

The following document is the minutes of the Council and Committee Meetings held on Thursday, 25 November 2010. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 16 December 2010 and therefore subject to change. Please refer to the minutes of the meeting of 16 December 2010 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

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

25 NOVEMBER 2010

Contents

ITEM	DESCRIPTION	PAGE
	GENERAL MANAGER'S REPORT	2
GM10/18	2009/2010 ANNUAL REPORT AND 2009/2010 SUPPLEMENTARY STATE OF THE ENVIRONMENT REPORT	2
GM10/19	QUARTERLY OPERATIONAL PLAN REPORTING FOR QUARTER ENDED 30 SEPTEMBER 2010	2
	CORPORATE BUSINESS DEPARTMENT REPORTS	3
CB10/60	PROPOSED YOUTH/SPORT/COMMUNITY CENTRE AT WOOLGOOLGA	3
CB10/59	BANK BALANCES AND INVESTMENTS FOR JULY 2010	3
CB10/61	STATE EMERGENCY SERVICE - LONG TERM SITE ALLOCATION	4
CB10/62	POLICIES	5

CITY SERVICES DEPARTMENT REPORTS		5
CS10/42	SMOKE-FREE OUTDOOR AREAS POLICY AND ACTION/IMPLEMENTATION PLAN	5
CS10/43	TENDER: SES BUILDING EXTENSION, PARK AVENUE, COFFS HARBOUR - TENDER NO. 09/10-410-TO	6
CS10/44	TENDER: BENNETTS ROAD AND UPPER SHEPHARDS LANE DETENTION BASINS DETAILED DESIGN AND DAM SAFETY COMMITTEE APPROVAL - CONTRACT NO. 10/11-456-TO	7
CS10/45	TENDER - 2010 - 2011 CUL-DE-SAC ASPHALT WEARING SURFACE	7
L10/17	TENDER: ORARA RIVER REHABILITATION PROJECT BUSH REGENERATION TENDER 10/11-445-TO	8
MATTERS OF AN URGENT NATURE		
MUN10/11	RTA's handling of Christmas traffic through Coffs Harbour	8
MUN10/12	Trucks Air Brakes	9
MUN10/13	Pacific Highway Upgrade - Sapphire to Woolgoolga - Bicycle and Pedestrian Access	9
MUN10/14	Gallows Beach Road - scene of accident	9
CONFIDENTIAL ITEMS		10
CB10/63	EVENT PROPOSAL	10



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

25 NOVEMBER 2010

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 5.00pm with the Mayor, Cr K Rhoades in the chair.

DISCLOSURE OF INTEREST

No disclosures of interest were tabled.

PUBLIC ADDRESS

Time	Speaker	Item
5.05pm	Mr A Milroy, Chairman Northern Beaches Multi Purpose Community Facility	CB10/60 - Proposed Youth/Sport/Community Centre at Woolgoolga

CONFIRMATION OF MINUTES

- 202** **RESOLVED** (Arkan/Templeton) that the minutes of the Ordinary meeting held on 11 November 2010 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORT

GM10/18 2009/2010 ANNUAL REPORT AND 2009/2010 SUPPLEMENTARY STATE OF THE ENVIRONMENT REPORT

To provide Council with the Annual Report and Supplementary State of the Environment Report for the 2009/2010 financial year. This report recommends that the 2009/2010 Annual Report and 2009/2010 Supplementary State of the Environment Report be adopted.

- 203** **RESOLVED** (Graham/Palmer) that Council adopts the 2009/2010 Annual Report and 2009/2010 Supplementary State of the Environment Report.

GM10/19 QUARTERLY OPERATIONAL PLAN REPORTING FOR QUARTER ENDED 30 SEPTEMBER 2010

To report on the progress of the performance measures contained in Councils 2010-2011 Operational Plan.

- 204** **RESOLVED** (Palmer/Arkan):
1. That Council notes the issues surrounding those measures that have not been achieved for the period ending 30 September 2010, as listed in the body of this report.
 2. That Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councilors' Room for the July to September 2010 quarter.
 3. That Council continues to monitor its performance with a view to improving service delivery.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB10/60 PROPOSED YOUTH/SPORT/COMMUNITY CENTRE AT WOOLGOOLGA

To seek Council approval for the allocation of land for a proposed Multi Purpose Youth/Sports/Community Centre at Woolgoolga to service the Northern Beaches.

205 RESOLVED (Arkan/Palmer):

1. That Council approve in principal the allocation of the land indicated on the plan attached to this report, being part of Centennial Reserve at Woolgoolga, for use as a combined youth/indoor sports/community centre and that Northern Beaches Multi Purpose Community Facility Committee be informed accordingly.
2. That the Northern Beaches Multi Purpose Community Facility Committee be required to prepare a business feasibility study regarding the proposed combined youth/indoor sports/community centre and this study be utilized as part of the community consultation identified in 3. below.
3. That Council assist Northern Beaches Multi Purpose Community Facility Committee to prepare draft concept plans to enable community consultation by the Committee.
4. That Council support fundraising for the proposed combined facility, endorse grant applications and directly lobby both State and Federal governments to secure the allocation of funds at the appropriate time.
5. That as and when required further reports be brought back to Council.

