lapsed for want of a seconder.

The **MOTION** on being put to the meeting was declared **CARRIED**.

VOTED FOR

Templeton
Hines
Bonfield
Arkan
Palmer
Rhoades

VOTED AGAINST

Graham

Councillor Degens returned to the Chamber, the time being 5.58pm.

RESCISSION MOTION

**DEVELOPMENT APPLICATION 311/09 - DUAL OCCUPANCY DEVELOPMENT
LOT 310 DP 1074032, 7 BREAKERS WAY, KORORA**

- 153** **RESOLVED** (Hines/Bonfield) that the following resolution in relation to Item Development Application 311/09 - Dual Occupancy Development Lot 310 DP 1074032, 7 Breakers Way, Korora, be rescinded:

That Council refuse the development on the basis of impacts upon Koala Habitat and the character and amenity of the neighbourhood.

VOTED FOR

Templeton
Hines
Palmer
Rhoades

VOTED AGAINST

Bonfield
Arkan
Degens
Graham

The **MOTION** on being put to the meeting resulted in a tied vote. The Chairperson used his casting vote in favour the motion which was declared **CARRIED**.

MOTION

- 154** **RESOLVED** (Hines/Templeton):
1. That Development Application 311/09 for a detached dual occupancy development - Lot 310 DP 1074032, 7 Breakers Way, Korora, be approved subject to attached conditions.
 2. That people who made submissions regarding the application be advised of Council's determination.

The **MOTION** on being put to the meeting resulted in a tied vote. The Chairperson used his casting vote in favour the motion which was declared **CARRIED**.

VOTED FOR

Templeton
Hines
Rhoades
Palmer

VOTED AGAINST

Bonfield
Arkan
Degens
Graham

AMENDMENT

MOVED (Degens/) that this development application be deferred for reworking by the applicant so as to reduce the footprint of the buildings in question and possibly retain the vegetation.

The Chairperson ruled the Amendment out of order.

CORPORATE BUSINESS DEPARTMENT REPORTS

C49 FINANCIAL RESULT FOR YEAR ENDED 30 JUNE 2009

To report on the final results of the financial position of various activities to the year ended 30 June 2009.

155 RESOLVED (Palmer/Bonfield) that:

1. The deficit budget variation of \$36,423 relating to the additional loan funds for the Sportz Central Upgrade project (per LUHD meeting 12/2/09) be approved.
2. The deficit budget variation of \$10,000 relating to Councils contribution towards the May 2009 Natural Disaster event be approved.
3. The surplus budget variation in the Sewer Fund of \$521,226 relating to the removal of the Northern beaches Cycleway be approved.
4. The estimated results for the financial year 2008/09 be noted as follows:

	\$	
General Account	(201,102)	deficit
Water Account	(4,913,005)	deficit
Sewer Account	(5,058,505)	deficit

5. The various revotes from 2008/2009 to 2009/2010 as detailed in Attachment D as follows, be adopted.

SUMMARY	REVOTE \$	FUNDING			
		Revenue \$	External \$	Env Levy \$	Restricted Equity \$
General Account	20,279,735	3,026,117	4,366,180	308,515	12,578,923
Water Account	7,140,260	897,914			6,242,346
Sewer Account	9,576,349	439,078	834,240		8,303,031

C50 ENVIRONMENTAL WORKING GROUP - COMMUNITY REPRESENTATIVES

To report to council on the applications received for membership on the Environmental Working Group. This report recommends that four of the community members be appointed to the Environmental Working Group.

156 RESOLVED (Templeton/Bonfield) that:

1. Mr Garry Dew, Mr Adrian Maloney, Mr Justin Couper and Ms Jane Ireland be appointed to the Environmental Working Group.
2. The unsuccessful applicants be advised of Council's decision and thanked for their applications.
3. To include Rod McKelvey on the Environmental Working Group.

Cr Templeton left the chamber 6.44pm and returned 6.47pm

C51 ENVIRONMENTAL LEVY PROJECTS REPORT 2008/09

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

157 RESOLVED (Arkan/Palmer) that:

1. Council notes the status of Environmental Levy Projects as at 30 June 2009 as outline above.
2. The following projects' surplus funds be returned to the funding pool to balance the program due to reduced interest income.

Project	Surplus Funds
Sustainable Management of Biodiversity in the Coffs LGA	\$17,315
Hogbin Drive Koala Fencing	\$15,802
Environmental Levy Coordination	\$2,656
Vegetation Strategy for Flying Fox Camp	\$184
Total	\$35,957

3. It be noted the report to this meeting "Financial Result for Year Ended 30 June 2009" incorporates the Environmental Levy Revotes as recommended in this Report.
4. Council continues to monitor the Environmental Levy Program to ensure the earliest completion of projects.

C52 POLICY REVIEW UPDATE

To update Council's Policy Register

- 158 **RESOLVED** (Templeton/Palmer) that Council adopts the policies as tabled and identified on the Policy Register, and that these are made available where appropriate and identified for public access.

C54 OPERATIONAL AGREEMENT WITH MARINE PARKS AUTHORITY

To seek Council's endorsement of the operational agreement between Coffs Harbour City Council and the Marine Parks Authority for the co-operative management of the Solitary Islands Marine Park.

MOTION

- 159 **RESOLVED** (Arkan/Palmer) that Council endorse and enter into the operational agreement with the Marine Parks Authority for the management of the Solitary Islands Marine Park, as set out in the attached agreement.

AMENDMENT

MOVED (Graham/Degens):

1. That Council endorse and enter into the operational agreement with the Marine Parks Authority for the management of the Solitary Islands Marine Park, as set out in the attached agreement.
2. That Council foster an even closer relationship between the Marine Park Authority, and Council's LUHD particularly for developments across our city's Northern Beaches.

