

The following document is the minutes of the Council meeting held on 14 May 2015. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 28 May 2015 and therefore subject to change. Please refer to minutes of 28 May 2015 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**14 MAY 2015**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

14 MAY 2015

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

Staff: General Manager, Acting Director Sustainable Infrastructure, Director Business Services, Group Leader Sustainable Places and Executive Assistant

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

We respectfully acknowledge the Gumbaynggirr Country and the Gumbaynggirr 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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#### DISCLOSURES OF INTEREST

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No disclosures of interest.

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#### APOLOGY

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83 **RESOLVED** (Rhoades/Degens) that leave of absence as requested from Councillor Innes be approved.

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## **PUBLIC FORUM**

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No public forums.

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## **PUBLIC ADDRESS**

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No public addresses.

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## **CONFIRMATION AND ADOPTION OF MINUTES**

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- 84** **RESOLVED** (Degens/Palmer) that the minutes of the Ordinary meeting held on 23 April 2015 be confirmed as a true and correct record of proceedings.

## **NOTICE OF MOTION**

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### **NOM15/9 REMOVAL OF DEVELOPER CONTRIBUTIONS FOR SECONDARY DWELLINGS**

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**MOVED** (Sultana/Arkan) that Council reduce its contribution for a secondary dwelling to 0% for buildings 60 square metres or less for a trial period of 2 years.

## **AMENDMENT**

- 85** **RESOLVED** (Rhoades/Palmer) that the matter be deferred subject to a report to be brought back to Council at the earliest opportunity, before the end of the financial year.

Cr Townley gave notice of a Foreshadowed Amendment.

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

## **AMENDMENT**

**MOVED** (Townley/Sultana) that Council reduce the contribution for secondary dwellings to 15% for buildings 60 square metres or less for a trial period of two years.

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

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

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## SUSTAINABLE COMMUNITIES DEPARTMENT REPORTS

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### SC15/16 KOALA MAPPING OVER RESIDENTIAL LANDS

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#### Executive Summary:

The Coffs Harbour City Koala Plan of Management includes primary, secondary or tertiary koala habitat. There is currently 206 hectares of mapped koala habitat over 3,036 hectares of residential zoned land which equates to approximately 6.8%.

- 86 **RESOLVED** (Townley/Palmer) that Council notes the area and location of mapped primary, secondary and tertiary koala habitat in each of the Coffs Harbour residential zones being R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential contained within Coffs Harbour Local Environmental Plan 2013.

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### SC15/17 TENDER: PREPARATION OF ENVIRONMENTAL STUDIES AND PLANNING PROPOSAL - KORORA/WEST SAPPHIRE/MOONEE LARGE LOT RESIDENTIAL INVESTIGATION AREA - CONTRACT NO. RFT-704-TO

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#### Executive Summary:

On 27 November 2014, Council endorsed a tender brief for the preparation of environmental studies to inform a Planning Proposal for the Korora/West Sapphire/Moonee Large Lot Residential Investigation Area. Council has subsequently called for tenders to undertake the task. The tender was advertised on 3 March 2015 and closed on 31 March 2015.

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

If the recommendations are adopted by Council, it is intended to enter into a contract with the recommended tenderer to undertake the required work.

- 87 **RESOLVED** (Arkan/Degens) that:
1. Council accepts the conforming tender of Ecological Australia Pty Ltd for Contract RFT-704-TO (Environmental Studies for Korora/West Sapphire/Moonee Large Lot Residential Investigation Area), for an upper consultancy fee limit of \$149,900.00 (excluding GST).
  2. The contract documents be completed under Seal of Council.

## BUSINESS SERVICES DEPARTMENT REPORTS

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### BS15/22 BANK AND INVESTMENT BALANCES FOR MARCH 2015

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#### Executive Summary:

The purpose is to report on Council's Bank Balances and Investments as at 31 March 2015. Council receives independent advice and invests surplus funds in accordance with Councils Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Coffs Harbour 2030 Community Strategic Plan.

**88 RESOLVED** (Rhoades/Degens) that:

1. The bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty one million, two hundred and forty two thousand, four hundred and thirty six dollars (\$151,242,436) as at 31 March 2015 be noted.
2. The general fund unrestricted cash and investments totaling one hundred and eighty three thousand, seven hundred and seventy two dollars (\$183,772) as at 31 March 2015 be noted.

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### BS15/23 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 31 MARCH 2015

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#### Executive Summary:

The purpose is to provide Council with a quarterly status report to 31 March 2015 on the projects funded under the Environmental Levy (EL) Program. The Environmental Levy Program funds environmental projects that would not otherwise be undertaken with revenue funding.