This resolution was passed unanimously.

CB10/59 BANK BALANCES AND INVESTMENTS FOR JULY 2010

To list Council's Bank Balances and Investments as at 31 July 2010.

206 RESOLVED (Degens/Hines):

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 million, one hundred and seventy six thousand and fifty two dollars (\$150,176,052) as at 31 July 2010 be noted.
2. That the general fund unrestricted cash and investments totalling eight hundred and eighty one thousand, six hundred and forty nine dollars (\$881,649) as at 31 July 2010 be noted.

CB10/61 STATE EMERGENCY SERVICE - LONG TERM SITE ALLOCATION

To recommend a strategy based on Council's obligation to provide facilities for the SES (State Emergency Service) in the longer term.

MOVED (Arkan/Palmer):

1. That Council support as the preferred site for the SES, the State Forests site on the corner of the Pacific Highway and Beryl Street, Coffs Harbour as shown as Site 1 in this report.
2. That Council actively lobby the State Government for the inclusion of the SES facility within the redevelopment of the above site.
3. That should the SES facility not be included in the above development, within the short to medium term, Council set aside the site at Coramba Road, Coffs Harbour shown as Site 2 within this report for the longer term requirements of the SES.
4. That Council consider the allocation of funds for the construction of a new SES facility within its 10 year rolling works programme.
5. That Council review the Plan of Management and Open Space Strategy as related to the Coramba Road site with a view to including the SES facility at this location.

AMENDMENT

207 RESOLVED (Hines/Graham):

- 1 That Council support as the preferred site for the SES, the Coramba Road site, Coffs Harbour as shown as Site 2 in this report.
- 2 That Council actively lobby the State Government for funds for development of the SES facility at the Coramba Road site.
- 3 That Council consider the allocation of funds for the construction of a new SES facility within its 10 year rolling works programme.
- 4 That Council review the Plan of Management and Open Space Strategy as related to the Coramba Road site with a view to including the SES facility at this location.

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

DIVISION

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

FOR

Cr Templeton
Cr Hines
Cr Knight
Cr Bonfield
Cr Degens
Cr Graham

AGAINST

Cr Rhoades
Cr Palmer
Cr Arkan

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

CB10/62 POLICIES

To review and update the following policies:

- Councillors' Fees, Expenses and Facilities Policy
- Loan Borrowing Policy
- Rates and Charges – Pensioner Concession Policy

208 RESOLVED (Templeton/Palmer) that Council adopts the Councillors' Fees, Expenses and Facilities Policy, Loan Borrowing Policy and Rates and Charges – Pensioner Concession Policy.

CITY SERVICES DEPARTMENT REPORTS

CS10/42 SMOKE-FREE OUTDOOR AREAS POLICY AND ACTION/IMPLEMENTATION PLAN

To report to Council on status of a Smoke-Free Outdoor Areas Policy and the implications actions and process for adopting such a policy.

MOVED (Graham/Degens):

1. That Council ban smoking in all outdoor public areas across the local government area.
2. That Council publicise the ban through appropriate advertising and signage.

AMENDMENT

209 RESOLVED (Templeton/Palmer):

1. That Council note the current status of an operational Smoke-Free Outdoor Policy and endorses the proposal to consider a local government wide policy for public areas.
2. That the Action/Implementation Plan be noted and that following community consultation and engagement, a report be provided back to Council for consideration in April 2011.

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**.

CS10/43 TENDER: SES BUILDING EXTENSION, PARK AVENUE, COFFS HARBOUR - TENDER NO. 09/10-410-TO

To report on tenders received for the extension of the SES building, 29 Park Avenue, Coffs Harbour and to gain Council approval to accept a tender.

210 RESOLVED (Arkan/Templeton):

1. That Council accept the tender of Integrity Commercial Constructions Pty Ltd ABN 50 128 654 885, for the lump sum amount of \$304,498.50 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.

**CS10/44 TENDER: BENNETTS ROAD AND UPPER SHEPHARDS LANE
DETENTION BASINS DETAILED DESIGN AND DAM SAFETY
COMMITTEE APPROVAL - CONTRACT NO. 10/11-456-TO**

To report to Council on tenders received for the detail design and Dam Safety Committee approval of the Bennetts Road and Upper Shephards Lane Detention Basins Contract No. 10/11-456-TO and to gain Council approval to accept a tender.

211 RESOLVED (Arkan/Templeton):

1. That Council accept the tender of the Department of Services, Technology & Administration T/A NSW Public Works, ABN 81 913 830 170, for Contract No. 10/11-456-TO, Bennett's Road And Upper Shephards Lane Detention Basins Detailed Design and Dam Safety Committee Approval for the lump sum amount of \$154,330.00, 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 the company's 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.

CS10/45 TENDER - 2010 - 2011 CUL-DE-SAC ASPHALT WEARING SURFACE

To obtain Council approval to accept a tender for 2010–2011 Cul-De-Sac Asphalt Wearing Surface Program.

