

The following document is the minutes of the Council and Committee Meetings held on Thursday, 27 June 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 11 July 2013 and therefore subject to change. Please refer to the minutes of the meeting of 11 July 2013 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**27 JUNE 2013**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

27 JUNE 2013

**Present:** Councillors D Knight (Mayor), J Arkan, N Cowling, R Degens, B Palmer, M Sultana and S Townley.

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

**Leave of Absence:** Councillors G Innes and K Rhoades.

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

We respectfully acknowledge the Gumbayngirr Country and the Gumbayngirr Aboriginal peoples who are traditional custodians of the land on which we meet and their Elders both past and present.

The Mayor reminded the Chamber that the meeting was to be recorded, and that no other recordings of the meeting would be permitted.

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#### DISCLOSURE OF INTEREST

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The General Manager/Mayor read the following disclosures of interest to inform the meeting:

Councillor	Item	Type of Interest
Cr Cowling	CB13/40 - Granting of Voluntary Pension Rebates	Pecuniary.

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**LEAVE OF ABSENCE**

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- 143 **RESOLVED** (Townley/Arkan) that leave of absence be granted for Councillors Innes and Rhoades.

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**CONFIRMATION OF MINUTES**

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- 144 **RESOLVED** (Degens/Arkan) that the minutes of the Ordinary meeting held on 13 June 2013 be confirmed as a true and correct record of proceedings.

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**GENERAL MANAGER'S REPORTS**

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**GM13/18 LOCAL GOVERNMENT REMUNERATION TRIBUNAL**

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To advise Council of a determination by the Local Government Remuneration Tribunal of fees for Councillors and Mayors for 2013/14.

- 145 **RESOLVED** (Knight/Palmer) that the Mayor and Councillors decline the pay increase in standing united to show leadership, a total of \$4,800 toward the deficit.

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**GM13/19 LOCAL GOVERNMENT ASSOCIATION CONFERENCE 2013 - BUSINESS SESSIONS CONTENT**

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The purpose of this report is to advise that planning for the 2013 Conference program has commenced and time has been set aside for business sessions to discuss the various significant issues which affect the sector. The Association would like to receive input from councils to guide the content of the business sessions.

- 146 **RESOLVED** (Cowling/Arkan):
1. That Council nominate that the following five (5) issues be communicated to Local Government NSW for inclusion on the agenda for the 2013 Conference Business Sessions:
    - Financial Sustainability of Local Government
    - Infrastructure backlog
    - Local Government Reform in NSW
    - Climate Change
    - Fluoridation of public water supplies

**GM13/19 - Local Government Association Conference 2013 - Business Sessions Content (Cont'd)**

2. That Councillors submit any motions in line with Local Government NSW requirements to the General Manager by 12 noon on Monday 1 July 2013;
3. That should any motions be received in respect of 2) above, the General Manager prepare a report for Council's consideration of these Notices of Motion at its meeting held on 11 July 2013, and thereafter should Council resolve to submit these motions that same be provided to Local Government NSW.

**CITY SERVICES DEPARTMENT REPORTS**

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**CS13/30 TENDER RFT-582-TO: SUPPLY DELIVERY, UNLOADING INSTALLATION AND COMMISSIONING OF ONE (1) DIESEL POWERED GENERATOR AND ASSOCIATED EQUIPMENT**

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To advise Council of the result of going to tender for the supply, installation, unloading and commissioning one new diesel powered generator and associated equipment as part of the construction of the Sawtell Pump Station and to gain Council approval to accept a tender

- 147 RESOLVED** (Degens/Arkan) that Council accepts the tender submitted by All Diesel Sales & Service Pty Ltd ABN 86 002 787 340 for the supply, delivery, unloading, installation and commissioning of a new Caterpillar 750KVA Generator and associated equipment for \$303,704.55 (GST exclusive)

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**CS13/31 TENDER RFT-588-TO: SUPPLY OF ONE (1) CCF CLASS 20/25 EXCAVATOR**

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To advise Council of the result of going to tender for the supply, of a replacement Class 20/25 Excavator ( long reach) and to gain Council approval to accept a tender.

