

The following document is the minutes of the Council and Committee meeting held on 10 March 2011. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 24 March 2011 and therefore subject to change. Please refer to minutes of 24 March 2011 for confirmation.



**COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
10 MARCH 2011**

Contents

ITEM	DESCRIPTION	PAGE
GENERAL MANAGER'S REPORT		
GM11/7	GOVERNANCE AND AUDIT COMMITTEE - ANNUAL REPORT AND THE IMPACT OF DLG CIRCULAR 10-22 REVISED INTERNAL AUDIT GUIDELINES	2
LAND USE, HEALTH & DEVELOPMENT REPORTS		
L11/6	LIFEGUARD SERVICE – EXTENSION OF TEMPORARY 12 MONTH PATROL AT PARK BEACH	3
L11/7	CLIMATE CHANGE PROFESSIONAL FELLOWSHIP	3
CORPORATE BUSINESS DEPARTMENT REPORTS		
CB11/5	BCU INTERNATIONAL STADIUM AND COFFS COAST SPORT AND LEISURE PARK - FUTURE UPGRADES	4
CB11/6	MONTHLY BUDGET REVIEW FOR JANUARY 2011	6
CB11/7	ENCROACHMENTS ONTO LANEWAY AT CORAMBA - NO. 6	6
MATTERS OF AN URGENT NATURE		
MUN11/4	Use of Museum	7
MUN11/5	Midway Motel Site	7
MUN11/6	Hearnes Lake Development	7
QUESTION ON NOTICE		
QON11/1	Suitable Location of Woolgoolga Curry Festival	7



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

10 MARCH 2011

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, Acting Director Corporate Business, Director City Services, Director Land Use, Health & Development and Executive Assistant.

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

DISCLOSURES OF INTEREST

No disclosures of interest were tabled.

PUBLIC FORUM

Time	Speaker	Item
5.00 pm	Richard Holloway Arts Mid North Coast Inc	Presentation re Operations, Outcomes and Plans for 2011 Associated with Arts Mid North Coast

CONFIRMATION AND ADOPTION OF MINUTES

- 27** **RESOLVED** (Graham/Templeton) that the minutes of the Ordinary meeting held on 24 February 2011 be confirmed as a true and correct record of proceedings with the exception of MUN11/3 B-Triple Trucks on Pacific Highway, the last line amended to read as follows:

Councillor Graham agreed that a report also be brought back to Council on matter.

GENERAL MANAGER'S REPORT

GM11/7 GOVERNANCE AND AUDIT COMMITTEE - ANNUAL REPORT AND THE IMPACT OF DLG CIRCULAR 10-22 REVISED INTERNAL AUDIT GUIDELINES

The purpose of this report is twofold:

1. To advise the Council of changes in best practice as a result of the issue of revised internal audit guidelines by the Department of Premier and Cabinet - Division of Local Government (DLG Circular 10-22) and recommend amendments to achieve compliance with the revised guidelines.
2. To report on the achievements of the Governance and Audit Committee since its inauguration in December 2009.

28 RESOLVED (Graham/Palmer) that:

1. A Councillor be nominated to replace the Mayor on the Governance and Audit Committee for the balance of the current Council term of office.
2. Council confirm the appointment of the incumbent chairperson of the Governance and Audit Committee for the balance of the current Council term of office.
3. The previous authority given to the Mayor, General Manager, external auditor representative and the Internal Auditor on 24 September 2009 to appoint replacement independent members to the Governance and Audit Committee be revoked with immediate effect.
4. Authority be given to the Governance and Audit Committee Councillor representative, General Manager, external auditor representative and the Internal Auditor to consider expressions of interest for membership of the Governance and Audit Committee and report back to Council with recommendations for appointment both for replacements during the current term of Council and for appointment/reappointment at the start of a new Council term.
5. The revised Governance and Audit Committee Charter be approved with immediate effect.
6. Council note the achievements of the Governance and Audit Committee as outlined in the chairperson's report and thank the committee members for their participation.

SUPPLEMENTARY MOTION

29 MOVED (Graham/Arkan) that Councillor Degens be nominated to replace the Mayor on the Governance and Audit Committee for the balance of the current Council term of office.

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

MOVED (Bonfield/Palmer) that Councillor Templeton be nominated to replace the Mayor on the Governance and Audit Committee for the balance of the current Council term of office.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L11/6 LIFEGUARD SERVICE – EXTENSION OF TEMPORARY 12 MONTH PATROL AT PARK BEACH

To identify temporary service level and budget increases to Council's Lifeguard Service at Park Beach in response to growing population and usage patterns within the Council area.

