

The following document is the minutes of the Council and Committee Meetings held on Thursday, 24 March 2011. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 14 April 2011 and therefore subject to change. Please refer to the minutes of the meeting of 14 April 2011 for confirmation.



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

Contents

ITEM	DESCRIPTION	PAGE
MAYORAL MINUTE		
MM11/2	CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT	2
NOTICES OF MOTION		
NOM11/1	MIDWAY MOTOR INN SITE	3
NOM11/2	MOTION TO NATIONAL GENERAL ASSEMBLY REGARDING NEGLECT OF NATIONAL RAIL SYSTEM	5
NOM11/3	PUBLIC TOILETS IN COUNCIL CAR PARK	5
GENERAL MANAGER'S REPORT		
GM11/8	COFFS HARBOUR CITY COUNCIL - UPDATE ON PROGRESS : ACTIONS ARISING FROM REVIEW OF REFURBISHMENT & ACCOMMODATION FOR RIGBY HOUSE & ADMINISTRATION OFFICES	6

CITY SERVICES DEPARTMENT REPORTS	6
CS11/6 TRAFFIC COMMITTEE REPORT NO. 1/2011	6
CORPORATE BUSINESS DEPARTMENT REPORTS	9
CB11/8 BANK BALANCES AND INVESTMENTS FOR JANUARY 2011	9
CB11/10 COFFS HARBOUR WAR MEMORIAL OLYMPIC POOL REDEVELOPMENT	9
CB11/11 2011/12 ENVIRONMENTAL PROJECTS SCHEDULE	10
CB11/12 WOOLGOOLGA NETBALL COURT - UPGRADE	15
MATTER OF AN URGENT NATURE	
MUN11/7 Diamond Head Drive, Sandy Beach	15
QUESTION ON NOTICE	
QON11/2 OLD MUSEUM SITE	16



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

24 MARCH 2011

Present: Councillors D Knight (Acting 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 and Executive Assistant

The meeting commenced at 5.00pm with the Acting Mayor, Cr D Knight in the chair.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

APOLOGY

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

PUBLIC ADDRESS

Time	Speaker	Item
5.00pm	Scott Barwick SJB Planning	NOM11/1 - Midway Motor Inn Site

MAYORAL MINUTE

MM11/2 CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

To discuss the letter to Council from Cr Genia McCaffery, President, Australian Local Government Association, asking all councils to pass a resolution in council chambers in the first few months of 2011, endorsing the position that a referendum be held by 2013 to change the Constitution to allow direct funding of local government bodies by the Commonwealth Government. The following documents were attached to Cr McCaffery's letter:

- Draft letter to the Prime Minister, The Hon Julia Gillard MP.
- Draft letter to the Leader of the Opposition, The Hon Tony Abbott MP.
- Draft letter to the Coffs Harbour's local MP, Luke Hartsuyker, Member for Cowper.
- Draft text of possible Council Resolution on Constitutional Recognition.

- 36** **RESOLVED** (Knight) that Council declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

CONFIRMATION OF MINUTES

Councillor Graham asked that in relation to point 27 on page 1, that the matter be reported in accordance with the full transcript and reflect everything that he had said in relation to the matter.

The General Manager advised that it is reported in the minutes, and the transcript of the minutes for 24 February have been posted on Council's web site as a true record and it does include the amended words adopted at the 10 March 2011 meeting.

Councillor Graham further requested that minutes reflect everything he said in relation to matter.

- 37** **RESOLVED** (Templeton/Hines) that the minutes of the Ordinary meeting held on 10 March 2011 be confirmed as a true and correct record of proceedings.

Cr Graham called for a Division.

DIVISION

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

FOR

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

AGAINST

Cr Graham
Cr Degens

NOTICES OF MOTION

NOM11/1 MIDWAY MOTOR INN SITE

MOVED (Degens/Templeton) that Council:

1. acknowledge the key gateway location of the Midway Motor Inn site as being equally as significant to the City's economy as the state government owned Beryl Street site ,
2. confirm that the Midway Motor Inn site should receive the same key site recognition and equivalent planning controls under the Draft City Centre Local Environment Plan and Development Control Plan as the state government owned Beryl Street site, those being:

B6 zoning
Maximum building height of 19 metres
Maximum floor space ratio of 1:1
exclusion from limitations on office floor space
exclusion from limitations for business use,

and confirm that the Draft City Centre Local Environment Plan and Development Control Plan should be amended to include the appropriate changes.