- 148 RESOLVED** (Degens/Arkan) that Council accepts the tender submitted by Hitachi Construction Machinery (Australia) Pty Ltd ABN 62 000 080 179 to purchase Council's existing excavator and supply a new Hitachi Ex 240LC Excavator, for \$322,576.00 (GST exclusive)

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**CS13/32 TENDER RFT-592:-TO PLANT AND TRUCK HIRE 2013-2014**

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To obtain Council's approval to accept tenders for inclusion in a panel contract for the hire of plant and equipment to Council for the 2013/2014 financial year.

**149 RESOLVED** (Degens/Arkan):

1. That Council accept the following list of contractors onto the external plant hire contract panel for Contract RFT-592-TO on the basis that:

\* The tenderers have demonstrated experience and capacity in fulfilling the requirements of the contract for the supply of plant, trucks and equipment.

\* The rates as tendered are the most advantageous for Council.

CONTRACTOR'S NAME	ABN
A & K McIntyre Pty Ltd	48 078 685 471
AMW Transport Pty Ltd	80 111 098 509
Coates Hire Operations Pty Ltd	99 074 126 971
Conplant Pty Ltd	15 000 373 151
Crampo's Tippers P/L	56 104 525 699
Dalakalo Pty Ltd T/A Stocks Contracting	85 145 273 258
Darleish Pty Ltd T/A Advancing Water	81 104 346 796
Dee-N-Cee Pty Ltd T/A Coffs Harbour Rent A Car	75 080 947 959
Dig Oz Excavations	18 440 109 912
DJ & CA Atkinson Pty Ltd	93 005 572 858
Dubs Earthmoving Pty Ltd	74 101 384 589
EB & DE Bunt Pty Ltd	68 081 916 181
English Cranes Pty Ltd T/as North Coast Cranes	22 159 960 317
Ernie Burnett Plumbing Pty Ltd	69 109 168 630
Espedan Pty Ltd	70 001 684 037
John Lacey Earthmoving Pty Ltd	87 085 659 794
J&P Cranes (NSW) Pty Ltd T/A Coffs City Cranes & Rigging	11 108 021 398
KBS Mackay Pty Ltd	98 103 146 372
Kingston Industries T/A Tutt Bryant Hire	25 002 894 439
Malin Excavations Pty Ltd	44 106 925 697
Mal Keough Earthmoving Pty Ltd	42 105 032 184
PL & CV McNickle P/L TA Custom Clearing	95 002 133 299
RJ & CM Tate Pty Ltd	57 103 091 998
Terrawork Pty Ltd	17 085 748 974
Toward Holdings Pty Ltd T/A Brycker Hire	77 112 190 306
Troy O'Doherty Earthmoving Pty Ltd	96 101 417 887

**CS13/32 - Tender RFT-592-TO: Plant and Truck Hire 2013-2014 (Cont'd)**

2. That Council accept the following list of contractors onto the external plant hire contract panel after the contractor has provided all outstanding documentation:

CONTRACTOR'S NAME	ABN
Coffs Coast Excavations Pty Ltd	67 152 180 857
Extec Solutions Pty Ltd T/A Phil Robinson Earthmoving	16 095 747 10
Kennards Hire Pty Ltd	69 001 740 727
McIntyre Tippers Pty Ltd	90 156 120 731
Peter Rowan Earthmoving Pty Ltd	32 099 764 413
Stocks Earthmoving	43 844 115 442
Stokes Earthmoving P/L	82 107 663 703

3. That Council accepts Sherrin Rentals Pty Ltd onto the external plant hire contract panel after added conditions attached to their offer are removed:

Sherrin Rentals Pty Ltd	52 074 173 756
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**CORPORATE BUSINESS DEPARTMENT REPORTS**

Councillor Cowling declared a Pecuniary interest in the following matter, vacated the Chamber and took no part in the discussion or voting, the time being 5.11pm.

