

The following document is the minutes of the Council and Committee meeting held on 14 March 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 27 March 2013 and therefore subject to change. Please refer to minutes of 27 March 2013 for confirmation.



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

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**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**14 MARCH 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, Director Corporate Business, Director City Services, Director Land Use, Health & Development and Executive Assistant

The meeting commenced at 5.00 pm 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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**DISCLOSURES OF INTEREST**

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The General Manager read the following disclosure of interest to inform the meeting:

<b>Councillor</b>	<b>Item</b>	<b>Type of Interest</b>
Cr Rhoades	CS13/15 - Load Limit to East Bonville Road Bridge, Bonville	Non-Pecuniary - Less Than Significant Conflict as is a property owner within 2km of bridge.
Cr Innes	CB13/18 - Draft Jetty4Shores Concept Plans for Public Exhibition	Non-Pecuniary - Significant Conflict as is the Commodore of Coffs Harbour Yacht Club which is adjacent to the proposed area.
Cr Palmer	CB13/18 - Draft Jetty4Shores Concept Plans for Public Exhibition	Non-Pecuniary - Less Than Significant Conflict as operates 3 businesses within the Coffs Harbour Marina Precinct at 38 Marina Drive, which is approximately 100m from the study area. The sub-lease for the business premises from the Department of Primary Industries Catchment & Lands expires on 31/7/14 and has no intentions to re-sign a commercial lease within this area.

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**PUBLIC ADDRESS**

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**Cr Innes left the meeting, the time being 5.01 pm.**

<b>Time</b>	<b>Speaker</b>	<b>Item</b>
5.00 pm	Ashley Love	CB 13/18 – Draft Jetty4Shores Concept Plans for Public Exhibition
5.05 pm	Wayne Glenn	CB 13/18 – Draft Jetty4Shores Concept Plans for Public Exhibition

**Cr Innes returned to the meeting, the time being 5.28pm.**

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**CONFIRMATION AND ADOPTION OF MINUTES**

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- 53** **RESOLVED** (Townley/Innes) that the minutes of the Ordinary meeting held on 28 February 2013 be confirmed as a true and correct record of proceedings.

Cr Rhoades raised that within GM13/5 - Revised Organisational Structure the minutes read that a division was duly "demanded" - should read as duly "called".

- 54** **RESOLVED** (Rhoades/Palmer) that the tabled minutes of the Extraordinary meeting held on 7 March 2013 be confirmed as a true and correct record of proceedings.

Cr Rhoades raised that within RM13/1 - Coffs Harbour City Centre Master Plan 2031 - Rescission Motion the minutes read that a division was duly "demanded" - should read as duly "called".

**Cr Innes declared an interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.31 pm.**

## CORPORATE BUSINESS DEPARTMENT REPORT

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### CB13/18 DRAFT JETTY4SHORES CONCEPT PL ANS FOR PUBLIC EXHIBITION

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Approval to place the Draft Concept Plans for the Jetty4Shores Project on public exhibition for a period of 28 days.

**RESOLVED** (Rhoades/Palmer) that:

1. Council, as Corporate Manager of the Coffs Coast State Park Trust, place on public exhibition the Draft Jetty4Shores Concept Plans, attached to this report, for a period of 3 months.
2. A further report be submitted to Council on the completion of that exhibition period providing updated plans and overall works program and associated budgets.

### AMENDMENT

**55 MOVED** (Cowling/Degens) that:

1. Council, as Corporate Manager of the Coffs State Park Trust, place on public exhibition the Draft Jetty4Shores Concept Plans, for a period of 3 months.
2. A series of scenarios suggesting likely progressions / orders of construction be included in the exhibition.
3. Possible options for the remainder of the Jetty Foreshores precinct be included as part of the exhibition.
4. A further report be submitted to Council on the completion of that exhibition period providing updated plans and overall works program and associated budgets.
5. For a range of options to be put before Council at the conclusion of the public consultation process.
6. For application to be made to the Federal Government to match the \$30 to \$40 million already allocated by the State Government to include infrastructure projects including a permanent sand by pass.

