

The following document is the minutes of the Council and Committee meeting held on 10 May 2012. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 24 May 2012 and therefore subject to change. Please refer to minutes of 24 May 2012 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**10 MAY 2012**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

**10 MAY 2012**

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

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

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.

The meeting commenced at 5.01 pm with the Mayor, Cr K D Rhoades in the chair.

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#### DISCLOSURES OF INTEREST

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There were no Disclosures of Interest tabled.

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#### APOLOGY

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**98 RESOLVED** (Knight/Degens) that leave of absence as requested from Councillor Arkan be approved.

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#### PUBLIC ADDRESS

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Time	Speaker	Item
5.00 pm	Phil Guest Essential Energy	CS12/16 – Essential Energy 66kv Powerline Project, Proposed Overhead Crossing Pacific Highway, Bray Street and Orlando Street

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## CONFIRMATION AND ADOPTION OF MINUTES

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- 99** **RESOLVED** (Templeton/Degens) that the minutes of the Ordinary meeting held on 26 April 2012 be confirmed as a true and correct record of proceedings.

Cr Graham requested that the entire transcript of statements made by the Mayor be included in the minutes for the previous meeting.

The Mayor informed that the recordings of meetings are available for staff to assist in the accuracy of the minutes but not all matters of general discussion are included in the minutes.

## CITY SERVICES DEPARTMENT REPORTS

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### **CS12/16 ESSENTIAL ENERGY 66kV POWERLINE PROJECT - PROPOSED OVERHEAD CROSSING PACIFIC HIGHWAY, BRAY STREET AND ORLANDO STREET**

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#### **MOTION**

- 100** **MOVED** (Bonfield/Knight) that:

Council advise the Roads and Maritime Services and Essential Energy that it objects to the proposed overhead transmission line crossing of the Pacific Highway at Bray Street and Orlando Street on the following grounds;

1. Visual impact of the proposed overhead transmission line infrastructure detracts from the "Gateway" entrance to Coffs Harbour and the iconic Pacific Highway rail bridge.
2. Overhead transmission line infrastructure represents a greater road safety risk to Pacific Highway road users than the underground option.
3. The underground transmission line option minimises amenity impact on residential properties in Bray Street.

## GENERAL MANAGER'S REPORTS

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### **GM12/13 50:50 VISION COUNCILS FOR GENDER EQUITY PROGRAM - STATEMENT OF COMMITMENT**

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This report seeks Council's support to adopt a statement of commitment to the 50:50 Vision Councils for Gender Equity Program.

- 101** **RESOLVED** (Palmer/Degens) that:

1. Council notes our participation in the 50:50 Vision Councils for Gender Equity Program.
2. Council offers its support to our application for bronze level accreditation under this program by endorsing the following statement of commitment:

*"Council will work towards increasing the representation of women in local government as elected members, senior managers and staff. We will undertake ongoing reviews of policies and practices to remove barriers to women's participation and to engender safe, supportive working and decision making environments that encourage and value a wide range of views."*

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## GM12/14 ONE ASSOCIATION - UPDATE AND STATUS REPORT

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This report provides Council with an update regarding the progress towards One Association, outlines next steps and outlines what Council needs to do next. A number of Frequently Asked Questions are also provided with answers to assist Council with their discussions surrounding this very important matter.

**102 RESOLVED** (Palmer/Bonfield) that:

1. Council nominate four Councillors as Council's voting delegates to take part in the forthcoming secret postal ballot to deal with the matter of One Association, and that their names and personal postal addresses be forwarded to the Associations to form the Roll of Voters.
2. Council's position be one of support for the formation of the One Association.

**All Councillors present voted in support with the exception of Cr Graham who voted against.**

### SUPPLEMENTARY MOTION

**103 MOVED** (Palmer/Hines) that the nominations for voting delegates be Cr Hines, Cr Knight, Cr Rhoades and Cr Palmer.

### AMENDMENT

**MOVED** (Graham/Degens) that the nominations for voting delegates be Cr Degens, Cr Graham, Cr Arkan and Cr Knight.

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

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

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### L12/14 DRAFT BIODIVERSITY ACTION STRATEGY 2012 - 2030

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To recommend that the Draft Biodiversity Action Strategy 2012–2030 be publicly exhibited and submissions be invited.

**104 RESOLVED** (Graham/Hines) that:

1. Council endorse and release the *Biodiversity Action Strategy 2012–2030* for public exhibition and invite submissions over a 28 day period.
2. A report be brought back to Council later in the year regarding the outcomes of the public exhibition and present a revised *Biodiversity Action Strategy 2012–2030* for final adoption.