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**CB13/40 GRANTING OF VOLUNTARY PENSION REBATES**

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To confirm the granting of voluntary pension rebates for Domestic Waste Charges for 2013/2014 and extend the voluntary rebate to apply to the Environmental Special Rate for 2013/2014.

**150 RESOLVED (Arkan/Degens):**

1. That Council grants a voluntary rebate under Section 582 of the Local Government Act in 2013/2014 to eligible pensioners in respect of the Environmental Special Rate and Domestic Waste charges. The level of rebate to be:
  - 1.1. In the case of the Environmental Special Rate – the amount that is the difference between 50% of the ad valorem rate and 50% of the Base Amount and the Mandatory Rebate to be applied under Section 575 of the Local Government Act.
  - 1.2. In the case of the Domestic Waste Charge – the amount that is the difference between \$87.50 and the Mandatory Rebate to be applied under Section 575 of the Local Government Act.

## **CB13/40 - Granting of Voluntary Pension Rebates (Cont'd)**

2. That it be noted that Council provides an amount over and above the Government subsidy of approximately \$1,675,500 in its 2013/2014 budget to meet the cost of providing pension rebates of which approximately \$600,000 is provided on a voluntary basis.

Councillor Cowling returned to the Chamber, the time 5.12pm.

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## **CB13/41 MAKING OF RATES AND CHARGES FOR 2013-2014**

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To 'make' the rates, annual charges, user charges and interest charges in support of Council's 2013/2014 budget.

**151 RESOLVED** (Palmer/Arkan) that Council:

1. Note the Independent Pricing and Regulatory Tribunal's advice of 11 June 2013, approving Coffs Harbour City Council's Application for a Special Variation to General Income of 5.43% for 2013/2014.
2. Rescind the budget option without the CBD Special Rate adopted on 23 May 2013 in the 2013/2017 Delivery Program and 2013/2014 Operational Plan.
3. Note that the IPART determination enables Council to proceed with the program of works encompassed by the City Centre Masterplan developed in conjunction with the CBD Masterplan committee.
4. Make an Ordinary Rate - Residential, pursuant to Section 494 of the Local Government Act, for 2013/2014 of (0.34058 cents) in the dollar with a Base Amount of \$305.00 for all rateable land in the City categorised as 'Residential'.
5. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2013/2014 of (0.79325 cents) in the dollar with a minimum rate of \$515.00 for all rateable land in the City categorised as 'Business' EXCEPT land under the sub-category of Business named 'City Centre Business'.
6. Make an Ordinary Rate – City Centre Business, pursuant to Section 494 of the Local Government Act, for 2013/2014 of (1.09381 cents) in the dollar with a minimum rate of \$500.00 for all rateable land in the City sub-categorised as 'City Centre Business'.
7. Make an Ordinary Rate – Farmland, pursuant to Section 494 of the Local Government Act, for 2013/2014 of (0.34058 cents) in the dollar and a Base Amount of \$305.00 for all rateable land in the City categorised as 'Farmland'.
8. Make a Special Rate – Environmental, pursuant to Section 495 of the Local Government Act, for 2013/2014 on all rateable land in the City of (0.01016 cents) in the dollar with a Base Amount of (\$19.65).



**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

9. Make an Annual Charge for Domestic Waste Service – Occupied, pursuant to Section 496 of the Local Government Act, for 2013/2014 on all occupied rateable land in the City, categorised Residential or Farmland, to which a domestic waste service is (or able to be) provided.

The amount of the annual charge will be the amount derived by applying the formula:  $C = S \times UD$

Where “C” equals the annual charge, “S” equals the number of general waste bins provided to the parcel of land or lot in a strata plan for collection or the number of separate occupations, or one (1), whichever is the greater, and “UD” (Unit Price Domestic Waste) is \$534.00.

