

The following document is the minutes of the Council and Committee Meetings held on Thursday, 28 February 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 14 March 2013 and therefore subject to change. Please refer to the minutes of the meeting of 14 March 2013 for confirmation.



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

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

28 FEBRUARY 2013

**Present:** Councillors D Knight (Mayor), J Arkan, N Cowling, R Degens, G Innes, 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:** Councillor K Rhoades.

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 5.00pm with the Mayor, Cr D Knight in the chair.

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#### DISCLOSURE OF INTEREST

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31 **RESOLVED** (Arkan/Degens) that the following disclosure be received and noted as follows:

| <b>Councillor</b>                         | <b>Item</b>  | <b>Type of Interest</b>                         |
|---|--|---|
| Director of Corporate Business, C Milburn | CB13/14 0 2013/2014 Environmental Levy Projects Schedule | Non-Pecuniary - Less Than Significant Conflict. |
| Cr Knight                                 | CB13/15 - Coffs Harbour City Centre Master Plan 2031     | Pecuniary.                                      |
| Cr Palmer                                 | CB13/15 - Coffs Harbour City Centre Master Plan 2031     | Pecuniary.                                      |
| Cr Innes                                  | CB13/15 - Coffs Harbour City Centre Master Plan 2031     | Pecuniary.                                      |

Councillors Knight, Palmer and Innes left the meeting time being 5.01pm.

Cr Arkan assumed chairmanship of the meeting.

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## **PUBLIC ADDRESS**

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| Time   | Speaker      | Item   |
|--------|--------------|--|
| 5.00pm | Rod McKelvey | CB13/15 - Coffs Harbour City Centre Master Plan 2031 |

Councillors Knight, Innes and Palmer returned to the meeting, the time being 5.06pm.

The Mayor resumed chairmanship of the meeting.

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## **CONFIRMATION OF MINUTES**

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- 32** **RESOLVED** (Cowling/Palmer) that the minutes of the Ordinary meeting held on 14 February 2013 be confirmed as a true and correct record of proceedings.

Councillors Knight, Innes and Palmer left meeting and took no part in the discussion or voting of the following item, the time 5.08pm.

Councillor Arkan assumed Chairmanship of the meeting.

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## **CORPORATE BUSINESS DEPARTMENT REPORTS**

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### **CB13/15 COFFS HARBOUR CITY CENTRE MASTER PLAN 2031**

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To present Council with the Coffs Harbour City Centre Master Plan 2031 for adoption and make recommendations in relation to its implementation.

- 33** **RESOLVED** (Cowling/Townley):
1. That the Coffs Harbour City Centre Master Plan 2031 be adopted with the following clarifications;
  2. That Council make application to IPART for a continuation of the CBD Special Rate.

## **CB13/15 - Coffs Harbour City Centre Master Plan 2031 (Cont'd)**

3. That Council adopt the Brelsford Park Master Plan with the skate park being deleted;
4. That Council shift the skate park to the northern side of Marina Drive just east of the roundabout and prepare detailed design works for an immediate commencement date;
5. That \$600,000 from the Brelsford Park fund be reallocated to the skate park at the Jetty Foreshores;
6. That detailed design works commence immediately for the remainder of the Brelsford Park projects with the balance of \$900,000, previously adopted, and work commence immediately;
7. That both the Lower City Hill site and the Gordon Street site remain as options for a future Entertainment Centre.
8. Excise the shade sails and lift from the Castle Street car park.
9. That the funds from 218 Harbour Drive be allocated to a multi-deck car park project within the CBD.
10. That Council review and update its City Centre Car Parking Section 94 Plan in line with the outcomes and implications of the Coffs Harbour City Centre Master Plan 2031.

Councillors Knight, Innes and Palmer returned to the Chamber, the time being 5.36pm.

Councillor Knight resumed Chairmanship of the meeting.

## **GENERAL MANAGER'S REPORTS**

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### **GM13/2 OPERATIONAL PLAN REPORTING FOR THE QUARTER ENDED 31 DECEMBER 2012**

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

#### **34 RESOLVED** (Townley/Degens) that Council:

1. Notes the operational status of Council Services for the quarter ended 31 December 2012, as outlined in the body of this report.
2. Continues to monitor its performance with a view to improving service delivery.