3. confirm that Council should immediately advise the Department of Planning of approval of this Notice of Motion.
4. agree that if the Draft City Centre Local Environment Plan has been gazetted prior to the advise being given in Point 3 above, that Council will sponsor a gateway determination process to amend the Draft City Centre Local Environment Plan and Development Control Plan.

AMENDMENT

38 MOVED (Palmer/Graham):

1. That Council instruct staff to immediately review the intent of the centre's hierarchy and the resultant zoning and planning controls contained within the proposed B6 zoning within the draft City Centre LEP and DCP.
2. The outcomes of this review to be reported back to Council through the City-wide Standard Instrument LEP process.

The **AMENDMENT** on being put to the meeting resulted in a tied vote.

FOR
Bonfield
Knight
Palmer
Graham

AGAINST
Templeton
Hines
Arkan
Degens

The Acting Mayor used her casting vote which resulted in the **AMENDMENT** being **CARRIED**. It then became the **MOTION** and on being put to the meeting resulted in a tied vote.

FOR
Bonfield
Knight
Palmer
Graham

AGAINST
Templeton
Hines
Arkan
Degens

The Acting Mayor used her casting vote which resulted in the **MOTION** being **CARRIED**.

The meeting adjourned for a five minute break, the time being 5.53pm. The meeting resumed at 5.58pm

**NOM11/2 MOTION TO NATIONAL GENERAL ASSEMBLY REGARDING
NEGLECT OF NATIONAL RAIL SYSTEM**

- 39** **RESOLVED** (Degens/Arkan) that Coffs Harbour City Council place the following motion on to the agenda of the National General Assembly due to be held in Canberra from the 19 to 22 June 2011.

Notice of Motion (for the National General Assembly)

Recommendation:

That the delegates of the National General Assembly determine whether the resolution unanimously passed in 2010 regarding a Government Authority for Rail be acted upon or not, with a positive vote indicating the preference for action.

That the form of action be a letter to the Federal Minister for Transport with a copy of the subject correspondence forwarded to the State Ministers for Transport.

The original motion in 2010, Strategic Motion No. 42, be noted as presented below in the rationale.

NOM11/3 PUBLIC TOILETS IN COUNCIL CAR PARK

- 40** **RESOLVED** (Degens/Arkan) that a report be brought back to the next Council meeting on the possibilities of replacing public toilets within the Council car park next to Woolworths in Coffs Harbour CBD with the self-cleaning and graffiti resistant models such as were on display at the Local Government and Shires Association Conference in 2010. The report to include investigation into provision of a baby's change table in each unit.

GENERAL MANAGER'S REPORT

GM11/8 COFFS HARBOUR CITY COUNCIL - UPDATE ON PROGRESS : ACTIONS ARISING FROM REVIEW OF REFURBISHMENT & ACCOMMODATION FOR RIGBY HOUSE & ADMINISTRATION OFFICES

To inform Council about the progress on implementation of improvements identified.

41 RESOLVED (Graham/Arkan):

1. That Council note the current status of the implementation of improvements identified.
2. That a further report be prepared for Council updating the status of the improvement plan implementation in June 2011
3. A review of delegations for all Council staff, including authority to incur expenditure within Council's allocated budget be completed within one month and a report returned to Council.
4. That Council note and recognise the vast improvement in work conditions for staff that this process has brought about.

CITY SERVICES DEPARTMENT REPORTS

CS11/6 TRAFFIC COMMITTEE REPORT NO. 1/2011

To confirm the minutes from the Traffic Committee Meeting held on Thursday, 3 March 2011.

42 RESOLVED (Palmer/Arkan):

T.1 - Albany Street, Coffs Harbour - Edge line markings (R.503600 [2664609])

That edge line markings be painted in Albany Street, Coffs Harbour, between Salamander Street and Hogbin Drive on both sides of the road, as per Plan T.1.