- 30 RESOLVED** (Palmer/Hines) that Council approves the temporary extension of winter services at Park Beach to ensure a 12 month Lifeguard Service at this location for the 2011 calendar year.

L11/7 CLIMATE CHANGE PROFESSIONAL FELLOWSHIP

A member of staff has been awarded a Climate Change Professional Fellowship in the United States of America. The travel costs will be funded by the United States Bureau of Educational and Cultural Affairs.

- 31 RESOLVED** (Graham/Degens) that:
1. Council note the Climate Change Professional Fellowship that has been awarded to the Executive Manager Strategy & Sustainability, with his overseas travel and living costs being met by the US government.
 2. A report from the recipient of this fellowship be returned to Council.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB11/5 BCU INTERNATIONAL STADIUM AND COFFS COAST SPORT AND LEISURE PARK - FUTURE UPGRADES

To seek Council's endorsement of concept plans for future upgrades at BCU International Stadium, and consideration of funding to progress the project to 'shovel ready' to be ready for future funding opportunities.

MOTION

32 **MOVED** (Knight/Bonfield) that:

1. Council endorses the draft concept plans for the grandstand extensions at the BCU International Stadium, Centre of Excellence and venue upgrades.
2. Coffs Harbour City Council immediately formulate concept plans for a Performing Arts Centre including a gallery.
3. A report be presented back to Council on the status of these projects for possible inclusion:
 - Regional Skate Park
 - Jetty Foreshores
 - Cycleway next to newly constructed Pacific Highway
 - Woolgoolga Multi Purpose Centre
 - Detention Basin Nos. 3 and 4
 - Seating at Jetty Memorial Theatre
 - Regional Art Gallery
 - Regional Library
 - Bruxner Park Eco Tourism Project
 - Solitary Islands Coastal Walk

AMENDMENT

MOVED (Graham/Degens) that:

1. Coffs Harbour City Council immediately formulate concept plans for a Performing Arts Centre including a gallery.
2. The following projects be endorsed as Council's priority projects for funding:
 - Regional Skate Park
 - Jetty Foreshores
 - Cycleway next to newly constructed Pacific Highway
 - Woolgoolga Multi Purpose Centre
 - Detention Basin Nos. 3 and 4
 - Seating at Jetty Memorial Theatre
 - Regional Art Gallery
 - Regional Library
 - Bruxner Park Eco Tourism Project
 - Solitary Islands Coastal Walk
 - Public Transport Infrastructure for our City
3. It be noted that the cost of a local rail service as identified by the feasibility study to date is approximately \$20M.

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

Cont'd

CB11/5 BCU International Stadium and Coffs Coast Sport and Leisure Park - Future Upgrades ...(Cont'd)

FORESHADOWED AMENDMENT

MOVED (Arkan/Graham) that:

1. Coffs Harbour City Council immediately formulate concept plans for a Performing Arts Centre including a gallery.
2. A cost benefit analysis be conducted so as to correctly prioritise the needs to the City and its people regarding the following:
 - Regional Skate Park
 - Jetty Foreshores
 - Cycleway next to newly constructed Pacific Highway
 - Woolgoolga Multi Purpose Centre
 - Detention Basin Nos. 3 and 4
 - Seating at Jetty Memorial Theatre
 - Regional Art Gallery
 - Regional Library
 - Bruxner Park Eco Tourism Project
 - Solitary Islands Coastal Walk
 - Public Transport Infrastructure for our City

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

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

DIVISION

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

FOR

Cr Templeton
Cr Hines
Cr Knight
Cr Bonfield
Cr Rhoades
Cr Palmer
Cr Arkan

AGAINST

Cr Graham
Cr Degens

CB11/6 MONTHLY BUDGET REVIEW FOR JANUARY 2011

To report on the estimated budget position as at 31 January 2011.

33 RESOLVED (Hines/Templeton) that:

The budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 31 January 2011:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 30 June 2010	667,506 (D)	5,257,469 (D)	4,124,558 (D)
Approved Variations to 31 December 2010	(220,025) (S)	(37,587) (S)	(218,042) (S)
Recommended variations for January 2011	909 (D)	Nil	Nil
Estimated result 2010/11 as at 31 January 2011	<u>488,390 (D)</u>	<u>5,219,882 (D)</u>	<u>3,906,516 (D)</u>

CB11/7 ENCROACHMENTS ONTO LANEWAY AT CORAMBA - NO. 6

To review the status of encroachments onto a laneway at Coramba.

