

The following document is the minutes of the Council and Committee meeting held on 14 April 2011. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 28 April 2011 and therefore subject to change. Please refer to minutes of 28 April 2011 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
14 APRIL 2011

Contents

ITEM	DESCRIPTION	PAGE
RESCISSION MOTION		
RM11/1	2011/2012 ENVIRONMENTAL PROJECTS SCHEDULE	3
GENERAL MANAGER'S REPORT		
GM11/9	MEMORANDUM OF UNDERSTANDING - COFFS HARBOUR CITY COUNCIL AND NORTH COAST TAFE	6
CITY SERVICES DEPARTMENT REPORT		
CS11/11	25M B-DOUBLE ACCESS - HULBERTS ROAD	7
LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS		
L11/8	DEVELOPMENT APPLICATION 1152/10 – SUBDIVISION (2 LOTS) – LOT 2 DP 732048, 349B OLD COAST ROAD, KORORA	7
L11/9	CORAMBA GROUNDWATER CONTAMINATION UPDATE – LITIGATION AND REMEDIATION	8
CORPORATE BUSINESS DEPARTMENT REPORTS		
CB11/13	MONTHLY BUDGET REVIEW FOR FEBRUARY 2011	9
CB11/14	BANK BALANCES AND INVESTMENTS FOR FEBRUARY 2011	9
CB11/15	FORMATION OF PROSPER COFFS HARBOUR LTD	10
CB11/16	FUNDING FOR JETTY FORESHORE MAINTENANCE WORK	10

ITEM	DESCRIPTION	PAGE
CB11/17	RICHARDSON PARK DRAINAGE UPGRADE	11
CB11/19	TENDER: SUPPLY, SERVICE AND LAUNDERING OF LINEN FOR COFFS COAST HOLIDAY PARKS – CONTRACT NO. 11/14- 477-TO	11
CB11/20	TENDER: PROVISION OF BANKING SERVICES - CONTRACT NO. 10/11-462-TO	11
CB11/21	TENDER: PROVISION OF AGENCY PAYMENT SERVICES - CONTRACT NO. 10/11-463-TO	12
CITY SERVICES DEPARTMENT REPORTS		
CS11/7	COASTAL ESTUARY MANAGEMENT ADVISORY COMMITTEE	12
CS11/8	DRAFT BOAMBEE / NEWPORTS ESTUARY MANAGEMENT STUDY & PLAN	12
CS11/9	COMMUNITY ENGAGEMENT PROGRAM: COFFS HARBOUR COASTAL PROCESSES AND HAZARD DEFINITION STUDY	13
CS11/10	CITY WIDE FLOOD MITIGATION, STORMWATER & DRAINAGE WORKS PROGRAM - MARCH 2011 UPDATE	13
CS11/12	DIAMOND HEAD DRIVE SANDY BEACH - ROAD SAFETY ISSUE	13
CS11/13	PUBLIC TOILET - MAINTENANCE, RENEWALS AND DISPOSALS	14
CS11/14	STATUS OF PROJECTS FOR REGIONAL DEVELOPMENT AUSTRALIA FUND APPLICATIONS	14
CS11/15	BRELSFORD PARK - REGIONAL SKATE PLAZA AND PERFORMING ARTS CENTRE	14
MATTER OF AN URGENT NATURE		
MUN11/8	HEARNES LAKE APPEAL	15
QUESTIONS ON NOTICE		
QON11/3	LOT 61 DP 852861 BACKHOUSE STREET WOOLGOOLGA	16
QON11/4	WORLD RALLY CHAMPIONSHIPS	17
QON11/5	ORARA RIVER LANDCARE PROJECTS - COSTS	17
MAYORAL MINUTE		
MM11/3	GENERAL MANAGER'S PERFORMANCE AGREEMENT	19
CORPORATE BUSINESS DEPARTMENT REPORT		
CB11/18	SOUTH SYDNEY DISTRICT RUGBY LEAGUE FOOTBALL CLUB SPONSORSHIP PROPOSAL	20



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

14 APRIL 2011

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

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

Leave of Absence: Councillor Degens

The meeting commenced at 5.05 pm with the Mayor, Cr K D Rhoades in the chair.