T.2 - McLean Street, Coffs Harbour - 'No Stopping' sign (R.505140 [2625110])

That no action be taken to install 'No Stopping' signs in McLean Street, Coffs Harbour, adjacent St John's Anglican Church.

T.3 - Moonee Street, Coffs Harbour - Loading Zone (R.505330)

That '15 minute' parking be installed in 2 car spaces in Moonee Street, Coffs Harbour, as per Plan T.3.

CS11/6 - Traffic Committee Report No. 1/2011 (Cont'd)

T.4 -Moonee Street / Pacific Highway, Coffs Harbour - Traffic lights (R.505330)

That the Roads & Traffic Authority be requested to urgently review lane configuration at the intersection of Pacific Highway and Moonee Street, Coffs Harbour.

T.5 -William Sharp Drive, Coffs Harbour - Road Safety (R.511530 [2688767])

That no action be taken to install traffic calming in William Sharp Drive, Coffs Harbour.

T.6 -Wirrabilla Drive / Minorie Drive, Toormina - 'No Stopping' sign (R.502150 / R.502140 [2590823])

That 'No Stopping' signs be installed in Wirrabilla Drive, Toormina, on both sides of the intersection with Minorie Drive, as per Plan T.6.

T.7 -Bucca Road / Orara Way, Nana Glen (R.500020 / R.510980 [2649149])

That no action be taken to install a 'Stop' sign on Bucca Road, Nana Glen, at its intersection with Orara Way.

T.8 -Arrawarra Road, Arrawarra (R.508120 [2639962])

That the matter of speeding cars in Arrawarra Road, Arrawarra, be referred to the Police for their action.

T.9 - Elbow Street, Coffs Harbour - Traffic Issues (R.504400 [2485674])

That a traffic study be undertaken together with a traffic management plan in Elbow Street, Coffs Harbour, between Moonee Street and Pacific Highway.

T.10 -Red Rock Road, Red Rock - Speed Limits (Red Rock Road [2701060])

That the request for a speed zone review on Red Rock Road, Red Rock, be referred to the Roads & Traffic Authority.

T.11 - First Avenue, Sawtell - Bus Zones (R.501520 [2684821])

That :

- (i) the current temporary bus zone in First Avenue, Sawtell, remain
- (ii) '1 hour' parking be installed south of Bus Zone to corner of Second Avenue
- (iii) 'No Stopping' signs be installed at the corner of First and Second Avenues, as per Plan T.11.

CS11/6 - Traffic Committee Report No. 1/2011 (Cont'd)

T.12 - Beach Street, Woolgoolga - Temporary Road Closure - Woolgoolga Curry Fest (R.508400 / 1618)

That:

- (a) The temporary road closure of Beach Street, Woolgoolga, between Queen Street and Carrington Street, from 6.00am to 10.00pm on Saturday, 9 April 2011, for the purpose of conducting the Woolgoolga Curry Festival, be advertised and providing no substantive objections are received, the closure be approved.
- (b) The organisers of the Curry Festival liaise with affected traders and obtain traders approval.
- (c) The organisers submit a traffic control plan for approval by Council and be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers. Traffic Control Plan to include a sign posted detour route around the road closure.
- (d) The organisers be responsible for all costs associated with the temporary closure and clean up, including advertising.
- (e) The organisers submit a detour plan for traffic to bypass the closure.

T.13 - Park Avenue / Gordon Street / Vernon Street, Coffs Harbour - Temporary Road Closure - Anzac Day (R.505670 / R.504620 / R.504180 / 1618 [2727045])

That:

1. The following temporary road closures associated with the Coffs Harbour Anzac March to be held on Monday, 25 April 2011, between the hours of 9.00am and 10.30am be advertised and providing no substantive objections are received, the temporary closures be approved.
 - ◆ Park Avenue (Earl Street to Gordon Street)
 - ◆ Gordon Street (Park Avenue to Vernon Street)
 - ◆ Vernon Street (Gordon Street to Pacific Highway).
2. A traffic control plan to be submitted for this event. This should include details of all traffic signs, barricades and traffic controllers required for this event.