Subsidiary (or extra) Domestic Waste Services pursuant to Section 501 of the Local Government Act, for 2013/2014 will incur the following annual charges per service:

- 9.1. Domestic General Waste Service - \$220.00
  - 9.2. Domestic Recycling Service - \$82.00
  - 9.3. Domestic Recycle Upgrade Service - \$30.00
  - 9.4. Domestic Organic Waste Service - \$129.00
10. Make an Annual Charge for Non-Rateable (Non-Domestic) Waste Service, pursuant to Section 496(2) of the Local Government Act, for 2013/2014 on all occupied non-rateable properties in the City to which a waste collection service is provided.

The amount of the annual charge will be the amount derived by applying the formula  $C = S \times UN$ , where “C” equals the annual charge, “S” equals the number of general waste bins provided for collection or the number of separate occupations, or one (1) whichever is the greater and “UN” (Unit Price Non-Rateable) is \$534.00 (excluding GST).

Subsidiary (or extra) Non-Rateable (Non-Domestic) Waste Services pursuant to Section 501 of the Local Government Act, for 2013/2014 will incur the following annual charges per service:

- 10.1. Non-Rateable General Waste Service - \$220.00 (excluding GST).
  - 10.2. Non-Rateable Recycling Service - \$82.00 (excluding GST).
  - 10.3. Non-Rateable Recycle Upgrade Service - \$30.00 (excluding GST).
  - 10.4. Non-Rateable Organic Waste Service - \$129.00 (excluding GST).
11. Make an Annual Charge for Domestic Waste – Vacant Land, pursuant to Section 496 of the Local Government Act, for 2013/2014 of \$100.00, on all vacant rateable land in the City categorised Residential and Farmland, to which a domestic waste service is available.

**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

12. Make an Annual Charge for Non-Domestic Waste – Occupied, pursuant to Section 501 of the Local Government Act for 2013/2014 on all occupied rateable land in the City, categorised Business or sub-categorised City Centre Business, to which a waste collection service is provided (or is able to be provided).

The amount of the annual charge will be the amount derived by applying the formula  $C = S \times UB$ , where “C” equals the annual charge, “S” equals the number of general waste bins provided to the parcel of land or lot in a strata plan for collection or the number of separate occupations, or one (1) whichever is the greater and “UB” (Unit Price - Non Domestic) is \$534.00 (excluding GST).

Subsidiary (or extra) Non-Domestic Waste Services pursuant to Section 501 of the Local Government Act, for 2013/2014 will incur the following annual charges per service:

- 12.1. Non-Domestic General Waste Service - \$220.00 (excluding GST).
  - 12.2. Non-Domestic Recycling Service - \$82.00 (excluding GST).
  - 12.3. Non-Domestic Recycle Upgrade Service - \$30.00 (excluding GST).
  - 12.4. Non-Domestic Organic Waste Service - \$129.00 (excluding GST).
13. Make an Annual Charge for Non-Domestic Waste – Vacant Land, pursuant to Section 501 of the Local Government Act, for 2013/2014 of \$100.00 (excluding GST), on all vacant rateable land in the City categorised Business or sub-categorised City Centre Business to which a non domestic waste service is available.

14. Make an Annual Charge – Sewerage Access Charge, pursuant to Section 501 of the Local Government Act, for 2013/2014 on all rateable land in the City categorised Residential or Farmland, EXCEPT land prescribed under Section 552(3) (a) and (b) of the Local Government Act.

The amount of the annual charge will be \$783.00 per occupation or \$540.00 for vacant land.

15. Make an Annual Charge – Sewerage Access Charge, pursuant to Section 502 of the Local Government Act, for 2013/2014 on all rateable land in the City categorised Business or within the Business subcategory ‘City Centre Business’ EXCEPT land prescribed under Section 552(3)(a) and (b) of the Local Government Act.

