

The following document is the minutes of the Council and Committee Meetings held on Thursday, 23 May 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 13 June 2013 and therefore subject to change.

Please refer to the minutes of the meeting of 13 June 2013 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
23 MAY 2013

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

23 MAY 2013

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

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

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.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

APOLOGY

No apologies.

CONFIRMATION OF MINUTES

- 117 **RESOLVED** (Townley/Sultana) that the minutes of the Ordinary meeting held on 9 May 2013 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORTS

GM13/13 OPERATIONAL PLAN REPORTING FOR THE QUARTER ENDED 31 MARCH 2013

To report on the progress of implementation of Council's 2012/2013 Operational Plan.

- 118 **RESOLVED** (Rhoades/Palmer) that Council:
1. Notes the operational status of Council Services for the quarter ended 31 March 2013, as outlined in the body of this report.
 2. Continues to monitor its performance with a view to improving service delivery.

GM13/14 INTEGRATED PLANNING AND REPORTING FRAMEWORK FOR THE PERIOD 2013/2014 TO 2016/2017

Following their public exhibition, the following Integrated Planning and Reporting documents have been reviewed and are presented for Council's consideration:

- Final draft reviewed Coffs Harbour 2030 Community Strategic Plan
- Final draft 2013/2017 Delivery Program;
- Final draft 2013/2014 Operational Plan;
- Final draft Program Budgets 2013/2017;
- Final draft 2013/2014 Fees and Charges; and
- Reviewed Resourcing Strategy.

This report recommends the reviewed documents be adopted and implemented from 1 July 2013.

GM13/14 - Integrated Planning and Reporting Framework for the period 2013/2014 to 2016/2017 (Cont'd)

MOTION

MOVED (Innes/Palmer) that Council:

1. Adopt the reviewed Coffs Harbour 2030 Community Strategic Plan, 2013/2017 Delivery Program, 2013/2014 Operational Plan, Program Budgets 2013/2017, 2013/2014 Fees and Charges; and reviewed Resourcing Strategy attached to this report.
2. Note that the adopted 2013/2014 Budget is based on a projected deficit of \$426,307 with an undertaking by Council to work towards delivering a balanced result by the end of the period.
3. Note that the documents are adopted with two budget scenarios in place (one including the CBD Special Rate and one without) and that, following IPART's determination of the special variation application, Council meet as soon as practicable to rescind the redundant scenario.
4. Develop, in consultation with the community, a sustainable funding strategy to facilitate the delivery of balanced budgets over a four-year period commencing in 2014/2015, as set out in the Resourcing Strategy.
5. Respond to all who made community submissions, advising them of the outcome of their requests and thanking them for their input.

AMENDMENT

119 RESOLVED (Arkan/Degens)

1. Adopt the reviewed Coffs Harbour 2030 Community Strategic Plan, 2013/2017 Delivery Program, 2013/2014 Operational Plan, Program Budgets 2013/2017, 2013/2014 Fees and Charges; and reviewed Resourcing Strategy attached to this report.
2. Note that the adopted 2013/2014 Budget is based on a projected deficit of \$326,307 with an undertaking by Council to work towards delivering a balanced result by the end of the period.
3. That the recommended Option one in the Sports Development Program be implemented.
4. Note that the documents are adopted with two budget scenarios in place (one including the CBD Special Rate and one without) and that, following IPART's determination of the special variation application, Council meet as soon as practicable to rescind the redundant scenario.
5. Develop, in consultation with the community, a sustainable funding strategy to facilitate the delivery of balanced budgets over a four-year period commencing in 2014/2015, as set out in the Resourcing Strategy.
6. Respond to all who made community submissions, advising them of the outcome of their requests and thanking them for their input.

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

GM13/14 - Integrated Planning and Reporting Framework for the period 2013/2014 to 2016/2017 (Cont'd)

DIVISION

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

FOR

Cr Cowling
Cr Sultana
Cr Arkan
Cr Degens
Cr Townley

AGAINST

Cr Rhoades
Cr Palmer
Cr Knight
Cr Innes

It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

DIVISION

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

FOR

Cr Cowling
Cr Sultana
Cr Arkan
Cr Degens
Cr Townley

AGAINST

Cr Rhoades
Cr Palmer
Cr Knight
Cr Innes

GM13/15 DONATIONS BY COUNCIL POLICY

For Council to adopt the Donations by Council Policy.