T.14 - First/Second/Fourth Avenues, Sawtell - Temporary Road Closure - Anzac Day (501520 / 501480 / 501550 / 1618 [2721439])

That:

1. The following temporary road closures associated with the Sawtell Anzac March to be held on Monday, 25 April 2011, between the hours of 10.30am and 11:45am be advertised and providing no substantive objections are received, the temporary closures be approved.
 - First Avenue (Second Avenue to Boronia Street)
 - Second Avenue (First Avenue to Fourth Avenue)
 - Fourth Avenue (Second Avenue to East Street).
2. A traffic control plan to be submitted for this event. This should include details of all traffic signs, barricades and traffic controllers required for this event.
3. A temporary bus zone be signposted in First Avenue north of Second Avenue as alternative to the Ex-Services Club bus zone.

CS11/6 - Traffic Committee Report No. 1/2011 (Cont'd)

T.15 - Beach Street, Woolgoolga - Temporary Road Closure - Anzac Day (R.500270 / 1618 [2724623])

That:

1. The following temporary road closure of Beach Street, Woolgoolga, (Queen Street to Woolgoolga Returned Services Club) associated with the Woolgoolga Anzac March to be held on Monday, 25 April 2011, between the hours of 10.30am and 11.15am be advertised and providing no substantive objections are received, the temporary closures be approved.
2. A traffic control plan to be submitted for this event. This should include details of all traffic signs, barricades and traffic controllers required for this event.

T.16 - Park Avenue, Coffs Harbour - Loading Zone (R.505670)

That a '5 minute' parking zone be installed in the laneway off Park Avenue, Coffs Harbour, as per Plan T.16.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB11/8 BANK BALANCES AND INVESTMENTS FOR JANUARY 2011

To list Council's Bank Balances and Investments as at 31 January 2011.

43 RESOLVED (Degens/Palmer):

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 seventy million, four hundred and five thousand, and fifty four dollars (\$170,405,054) as at 31 January 2011 be noted.
2. That the general fund unrestricted cash and investments totalling one million, one hundred thousand, seven hundred and sixty five dollars (\$1,100,765) as at 31 January 2011 be noted.

CB11/10 COFFS HARBOUR WAR MEMORIAL OLYMPIC POOL REDEVELOPMENT

To report on the process and outcomes of the redevelopment of the Coffs Harbour War Memorial Olympic Pool.

44 RESOLVED (Hines/Graham) that Council notes the report on the Coffs Harbour War Memorial Olympic Pool Redevelopment.

CB11/11 2011/12 ENVIRONMENTAL PROJECTS SCHEDULE

To provide Council with the recommended program of works for the 2011/2012 Environmental Levy Program for inclusion in the 2011/2012 Draft Delivery Program.

45 RESOLVED (Degens/Hines):

1. That the Draft 2011/2012 Environmental Levy Program as recommended by the Environmental Levy Working Group as listed below, be incorporated into Council's 2011/2012 Draft Delivery Program:

Project	Recommended Amount
Environmental Levy Coordination	\$48,450
Conservation and Sustainable Management of Biodiversity in the Coffs Harbour Local Government Area (wages for Bio Officers)	\$193,000
Supporting Community Action in the Coffs Harbour Local Government Area	\$87,442
Pipe Clay Lake: Stormwater Community Education Program	\$10,500
Orara River Rehabilitation Project Propagation Nursery Revegetation/Tree Planter Camphor Laurel/Privet Control Erosion Control/Fencing	\$195,000
Protection of the Sensitive Estuarine Environs of Boambee and Newports Creeks	\$10,000
Coffs Harbour Community Garden Clean Water Project	\$8,110
Bushland Regeneration (wages for Bush Regeneration Officer and two assistants)	\$190,000
Darrunda Wajaar Repair to Country High Priority Sites	\$20,000
Solitary Islands Coastal Walk	\$80,000
Biodiversity Monitoring Program, Stage 2	\$30,000
Environmental Weed Control Program 2011/12 Bitou Bush Camphor Laurel Privet Glory Lily Pine Trees Celtis/Pepper Tree Vine Weeds	\$80,000
Koala Plan of Management 2011 – Revision of Mapping	\$35,000
Education Program: Improving Agriculture Practices Within Catchments	\$20,000
Coffs Jetty Foreshore Reserve Follow- up Weeding	\$9,972
Botanic Gardens Education Officer	\$15,000
Green Schools Sustainability Fund	\$20,000