The amount of the annual charge will be:

For vacant land - \$540.00.

For occupied land the charge will be calculated using the formula:

$SDF \times MF \times AC$  factor (with a minimum charge of \$540.00).

Where: SDF = Sewer Discharge Factor  
MF = Meter Factor (refer to table 1 below)  
AC factor = \$766.00 (charge for 2013/2014).

**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

Where no water service is installed on an occupied property (and able to be connected to the sewerage system) a Meter Factor (MF) equal to one (1) and a Sewer Discharge Factor (SDF) equal to 95% will be assumed for the calculation of the annual sewer access charge (i.e. 1 x 95% x \$766.00 = \$727.70).

Table 1 - Meter Charge Factors - Annual Sewer Access Charge (Non-Residential)

Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor
15	1.00	40	4.00	100	25.00
20	1.00	50	6.30	150	56.30
25	1.60	65	10.60	200	100.00
32	2.60	80	16.00	Fire Service (any size)	Nil

16. Make an Annual Fee for On-site Sewage Administration (low risk systems), pursuant to Section 608 of the Local Government Act for 2013/2014 on each property on which an on-site sewage management system(s) is installed.

The amount of the fee will be the amount derived by applying the formula:

$C = OS \times UPL$  where "C" equals the annual fee, "OS" equals the number of on-site sewage management systems and "UPL" (Unit Price) is \$30.00 for low risk on-site sewage systems.

17. Make an Annual Fee for On-site Sewage Administration (medium risk systems), pursuant to Section 608 of the Local Government Act for 2013/2014 on each property on which an on-site sewage management system is installed.

The amount of the fee will be the amount derived by applying the formula:

$C = OS \times UPM$  where "C" equals the annual fee, "OS" equals the number of on-site sewage management systems and "UPM" (Unit Price) is \$60.00 for medium risk on-site sewage systems.

18. Make an Annual Fee for On-site Sewage Administration (high risk systems), pursuant to Section 608 of the Local Government Act for 2013/2014 on each property on which an on-site sewage management system is installed.

The amount of the fee will be the amount derived by applying the formula:

$C = OS \times UPH$  where "C" equals the annual fee, "OS" equals the number of on-site sewage management systems and "UPH" (Unit Price) is \$180.00 for high risk on-site sewage systems.

**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

19. Make an Annual Charge – Water Access Charge, pursuant to Section 501 of the Local Government Act, for 2013/2014 on all rateable land in the City categorised Residential or Farmland EXCEPT:

Land prescribed under Section 552(2) of the Local Government Act  
(or)  
Farmland rated properties using water for a commercial farming purpose.

The amounts of the annual charge will be:

- 19.1. For vacant land or land comprising a single residential dwelling or a lot within a strata plan - \$139.00.
- 19.2. For land on which is erected a building or buildings adapted for two or more separate occupations, including (but not limited to) a dual occupancy or residential flat building(s) not being part of a strata plan, the amount derived by applying the formula  $AC = T \times \$139.00$  where "AC" equals the Annual Charge, "T" equals the number of separate occupations.

20. Make an Annual Charge – Water Access Charges, pursuant to Section 501 of the Local Government Act, for 2013/2014 on all rateable land in the City categorised Business (and sub-category City Centre Business) or Farmland EXCEPT:

Land prescribed under Section 552(2) of the Local Government Act  
(or)  
Farmland rated properties using water for a residential purpose.

The amount of the annual charges will be:

- 20.1. For vacant land or occupied land that is not connected to the water supply - \$139.00.
- 20.2. For land not included in (20.1) above the amount is derived by applying the formula  $AC = MF \times \$139.00$  where "AC" equals the Annual Charge, "MF" equals the aggregate of the charge factors for all meters on the property (see table 2 below for charge factors), and \$139.00 is the unit price.