DISCLOSURES OF INTEREST

Disclosures of interest were tabled by Councillors concerning the following items of business:

Councillor	Item	Type of Interest
Steve McGrath	MM11/3 - General Manager's Performance Agreement	Pecuniary

PUBLIC FORUM

Time	Speaker	Item
5.00 pm	Colleen Davies	Department of Housing development, 245 Harbour Drive, Coffs Harbour

PUBLIC ADDRESS

Time	Speaker	Item
5.05 pm	Ron Wallis	CS11/11 - 25m B-Double Access - Hulberts Road

MAYORAL MINUTE

MM11/3 GENERAL MANAGER'S PERFORMANCE AGREEMENT

Steve McGrath declared a pecuniary interest in the following item, vacated the chamber at 5.23pm and took no part in the discussion or voting, the reason being that the Mayoral Minute refers to his performance agreement.

RESOLVED (Rhoades) that:

- (a) Council receive and note the performance agreement document and details of the performance review process outlined in the Mayoral Minute;
- (b) Council formally appoint the General Manager's Performance Review Panel to be the Mayor and one (1) Councillor chosen by the General Manager;
- (c) Council note that the performance review process will be facilitated by an independent facilitator agreed on by the Mayor and General Manager; and
- (d) Council delegate authority under Section 377 of the Local Government Act 1993 to the performance review panel to make all determinations arising from the conduct of the General Manager's performance review process.

AMENDMENT

MOVED (Graham/Hines) that:

- (a) Council receive and note the performance agreement document and details of the performance review process outlined in the Mayoral Minute;
- (b) Council formally appoint the General Manager's Performance Review Panel to be the Mayor, Deputy Mayor, one (1) Councillor nominated by the General Manager and Cr Hines as nominated by Council;
- (c) Council note that the performance review process will be facilitated by an independent facilitator agreed on by the Mayor and General Manager; and
- (d) Council delegate authority under Section 377 of the Local Government Act 1993 to the performance review panel to make all determinations arising from the conduct of the General Manager's performance review process.
- (e) Council provide training to all interested Councillors in Performance Management Governance.

Item deferred to later in the meeting seeking clarification regarding the number of nominations for the Performance Review Panel.

Steve McGrath returned to the meeting, the time being 5.25pm.

CONFIRMATION AND ADOPTION OF MINUTES

- 48 RESOLVED** (Palmer/Hines) that the minutes of the Ordinary meeting held on 24 March 2011 be confirmed as a true and correct record of proceedings.

RESCISSION MOTION

RM11/1 2011/2012 ENVIRONMENTAL PROJECTS SCHEDULE

- 49 RESOLVED** (Bonfield/Palmer) that Resolution No. 45 of Ordinary meeting held on 24 March 2011 re item CB11/11 - 2011/12 Environmental Projects Schedule, and reading as follows, be rescinded:

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

Cont'd

RM11/1 2011/2012 Environmental Projects Schedule ...(Cont'd)

Project	Recommended Amount
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 \$25,000 be moved from the Orara River Rehabilitation Project and be made available for a local Rail Feasibility Study.

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

Cont'd

MOTION

50 **MOVED** (Bonfield/Palmer) that:

1. 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
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Cont'd

RM11/1 2011/2012 Environmental Projects Schedule ...(Cont'd)

Funding Sources

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

2. 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. Council notes the Minutes of the Environmental Working Group meeting held on 15 February 2011.
4. Final replies to submissions be sent after Council's 2011/2012 Delivery Program is adopted.
5. Members of the Environmental Working Group be thanked for their involvement and informed of the adopted program.