120 RESOLVED (Palmer/Arkan) that Council adopts the Donations by Council Policy.

GM13/16 CODE OF CONDUCT REVIEW PANEL

To advise Council of the outcome of an Expression of Interest (EOI), administered by Port Macquarie Council (EOI-12-05), on behalf of Mid North Coast Region of Councils (MIDROC) to establish a panel of suitably qualified independent persons to serve as Conduct Reviewers of Local Government Code of Conduct matters for Coffs Harbour City Council.

121 RESOLVED (Rhoades/Innes) that the following individuals be appointed as Conduct Reviewers of Local Government Code of Conduct matters for Coffs Harbour City Council.

Alexander Irving Solicitor	Alexander Irving (Principal)
Chris Gallagher Consulting	Christopher Gallagher (Sole Trader)
Harris Wheeler Lawyers	Matthew Smith (Managing Partner) Tony Cardillo (Partner) Lisa Gowing (Special Counsel) Katrina Reye (Partner) Micah Jenkins (Partner)
Internal Audit Bureau of NSW	Shane Boyd (Director) Helen Colbey (Senior Business Consultant) Alan Delany (Senior Business Consultant) Michelle Wakka (Senior Consultant) Rhonda Stien (Senior Business Consultant) Michael Symons (Senior Business Consultant) Kate Molloy (Senior Consultant) Peter Harvey (Senior Business Consultant) Charles Corban (Senior Business Consultant) Timothy Bye (Senior Consultant)
SINC Solutions	Kathleen Roach (Managing Director)
Localé Consulting	Emma Broomfield (Director)
McCullough Robertson Lawyers	Cameron Dean (Partner) Jeremy Kennedy (Partner)
O'Connell Workplace Relations	Graham Evans (Managing Partner)
Mike Colreavy Consulting	Michael Colreavy (General Manager)
Train Reaction Pty Ltd	Kathy Thane (Director)

CITY SERVICES DEPARTMENT REPORTS

CS13/27 DRAFT COFFS HARBOUR ECONOMIC STRATEGY 2013-2017

To provide Council with an overview of the principles underpinning the Economic Strategy and its development and to recommend public exhibition of the document prior to finalisation and adoption by Council.

122 RESOLVED (Innes/Degens) that:

1. Council endorse the attached draft Coffs Harbour Economic Strategy 2013-2017 for public exhibition and comment for a period of 28 days
2. A report be brought back to Council detailing the feedback received and recommending a final document to be adopted by Council

CS13/28 PROPOSED CROWN ROAD TRANSFERS TO COUNCIL TO FACILITATE RESERVE IMPROVEMENT WORKS

To:

- Recommend that Council seek the transfer of the unformed Crown road, known locally as Coramba Heritage Park, to Council control to enable park improvement works to proceed. See Attachment 1- Draft Concept Plan.
- Recommend that Council seek the transfer of the unformed Crown road, connecting Shephards Lane to William Sharp Drive, west Coffs Harbour, to Council control to enable Asset Protection Zone works to proceed. See Attachment 2

123 RESOLVED (Rhoades/Arkan):

1. That Council seek the transfer of the unformed Crown road (shown on Attachment 1 of this Report) from NSW Department of Trade and Investment (Crown Lands) to Council control
2. That Council seek the transfer of the unformed Crown road (shown on Attachment 2 of this Report) from NSW Department of Trade and Investment (Crown Lands) to Council control

CORPORATE BUSINESS DEPARTMENT REPORTS

CB13/31 WATER ACCOUNT ADJUSTMENT (CONCEALED LEAKS) POLICY

For Council to adopt the Water Account Adjustment (Concealed Leaks) Policy.

- 124 RESOLVED** (Innes/Rhoades) that Council adopts the Water Account Adjustment (Concealed Leaks) Policy with an implementation date of 1 July 2013.

CB13/32 ENVIRONMENTAL LEVY DRAFT POLICY, ASSESSMENT CRITERIA AND PROCEDURES

To present the following draft Environmental Levy (EL) documents for consideration:

1. Draft Environmental Levy Policy
2. Draft Assessment Criteria Notes
3. Draft Environmental Levy Working Group Committee Meeting Procedures.