34 RESOLVED (Arkan/Templeton) that:

1. Council applies to the Land & Property Management Authority to close that part of the lane behind Numbers 16 & 18 Thrower Avenue Coramba.
2. If approved, the land be classified as Operational land under the Local Government Act (as amended).
3. The owners of properties that adjoin the proposed closure be notified of Council's decision.
4. Following the determination of the closure application by the Land & Property Management Authority, a further report be brought back to Council.

MATTERS OF AN URGENT NATURE

MUN11/4 Use of Museum

Councillor Knight raised that the table tennis group have moved into the old museum site, there have been a number of submission for the use of the site, e.g. Aboriginal Arts and U3A groups, amongst others, is there a process in which the submissions go through, if there is there any consultation, of the understanding the museum is for the community and art and culture not a sports venue.

MUN11/5 Midway Motel Site

Councillor Degens questioned what Council knows of the Ministerial complaint lodged with the NSW Minister of Planning by the owners of the Midway Motel site via the local member.

What information has Council received from the Department of Planning following the meeting the owners of the Midway Motel site had with the Director General and the Deputy Director General last Friday?

MUN11/6 Hearnese Lake Development

Councillor Graham requested a report of the progress of the Class 4 action in the Land and Environment Court regarding the concept approval for 200 houses at Hearnese Lake.

The General Manager advised that the legal advice from Council's solicitors is being finalised, aware of the deadline of 20 March and a decision will be made prior to then.

QUESTIONS ON NOTICE

QON11/1 Suitable Location of Woolgoolga Curry Festival

Councillor Jenny Bonfield asked the following question:

The Woolgoolga Curry Festival requested that the festival be able to run the length of the beach reserve and not close the street. Jason Bailey met with the committee and they were told it was not possible because it would restrict people from using the beach and may block the view from the caravans at the front of the park.

The committee seems to be of the opinion that the road closure is a poor second option. They are not seeking a reversal of the decision this year, however I would like to understand the reasons behind the refusal.

Cont'd

QON11/1 Suitable Location of Woolgoolga Curry Festival ...(Cont'd)

I would also like an opinion from the GM as to the veracity of the reason for the refusal, and does he see a way forward in accommodating the committee's request for this one day event.

Staff Comment:

Woolgoolga Curryfest Event Manager, Kelvin Harris made a request to utilise an additional section of the Woolgoolga Beach Reserve for the Woolgoolga Curryfest scheduled for 9 April 2011. The request entailed extending the festivals area of operation further north to include all passive recreation reserve lands south of the Woolgoolga Surf Club. The request was considered and declined on the basis that the extension would allocate all recreation space south of the surf club to the festival and restrict community use of the reserve, particularly members of the public who did not wish to be involved in the festival but were interested in making use of the reserve. Mr Harris enquired if the decision was based upon impeding operations of the caravan park and offered to book all remaining beachfront sites and cabins or pay for patrons who had already booked. Mr Harris was advised that the operation of the caravan park was not linked to the decision and it would not be necessary to book the remaining sites or pay for the current bookings. It was reaffirmed to Mr Harris that the only reason behind the decision was to ensure that community members not attending the festival would still have access to recreation space. This rationale is applied to all leases and licences that use Woolgoolga Reserve including other festivals and markets.

Mr Harris requested an on-site meeting to discuss the issue further. On Friday 5 November 2010 a meeting was held at Woolgoolga Beach Reserve between Mr Harris, Craig Milburn and Jason Bailey. Various scenarios were discussed regarding the Curryfest including using the entire reserve south of the Surf Club. A compromise was reached where additional reserve space was made available for the Curryfest whilst still providing a section of reserve south of the surf club for public use during the festival. At no time during the discussions was there mention of not closing the road in lieu of additional reserve space. Conversely, Mr Harris mentioned that whilst not ideal, the road closure was necessary for the 2011 event but would be reconsidered in any future planning of the festival. The key outcome of the meeting was that an amicable compromise was reached on the use of the reserve, with an undertaking to review the 2011 Curryfest event with regards to reserve usage and road closures for the 2012 event.

The General Manager has met with both Mr Bailey and Mr Milburn to review the basis of the decision making and consultation processes and is satisfied that the resulting decisions are appropriate.

This concluded the business and the meeting closed at 6.35 pm.

Confirmed: 24 March 2011

.....
Keith Rhoades AFSM
Mayor