GENERAL MANAGER'S REPORT

GM11/9 MEMORANDUM OF UNDERSTANDING - COFFS HARBOUR CITY COUNCIL AND NORTH COAST TAFE

This report seeks Council endorsement to enter into a Memorandum of Understanding (MOU) with the North Coast Technical and Further Education (TAFE) to work cooperatively, wherever possible, in education, skills and workforce development for the Coffs Harbour Local Government Area (LGA) and, where appropriate, for Council's workforce.

- 51 RESOLVED** (Arkan/Palmer) that Council endorses the signing of the Memorandum of Understanding between Coffs Harbour City Council and the North Coast Institute of TAFE.

CS11/11 25M B-DOUBLE ACCESS - HULBERTS ROAD

To report on further requests for B-Double access to the Hulberts Road Industrial Estate - Toormina

MOTION

52 **MOVED** (Rhoades/Templeton) that:

B-Double access to the Hulberts Road Industrial Estate be approved subject to conditions as follows:

1. For a trial period of 9 months followed by a report back to Council on activities during the trial period.
2. That access be granted only via the Pacific Highway, Lyons Road and Toormina Road.
3. B-Double travel is permitted on the route only between 6.00am and 7.00pm and on school days not between 8.00am - 9.30am and 2.30pm - 4.00pm.
4. No access permitted to B-Double travel north of Toormina Road at the intersection of Hulberts Road, entry and exit only to the Toormina Industrial Estate.

Vote tied, The **MOTION** on being put to the meeting resulted in a tied vote. The Mayor used his casting vote and the **MOTION** was declared **CARRIED**.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L11/8 DEVELOPMENT APPLICATION 1152/10 – SUBDIVISION (2 LOTS) – LOT 2 DP 732048, 349B OLD COAST ROAD, KORORA

This is a report on Development Application No. 1152/10 which is for a two lot subdivision of Lot 2 DP 732048, 349B Old Coast Road, Korora.

As proposed lot 23 will be under the minimum area of 40 hectares specified in Coffs Harbour City Council Local Environmental Plan (LEP) 2000, a variation to this development standard is required. The property contains a shed that has been converted to a habitable use without having obtained the relevant approvals. The consent requires resolution of this use prior to the consent being acted upon.

53 **RESOLVED** (Templeton/Knight) that:

1. The request to vary development standard, Clause 18(4)(a) be supported in the circumstances as the submitted objection to the standard is considered well founded.
2. Development Application 1152/10 for Subdivision involving Lot 2 DP 732048, 349B Old Coast Road, Korora be approved subject to conditions appended to this report (Appendix C).

**L11/8 Development Application 1152/10 – Subdivision (2 Lots) – Lot 2 DP
732048, 349B Old Coast Road, Korora ...(Cont'd)**

VOTED FOR

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

VOTED AGAINST

Cr Graham

**L11/9 CORAMBA GROUNDWATER CONTAMINATION UPDATE –
LITIGATION AND REMEDIATION**

To update the Council on the status of the groundwater contamination in Coramba, especially regarding the recent Supreme Court litigation and groundwater remediation project.

54 RESOLVED (Templeton/Hines) that:

1. The outcome of the Supreme Court action against Council concerning the fuel groundwater contamination matter be noted.
2. Council staff proceed with negotiations regarding the possible purchase of part of the land at 5 Martin Street to allow for a boundary adjustment so as to conduct fuel contamination remediation works.
3. A further report be brought back to Council for consideration prior to any resultant purchase of lands.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB11/13 MONTHLY BUDGET REVIEW FOR FEBRUARY 2011

To report on the estimated budget position as at 28 February 2011.

55 RESOLVED (Palmer/Bonfield) that:

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

Estimated Budget Position as at 28 February 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 January 2011	(219,116) (S)	(37,587) (S)	(218,042) (S)
Recommended variations for February 2011	(11,273) (S)	436,741 (D)	Nil
Estimated result 2010/11 as at 28 February 2011	<u>437,117 (D)</u>	<u>5,656,623 (D)</u>	<u>3,906,516 (D)</u>

CB11/14 BANK BALANCES AND INVESTMENTS FOR FEBRUARY 2011

To list Council's Bank Balances and Investments as at 28 February 2011.