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**GM13/3 2012/2016 DELIVERY PROGRAM - SIX MONTHLY PROGRESS REPORT**

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To provide a progress report on the first six months of implementation of Council's 2012/2016 Delivery Program.

- 35 RESOLVED** (Innes/Degens) that Council adopt the Six Monthly Progress Report (for the period 1 July to 31 December 2012) on the Coffs Harbour City Council 2012/2016 Delivery Program.

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**GM13/4 BUSINESS IMPROVEMENT AND DEVELOPMENT STUDY TOUR**

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To discuss the opportunities identified during the Business Improvement and Development Study Tour to UK and Singapore of December 2012 and how it is proposed to pursue these in the context of Council's broader challenges around financially sustainable service provision.

- 36 RESOLVED** (Degens/Innes) that the Motion be put to Council.
- 37 RESOLVED** (Innes/Palmer) that Council defer consideration on the GM13/4 Business Improvement and Development Study Tour until the 27 March Council meeting pending additional briefings of the Council in relation to the principles of the project and the overall project design and direction.

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**GM13/5 REVISED ORGANISATIONAL STRUCTURE**

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To discuss barriers to effective service delivery arising from the current organisational structure and to recommend improvements that will enable Council to better utilise its existing resources to translate strategy into action, delivering more efficient and effective services to the community.

**MOVED** (Degens/Cowling)

1. That the present organisation structure, specifically the three Directorates be retained.
2. That a reorganisation of responsibilities of these three departments take place.
3. That this matter be returned to Council with any recommended restructuring of the organisation within the existing framework.

This resulted in a **TIED** vote. The Mayor used her casting vote and declared the motion **LOST**.

**GM13/5 - Revised Organisational Structure (Cont'd)**

**38 RESOLVED** (Palmer/Innes):

1. That in accordance with Section 333 of the Local Government Act 1993 Council adopt the proposed Organisation Structure as identified in the Attachment to this report; and
2. That it be noted that applications will be invited for the vacant Director Community Development role.

This resulted in a **TIED** vote. The Mayor used her casting vote and declared the motion **CARRIED**.

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**DIVISION**

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A division was duly demanded, and those member voting for an against the motion were recorded:

**FOR**

Palmer  
Knight  
Innes  
Townley

**AGAINST**

Cowling  
Arkan  
Degens  
Sultana

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

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### L13/3 DEVELOPMENT APPLICATION 825/12 – SUBDIVISION (1 INTO 2 LOTS) – LOT 111, DP 730304, NO. 7 TASMAN STREET, CORINDI BEACH

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This is a report on Development Application No. 825/12 which is for a two (2) lot subdivision of Lot 111 DP 730304, 7 Tasman Street, Corindi Beach.

As both proposed lots will be under the minimum area 40 hectares (ha) specified in Coffs Harbour City Council Local Environmental Plan (LEP) 2000, a variation to this development standard is required. It is recommended that the application be approved subject to conditions.

#### 39 RESOLVED (Arkan/Townley):

1. That the written objection made pursuant to Clause 6 of *State Environmental Planning Policy No. 1 - Development Standards*, for the variation to the minimum allotment size under Clause 18(2) of *Coffs Harbour Local Environmental Plan 2000* be supported in this particular case.
2. That Development Application 825/12 for Subdivision (1 into 2 lots) involving Lot 111 DP 730304, 7 Tasman Street, Corindi Beach be approved subject to the conditions appended to this report (Attachment 3).

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#### DIVISION

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A division was duly demanded, and those member voting for an against the motion were recorded:

##### FOR

Cr Townley  
Cr Palmer  
Cr Innes  
Cr Degens  
Cr Arkan  
Cr Sultana  
Cr Cowling  
Cr Knight

##### AGAINST



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**L13/4 WASTE MANAGEMENT - FUTURE DIRECTIONS**

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The purpose of this report is to provide an update on several matters of significance to Council's waste management and recycling operations. Matters raised within this report include the following:

- An update on the current position in relation to council resolutions seeking a report on the review of bulky goods and hard rubbish collection and potential sites for the operation of a goods reuse facility.
- The status of the Waste Resource Action Strategy and need to review and update this strategy.
- Key strategic challenges impacting Council's waste management service.
- Waste management organisational structural issues.
- Exploring opportunities for increased regional waste management collaboration.