Project	Recommended Amount
Boambee Beach Bush Regeneration – North of Deep Sea Release Pipeline	\$9,995
Starting in Your Own Back Yard	\$3,950
Fauna Survey and Monitoring Within Community icon Areas of the North Coast	\$23,955
Coffs Ambassadors Volunteer Interpretive Tours	\$15,000
	\$1,105,374

Funding Sources

Environmental Levy	\$1,045,374
Interest on reserve	\$10,000
Water fund contribution	\$50,000
 Total funds	 \$1,105,374

2. That a contribution of \$50,000 from the Water Fund be provided in the 2011/2012 Delivery Program towards Orara River Rehabilitation Project, which is available subject to works receiving prior approval from Executive Manager, Operations – Coffs Coast Water
3. That Council notes the Minutes of the Environmental Working Group meeting held on 15 February 2011.
4. That final replies to submissions be sent after Council's 2011/2012 Delivery Program is adopted.
5. That members of the Environmental Working Group be thanked for their involvement and informed of the adopted program.
6. That \$25,000 be moved from the Orara River Rehabilitation Project and be made available for a local Rail Feasibility Study.

AMENDMENT

MOVED (Bonfield/Graham):

1. That the Draft 2011/2012 Environmental Levy Program as recommended by the Environmental Levy Working Group as listed below, be incorporated into Council's 2011/2012 Draft Delivery Program:

Project	Recommended Amount
Environmental Levy Coordination	\$48,450
Conservation and Sustainable Management of Biodiversity in the Coffs Harbour Local Government Area (wages for Bio Officers)	\$193,000
Supporting Community Action in the Coffs Harbour Local Government Area	\$87,442
Pipe Clay Lake: Stormwater Community Education Program	\$10,500
Orara River Rehabilitation Project Propagation Nursery Revegetation/Tree Planter Camphor Laurel/Privet Control Erosion Control/Fencing	\$195,000
Protection of the Sensitive Estuarine Environs of Boambee and Newport Creeks	\$10,000
Coffs Harbour Community Garden Clean Water Project	\$8,110
Bushland Regeneration (wages for Bush Regeneration Officer and two assistants)	\$190,000
Darrunda Wajaar Repair to Country High Priority Sites	\$20,000
Solitary Islands Coastal Walk	\$80,000
Biodiversity Monitoring Program, Stage 2	\$30,000
Environmental Weed Control Program 2011/12 Bitou Bush Camphor Laurel Privet Glory Lily Pine Trees Celtis/Pepper Tree Vine Weeds	\$80,000
Koala Plan of Management 2011 – Revision of Mapping	\$35,000
Education Program: Improving Agriculture Practices Within Catchments	\$20,000
Coffs Jetty Foreshore Reserve Follow- up Weeding	\$9,972
Botanic Gardens Education Officer	\$15,000
Green Schools Sustainability Fund	\$20,000
Boambee Beach Bush Regeneration – North of Deep Sea Release Pipeline	\$9,995
Starting in Your Own Back Yard	\$3,950
Fauna Survey and Monitoring Within Community icon Areas of the North Coast	\$23,955
Coffs Ambassadors Volunteer Interpretive Tours	\$15,000
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Funding Sources

Environmental Levy	\$1,045,374
Interest on reserve	\$10,000
Water fund contribution	\$50,000
 Total funds	 \$1,105,374

2. That a contribution of \$50,000 from the Water Fund be provided in the 2011/2012 Delivery Program towards Orara River Rehabilitation Project, which is available subject to works receiving prior approval from Executive Manager, Operations – Coffs Coast Water
3. That Council notes the Minutes of the Environmental Working Group meeting held on 15 February 2011.
4. That final replies to submissions be sent after Council's 2011/2012 Delivery Program is adopted.
5. That members of the Environmental Working Group be thanked for their involvement and informed of the adopted program.

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

FORSHADOWED AMENDMENT.