This report recommends that the three documents be adopted.

- 125 RESOLVED** (Arkan/Townley) that Council adopt the three attached documents:

1. Environmental Levy Policy.
2. Assessment Criteria Notes.
3. Environmental Levy Working Group Committee Meeting Procedures.

CB13/33 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 31 MARCH 2013

To provide Council with a quarterly status report to 31 March 2013 on the projects funded under the Environmental Levy (EL) Program.

- 126 RESOLVED** (Palmer/Townley):
1. That Council notes the status of the Environmental Levy Projects as at 31 March 2013 as outlined in the report.
 2. That Council continues to monitor the Environmental Levy Program to ensure earliest completion of projects.

CB13/34 QUARTERLY BUDGET REVIEW STATEMENT FOR MARCH 2013

To provide the quarterly budget review statement and report on the estimated budget position as at 31 March 2013.

The following attachments are included with this report:

- Attachment 1 – General Budget Review Income and Expenses Statement by Program
- Attachment 2 – Sewer Budget Review Income and Expenses Statement by Program
- Attachment 3 – Water Review Income and Expenses Statement by Program
- Attachment 4 – Budget Review Capital Budget
- Attachment 5 – Budget Review Cash and Investments position
- Attachment 6 – Budget Review Key Performance Indicators
- Attachment 7 – Part A Budget Review - Contracts
- Attachment 8 – Part B Budget Review - Consultancy and Legal Expenses.

127 RESOLVED (Degens/Innes):

1. The Quarterly Budget Review Statements be noted.
2. That the budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 31 March 2013:

	General Account \$	Water Account \$	Sewer Account \$
Original Budget adopted 24 May 2012	308,365 (D)	4,397,830 (D)	3,542,337 (D)
Approved variations to December 2012	(22,525) (S)	Nil	Nil
Recommended variations for quarter ending 31 March 2013	(80,616) (S)	(554,150) (S)	(686,556) (S)
Estimated result 2012/13 as at 31 March 2013	<u>205,224 (D)</u>	<u>3,843,680 (D)</u>	<u>2,855,781 (D)</u>

3. That \$10,000 of Section 94 funds previously approved by Council for expenditure on the West Woolgoolga sporting complex (Ordinary meeting 23/8/12) be allocated to match funding from Enterprise and Training Company. These funds are to prepare concept design plans for the northern beaches multi-purpose sports centre which forms part of the West Woolgoolga sporting development.

**CB13/35 TENDER: SUPPLY OF ELECTRICITY FOR NON-CONTESTABLE
SMALL MASS METERED SITES**

To report on the NSW Government Procurement contract Tender 776 for the Supply of Non-Contestable Electricity for Small Mass Metered Sites and to gain Council approval.

128 RESOLVED (Degens/Arkan):

1. That Council approves the tender offer of ERM Power Retail Pty Ltd as per the NSW Government Procurement contract 776 for the supply of Electricity for our non-contestable Small Mass (metered) sites for a 35 month period commencing 1 August 2013 to 30 June 2016.
2. That Council note the pricing offer from ERM Power Retail Pty Ltd for the supply of Green Power.
3. A separate report outlining Council's energy efficient initiatives, including the purchase of Green Power, be brought back to Council within 4 months.
4. That the contract documents be executed under Council's Seal.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

**L13/11 GUIDELINES FOR THE COFFS JALIIGIRR PROJECT: PROJECT
BACKGROUND, SITE SELECTION AND MONITORING**

That the *Guidelines for the Coffs Jaliigirr Project: Project Background, Site Selection and Monitoring* are noted by council.

129 RESOLVED (Palmer/Arkan) that Council note the *Guidelines for the Coffs Jaliigirr Project: Project Background, Site Selection and Monitoring*.

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

QUESTIONS ON NOTICE

QON13/1 FINANCIAL RESULT OF THREE SPORTS UNIT EVENTS

Noted.

QON13/2 FINANCIAL COST - COFFS COAST MARKETING'S CURRENT TV CAMPAIGN

Noted.

QON13/3 CROWNING ACHIEVEMENT OF THE ECONOMIC DEVELOPMENT UNIT

Noted.

This concluded the business and the meeting closed at 6.14 pm.

Confirmed: 13 June 2013.

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Denise Knight
Mayor