

The following document is the minutes of the Council and Committee Meetings held on Thursday, 22 April 2010. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 13 May 2010 and therefore subject to change. Please refer to the minutes of the meeting of 13 May 2010 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
22 APRIL 2010

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

22 APRIL 2010

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

Staff: General Manager, Director Corporate Business, Acting Director of City Services, Director Land Use, Health & Development, Executive Manager, Strategy and Sustainability and Executive Assistant

Leave of Absence: Cr Knight

The meeting commenced at 5.03 pm with the Mayor, Cr K Rhoades in the chair.

DISCLOSURE OF INTEREST

There were no disclosures of interest tabled.

APOLOGY

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

CONFIRMATION OF MINUTES

- 43** **RESOLVED** (Templeton/Palmer) that the minutes of the Ordinary meeting held on 8 April 2010 be confirmed as a true and correct record of proceedings.

Cr Degens raised that the Notice of Motion 10/5 Coffs Harbour City Council Place Motion to National General Assembly Regarding Neglect of National Rail System, that the second paragraph was deleted from the original motion. The Director of Corporate Business outlined that the tape was reviewed and the original minutes reflect the actual resolution of Council.

GENERAL MANAGER'S REPORT

GM/5 INTEGRATED PLANNING AND REPORTING - COFFS HARBOUR CITY COUNCIL RESOURCING STRATEGY

To present the proposed Resourcing Strategy required to support Council's implementation of the Integrated Planning and Reporting Framework from 1 July 2010. This report recommends the strategy – comprising a Long Term Financial Plan, an Asset Management Strategy and a Workforce Management Strategy – be adopted.

- 44** **RESOLVED** (Palmer/Templeton) that Council adopts the Resourcing Strategy.

GM/6 DRAFT 2010/2014 DELIVERY PROGRAM AND DRAFT 2010/2011 OPERATIONAL PLAN

To present Council's Draft 2010/2014 Delivery Program and Draft 2010/2011 Operational Plan. This report recommends the draft documents be adopted for public exhibition.

- 45** **RESOLVED** (Hines/Arkan) that Council:
1. Adopt the Draft 2010/2014 Delivery Program and Draft 2010/2011 Operational Plan for public exhibition for a 28-day period from Tuesday, 27 April until close of business on Tuesday, 25 May 2010.
 2. Consider community submissions on the draft documents prior to adopting the 2010/2014 Delivery Program and 2010/2011 Operational Plan by 30 June 2010.
 3. Note that the Draft 2010/2011 Budget is based on a projected deficit of \$530,802 with an undertaking by Council to work to deliver a balanced result by the end of the period.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L3 DRAFT PRIORITY HABITATS AND CORRIDORS STRATEGY 2010 – 2030

To report on submissions received in respect to the draft Priority Habitats and Corridors Strategy 2010 - 2030 (PHACS). This report recommends that the draft PHACS be amended, and be subject to further public exhibition and consultation. The report also presents revised draft PHACS mapping and recommends a process to translate this into the draft Standard Instrument Local Environmental Plan (SI LEP).

Finalisation of the draft PHACS and associated mapping is not being requested from Council at this stage.

MOTION

MOVED (Templeton/Graham) that:

1. Reject the proposed revised draft Priority Habitats and Corridors Strategy 2010 - 2030.
2. Start a new process that informs, educates and consults with the community in the development of the draft Priority Habitats and Corridors Strategy 2010 - 2030.
3. Place a strong emphasis on protecting the Environment and Biodiversity as per Council's Resolution (Meeting on the 12 November 2009 L34 draft Priority Habitats and Corridors Strategy 2010 - 2030 and Draft Koala Plan of Management).
4. Where possible strengthen compensation and clarify who will be responsible for managing incentives.
5. Re-examine areas that were not put into the original draft for possible inclusion.
6. Use the 2030 plan for guidance in redeveloping the draft Priority Habitats and Corridors Strategy 2010 - 2030.

AMENDMENT

MOVED (Palmer/Rhoades) that:

1. Council endorse the environmental categories and overlay of the revised draft Priority Habitats and Corridors mapping layers to allow them to be incorporated into the draft Standard Instrument Local Environmental Plan, specifically:
 - (a) Category 1 to E1 (National Parks and Nature Reserves)
 - (b) Category 2 to E2 (Environmental Conservation)
 - (c) Categories 3 and 4 to be subject to the Natural Resources Sensitivity – Priority Habitats and Corridors clause.
 - (d) Category 5 to RE1 (Public Recreation)
2. The draft Priority Habitats and Corridors Strategy and draft mapping layers be the subject of further negotiations with the Department of Planning as part of the Standard Instrument Local Environmental Plan process.

3. It be noted that finalisation of the draft PHACS and associated mapping is not being requested from Council at this stage.
4. A revised draft Priority Habitats and Corridors Strategy 2010 - 2030, be submitted to Council's meeting of 13 May with a recommendation of further public consultation for 28 days.
5. With the benefit of further public input and Department of Planning comments, the draft Priority Habitats and Corridors Strategy 2010 - 2030 and associated mapping be referred back to Council on or about 22 July to consider formal adoption of the document.
6. Any changes arising from the above be incorporated into the draft Standard Instrument Local Environmental Plan prior to its public exhibition which is currently scheduled for October 2010.