**40 RESOLVED** (Innes/Palmer) that:

1. Council note the key strategic issues outlined in the body of this report.
2. Council, in response to Resolution 285, endorse that potential sites / options for establishment and operation of a goods reuse facility be incorporated for consideration with the investigation of sites / options required to meet Council's future landfill needs.
3. Council, in response to Resolution 286, endorse that the maximisation of recycling and reuse of bulky goods and hard rubbish be incorporated for consideration in the review and development of the new waste contract.
4. Council endorse the commencement of review and development of a new Waste Resource Action Strategy.
5. Council endorse the proposed functional changes seeking a realignment of existing staff resources and operational budgets within the Health Branch and Strategy and Sustainability Branch to create a Environmental Services Branch and a discrete Waste Management Branch.
6. Council endorse the engagement with neighbouring Councils to explore opportunities associated with regional collaboration.

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**L13/5 ORARA RIVER REHABILITATION STRATEGY**

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To seek endorsement of the *Orara River Rehabilitation Strategy 2013 - 2023*.

- 41** **RESOLVED** (Palmer/Townley) that Council endorse the *Orara River Rehabilitation Strategy 2013 - 2023*.

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**CORPORATE BUSINESS DEPARTMENT REPORTS**

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**CB13/10 BUDGET VARIATION FOR UPDATED SWIMMING POOL SUBSIDIES AND IMPROVEMENTS**

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To detail the review of subsidy payments to Council public swimming pool operations and to reallocate budget funds to meet an increase in subsidy payments following a review of operations at each pool.

- 42** **RESOLVED** (Palmer/Townley):
1. That an additional, one off, ex gratia payment in the amount of 10% of the reported electricity costs for 2011/2012 by the lessees of the Coffs Memorial, Sawtell, Woolgoolga and Nana Glen swimming pools be extended to each operator in consideration for the increase in electricity tariffs in the current financial year such allowance to be paid in equal installments over the balance of subsidy payments remaining for the 2012/20123 operating year.
  2. That an allowance in the amount \$15,719 be paid to the lessee of the Woolgoolga Swimming pool as reimbursement of additional operating expenses incurred as a result of an ongoing water leak at the facility and that such reimbursement be paid in two equal installments.
  3. That Council, in adopting recommendations 1 and 2 above, authorise a \$19,307 deficit budget variation to the 2012/2013 operating budget.
  4. That Council note that an aquatics facility expert will be commissioned to assess the current plant at the Nana Glen Pool and to report on the most appropriate and cost effective approach to bridging the current plant deficiencies and the cost of implementing the recommendation(s).

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**CB13/11 BANK BALANCES AND INVESTMENTS FOR NOVEMBER AND DECEMBER 2012**

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To list Council's Bank Balances and Investments as at 30 November 2012 and 31 December 2012.

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

1. That 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 seventy six million, two hundred and thirteen thousand, one hundred and fifty nine dollars (\$176,213,159) as at 30 November 2012 be noted.
2. That 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 seventy one million, eight hundred and eighteen thousand, eight hundred and thirty nine dollars (\$171,818,839) as at 31 December 2012 be noted.
3. That the general fund unrestricted cash and investments totaling one million, nine hundred and seven thousand, nine hundred and seventy eight dollars (\$1,907,978) as at 30 November 2012 and 31 December 2012 be noted.

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**CB13/12 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 31 DECEMBER 2012**

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To provide Council with a quarterly status report to 31 December 2012 on the projects funded under the Environmental Levy (EL) Program.

**44 RESOLVED** (Townley/Degens):

1. That Council notes the status of the Environmental Levy Projects as at 31 December 2012 as outlined in the report.
2. That Council continues to monitor the Environmental Levy Program to ensure earliest completion of projects.

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**CB13/13 QUARTERLY BUDGET REVIEW STATEMENT FOR DECEMBER 2012**

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To provide the quarterly budget review statement and report on the estimated budget position as at 31 December 2012.