56 RESOLVED (Bonfield/Hines) that:

1. 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 seven million, five hundred and thirty two thousand, eight hundred and twenty three dollars (\$177,532,823) as at 28 February 2011 be noted.
2. The general fund unrestricted cash and investments totalling one million, one hundred sixty eight thousand, nine hundred and sixty five dollars (\$1,168,965) as at 28 February 2011 be noted.

CB11/15 FORMATION OF PROSPER COFFS HARBOUR LTD

The objective of this report is to make an application to the Minister for Local Government under Section 358 of the Local Government Act 1993, for the formation of a company limited by guarantee, known as Prosper Coffs Harbour Ltd; to act as the trustee for the three Trusts (Coffs Harbour City Council Protection of the Environment Trust, Coffs Harbour City Council Futures Trust and the Coffs Harbour City Council Cultural Trust).

RESOLVED (Bonfield/Knight) that:

1. Council make an application to the Minister for Local Government under Section 358 of the Local Government Act 1993, for the formation of a company limited by guarantee, known as Prosper Coffs Harbour Ltd; to act as the trustee for the three Trusts (Coffs Harbour City Council Protection of the Environment Trust, Coffs Harbour City Council Futures Trust and the Coffs Harbour City Council Cultural Trust).
2. Staff take all necessary procedural steps to establish the Company known as Prosper Coffs Harbour Ltd and the related Trusts.
3. Once approved by the Department of Local Government, a further report come to Council for the appointment of the Directors of Prosper Coffs Harbour Ltd.

AMENDMENT

- 57** **MOVED** (Graham/Bonfield) that the matter be deferred to the next meeting of Council.

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**.

CB11/16 FUNDING FOR JETTY FORESHORE MAINTENANCE WORK

To present to Council information in relation to the maintenance works to be undertaken at the Coffs Harbour Jetty Foreshore and to seek Council's approval for funding to be provided from the Future Fund Internal Reserve to match grant funding and fulfill the budget requirements of the project.

- 58** **RESOLVED** (Bonfield/Hines) that:

Council approves the expenditure of \$1,107,000 on the Jetty Foreshore maintenance works including:

- \$457,000 from the Federal Government Regional and Local Community Infrastructure Program;
- \$600,000 from the Future Fund Internal Reserve; and
- \$50,000 from State Parks Trust.

The Resolution on being put to the meeting was carried unanimously.

CB11/17 RICHARDSON PARK DRAINAGE UPGRADE

To report on the funding secured to date for installation of sub surface drainage at Richardson Park, and to request Council funding for the remainder.

59 RESOLVED (Knight/Hines) that:

1. Council consider the allocation of \$194,806 funding from the Community Facilities Program in the 2011/12 operational plan/delivery program for the drainage of Richardson Park.
2. Council enter into an MOU with AFL and cricket to secure their funding contributions.

CB11/19 TENDER: SUPPLY, SERVICE AND LAUNDERING OF LINEN FOR COFFS COAST HOLIDAY PARKS – CONTRACT NO. 11/14- 477-TO

To report on tenders received for the supply, service and laundering of linen for Coffs Coast Holiday Parks and to gain Council approval for the appointment of a single contractor to service all parks.

60 RESOLVED (Hines/Templeton) that:

1. Council accepts the panel tender of Bains Industries P/L as Trustee for Bains Family Trust (ABN: 39 913 069 087) trading as Bains Laundries. The tender is conforming and is the most advantageous tender offer following the application of Council's Tender Value Selection System
 - a) The Tenderer has the necessary experience in similar works and their ability and performance is more than satisfactory
 - b) The Tenderer's financial capacity is acceptable
2. The contract documents be executed under the Seal of Council.

CB11/20 TENDER: PROVISION OF BANKING SERVICES - CONTRACT NO. 10/11-462-TO

To report to Council on tenders received for the provision of banking services, Contract 10/11-462-TO and to gain Council approval to accept a tender.