The **AMENDMENT** on being put to the meeting resulted in a tied vote. The Chairperson used his casting vote against the **AMENDMENT** which was declared **LOST**. The **MOTION** on being put to the meeting was declared **CARRIED**.

DIVISION

A division was duly demanded on the **AMENDMENT**, and those members voting for and against were recorded:

VOTED FOR

Degens
Arkan
Graham
Bonfield

VOTED AGAINST

Rhoades
Palmer
Hines
Templeton

C55 PROPOSED ROAD CLOSURE OF PART LINDSAYS ROAD, BOAMBEE WEST

Report seeking Council's consent to the closure of a public Council road.

160 RESOLVED (Arkan/Hines) that:

1. Council applies to the Land and Property Management Authority to close that section of road identified on the plan attached to this report.
2. Following approval of the road closure by Land and Property Management Authority, the land be sold to Transgrid or nominee on the terms contained within this report.
3. Council enters into a Deed of Agreement with Transgrid on the terms stated within this report.
4. The land created from the closure be classified as Operational land under the Local Government Act, 1993.
5. Any necessary documents be executed under the Common Seal of Council.
6. When the net proceed from the disposal of the land are received, Council determine how the funds will be allocated in conjunction with its budget review process.

C56 COUNCILLORS' TRAVEL EXPENSES JANUARY - JUNE 2009

To report to Council on those expenses of Councillors for the period January to June 2009.

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

C57 APPOINTMENT OF CHAIRPERSONS TO COUNCIL'S STANDING COMMITTEES

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

The Mayor called for nominations for the Committee Chairpersons and Deputy Chairpersons.

CITY SERVICES

Chairperson

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

Deputy Chairperson

- 163 RESOLVED** (Bonfield/Hines) that Cr Palmer be nominated.
- 164 RESOLVED** ((Degens/Graham) that Cr Arkan be nominated.

An open vote was conducted and the Mayor declared Cr Palmer elected Deputy Chairperson of City Services Committee.

CORPORATE BUSINESS

Chairperson

- 165 RESOLVED** (Palmer/Hines) that Cr Bonfield be nominated. As there were no other nominations, the Mayor declared Cr Bonfield elected Chairperson of Corporate Business Committee by a show of hands.

Deputy Chairperson

- 166 RESOLVED** (Graham/Arkan) that Cr Degens be nominated.
- 167 RESOLVED** (Rhoades/Palmer) that Cr Hines be nominated.

An open vote was conducted and the Mayor declared Cr Hines 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.

Deputy Chairperson

168 RESOLVED (Degens/Graham) that Cr Arkan be nominated.

169 RESOLVED (Hines/Bonfield) that Cr Templeton be nominated.

An open vote was conducted and the Mayor declared Cr Templeton Deputy Chairperson of the Land Use, Health and Development Committee.

C58 AMENDMENT TO CODE OF MEETING PRACTICE

To amend Part 5 of the Code of Meeting Practice.

170 RESOLVED (Palmer/Templeton) that:

1. Council's Code of Meeting Practice Section 5.1 Order of Business is amended to change item 14, Questions Without Notice, to Questions on Notice.
2. Council's Code of Meeting Practice 7.2 Questions Without Notice be removed.
3. Council's Code of Meeting Practice 7.3 Questions on Notice be amended to require ten (10) days' notice.
4. Council's Code of Meeting Practice Section 5.10(1)(d) be amended to read:
"members of the public wishing to address the Council or a committee are to nominate at least four (4) days before the meeting and of the issue to be addressed".

Cr Hines left the chamber at 7.14pm and returned 7.15pm

C59 ELECTION OF DEPUTY MAYOR

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

1. Council elect a Deputy Mayor for the ensuing twelve (12) months.
2. Nominations be called and the method of election now be determined.

171 RESOLVED (Bonfield/Templeton) that Cr Palmer be nominated.

172 RESOLVED (Arkan/Graham) that Cr Degens be nominated.

An open vote was conducted and the Mayor declared Cr Palmer elected Deputy Mayor.

MATTERS OF AN URGENT NATURE

1. Drainage Problem

Cr Arkan advised that an elderly constituent in Corindi Beach has a possible serious sewage problem.

The General Manager will take this matter on notice.

QUESTIONS ON NOTICE

1. Lighting for Landrigan Close, Woolgoolga (Cr Arkan)

Is the lighting of Landrigan Close, Woolgoolga, to be completed?

The General Manager took the matter on notice.

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 7.26 pm.

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

C53 - Reappointment of General Manager

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

- 2 The matters and information are the following:
 - (a) Personal matters concerning particular individuals (other than Councillors).

Members of the press, public, General Manager and staff were excluded from consideration of the above item, the reason being that it contained personal matters concerning particular individuals (other than Councillors).

C53 REAPPOINTMENT OF GENERAL MANAGER

To advise Council and the Community of the reappointment of the General Manager for a further 4 year term.

- 174 RESOLVED** (Bonfield/Palmer) that :
1. Coffs Harbour City Council reappoints Stephen Michael Sawtell as General Manager for a period of 4 years effective from 1 December 2009 and expiring on 1 December 2013.
 2. All documentation related to this employment contract be executed under common seal of Council.

The Resolution on being put to the meeting was carried unanimously.

OPEN MEETING

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

175 RESOLVED (Bonfield/Palmer) that the meeting now move into Open Meeting.

The press, public, General Manager and staff returned to the Chamber at 7.36pm.

This concluded the business and the meeting closed at 7.38 pm.

Confirmed: 8 October 2009.

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K D Rhoades, AFSM
Mayor