**45 RESOLVED** (Degens/Sultana):

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 December 2012:

|  | General<br>Account<br>\$ | Water<br>Account<br>\$ | Sewer<br>Account<br>\$ |
|--|--------------------------|------------------------|------------------------|
| Original Budget adopted<br>24 May 2012                           | 308,365 (D)              | 4,397,830 (D)          | 3,542,337 (D)          |
| Approved variations to<br>September 2012                         | (6,129) (S)              | Nil                    | Nil                    |
| Recommended variations<br>for quarter ending<br>31 December 2012 | (16,396) (S)             | Nil                    | Nil                    |
| Estimated result 2012/13 as<br>at 31 December 2012               | <u>285,840 (D)</u>       | <u>4,897,205 (D)</u>   | <u>3,591,600 (D)</u>   |

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**CB13/14 2013/2014 ENVIRONMENTAL LEVY PROJECTS SCHEDULE**

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To provide Council with the recommended program of works for the 2013/2014 Environmental Levy Program for inclusion in the 2013/2014 Draft Delivery Program.

**46 RESOLVED** (Townley/Degens) that the following projects are recommended for inclusion in the 2013/14 Delivery Program and Operational Plan;

1. It is recommended that \$201,571 be allocated from the 2013/2014 Environmental Levy Program for Bushland Regeneration.
2. It is recommended that \$103,000 be allocated from the 2013/2014 Environmental Levy Program for Environmental Weeds Program.
3. It is recommended that \$209,000 be allocated from the 2013/2014 Environmental Levy Program for Conservation and Sustainable Management of Biodiversity.
4. It is recommended that \$64,247 be allocated from the 2013/2014 Environmental Levy Program for Environmental Levy Coordination.
5. It is recommended that \$164,848 be allocated from the 2013/2014 Environmental Levy Program for Supporting Community Action in the Coffs Harbour LGA.
6. It is recommended that \$215,500 be allocated from the 2013/2014 Environmental Levy Program for Orara River Rehabilitation Project. This includes an amount of \$50,000 from Coffs Coast Water, which is available subject to works receiving prior approval from Executive Manager, Operations – Coffs Coast Water.
7. It is recommended that \$19,900 be allocated from the 2013/2014 Environmental Levy Program for Darrunda Wajaarr Repair to Country High Priority Sites.
8. It is recommended that \$19,664 be allocated from the 2013/2014 Environmental Levy Program for Yarrowarra Giriin Team – Bush Regeneration.
9. It is recommended that \$5,260 be allocated from the 2013/2014 Environmental Levy Program for Koala / Wildlife Corridor Bakker Drive Reserve Bonville – stage 1.
10. It is recommended that \$19,992 be allocated from the 2013/2014 Environmental Levy Program for Coffs Jetty Foreshore Reserve Follow-up Chemical Weeding.
11. It is recommended that \$2,000 be allocated from the 2013/2014 Environmental Levy Program for Impacts on Fresh Water Systems.
12. It is recommended that \$19,992 be allocated from the 2013/2014 Environmental Levy Program for Boambee Beach Bush Regeneration – North of Deep Sea Release Pipeline.
13. It is recommended that \$4,391 be allocated from the 2013/2014 Environmental Levy Program for Shorebirds of the Coffs Coast – Signage & Brochure.

### **CB13/14 - 2013/2014 Environmental Levy Projects Schedule (Cont'd)**

14. It is recommended that \$9,982 be allocated from the 2013/2014 Environmental Levy Program for Coffs Harbour Community Seedbank Network.
15. It is recommended that \$6,370 be allocated from the 2013/2014 Environmental Levy Program for Woody Weed Control at Lowanna.
16. It is recommended that \$50,000 be allocated from the 2013/2014 Environmental Levy Program for Darkum Headland Access Rehabilitation.
17. It is recommended that \$16,000 be allocated from the 2013/2014 Environmental Levy Program for Botanic Garden Education Program.
18. It is recommended that \$29,500 be allocated from the 2013/2014 Environmental Levy Program for Green Schools Sustainability Fund.
19. It is recommended that \$20,000 be allocated from the 2013/2014 Environmental Levy Program for Implementation of Coffs Harbour Koala Plan of Management 2014.
20. It is recommended that \$43,509 be allocated from the 2013/2014 Environmental Levy Program for Coffs Ambassadors Interpretive Tours.
21. It is recommended that \$23,121 be allocated from the 2013/2014 Environmental Levy Program for Matching Grants Fund.
22. It is recommended that \$24,000 be allocated from the 2013/2013 Environmental Levy Program for The Restoration of the Grey-headed Flying Fox maternity Camps in the LGA.
23. It is recommended that \$29,000 be allocated from the 2013/2013 Environmental Levy Program for Our Living Coast Sustainable Living Festival.
24. It is recommended that \$39,000 be allocated from the 2013/2013 Environmental Levy Program for Supporting Voluntary Friends of Parks Groups to Undertake Environmental Works in 8 Priority Council-managed Parks and Reserves.
25. It is recommended that \$40,000 be allocated from the 2013/2013 Environmental Levy Program for Strategic Planning – Biodiversity.
26. It is recommended that \$14,000 be allocated from the 2013/2013 Environmental Levy Program for Coffs Harbour Vertebrate Pest Management Strategy Implementation.

