

The following document is the minutes of the Council and Committee Meetings held on Thursday, 26 August 2010. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 9 September 2010 and therefore subject to change. Please refer to the minutes of the meeting of 9 September 2010 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

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

26 AUGUST 2010

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

26 AUGUST 2010

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

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

Leave of Absence: Councillor M Graham.

The meeting commenced at 5.02pm with the Mayor, Cr K Rhoades in the chair.

Council Chambers Media Table

The Mayor questioned whether the media outlet that a gentleman sitting at the media table represented was registered with the Department of Fair Trading as the tables are reserved for accredited Australian media representatives.

The Mayor requested that, in accordance with procedures in the Chamber, the gentleman to provide Council, by the next meeting, with Department of Fair Trading registration to prove his outlet is an accredited Australian media organisation, otherwise he is to vacate the table.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

CONFIRMATION OF MINUTES

- 137 **RESOLVED** (Knight/Palmer) that the minutes of the Ordinary meeting held on 12 August 2010 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORT

GM10/12 QUARTERLY PERFORMANCE REPORTING FOR QUARTER ENDED 30 JUNE 2010

To report on the achievement of customer service guarantees and performance targets for the April to June 2010 quarter.

- 138 **RESOLVED** (Palmer/Degens):
1. That Council notes the issues surrounding those measures that have not been achieved for the period ending 30 June 2010, 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 April to June 2010 quarter.
 3. That Council notes the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the April to June 2010 quarter.
 4. That Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councilors' Room for the April to June 2010 quarter.
 5. That Council continues to monitor its performance with a view to improving service delivery.

GM10/13 REFURBISHMENT OF RIGBY HOUSE AND ADMINISTRATION BUILDING

To provide Council with additional information supporting the recommendation for allocation of funds to this project contained in the 'Interim Quarterly Budget Review' report to be considered at this meeting and to update Council on the status of issues surrounding the project.

139 RESOLVED (Bonfield/Hines) that:

1. Council note that:
 - a) \$923,406 of works have been carried out to refurbish Rigby House and Council's Administration Building and that these works have substantially addressed the office accommodation issues identified in Council's 2009/12 Management Plan;
 - b) To enable finalisation of Council's financial statements, it is necessary for Council to vote monies to cover expenditure on these works in 2009/10 and that this is to be considered in the report CB10/41, Interim Quarterly Budget Review for June 2010 also for consideration at this meeting; and
 - c) The Independent Commission Against Corruption (ICAC) has reviewed the independent investigation report into the way in which the works at Rigby House and the Administration Building were carried out and has determined not to investigate the matter.
2. Council receive a further report on the issue discussing:
 - a) The processes utilised in carrying out the works; and
 - b) The issues identified for improvement in these processes and a plan for their implementation.

CITY SERVICES DEPARTMENT REPORTS

CS10/29 150 YEAR ANNIVERSARY OF COFFS HARBOUR IN 2011

To advise Council of the 150 year Anniversary of Coffs Harbour in 2011 and seek Council's approval to proceed with proposed activities to celebrate this event.

140 RESOLVED (Arkan/Knight):

1. That it be noted that 2011 is the sesqui centenary celebrating the 150 year anniversary of Coffs Harbour.
2. That approval be given to proceed in establishing a Centenary Steering Committee and in consultation with this group develop a program of events for the year.
3. That a funding allocation of \$20,000 be made to resource these initiatives with a final indicative budget to be developed with Centenary Steering Committee.
4. That Council call for nominations from interested community members to participate on the Centenary Steering Committee.

CS10/30 PROPOSED EQUESTRIAN USE OF BAKKER DRIVE RESERVE, BONVILLE

To seek Council's endorsement to manage the Bakker Drive Reserve under the adopted Parkland Plan of Management (PoM) and to seek Council approval to advertise an intention to license part of the Bakker Drive Reserve (see Attachment 1) to the Bonville Valley Equestrian Club (BVEC) for a 12 month trial period of use, maximum 12 days per year.

This proposal is consistent with recommendations of the adopted Open Space Strategy 2010 and with Council's resolution of the 12th August 2010 that "*The 12 month trial of the use of Bakker Drive Reserve by the Bonville Valley Equestrian Club (BVEC) take place as outlined in the draft Open Space Strategy however that this item be returned to Council for consideration as a separate item for adoption*".

141 RESOLVED (Knight/Hines):

1. That Council resolve to remove Bakker Drive Reserve from the Schedule of lands of the Sports ground Plan of Management and manage in accordance with the Parkland Plan of Management.
2. That Council make a provisional offer of a licence (for a 12 month trial period up to 12 times per year) to the Bonville Valley Equestrian Club to use part of the Bakker Drive Reserve subject to the following:
 - a) An Environmental Management Plan (EMP) be prepared by the Bonville Valley Equestrian Club in respect to the equestrian proposal. This EMP will form part of the Licence agreement and will need to be approved by Council.