## MOTION

- 105** **MOVED** (Bonfield/Templeton) that the following four tender items be moved as a block:

L12/15, CB12/35, CB12/36 and CS12/18.

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### **L12/15 TENDER: PREPARATION OF PLANNING DOCUMENTS - NORTH BOAMBEE VALLEY (WEST) - CONTRACT NO. RFT-522-TO**

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To report to Council on tenders received for Contract RFT-522-TO for the preparation of planning documents to inform a Planning Proposal for North Boambee Valley (West).

The report provides a preferred tender to Council, following assessment of all tender submissions under Council's Tender Evaluation process, and seeks Council's approval to accept a tender.

- 106** **RESOLVED** (Bonfield/Templeton) that:

1. Council accepts the conforming tender of de Groot and Benson Pty Ltd for Contract RFT-522-TO (Provision of Planning Studies for North Boambee Valley (West), for an upper consultancy fee limit of \$218,465 (including GST) as tendered.
2. The contract documents be completed under Seal of Council.
3. Council increase funding from general revenue to finance the project's budget shortfall of \$8,465 to fund Contract RFT-522-TO.

## **CORPORATE BUSINESS DEPARTMENT REPORTS**

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### **CB12/35 TENDER: PROVISION OF CLEANING AND MAINTENANCE OF COUNCIL'S BUILDINGS**

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To report on the tenders received for the Provision of Cleaning and Maintenance of Council's buildings and to gain Council approval.

- 107** **RESOLVED** (Bonfield/Templeton) that:

1. Council accepts the tender offer of SKG Property Services for the Provision of Cleaning and Maintenance of Council Buildings contract number- RFT-525-TO for all three Category locations at an estimated annual tender value of \$135,650.00 GST inclusive.

The recommendation is on the basis that:

- (a) The tender offer is the most suitable and advantageous following the application of Council's Tender Value Selection System.
- (b) SKG Property Services has received strong recommendations from their nominated referees which included Kogarah and Wollongong Councils as well as Target Australia Coffs Harbour Branch.

**Cont'd**

**CB12/35 Tender: Provision of Cleaning and Maintenance of Council's Buildings ...(Cont'd)**

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- (c) A financial check was undertaken on SKG with Kingsway Financial Assessment Pty Ltd who identified no issues of concern for their capacity to fulfill the contract service obligations.
  - (d) It is anticipated that if Council accept the recommended tender offer of SKG Services Pty Ltd, an estimated annual savings of 5% will be achieved.
  - (e) By actively going out to tender Coffs Harbour Council will not breach the Local Government (General) Regulation 2005- Section 7 Tendering, for annual expenditure over \$150,000.00.
2. Provision be allowed for a twelve (12) month extension based on satisfactory supplier performance which may take this tender through to 31 May 2015.
  3. The contract documents be executed under Council's Seal.
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**CB12/36 TENDER: SUPPLY AND INSTALLATION OF AND SUPPLY ONLY OF ROAD BARRIER SYSTEMS**

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To report on the tenders received by Regional Procurement Initiative (division of Hunter Council Incorporated) on behalf of the Mid North Coast Procurement Alliance Group of Councils for the provision of traffic control services and to gain Council approval.

**108 RESOLVED** (Bonfield/Templeton) that:

1. Council accepts all five conforming tender offers for Category 1 – 'Supply and Installation of Road Barrier Systems' from:
  - Irwin Fencing
  - Eurobodalla Fencing
  - Associated Services Enterprise
  - Guardrail Systems
  - Protection Barriers Pty Ltd.

Council accepts both conforming tender offers for Category 2 – 'Supply Only of Road Barrier Systems' from:

- Australian Construction Products Pty Ltd
- Ingal Civil Products.

The recommendation is on the basis that:

- (a) The tender offers are the most suitable and advantageous following the application of Regional Procurement's Tender Value Selection System.
- (b) By actively participating in this Regional Procurement Tender T71112MNC on behalf of the Mid North Coast Procurement Alliance Group of Councils, Coffs Harbour Council will not breach the Local Government (General) Regulation 2005- Section 7 Tendering, for annual expenditure over \$150,000.00.

**Cont'd**

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**CB12/36 Tender: Supply and Installation of and Supply Only of Road Barrier Systems ...(Cont'd)**

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- (c) The five (5) Tenderers form a panel of suppliers all available for use by Council staff for Category 1 – 'Supply and Installation of Road Barrier Services' as will the two (2) Tenderers for Category 2 – 'Supply Only of Road Barrier Systems. These contract panel supplier choice arrangements, will allow Council's operation staff to be selective and cost effective in meeting project budget constraints, whilst simultaneously minimising work delays.
  - (d) All tenderers have the necessary experience in similar works with two of the supplier's active and proven suppliers to Council.
  - (e) Prices tendered for this panel contract were benchmarked against previous prices obtained for similar work carried out by Council (Bucca Road) in mid 2011, and were found to be competitive.
- 2. Provision is allowed for a twelve (12) month extension based on satisfactory Supplier performance which may take this tender through to 30 April 2015.
  - 3. The contract documents be executed under Council's Seal.