Table 2 – Meter Charge Factors - Water Access Charge (Non-Residential)

Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor	Meter Size (in mm)	Charge Factor
15	1.00	40	4.00	100	25.00
20	1.00	50	6.30	150	56.30
25	1.60	65	10.60	200	100.00
32	2.60	80	16.00	Fire Service (any size)	1.00

**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

21. Make an Annual Charge - Water Backflow Charge, pursuant to Section 501 of the Local Government Act, for 2013/2014 of \$15.00 per testable backflow device on rateable properties under the category of Residential or Farmland in respect of land prescribed under Section 552(1).
22. Make an Annual Charge - Water Backflow Charge, pursuant to Section 501 of the Local Government Act, for 2013/2014 of \$60.00 for the first testable backflow device and \$15.00 for any additional testable backflow device(s) on rateable properties under the category of Business or sub-category of City Centre Business in respect of land prescribed under Section 552(1).
23. Make an Annual Charge for Effluent Removal, pursuant to Section 501 of the Local Government Act, for 2013/2014 of \$455.00 for each system able to be connected to the sewerage system (properties with this charge applied may also be charged an annual sewer access charge).
24. Make an Annual Charge for Effluent Removal, pursuant to Section 501 of the Local Government Act, for 2013/2014 of \$455.00 for each system not yet on Council's subsidised pump-out service and not able to be connected to the sewerage system.
25. Make an Annual Charge for Effluent Removal (Special), pursuant to Section 501 of the Local Government Act, for 2013/2014 of \$783.00 for each system not able to be connected to the sewerage system. A subsidised pump-out service is provided with this charge.
26. Make an Annual Charge for Trade Waste, pursuant to Section 501 of the Local Government Act, for 2013/2014. This annual charge is based on the number of trade waste generators at each property.

Table three shows the annual charge applicable for a particular number of trade waste generators at a property.

Table 3 – Annual Charge for Trade Waste

No. of Trade Waste Generators	Annual Trade Waste Charge
1	\$185.00
2 to 4	\$370.00
5 to 9	\$832.50
10 to 14	\$1,480.00
15 to 19	\$2,220.00
> 19	\$3,145.00

27. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$2.55 per kilolitre for each kilolitre of water registered, up to a daily average of one (1) kilolitre per occupation for the period read, this is to be known as the Tier 1 (or Step 1) water usage charge.

**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

28. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$3.83 per kilolitre for each kilolitre of water registered, over a daily average of one (1) kilolitre per occupation for the period read, this is to be known as the Tier 2 (or Step 2) water usage charge.
29. Make a Water Usage Charge (Raw Water Supply), pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$1.28 per kilolitre for each kilolitre of water registered, up to a daily average of one (1) kilolitre per occupation supplied for the period read, this is to be known as the Tier 1 (or Step 1) raw water usage charge.
30. Make a Water Usage Charge (Raw Water Supply), pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$1.91 per kilolitre for each kilolitre of water registered, over a daily average of one (1) kilolitre per occupation supplied for the period read, this is to be known as the Tier 2 (or Step 2) raw water usage charge.
31. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$2.55 per kilolitre for each kilolitre of water registered on any meter fitted to any Non-Residential property.
32. Make a Water Usage Charge, pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$7.65 per kilolitre for each kilolitre of water registered on any meter fitted for providing a fire service at a property.
33. Make a Sewerage Usage Charge, pursuant to Section 502 of the Local Government Act, for 2013/2014 of \$2.00 per kilolitre. Sewerage discharge is based on water usage and varies depending on Sewer Discharge Factors (SDF) allocated to individual water meters on individual properties. SDFs are determined using State Government guidelines.  
  
Usage is determined with the use of meters, which in certain circumstances may not be directly connected to Council's water supply.
34. Make a Trade Usage Charge (for compliant trade waste discharge – Charge Category 2 generators), pursuant to Section 502 of the Local Government Act, for the 2013/2014 charge period of \$1.58 per kilolitre.  
  