212 RESOLVED (Arkan/Templeton):

1. That Council accept the tender submitted by Diveva Pty Ltd (trading as Mid Coast Road Services) ABN 34 003 779 815, for Contract No. 10/11-448-TO, Cul-De-Sac Asphalt Wearing Surface Works, to be paid on a schedule of rates basis for an extended amount of \$90,805 on the basis that it is the most advantageous tender.
2. That the contract documents be executed under the Common Seal of Council.

L10/17 TENDER: ORARA RIVER REHABILITATION PROJECT BUSH REGENERATION TENDER 10/11-445-TO

This report outlines the results of the assessment of tender submissions for the Orara River Rehabilitation Project Bush Regeneration Tender 10/11-445-TO.

213 RESOLVED (Templeton/Arkan):

1. That Council accept the tender of Coffs Harbour Bushland Regeneration Group ABN 097 299 280 for Contract No. 10/11-445-TO, Orara River Rehabilitation Project Bush Regeneration Contract, at the rate of \$41.80 per hour, including GST, as tendered, for the period up to 31 December 2011, 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 their ability and performance have been satisfactory;
 - c) The Tenderer's financial capacity is acceptable; and
 - d) The contract documents be executed under the Seal of Council.

MATTERS OF AN URGENT NATURE

MUN10/11 RTA's handling of Christmas traffic through Coffs Harbour

Councillor Bonfield questioned whether the RTA had a plan in place to be able to move traffic through Coffs Harbour in a reasonable fashion during the Christmas period as there will be more holiday makers traveling through the city. Cr Bonfield asked whether there would be any hold ups, or if the work would be done at certain times or whether there would be signs telling people to expect delays.

The Director of City Services advised that he was aware that the RTA constantly check traffic lights and traffic planning issues when doing maintenance or construction work but he will raise the issue with the RTA to get a review of what they are currently planning for the Christmas period and bring back to Council.

Councillor Palmer requested a media release be issued pointing out the alternative of Orara Way for people traveling to and from Grafton.

MUN10/12 Trucks Air Brakes

Councillor Bonfield raised the issue of air brake noise and asked if, through the RTA, Police or Council, there was any way to stop air brakes from being used in the Orara area through to the Englands Road turnoff.

The Director of City Services advised that there is no specific legislation that Council is able to use to regulate air brake use. Mr Lawson advised that there are investigations being carried out in other areas of the State to try and develop something like a speed camera to try and regulate trucks and then prosecute loud trucks but at this point in time there are not many options but to erect signs.

MUN10/13 Pacific Highway Upgrade - Sapphire to Woolgoolga - Bicycle and Pedestrian Access

Councillor Graham asked if Council would dedicate all available corporate resources to ensuring that a satisfactory bike and pedestrian path is constructed between Sapphire and Woolgoolga.

The Director of City Services advised that staff have been meeting with RTA since the matter was raised as a critical issue in the community and there are plans in place. Mr Lawson also advised that staff had recently met with the Bicycle User Group and RTA to work out options and discuss with RTA how they can be incorporated into the design. The Director of City Services confirmed that all available resources were being used in this matter.

MUN10/14 Gallows Beach Road - scene of accident

Councillor Knight advised that last Saturday night there was an accident near the Fishing Club where a car drove off the cliff on to the rocks. Cr Knight pointed out that the area has no barrier to protect anybody from driving straight over the cliff, but on the other side of the road there are logs so people don't drive on the grass. Cr Knight commended Ambulance, SES, Fire Brigade and others for doing a terrific job and asked if logs or some barrier could be erected to prevent any further accidents of this type happening again.

The Director of City Services advised that he believed the area was under the control of Land and Property Management but the matter would be investigated, and taken up with them if that is the case, otherwise if there are any funding implications, a report will be brought back.

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 6.25pm.

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

CB10/63 - Event Proposal

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

- (d) Contained commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council.

The motion on being put to the meeting was carried.

The press and public vacated the chamber.

The Mayor requested a two minute recess.

CB10/63 EVENT PROPOSAL

To gain Council's support to host a major event.

- 215 RESOLVED** (Arkan/Hines):

1. That the name of the event be withheld for commercial reasons until the acceptance of the event is confirmed, at which time the event name be publicised.
2. That Council support the financial contribution to the proposed event as detailed and note the commercial in confidence nature of this contribution.
3. That Council plan for these funds to be allocated in the future Delivery Program and Operational Plans as outlined in the report, noting that the amount cannot be disclosed due to the commercial in confidence nature of the contract.
4. That Council note that the event will have an estimated direct economic impact into the local community of approximately \$10M based on Events NSW estimates
5. That Council note the cultural nature of the event.

This recommendation was passed unanimously.

OPEN MEETING

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

216 RESOLVED (Knight/Palmer) that the Committee now move into Open Meeting.

The Mayor read to the meeting the resolution of the Closed Meeting.

This concluded the business and the meeting closed at 6.31pm.

Confirmed: 16 December 2010.

.....
K D Rhoades, AFSM
Mayor