MOVED (Arkan/)

1. That the Draft 2011/2012 Environmental Levy Program as recommended by the Environmental Levy Working Group as listed below, be incorporated into Council's 2011/2012 Draft Delivery Program:

Project	Recommended Amount
Environmental Levy Coordination	\$48,450
Conservation and Sustainable Management of Biodiversity in the Coffs Harbour Local Government Area (wages for Bio Officers)	\$193,000
Supporting Community Action in the Coffs Harbour Local Government Area	\$87,442
Pipe Clay Lake: Stormwater Community Education Program	\$10,500
Orara River Rehabilitation Project Propagation Nursery Revegetation/Tree Planter Camphor Laurel/Privet Control Erosion Control/Fencing	\$195,000
Protection of the Sensitive Estuarine Environs of Boambee and Newports Creeks	\$10,000
Coffs Harbour Community Garden Clean Water Project	\$8,110
Bushland Regeneration (wages for Bush Regeneration Officer and two assistants)	\$190,000
Darrunda Wajaar Repair to Country High Priority Sites	\$20,000
Solitary Islands Coastal Walk	\$80,000
Biodiversity Monitoring Program, Stage 2	\$30,000
Environmental Weed Control Program 2011/12 Bitou Bush Camphor Laurel Privet Glory Lily Pine Trees Celtis/Pepper Tree Vine Weeds	\$80,000

Koala Plan of Management 2011 – Revision of Mapping	\$35,000
Education Program: Improving Agriculture Practices Within Catchments	\$20,000
Coffs Jetty Foreshore Reserve Follow- up Weeding	\$9,972
Botanic Gardens Education Officer	\$15,000
Green Schools Sustainability Fund	\$20,000
Boambee Beach Bush Regeneration – North of Deep Sea Release Pipeline	\$9,995
Starting in Your Own Back Yard	\$3,950
Fauna Survey and Monitoring Within Community icon Areas of the North Coast	\$23,955
Coffs Ambassadors Volunteer Interpretive Tours	\$15,000
	\$1,105,374

Funding Sources

Environmental Levy	\$1,045,374
Interest on reserve	\$10,000
Water fund contribution	\$50,000
 Total funds	 \$1,105,374

2. That a contribution of \$50,000 from the Water Fund be provided in the 2011/2012 Delivery Program towards Orara River Rehabilitation Project, which is available subject to works receiving prior approval from Executive Manager, Operations – Coffs Coast Water
3. That Council notes the Minutes of the Environmental Working Group meeting held on 15 February 2011.
4. That final replies to submissions be sent after Council's 2011/2012 Delivery Program is adopted.
5. That members of the Environmental Working Group be thanked for their involvement and informed of the adopted program.
6. That funding be sought for a feasibility study for the introduction of a rail service from Glenreagh to Macksville utilising the existing railway line.
7. That a report be brought to Council stating the progress achieved and projects that haven't been achieved by the Orara River Rehabilitation Project.

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

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

CB11/12 WOOLGOOLGA NETBALL COURT - UPGRADE

To report on the condition of the Woolgoolga netball courts, and to seek Council approval to match grant funding for the project should it be successful.

- 46** **RESOLVED** (Palmer/Arkan) that Council write a letter of support to the Woolgoolga Netball Association, noting the high priority of the project and committing to match the grant funding of approximately \$141,248 in the 2011/12 financial year, should their application be successful.

REQUESTS FOR LEAVE OF ABSENCE

- 47** **RESOLVED** (Palmer/Bonfield)) that Cr Degens be granted leave of absence from Council on 14 April 2011.

MATTERS OF AN URGENT NATURE

MUN11/7 Diamond Head Drive, Sandy Beach

Councillor Arkan requested that a report be brought back to Council as to actions proposed and investigated to assist with traffic problems on Diamond Head Drive, Sandy Beach in particular the dip between the two roundabouts and poor visibility on the corner of Ti-Tree Drive and Diamond Head Drive.

QUESTIONS ON NOTICE

QON11/2 OLD MUSEUM SITE

Councillor Jenny Bonfield asked the following question:

The old museum site is a wonderful community space, and I understand that it has been given over to a table tennis club. What was the decision making process? What other community groups were interested in this space and why did this group top the list? Why was it not brought before a full Council?

The response was provided in the Agenda. Councillor Bonfield asked that, in future, Council professional staff include the Councillors, who are elected by the City, to be part of the process.

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

Confirmed: 14 April 2011.

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Cr D Knight
Acting Mayor