**89 RESOLVED** (Arkan/Degens) that Council notes the status of the Environmental Levy projects as at 31 March 2015.

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**BS15/24 WEST COFFS HARBOUR DEVELOPMENT CONTRIBUTIONS PLAN REVIEW**

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**Executive Summary:**

The purpose of the report is to present the Draft West Coffs Developer Contributions Plan 2015 to Council for consideration. The Draft Plan was placed on exhibition for a period of 28 days and no submissions were received. The review of the Plan has resulted in a reduction of contributions from \$44,701 to \$36,211 principally as a result of achieving favourable land purchase prices, reduced costs of flood mitigation works and road construction costs. This report recommends that the draft Plan be adopted.

- 90 RESOLVED** (Palmer/Arkan) that the West Coffs Harbour Developer Contributions Plan 2015 be adopted.

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**BS15/25 CONTRACT NO RFT-695-TO PROVISION OF SECURITY AND MONITORING SERVICES**

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**Executive Summary:**

Council called tenders for the Provision of Security & Monitoring Services Contract No-RFT-695-TO that closed on Tuesday 31 March 2015.

The tender was advertised for a two (2) year period commencing 1 May 2015 to 30 April 2017 with a further twelve (12) months option based on satisfactory supplier performance.

Prospective tenderers were advised that it was Council's preference to award the tender as a single source supplier contract, but Council simultaneously reserved the right to award sections of the contract to individual tenderers.

It was identified that prices tendered for the After Hours Monitoring section varied significantly between the highest and lowest offers. The scope of variation is further outlined in the Confidential Report.

In respect of the Other Services section of the Provision of Security and Monitoring Services tender e.g. Security Patrols, Amenity Lockups and Alarm Monitoring etc. It was identified that the most cost effective offer received would increase costs on average of 1.9% based on current contract rates, which is similar with the most recent CPI increase.

- 91 RESOLVED** (Palmer/Sultana) that:
1. Council in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 declines to accept any tenders submitted for Contract RFT-695-TO; and
  2. Council in accordance with Clause 178(3)(b) of the Local Government (General) Regulation 2005, invite fresh tenders based on different details.

## SUSTAINABLE INFRASTRUCTURE DEPARTMENT REPORTS

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SI15/21 TRAFFIC COMMITTEE NO. 2/2015

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### Executive Summary:

To confirm Minutes of the informal Traffic Committee Meeting 2/2015.

**92 RESOLVED** (Palmer/Cowling) that:

Approval be given for the temporary road closure in Harbour Drive, Coffs Harbour between Gordon Street and Grafton Street from 4.00pm and 6.00pm on Wednesday, 20 May 2015 for the NSW Blues Civic Reception to be advertised and providing no substantive objections are received, the closure be approved subject to the following:

1. The organisers of the NSW Blues Civic Reception liaise with affected traders and obtain traders approval.
2. The organisers be responsible for erection of traffic barriers and control of traffic using accredited traffic controllers.
3. The organisers be responsible for all costs associated with the temporary closure, including advertising.
4. A current insurance Certificate of Currency of the applicants Public Liability Insurance for a minimum insured amount of \$10 million and noting the Coffs Harbour City Council as an interested party for the event.
5. Traffic Management Plan and RMS accredited Traffic Control Plan to be submitted for approval.



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**SI15/22 CONTRACT NO. RFT-706-TO: CONSTRUCTION AND RESTORATION OF CONCRETE WORKS**

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**Executive Summary:**

Council is in receipt of various works in the form of grant and contributions from the Roads and Maritime Services. In order to meet allocated timeframes and best value for this funding, an open tender was called for the concreting elements of this work in the form of a Schedule of Rates Contract. Tenders for Contract No. RFT-706-TO Construction and Restoration of Concrete Works were received with a closing date of 14<sup>th</sup> April 2015.

The purpose of this report is to disclose the results of the tender, and to seek the approval of Council to enter into a contract with the recommended Tenderer to complete the work.

**93 RESOLVED** (Degens/Arkan) that:

1. Council accept the tender of FJE & J Farlow ABN 49 034 845 208, for the Schedule of Rates Contract RFT-706-TO Construction and Restoration of Concrete Works, 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 its ability and performance are satisfactory.
  - c) The Tenderer's financial capacity is acceptable.
2. The contract documents be executed under the Seal of Council.

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**REQUESTS FOR LEAVE OF ABSENCE**

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Cr Sultana indicated that he was not available for Council's meeting scheduled to be held on 28 May 2015 and further that he would submit a request for leave of absence.

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**MATTERS OF AN URGENT NATURE**

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**MUN15/5 Tidy Town Nomination Fees**

Cr Cowling questioned whether Council would fund the cost of the nine nominations for the Tidy Towns (\$28 per nomination), aside from the original approved cost of membership fees (\$500).

**MUN15/6 CBD Works - No Consultation**

Cr Rhoades raised the work that has commenced in the CBD and questioned whether the retailers had been consulted.

*The General Manager advised that the Group Leader, Strategic Asset Management will provide an update to the Councillors regarding the consultation that had been provided to the CBD retailers.*

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**QUESTIONS ON NOTICE**

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No questions on notice.

This concluded the business and the meeting closed at 6.01 pm.

Confirmed: 28 May 2015

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Denise Knight  
Mayor