61 RESOLVED (Hines/Templeton) that:

1. Council accept the conforming tender of National Australia Bank Ltd for Contract 10/11-462-TO Provision of Banking Services, for the rate as tendered.
2. The contract documents be completed under Seal of Council.

**CB11/21 TENDER: PROVISION OF AGENCY PAYMENT SERVICES -
CONTRACT NO. 10/11-463-TO**

To report to Council on tenders received for the provision of agency payment services, Contract 10/11-463-TO and to gain Council approval to accept a tender.

62 RESOLVED (Hines/Templeton) that:

1. Council accept the conforming tender of Australia Post for Contract 10/11-463-TO Provision of Agency Payments Services, for Over-The-Counter payments for the rate as tendered.
2. Council accept the conforming tender of National Australia Bank Ltd for Contract 10/11-463-TO Provision of Agency Payments Services, for Telephone (IVR) and Internet payments for the rate as tendered.
3. The contract documents be completed under Seal of Council.

CITY SERVICES DEPARTMENT REPORTS

CS11/7 COASTAL ESTUARY MANAGEMENT ADVISORY COMMITTEE

To report minutes of the Coastal Estuary Management Advisory Committee Meeting held on 22 February 2011.

63 RESOLVED (Bonfield/Hines) that Council note the minutes of the Coastal Estuary Management Advisory Committee held 22 February 2011.

**CS11/8 DRAFT BOAMBEE / NEWPORTS ESTUARY MANAGEMENT STUDY
& PLAN**

The purpose of this report is to have the Draft 'Boambee / Newports Estuary Management Study and Plan' approved by Council for public exhibition.

64 RESOLVED (Palmer/Knight) that Council approve the Draft Boambee / Newports Estuary Management Study and Plan for public exhibition for a period of 28 days.

CS11/9 COMMUNITY ENGAGEMENT PROGRAM: COFFS HARBOUR COASTAL PROCESSES AND HAZARD DEFINITION STUDY

To report the methodology to be used in engaging with the community with regards to the Coffs Harbour Coastal Processes and Hazard Definition Study 2010.

- 65 RESOLVED** (Bonfield/Arkan) that Council endorse the Coffs Harbour Coastal Processes and Hazard Definition Study Community Engagement Program.

CS11/10 CITY WIDE FLOOD MITIGATION, STORMWATER & DRAINAGE WORKS PROGRAM - MARCH 2011 UPDATE

To advise on progress of the City Wide flood mitigation, stormwater and drainage works program and to recommend changes to the works program.

- 66 RESOLVED** (Bonfield/Arkan) that:
- (a) Council note the progress on the City Wide Flood Mitigation, Stormwater and Drainage Works Program.
 - (b) Council adopt the revised delivery program;
 - (c) Council proceed with procurement of Stage One of the Coffs Harbour Flood Warning System
 - (d) Council consider allocation of \$15,000 maintenance funding for Stage 1 of the Flood Early Warning System in 2011/12 operational plan

CS11/12 DIAMOND HEAD DRIVE SANDY BEACH - ROAD SAFETY ISSUE

This report is to provide information and recommendations to Council in relation road safety issues on Diamond head Drive Sandy Beach raised at Councils meeting of 24th March 2011.

- 67 RESOLVED** (Arkan/Templeton) that Council consider allocation in its 2011/12 operational plan \$40,000 for reconstruction of the roundabout central islands on Diamond head Drive at the Coral Avenue and Mahogany Crescent intersections.

CS11/13 PUBLIC TOILET - MAINTENANCE, RENEWALS AND DISPOSALS

To report to Council the current maintenance regime, recommended refurbishments and renewals and decommissioning of public toilets in the Coffs Harbour LGA.

68 RESOLVED (Palmer/Arkan) that:

1. Council consider an increase to its annual capital funding allocation for refurbishment and upgrade of its public toilet facilities.
2. The installation of baby change tables in public toilets be a consideration when facilities are being upgraded or replaced.