**CITY SERVICES DEPARTMENT REPORT**

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**CS12/18 TENDER: RFT-478-TO CONSTRUCTION OF BENNETTS ROAD DETENTION BASIN**

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To report to Council on tenders received for RFT-478-TO: Construction of the Bennetts Road Detention Basin, West Coffs Harbour and to gain Council approval to accept a tender.

**109 RESOLVED** (Bonfield/Templeton) that:

- 1. Council accept the tender of The Trustee For The PR Trust and Ryan Earthmoving Pty Ltd and The Trustee For The Ryan Family Trust T/A Ryan Earthmoving for Contract No. RFT-478-TO, Bennetts Road Detention Basin for the lump sum amount of \$3,132,484.87, 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. Acceptance of a tender be deferred until contracts are exchanged for the purchase of the land upon which the Works are to be constructed
- 3. A budget for the works be set at \$3,140,000 exclusive of GST to allow a 10% contingency for unforeseen events during construction funded on the basis of 2:1 OEH to Flood Mitigation Program
- 4. The contract documents be executed under the Seal of Council.



## CORPORATE BUSINESS DEPARTMENT REPORTS

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### **CB12/33 LEASE - SUITES 1 AND 3, 169-171 ROSE AVENUE, COFFS HARBOUR TO STATE PROPERTY AUTHORITY (ON BEHALF OF THE DEPARTMENT OF EDUCATION) - EXECUTION UNDER COMMON SEAL OF COUNCIL**

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Seeking authority for execution of Lease and Licence documents, related to the two (2) leases between Council and the State Property Authority (on behalf of the Department of Education) for the office premises at 169-171 Rose Avenue, Coffs Harbour under the common seal of Council.

- 110 RESOLVED** (Bonfield/Knight) that Council as registered proprietor of Lot 100 in DP 861850 authorise the lease of Part Lot 100 in DP 868150 and described as Suite 1 and Suite 3 to the State Property Authority and to affix Council's seal on the lease and all other documents required to give effect to the Lease Agreement and any subsequent lease of the premises to the State Property Authority.
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### **CB12/34 NORTH BOAMBEE VALLEY (EAST) DEVELOPER CONTRIBUTIONS PLAN**

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To present to Council a draft revised Section 94 Developer Contributions Plan for the North Boambee Valley (East) Release Area (attached to this document). This report recommends that the plan be placed on exhibition for public comment for a period of 28 days.

- 111 RESOLVED** (Bonfield/Hines) that the Draft North Boambee Valley (East) Developer Contributions Plan 2012 be placed on exhibition for a period of 30 days and the community be invited to make submissions on the Draft Contributions Plan during this period.
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## CITY SERVICES DEPARTMENT REPORT

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### **CS12/17 BUNKER CARTOON GALLERY**

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#### **MOTION**

- 112 MOVED** (Bonfield/Hines) that a revised page 69 which included an additional point be included in the agenda, the page was provided to Councillors and tabled.

To make recommendations to Council regarding options for capitalising on the Bunker Cartoon Gallery and its cartoon collection.

- 113 RESOLVED** (Templeton/Degens) that:

Council call tenders for the Lease of the operation of Bunker Cartoon Gallery.

- 114 RESOLVED** (Templeton/Hines) that the motion be put.

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

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

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**REQUESTS FOR LEAVE OF ABSENCE**

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- 115 **RESOLVED** (Bonfield/Knight) that Cr Palmer be granted leave of absence from Council for 24 May 2012.
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**MATTERS OF AN URGENT NATURE**

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**MUN12/6 Biodiversity Funding Announcements for the Coffs Harbour, Bellingen and Clarence Valley Area**

There will be a launch held on 23 May 2012 at the Dorrigo Rainforest Centre and Cr Graham extends an invitation to Councillors to attend. Some important announcements for our region will be made, foremost is that the federal government has made a decision to invest \$3M into our region to work with private and public land managers to look after our biodiversity.

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**QUESTIONS ON NOTICE**

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There were no questions on notice.

This concluded the business and the meeting closed at 6.33 pm.

Confirmed: 24 May 2012

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Keith Rhoades AFSM  
Mayor