Councillors Palmer and Innes declared an interest in the above matter and took no part in the voting thereof.

## CITY SERVICES DEPARTMENT REPORTS

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### CS13/11 COMMUNITY FACILITIES MANAGEMENT, ADVISORY COMMITTEES AND COMMUNITY DEVELOPMENT INITIATIVES UPDATE FOR 2012

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To provide a report on the current operational status of Council's community facility management, advisory committees and community development initiatives.

- 47** **RESOLVED** (Innes/Arkan) that Council note the valuable assistance, advice and good management of Council's community facilities and advisory committees by volunteer members and present at Council a recognition of community service plaque to each committee as follows:

- Ayrshire Park
- Bayldon Community Centre
- Coramba Community Hall
- Eastern Dorrigo Showground & Community Hall
- Lowanna Community Hall
- Lower Bucca Community Hall
- Nana Glen Sport, Recreation & Equestrian Centre
- Sportz Central
- Woolgoolga Community Village
- Access Advisory
- Multicultural Reference Group
- Yandaarra Aboriginal Consultative

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### CS13/12 COMMITTEE MEMBERSHIP - BAYLDON AND SPORTZ CENTRAL

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To recommend to Council appointment of community members to facility management committees.

- 48** **RESOLVED** (Arkan/Townley) that the following committee members nominations be appointed to the relevant committees:

- Bayldon Community Centre Management Committee  
Mr Peter Langley
- Sportz Central Management Committee  
Mr Justin Baldwin

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**CS13/13 COFFS HARBOUR CULTURAL POLICY AND CULTURAL PLAN  
2013-2016**

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This report provides information and recommendations to Council regarding the Cultural Policy and Cultural Plan 2013-2016 following public exhibition period.

**49 RESOLVED** (Arkan/Innes):

1. That Council adopt the attached Cultural Policy and Cultural Plan 2013-2016 with amended page 5 as provided to Councillors.
2. That Council consider allocating an additional \$21,000 for the financial year 2013/14 to complete all projects identified for this financial year.

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**CS13/14 TENDER: RFT-575-TO - GRAVITY SEWER PIPELINE  
CONSTRUCTION - SAWTELL STP**

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To report on tenders received for Contract RFT-575-TO, construction of gravity sewer trunk mains at Sawtell Sewage Treatment Plant and to gain Council approval to accept a tender.

**50 RESOLVED** (Arkan/Townley):

1. That Council, conditional on approval for Stage 3 Funding from the NSW Office of Water, accepts the tender of Ledonne Constructions Pty Ltd, ABN 68 003 117 717, for the Lump Sum of \$1,182,947 inclusive of GST on the basis that:
  - 1.1 The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
  - 1.2 The Tenderer has the necessary experience in similar works and its ability and performance are satisfactory.
2. That the contract documents be executed 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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**MATTERS OF AN URGENT NATURE**

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**MUN13/2 Storm Damage Clean Up**

Councillor Arkan questioned whether there was a plan of action in relation to the removal of debris from the recent storm as there is an enormous amount of rubbish and a lot of people who are unable to deliver it to the drop off sites.

The General Manager advised that there is a plan of action, and recognises that some residents may have difficulty, he was hoping that neighbours would help, however the matter will be reviewed after the drop off dates had passed.

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**QUESTIONS ON NOTICE**

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No questions on notice.

This concluded the business and the meeting closed at 6.41 pm.

Confirmed: 14 March 2013.

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Denise Knight  
Mayor