CS11/14 STATUS OF PROJECTS FOR REGIONAL DEVELOPMENT AUSTRALIA FUND APPLICATIONS

The purpose of this report is to provide an update on the status of possible projects to be considered for the Regional Development Australia (RDA) Fund program.

69 RESOLVED (Palmer/Arkan) that:

Council complete applications for funding for the following projects which are listed in priority order:

1. E-demo and Innovation Centre
2. Jetty Foreshores
3. BCU Stadium Upgrade
4. Regional Skate Park
5. Bruxner Park Eco Tourism Project
6. Cycleway next to newly constructed Pacific Highway
7. Solitary Islands Coastal Walk

CS11/15 BRELSFORD PARK - REGIONAL SKATE PLAZA AND PERFORMING ARTS CENTRE

This report is to provide information and recommendations to Council in relation to the future development of Brelsford Park, with particular reference to a Regional Skate Facility and a Performing Arts Centre.

Cont'd

**CS11/15 Brelsford Park - Regional Skate Plaza and Performing Arts Centre
...(Cont'd)**

70 RESOLVED (Hines/Arkan) that:

1. Council adopt the Brelsford Park site on the corner of Harbour Drive and Earl Street as the preferred site for the development of a Regional Skate Plaza.
 2. Council consider the need for and location of existing and additional local Skate Facilities as part of the future review of Council's Open Space Strategy.
 3. Council allocate \$10,000 from the Brelsford Park Stage 2 works to commence detail design of a Regional Skate Plaza on Brelsford Park to be contained within the footprint previously allocated to the Performing Arts Centre.
 4. Council consider an application being made to Regional Development Australia Fund for funding to complete the Regional Skate Plaza.
 5. Council submit a funding application to NSW Sport and Recreation Facility Grant program for the Regional Skate Plaza project for \$200,000.
 6. Council passionately consider including \$20,000,000 in the Long Term Financial Plan for provision of a Performing Arts Centre, including developing a business case for the preferred site.
 7. Following determination on the location of Performing Arts Centre, Council review the Brelsford Park Master Plan and Plan of Management
-

REQUESTS FOR LEAVE OF ABSENCE

- 71 RESOLVED** (Templeton/Knight) that Cr Arkan be granted leave of absence from Council from 28 April and 12 May 2011 and Cr Templeton be granted leave of absence from Council from 28 April.
-

MATTERS OF AN URGENT NATURE

MUN11/8 HEARNES LAKE APPEAL

Cr Graham requested an update on the legal appeal against 200 lot concept approval at Hearn's Lake.

The General Manager advised that the matter was heard in the Land and Environment Court on 8 April and that the judge ordered the Department of Planning to make the files available to the solicitors, the judge also ordered the Department of Planning to gather information from the Minister as to the reasons for his determination. Points of claim are to be lodged by 20 or 21 April 2011.

QUESTIONS ON NOTICE

QON11/3 LOT 61 DP 852861 BACKHOUSE STREET WOOLGOOLGA

Councillor John Arkan asked the following question:

Can a report be bought to Council explaining attached sheet with reference to above lot 61 DP 852861.

What is the view to the eventual rezoning of this said lot?

Staff Comment:

A meeting, regarding this matter, was held 9 March 2011 with the Mayor, Cr Arkan, Mr Minhas (Landowner), Richard Bennell (Consultant), Chris Chapman (Director Land Use Health and Development) and Clyde Treadwell (Manager Land Use Planning) in attendance.

In accordance with discussions at the meeting, a letter was issued to Mr Bennell on the 22 March 2011 explaining the status of the land and the options available to the landowner to progress. As set out in the letter dated 22 March 2011, the status and options for this site are:

- The matter has been subject to discussions, meeting and letters from about 2006.
- Initially Council sought to progress a site specific rezoning of the land. However, changes in the manner in which the Department of Planning deal with Local Environmental Plan (LEP) amendments meant that the Local Environmental Study (LES) initially being prepared for the site did not progress and this information was conveyed to the landowner by letter 16 July 2007. No costs were charged to the landowner by Council.
- Further to advice from the Department of Planning, the Council indicated by letters 4 February 2008 and 21 February 2008 that the OLC Settlement Strategy would need to be modified to progress the subject land as a priority. These letters outlined what needed to be addressed for this to occur.
- Council's City wide Standard Instrument Local Environmental Plan (SiLEP) has broadly been a transition LEP where zonings are generally being conveyed on a like for like basis. Accordingly, when Council considered the draft SiLEP at its meeting in July 2010, the land was identified with an RU1 Primary Production zone (ie a non-urban zone).
- There is an option to advance the site rezoning, outside the comprehensive SiLEP process, by progressing a "Planning Proposal".
- The letter issued 22 March 2011 outlined the matters to be addressed in order to progress a Planning Proposal.
- Council staff indicated their availability to discuss the requirements of a "Planning Proposal" should the landowner wish to pursue this option.

No response to Council's letter of the 22 March 2011 has been received to date.

QON11/4 WORLD RALLY CHAMPIONSHIPS

Councillor Jenny Bonfield asked the following question:

In September the World Rally will bring world attention on to Coffs Harbour.

A time for our city to promote and establish ourselves as a city of substance and a place to visit.

What activities is the Council planning and what attention to raising awareness is planned for our community, particular all our service industries?

Staff comment:

The World Rally Championships will bring a range of challenges for the region including service standards and opening hours. The Councils Economic Development Unit is putting a funding submission to Industry Investment NSW to bring specialist event trainers to the region with a key focus on customer service. Councils Tourism and Economic development sections have met with Tourism and Chamber of Commerce representatives to provide updates, however limited information regarding course locations are available to the public until Rally Australia release the detail. Once course (particularly Super Special Stage and Launch Event) locations are available to the public the relevant stakeholders or business clusters will be directly consulted, with service standards and opening hours identified as key issues.

It is anticipated that Rally Australia will release enough detail to facilitate these actions in the coming weeks

Additionally, Council is coordinating a Marketing group across the 4 LGA's (CHCC, Bellingen, Clarence and Nambucca), Southern Cross University and Industry Investment NSW, to ensure we activate the local business community, welcome our visitors, and maximise the amount of exposure the event will bring to the region. Specifically focusing on Media Famils and complimentary promotion.

QON11/5 ORARA RIVER LANDCARE PROJECTS - COSTS

Councillor John Arkan asked the following question:

That a report be bought to Council detailing the projects that have been funded throughout the history of the Environmental Levy program relating to the Orara River Landcare Project.

Staff Comment:

Cont'd

QON11/5 Orara River Landcare Projects - Costs ...(Cont'd)

Orara River Rehabilitation Project											
Summary of Environmental Levy Funding											
Financial Year	EL ALLOCATED	Cats Claw Eradication	Propagation Nursery	Riverbed Restoration	Campthor/Privet removal	Project Big Fish	Rivercare/ revegetation	Erosion Control/ fencing	Geomorphological Survey	Total	Funding from other sources
1997/98	20,000			20,000						20,000	0
1998/99	100,000	30,000	10,000	31,000		4,000			25,000	100,000	66800
1999/00	152,500	30,000	10,000	80,000		12,500	20,000			152,500	90000
2000/01	153,000	20,000	10,000	80,000	35,000	8,000				153,000	90000
2001/02	152,500	24,860	10,000		72,750		44,890			152,500	185000
2002/03	150,178	9,458	9,600		78,120		53,000			150,178	226000
2003/04	160,000	12,254	19,600	10,000	69,364		48,782			160,000	214215
2004/05	167,466	22,254	9,600		79,364		56,248			167,466	179000
2005/06	172,000	11,438	23,977		74,081		62,504			172,000	206273
2006/07	177,150	15,000	26,000	10,000	66,923		59,227			177,150	160000
2007/08	180,343	25,535	29,858		92,840		32,110			180,343	112000
2008/09	170,000	23,105	21,600		96,295		29,000			170,000	110000
2009/10	191,400	10,000	18,000		102,000		31,000	30,400		191,400	92000
2010/11	190,000	10,000	10,000		100,000		20,000	50,000		190,000	220000
Total	2,136,537	243,904	208,235	231,000	866,737	24,500	456,761	80,400	25,000	2,136,537	1,951,288
Other Issues											
Annual submissions include provisions for in kind labour in excess of \$100,000 per annum which is not included above											
Average annual allocation											
142,435.80											
Note \$50,000 contribution annually from the water fund from approximately 2004/05											