VOTED FOR

Hines
Rhoades
Palmer

VOTED AGAINST

Templeton
Arkan
Degens
Graham

The **AMENDMENT** on being put to the meeting was **LOST**.

FORESHADOWED AMENDMENT

46 **MOVED** (Arkan/Degens) that

1. The draft Priority Habitats and Corridors Strategy and draft mapping layers be the subject of further negotiations with the Department of Planning as part of the Standard Instrument Local Environmental Plan process.
2. It be noted that finalisation of the draft PHACS and associated mapping is not being requested from Council at this stage.
3. A revised draft Priority Habitats and Corridors Strategy 2010 - 2030, be submitted to Council's meeting of 13 May with a recommendation of further public consultation for 28 days.
4. With the benefit of further public input and Department of Planning comments, the draft Priority Habitats and Corridors Strategy 2010 - 2030 and associated mapping be referred back to Council on or about 22 July to consider formal adoption of the document.
5. Any changes arising from the above be incorporated into the draft Standard Instrument Local Environmental Plan prior to its public exhibition which is currently scheduled for October 2010.

VOTED FOR

Hines
Rhoades
Palmer
Arkan

VOTED AGAINST

Templeton
Degens
Graham

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

SECOND FORESHADOWED AMENDMENT

MOVED (Degens/Graham) that Council investigates the purchasing 1% of the land identified by the initial draft of the draft Priority Habitats and Corridors Strategy 2010 - 2030 each and to be revised every 10 years.

The **SECOND FORESHADOWED AMENDMENT** was **withdrawn**

THIRD FORESHADOWED AMENDMENT

MOVED (Graham/Templeton) that:

1. Reject the proposed revised draft Priority Habitats and Corridors Strategy 2010 - 2030.
2. Start a new process that informs, educates and consults with the community in the development of the draft Priority Habitats and Corridors Strategy 2010 - 2030.
3. Place a strong emphasis on protecting the Environment and Biodiversity as per Council's Resolution (Meeting on the 12 November 2009 L34 draft Priority Habitats and Corridors Strategy 2010 - 2030 and Draft Koala Plan of Management.
4. Where possible strengthen compensation and clarify who will be responsible for managing incentives.
5. Re-examine areas that were not put into the original draft for possible inclusion.
6. Use the 2030 plan for guidance in redeveloping the draft Priority Habitats and Corridors Strategy 2010 - 2030.
7. Council requests that the NSW Police Service investigates fraudulent submissions to the draft Priority Habitats and Corridors Strategy 2010 - 2030.

VOTED FOR

Templeton
Degens
Graham

VOTED AGAINST

Hines
Rhoades
Palmer
Arkan

The **THIRD FORESHADOWED AMENDMENT** on being put to the meeting was **LOST**.

VOTING ON THE MOTION

VOTED FOR

Hines
Rhoades
Palmer
Arkan

VOTED AGAINST

Templeton
Degens
Graham

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

CITY SERVICES DEPARTMENT REPORTS

CS10/10 TENDER: RISING MAIN 61 - PART RENEWAL - CONTRACT NO. 09/10-426-TO

To report on tenders received for the renewal of approximately 660 metres of 300mm diameter rising main pipeline in Charlesworth Bay Road and Firman Drive, Coffs Harbour and to gain Council approval to accept a tender.

47 RESOLVED (Palmer/Arkan) :

1. That Council accept the tender of Knock Contractors P/L for the lump sum amount of \$377,509.00, inclusive of GST, on the basis that:
 - a) The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
 - b) The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory.
 - c) The Tenderer's financial capacity is acceptable.
2. That the contract documents be executed under the Seal of Council.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB10/18 COFFS HARBOUR REGIONAL AIRPORT CAR PARKING

Determination of Fees and Charges for the introduction of paid car parking at Coffs Harbour Regional Airport.

48 RESOLVED (Hines/Templeton):

1. That the following fees for non security car parking at the Coffs Harbour Regional Airport be determined for the period ending 30 June 2010.

Duration	Fee
0 - 15 mins	Free
15 mins - 1 hr	\$2
1 - 2 hrs	\$4
2 - 3 hrs	\$6
3 - 4 hrs	\$8
4 - 5 hrs	\$10
5 - 24 hrs	\$12
<i>Maximum per day (1st day)</i>	\$12

<i>Then:</i>	
Day 2	\$12
Day 3	\$10
Day 4	\$10
Day 5	\$8
Day 6	\$8
Day 7	\$6
<i>Daily rate after 7 days</i>	\$6 per day

2. That if required, the Licence Agreement to operate the non security car park at Coffs Harbour Regional Airport between Council and TAT Investments Pty Limited, be amended to take into account the actual commencement date of the operation of the paid car park and any other amendments recommended by Council's Solicitors.