Make a Trade Usage Charge (for non-compliant trade waste discharge – Charge Category 1 generators), pursuant to Section 502 of the Local Government Act, for the 2013/2014 charge period of \$1.58 per kilolitre.  
  
Make a Trade Usage Charge (for non-compliant trade waste discharge – Charge Category 2 generators), pursuant to Section 502 of the Local Government Act, for the 2013/2014 charge period of \$14.54 per kilolitre.  
  
Trade waste discharge is based on water usage and varies depending on Trade Waste Discharge Factors (TWDF) allocated to individual water meters on individual properties. TWDFs are determined using State Government guidelines.  
  
Usage is determined with the use of meters, which in certain circumstances may not be directly connected to Council's water supply.

**CB13/41 - Making of Rates and Charges for 2013-2014 (Cont'd)**

35. Make an Annual Stormwater Management Service Charge, pursuant to Section 496A of the Local Government Act, for 2013/2014, to be applied against rateable properties categorised as Business or Residential within Council's stormwater catchments.

The amount of the annual charges will be:

- 35.1. For Residential properties (not being strata units) - a flat charge of \$25.00 will apply.

- 35.2. For Residential Strata Units - a flat charge of \$12.50 will apply.

- 35.3. For Business properties (not being strata units) the charge is based on total (estimated) impervious land area using the following criteria:

Divide the total impervious land area by 350 square metres. This will result in an amount which, (rounded up to the nearest whole number) is multiplied by \$25.00.

This annual charge will therefore be an amount divisible by \$25.00 with the minimum charge being \$25.00 for properties having a land area of 350 square metres or less.

- 35.4. For Business Strata Units (in a complex containing only business units) - the charge is determined by a method similar to that detailed in point (35.3) above, except that the total land area charge for the strata complex (being a multiple of the \$25.00 charge) is further apportioned to individual strata units within the complex using the unit entitlement recorded for each unit. A minimum charge of \$5.00 per strata unit applies to calculated charges less than this amount.

- 35.5. For Business Strata Units (in a mixed complex containing residential units) – the charge for these units will be the same as residential strata units being a flat charge of \$12.50.

36. Make an Interest Charge of 9%, pursuant to Section 566 of the Local Government Act, for 2013/2014 being the maximum amount determined by the Minister for Local Government; calculated daily on a simple basis, on overdue rates and charges (EXCEPT water, sewer and trade waste usage charges).

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**CB13/42 RELEASE AND CREATION OF EASEMENT FOR RIGHT OF CARRIAGEWAY MULLAWAY RESERVOIR, TRAMWAY DRIVE, WOOLGOOLGA**

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To obtain Council approval to execute the necessary documents to release and create an easement for a Right of Carriageway that services the Mullaway Reservoir at Woolgoolga.

**152 RESOLVED (Arkan/Palmer):**

1. That Council execute under seal all necessary documents to release an existing easement and create a new easement to for right of carriageway indicated on the plans attached to this report over the land situated at Lot 1 DP48560, Tramway Drive, Woolgoolga.
2. That the owners of Lot 1 DP48560 construct the new section of easement as proposed to Councils requirements.
3. That all costs associated with this matter be borne by the owners of Lot 1 DP48560.

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**CB13/43 TENDER: RFT-587-TO COFFS HARBOUR INTERNATIONAL SPORTS STADIUM NAMING RIGHTS**

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To report on the recent tender process for contract RFT-587-TO and to gain Council approval to enter direct negotiations with those companies who expressed an interest in this opportunity with a view to entering into a contract.

**153 RESOLVED (Palmer/Sultana):**

1. That Council note that no tenders were received for contract no RFT-587-TO.
2. That Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the naming rights of the Coffs Harbour International Stadium, advertised as contract no RFT-587-TO.

The reason for not inviting fresh tenders is there is no advantage to Council, and no disadvantage for any interested party.

