

The following document is the minutes of the Council and Committee Meetings held on Thursday, 28 April 2011. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 12 May 2011 and therefore subject to change. Please refer to the minutes of the meeting of 12 May 2011 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

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

28 APRIL 2011

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

28 APRIL 2011

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

Staff: General Manager, Director Corporate Business, Director Land Use, Health & Development, Executive Manager Design, Contracts & Subdivision and Executive Assistant.

Leave of Absence: Councillors J Arkan & P Templeton.

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

The Mayor made a presentation to the five graduating Coffs Ambassador Tour Guides and acknowledged their training and hard work. The graduates are:

Barry Marks, Solitary Islands Walk Program

Colin Williams, Sawtell Estuary Walk

Craig Melrose, Coffs Creek Walk

Ian Scott, Koalas in Backyard Walk

Uncle Trevor Wilson, Coffs Harbour Creek Aboriginal Cultural Tour.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

APOLOGY

- 75** **RESOLVED** (Palmer/Hines) that an apology received from Cr Graham for absence be received and leave be granted for the current meeting of Council.

CONFIRMATION OF MINUTES

- 76** **RESOLVED** (Knight/Hines) that the minutes of the Ordinary meeting held on 14 April 2011 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORT

GM11/10 REVIEW OF DELEGATIONS OF AUTHORITY

To report to Council that the review of the Register of Delegations of Authority has been completed.

- 77** **RESOLVED** (Palmer/Hines) that the completion of the review of the Delegation of Authority register be noted.

GM11/11 RISK MANAGEMENT POLICY

To approve the Risk Management Policy.

- 78** **RESOLVED** (Palmer/Knight) that Council adopt the Risk Management Policy.

GM11/12 DRAFT 2011/2015 DELIVERY PROGRAM AND DRAFT 2011/2012 OPERATIONAL PLAN

To present Council's Draft 2011/2015 Delivery Program and Draft 2011/2012 Operational Plan. This report recommends the draft documents be adopted for public exhibition.

79 RESOLVED (Palmer/Hines) that Council:

1. Adopt the Draft 2011/2015 Delivery Program and Draft 2011/2012 Operational Plan for public exhibition for a 28-day period from Monday, 2 May until close of business on Monday, 30 May 2011.
2. Consider community submissions on the draft documents prior to adopting the 2011/2015 Delivery Program and Draft 2011/2012 Operational Plan by 30 June 2011.
3. Note that the Draft 2011/2012 Budget is based on a projected deficit of \$182,220 with an undertaking by Council to work to deliver a balanced result by the end of the period.

GM11/13 SERVICES REVIEW FOR COFFS HARBOUR CITY COUNCIL

To inform Council of the proposed process for the review of all services provided by Council. The objective of the review is to present Council with a range of options to enable Council to allocate its limited resources to achieve maximum community benefit in a sustainable manner, as well as to identify opportunities to improve the efficiency and effectiveness of its services and generate additional revenues.

80 RESOLVED (Degens/Hines):

1. That Council note the proposed objectives and program for the Service Review.
2. That Council investigate options to reduce costs for Parks and Maintenance, as suggested previously to Councillors, that could be acceptable to the community.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB11/22 FORMATION - 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).

81 RESOLVED (Bonfield/Hines):

1. That 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. That staff take all necessary procedural steps to establish the Company known as Prosper Coffs Harbour Ltd and the related Trusts.
3. That 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.

CITY SERVICES DEPARTMENT REPORTS

CS11/16 RETICULATED PRESSURE SEWER POLICY

To present to Council a Reticulated Pressure Sewer Policy and recommend that the policy be adopted by Council.

- 82 RESOLVED** (Bonfield/Knight) that Council adopt the draft low pressure sewer system policy as attached.

CS11/17 TENDER: DECOMMISSION SEWER PUMP STATION 30 & ASSOCIATED WORKS - PART RENEWAL (TENDER 10/11-479-TO)

To report on tenders received for the construction of a sewer by-pass at Sewer Pump Station 30 and the construction of approximately 230 metres of sewer mains of various diameters from Pump Station 30 to Pump Station 17 (San Francisco Avenue) and to gain Council approval to accept a tender.

83 RESOLVED (Palmer/Knight):

1. That Council accept the tender of Ledonne Constructions P/L ABN 68 003 117 717 for the lump sum amount of \$499,749.00, 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 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.

CS11/18 TENDER: SUPPLY OF PIPES & MISCELLANEOUS FITTING (TENDER 10/11-482-TO)

To report on tenders received for the supply of pipes and fittings for various wastewater pressure and reuse pipelines between the Coffs Harbour and Sawtell Wastewater Treatment Plants and in the Jetty area and to gain Council approval to pass over all tenders and negotiate the most advantageous Tender.

84 RESOLVED (Palmer/Hines):

1. That Council declines to accept any of the tenders for contract 10/11-482-TO Supply of Pipes and Miscellaneous Fittings on the basis that all tenders were non conforming to the tender documents
2. That fresh tenders based on the same details be not invited as there are no alternative suppliers to attract tenders from and the current unacceptable tenders are most likely to be repeated
3. That fresh tenders based with different details be not invited because changing Council's requirements to suit particular suppliers would breach probity and fairness dealings
4. That, in accordance with clause 178 (3)(e) of the Local Government (General) Regulations, the General Manager be delegated authority to negotiate with suppliers who submitted Tenderers with a view to entering into a contract in relation to the subject matter of the tender

CS11/18 - Tender: supply of Pipes & Miscellaneous Fitting (Tender 10/11-482-TO) (Cont'd)

5. That the reasons for entering into negotiations under clause 178 (3)(e)(b) are that the open tender process failed to produce an acceptable outcome, there are no other known suppliers to warrant calling fresh tenders and direct negotiation is the most appropriate procurement methodology available to identify the most advantageous tender
6. That a report on the outcome of negotiations be brought back to Council for the possible award of a contract

This concluded the business and the meeting closed at 5.35pm.

Confirmed: 12 May 2011.

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K D Rhoades, AFSM
Mayor