CB10/19 MONTHLY BUDGET REVIEWS FOR DECEMBER 2009, JANUARY & FEBRUARY 2010

To report on the estimated budget position as at 28 February 2010.

- 49 RESOLVED** (Templeton/Palmer) that the revised Budget position as at 28 February 2010 be noted:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 30 June 2009	1,113,139 (D)	6,796,677 (D)	5,226,126 (D)
Approved Variations to 30 November 2009	(28,264) (S)	(664,000) (S)	(1,786,500) (S)
Recommended variations for December 2009, January and February 2010	(1,084,875) (S)	(372,700) (S)	106,000 (D)
Estimated result 2009/10 as at 28 February 2010	Nil	<u>5,759,977 (D)</u>	<u>3,545,626 (D)</u>

**CB10/20 COUNCIL PREMISES AT 23 GORDON STREET COFFS HARBOUR -
LEASE PROPOSAL**

To obtain Council approval for the proposed lease of its premises situated at 23 Gordon Street Coffs Harbour.

50 RESOLVED (Palmer/Hines) that:

1. Council lease its office premises situated at 23 Gordon Street Coffs Harbour, being Lot 20 Sec 6 DP 758258, to GeoLink Consulting Pty Ltd on the following terms and conditions:

Lease Term:	Two (2) years
Use:	Office premises
Rental:	\$40,000 per annum, payable monthly in advance at the rate of \$3,333.33 per calendar month. GST is in addition to the above amounts. CPI increase to apply at end of first year of the lease.
GST:	Lessee is responsible for the payment of GST.
Outgoings:	Lessee is to be responsible for payment of all rates, taxes, charges and all costs associated with its use and occupation of the premises.
Insurances:	Lessee is to hold Public Liability insurance cover in respect of the premises in a minimum amount of \$10 million or such other amount as may be advised by Council from time to time. Council is to be noted as an interested party in respect of this insurance policy. Lessee is to hold Workers Compensation insurance cover in respect of any employees working at the premises.
Lease Costs:	Lessee is to be responsible for costs associated with leasing the premises, including Council's solicitors' reasonable costs.
Car Parking Area:	Lessee is to have sole use of the secured, tar sealed car parking area at the rear of the office building.
Other:	General lease terms and conditions as may be advised or required by Council's solicitors.

2. Any necessary documents associated with the lease of 23 Gordon Street Coffs Harbour (Lot 20 Sec 6 DP 758258) to GeoLink Consulting Pty Ltd be executed under the Common Seal of Council.

AMENDMENT

MOVED (Arkan/Graham) that staff bring back a table of information of similar land portions and what type of rent they are achieving.

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

CB10/21 PROCUREMENT POLICY

To present to Council a Procurement Policy and recommend that it be adopted by Council.

- 51 RESOLVED** (Palmer/Hines) that Council adopts the Procurement Policy.

CB10/22 INVESTMENT POLICY AND STRATEGY

To present to Council an Investment Policy and Strategy and recommend that they be adopted by Council.

- 52 RESOLVED** (Graham/Degens) that:
1. Council adopts the Investment Policy and Strategy.
 2. Council include in the policy section (page 49) that the objective is to preserve Council's financial assets.

CB10/23 BANK BALANCES AND INVESTMENTS FOR FEBRUARY AND MARCH 2010

To list Council's Bank Balances and Investments as at 28 February 2010 and 31 March 2010.

- 53 RESOLVED** (Palmer/Templeton) :
1. That the bank balances and investments totalling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty one million, one hundred and five thousand, and three hundred and forty six dollars (\$151,105,346) as at 28 February 2010 be noted.
 2. That the general fund unrestricted cash and investments totalling one million, three hundred and ninety eight thousand, eight hundred and ninety eight dollars (\$1,398,898) as at 28 February 2010 be noted.
 3. That the bank balances and investments totalling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty million, seven hundred and forty eight thousand, and fifty dollars (\$150,748,050) as at 31 March 2010 be noted.
 4. That the general fund unrestricted cash and investments totalling one million, three hundred and ninety eight thousand, eight hundred and ninety eight dollars (\$1,398,898) as at 31 March 2010 be noted.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L2 “OUR LIVING COAST” REGIONAL SUSTAINABILITY INITIATIVE

The purpose of this report is to outline progress of the grant funded “Our Living Coast” regional sustainability initiative, and to seek Council’s endorsement of the program.

54 RESOLVED (Degens/Graham) :

1. That Council endorse progress of the “Our Living Coast” sustainability initiative, that is being conducted in partnership with Bellingen and Nambucca Shire Councils, with funding from the NSW Environmental Trust.
2. That a further report be provided to Council in the coming months to update progress of the Our Living Coast program and to outline proposed on ground works activities.
3. That a submission be made to Our Living Coast Steering Committee to consider the inclusion of \$57,000 for Rail Projects requested by the Rail Working Group.

Cr Arkan left the meeting at 6.59pm

This concluded the business and the meeting closed at 7.00 pm.

Confirmed: 13 May 2010.

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K D Rhoades, AFSM
Mayor