MAYORAL MINUTE

MM11/3 GENERAL MANAGER'S PERFORMANCE AGREEMENT

Steve McGrath declared a pecuniary interest in the following item, vacated the chamber at 7.08pm and took no part in the discussion or voting, the reason being that the Mayoral Minute refers to his performance agreement.

RESOLVED (Rhoades) that:

- (a) Council receive and note the performance agreement document and details of the performance review process outlined in the Mayoral Minute;
- (b) Council formally appoint the General Manager's Performance Review Panel to be the Mayor and one (1) Councillor chosen by the General Manager;
- (c) Council note that the performance review process will be facilitated by an independent facilitator agreed on by the Mayor and General Manager; and
- (d) Council delegate authority under Section 377 of the Local Government Act 1993 to the performance review panel to make all determinations arising from the conduct of the General Manager's performance review process.

AMENDMENT

72 MOVED (Graham/Hines) that:

- (a) Council receive and note the performance agreement document and details of the performance review process outlined in the Mayoral Minute;
- (b) Council formally appoint the General Manager's Performance Review Panel to be the Mayor, Deputy Mayor, one (1) Councillor nominated by the General Manager and Cr Hines as nominated by Council;
- (c) Council note that the performance review process will be facilitated by an independent facilitator agreed on by the Mayor and General Manager; and
- (d) Council delegate authority under Section 377 of the Local Government Act 1993 to the performance review panel to make all determinations arising from the conduct of the General Manager's performance review process.
- (e) Council provide training to all interested Councillors in Performance Management Governance.

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**.

Steve McGrath returned to the meeting, the time being 7.20pm.

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 7.21pm.

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

CB11/18 South Sydney District Rugby League Football Club Sponsorship Proposal

The report is confidential for the reason of Section 10A(2) of the Local Government Act, 1993:

- (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, or
 - (iii) reveal a trade secret.

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

The press and public vacated the chamber.

CB11/18 SOUTH SYDNEY DISTRICT RUGBY LEAGUE FOOTBALL CLUB SPONSORSHIP PROPOSAL

To present to Council information in relation to the sponsorship proposal for the South Sydney District Rugby League Football Club (SSFC) and seek Council's approval of that sponsorship agreement.

MOTION

MOVED (Bonfield/Graham) that Council thank the South Sydney Football Club for the negotiated position but Council declines due to budgetary constraints.

AMENDMENT

- 74** **MOVED** (Templeton/Palmer) that:

1. Council, in accordance with Section 55(3) of the Local Government Act, resolve not to call tenders for the proposed sponsorship contract due to the previous agreement and ongoing relationship with South Sydney District Rugby League Football Club.
2. Council enters into a further two year agreement with South Sydney District Rugby League Football Club in line with the commercial in confidence Sponsorship Agreement attached to this report.

The **AMENDMENT** on being put to the meeting resulted in a tied vote. The Mayor used his casting vote and the **AMENDMENT** was declared **CARRIED**, it then became the **MOTION**.

**CB11/18 South Sydney District Rugby League Football Club Sponsorship
Proposal ...(Cont'd)**

DIVISION

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

FOR

Cr Templeton
Cr Hines
Cr Rhoades
Cr Palmer

AGAINST

Cr Knight
Cr Bonfield
Cr Arkan
Cr Graham

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

OPEN MEETING

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

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

This concluded the business and the meeting closed at 8.10 pm.

Confirmed: 28 April 2011

.....
Keith Rhoades AFSM
Mayor