The reason for entering into negotiations is that it will provide Council with the best opportunity to secure a naming rights sponsor with a mutually agreeable benefit package and financial offer within a reasonable timeframe, and protect the reputation of Coffs Harbour and the Stadium as a regional leader in sports tourism.

3. That Council delegate authority to the General Manager to negotiate and execute an appropriate contract for the naming rights to the Coffs Harbour International Sports Stadium.



## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### L13/15 NSW PLANNING SYSTEM REVIEW WHITE PAPER

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The purpose of this report is to:

1. Provide Council with an update on the NSW Government's NSW Planning System Review and White Paper; and
2. Seek Council's endorsement of the attached submission to the review.

**154 RESOLVED** (Arkan/Degens) that Council:

1. Note the information provided in this report which provides an update on the NSW Government's NSW Planning System Review White Paper.
2. Endorse Attachment 1 of this report as a submission to the NSW Government's NSW Planning System Review White Paper.

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### L13/16 JOINT REGIONAL PLANNING PANEL (NORTHERN) - COUNCIL MEMBERS

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The purpose of this report is for Council to re-nominate two Council members, plus an alternate, to the Joint Regional Planning Panel (Northern Region).

**155 RESOLVED** (Arkan/Palmer):

1. That Council, as an interim measure, nominate the following persons to be members of the Joint Regional Planning Panel (Northern):
  - Mayor
  - Deputy Mayor
  - Councillor ..... (alternate member)up until 30 June 2014.
2. That a further report be presented to Council, following the implementation of the new Planning Act, that addresses governance related matters around the future role of Joint Regional Planning Panels, determination of development applications and independent assessment panels.

Councillors Townley, Palmer and Sultana were nominated as alternate Councillor member.

The matter was put to the vote which resulted in Councillor Townley being declared the Councillor alternate member of the Joint Regional Planning Panel (Northern).

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**L13/17 REQUEST FOR QUOTATIONS: PREPARATION OF PLANNING DOCUMENTS & ENVIRONMENTAL INVESTIGATIONS - DEFERRED AREAS FROM DRAFT COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013 - HEARNES LAKE / SANDY BEACH, EMERALD BEACH & MOONEE BEACH AREAS - CONTRACT NO: RFQ-590-QI**

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To report to Council on quotations received for Contract RFQ-590-QI for the preparation of planning documents and environmental investigations to inform a Planning Proposal for the Deferred Areas from draft Coffs Harbour Local Environmental Plan (LEP) 2013 - Hearnnes Lake / Sandy Beach, Emerald Beach and Moonee Beach areas.

The report provides a preferred outcome following the assessment of all submitted quotations under Council's procurement assessment process, and seeks Council's approval to accept the quotation.

The report also seeks Council's endorsement to seek a "gateway determination" from NSW Planning and Infrastructure (P & I).

**156 RESOLVED** (Palmer/Townley):

1. That Council seek a "Gateway determination" from NSW Planning and Infrastructure for the Deferred Areas from draft Coffs Harbour Local Environmental Plan 2013 - Hearnnes Lake / Sandy Beach, Emerald Beach and Moonee Beach.
2. That Council accepts the conforming tender of Monteath and Powys Pty Ltd for Contract RFQ-590-QI (provision of Planning Studies for the Deferred Areas of Hearnnes Lake / Sandy Beach, Emerald Beach and Moonee Beach), for a consultancy fee of \$123,801.70 (including GST) as submitted.
3. That the contract documents be completed under Seal of Council.

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**REQUESTS FOR LEAVE OF ABSENCE**

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No requests for leave of absence.

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**MATTER OF AN URGENT NATURE**

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**MUN13/4 Artside the Box**

Councillor Cowling advised that a group of Councillors had a meeting with RMS on Monday regarding the Artside the Box project where approval was given to go ahead in two weeks time.

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**QUESTIONS ON NOTICE**

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No questions on notice.

This concluded the business and the meeting closed at 5.43 pm.

Confirmed: 11 July 2013.

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Denise Knight  
Mayor