CS10/30 - Proposed Equestrian Use of Bakker Drive Reserve, Bonville
(Cont'd)

- b) A satisfactory proposed licence arrangement be reached between Council and the Bonville Valley Equestrian Club on the basis of a nominal rental for a 12 month trial period. Trial to be reviewed after 12 months to determine ongoing usage.
 - c) That for the purposes of the above, the proposed licence be subject to community consultation for a period of no less than 28 days as detailed in the report.
 - d) That Council inspect the facility approximately every three months and advise Councillors by e-mail as to a condition report.
3. That following closure of the exhibition period, a report be referred back to Council for determination of the proposed licence.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB10/41 INTERIM QUARTERLY BUDGET REVIEW FOR JUNE 2010

To report on the interim estimated budget position as at 30 June 2010.

- 142 RESOLVED** (Templeton/Palmer) that the revised Interim Budget position as at 30 June 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 31 May 2010	(1,092,839) (S)	(843,700)(S)	(1,738,117) (S)
Recommended variations for June 2010	59,421 (D)	200,000 (D)	200,000 (D)
Interim Estimated result 2009/10 as at 30 June 2010	<u>79,721 (D)</u>	<u>6,152,977 (D)</u>	<u>3,688,009 (D)</u>

CB10/42 RTA ACQUISITION OF COUNCIL LAND

The purpose of this report is to obtain approval to accept the compensation offered by the RTA for the compulsory acquisition of two Council parcels of land.

143 RESOLVED (Hines/Templeton):

1. That Council accept the amount of \$14,600 as full and final compensation for the transfer of Lot 77 DP 1143405 and Lot 113 DP 1144462 to the RTA.
2. That Council execute under seal all necessary documents associated with this matter.
3. That Council execute the form as described in this report restricting access from the highway to Council's residual land being Lot 61 DP 1143405 and Lot 105 DP 1144462.

CB10/43 DISPOSAL OF SURPLUS LAND - LOT 112 DP 240342 - SAN FRANCISCO AVENUE, COFFS HARBOUR

The purpose of this report is to obtain approval to sell a surplus parcel of Council land described as Lot 112 DP 240342 San Francisco Avenue, Coffs Harbour.

144 RESOLVED (Hines/Templeton):

1. That Council proceed with the sale of Lot 112 DP 240342 to the owners of Lot 88 DP 240349 as described and on the terms contained in this report.
2. That Council execute under seal all necessary documents associated with this matter.

Councillor Templeton declared an interest, vacated the Chamber and took no part in the discussion or voting of the following item.

SUPPLEMENTARY REPORT

CS10/31 PROPERTY - HARBOUR DRIVE, COFFS HARBOUR

To seek Council approval to acquire 215A Harbour Drive, Coffs Harbour.

145 RESOLVED (Bonfield/Knight):

1. That Council participate in the auction or private treaty sale of 215A Harbour Drive, Coffs Harbour for an amount to be negotiated up to the limit indicated in the confidential section of this report.
2. That the General Manager be delegated authority to acquire the property on behalf of Council and execute the Contract of Sale.
3. That any necessary documents for the acquisition of the property be executed under the common seal of Council.
4. That the property (if acquired) be classified as Operational land under the Local Government Act 1993 (as amended).
5. That if the property is acquired, that a further report be brought back to Council to approve funding for its conversion into the Museum.

This matter to be further discussed in Closed Committee at the end of the meeting.

Councillor Templeton returned to the Chamber.

REQUESTS FOR LEAVE OF ABSENCE

146 RESOLVED (Palmer/Knight) that Councillor Hines be granted leave of absence from Council from 9 September 2010.

MATTERS OF AN URGENT NATURE

Councillor Templeton declared an interest, vacated the Chamber and took no part in the discussion or voting of the following item.

- 1. CS10/31 - Property - Harbour Drive, Coffs Harbour**

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 5.47 pm.

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

CS10/31 - Property - Harbour Drive, Coffs Harbour

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.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

OPEN MEETING

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

- 148 RESOLVED** (Palmer/Hines) that the Committee now move into Open Meeting.

Councillor Templeton returned to the Chamber.

The Mayor advised that there was no change to the resolution.

2. Local Government Association - Annual General Meeting

Councillor Rhoades advised that the Local Government Association Annual General Meeting is coming up in the not too distant future and a decision needs to be made as to which Councillors will have CHCC four votes.

- 149 RESOLVED** (Bonfield/Arkan) that Councillors Hines, Knight, Rhoades and Palmer be Council's voting delegates at the upcoming Local Government Association Annual General Meeting.

This concluded the business and the meeting closed at 6.12pm.

Confirmed: 9 September 2010.

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K D Rhoades, AFSM
Mayor