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

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### DIVISION

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A division was duly called, 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

**Cont'd**

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

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**DIVISION**

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A division was duly called, 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 returned to the meeting, the time being 6.19pm.**

**RESCISSION MOTION**

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**RM13/2 REVISED ORGANISATIONAL STRUCTURE - RESCISSION MOTION**

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**56 RESOLVED** (Arkan/Degens) that resolution 38 of Ordinary meeting held on 28 February 2013 regarding item GM 13/5 - Revised Organisational Structure, and reading as follows, be rescinded:

**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.*

**57 RESOLVED** (Arkan/Sultana) that:

1. The 4<sup>th</sup> Director's position be not facilitated.
  2. A re-organisation of responsibilities held by these three departments may take place.
  3. This matter be returned to Council with any recommended restructuring of the organisation with the existing framework.
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## GENERAL MANAGER'S REPORTS

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### **GM13/6 2013 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS**

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Report advising that conference motions to be considered at the next National General Assembly of Local Government are to be matters of policy significance to local government nationally.

**58 RESOLVED** (Rhoades/Arkan) that:

1. Councillors submit any motions in line with the Australian Local Government Association Discussion Paper to the General Manager by Thursday, 28 March 2013.
  2. A separate report of any motions received be submitted for Council Meeting of 11 April 2013.
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### **GM13/7 MODEL CODE OF CONDUCT 2013 - COMMENCEMENT AND KEY RESOURCES**

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The purpose of this report is to inform councils of the new Model Code of Conduct Framework which commenced on 1 March 2013; to promote the Model Code Summary as a simple guide to the standards of behaviour required by council officials; and to inform councils of the availability of the Division of Local Government's Model Code of Conduct 2013 webpage, featuring key resources to support implementation of the new code.

**59 RESOLVED** (Rhoades/Arkan) that:

1. The information in this report be noted.
  2. Coffs Harbour City Council as a matter of urgency tomorrow submit a electronic recommendation of support to LGNSW and its position on the LG Early Intervention Bill 2013.
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### **GM13/8 GOVERNANCE AND AUDIT COMMITTEE - APPOINTMENT OF INDEPENDENT MEMBERS**

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This report is to inform Council of the appointment to the Governance and Audit Committee the three new independent members.

**60 RESOLVED** (Degens/Townley) that Council note the information provided in this report.

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## CORPORATE BUSINESS DEPARTMENT REPORTS

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### CB13/16 MONTHLY BUDGET REVIEW FOR JANUARY 2013

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To report on the estimated budget position as at 31 January 2013.

**61 RESOLVED** (Townley/Degens) that:

The budget adjustments be approved and the current budget position be noted.

Estimated Budget Position as at 31 January 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 31 December 2012	(22,525) (S)	Nil	Nil
Recommended variations for January 2013	<u>(616) (S)</u>	<u>(554,150) (S)</u>	<u>(686,556) (S)</u>
Estimated result as at 31 January 2013	<u>285,224 (D)</u>	<u>3,843,680 (D)</u>	<u>2,855,781 (D)</u>

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### CB13/17 EASEMENT TRANSFERS TO ES SENTIAL ENERGY - VARIOUS PROPERTIES

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The purpose of the report is to obtain approval for the transfer of power line easements to Essential Energy.

**62 RESOLVED** (Arkan/Innes) that:

1. Council dispose of the easements described below for nil compensation on the terms contained within this report.
  - 1.1 Easement for underground power lines 2 wide and variable width within Lot 2 DP 1093437, Lot 2 DP 879883, Lot 53 DP 245407 and Lot 117 DP 248292 situated at Werambie Street, Toormina (see Attachment 1).
  - 1.2 Easement for underground power lines 2 wide and variable width within Lot 6 DP 755536 and Lot 48 DP 1032150 situated at Hulberts Lane, Sawtell (See Attachment 2).
  - 1.3 Easement for underground power lines 2 wide within Lot 2 DP 1067836, Lot 1 DP 999000 and Lots 6 and 7 DP 90246 situated at Christmas Bells Road, Coffs Harbour (see Attachment 3).
2. All necessary documents associated with the disposal of the easements be executed under the common seal of Council.



## CITY SERVICES DEPARTMENT REPORTS

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### **CS13/15 LOAD LIMIT TO EAST BONVILLE ROAD BRIDGE, BONVILLE**

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To report to Council the recommendations from independent structural assessment and load testing undertaken on East Bonville Bridge, Coffs Harbour and to recommend a load limit be placed in accordance with the report recommendations.

- 63 RESOLVED** (Palmer/Arkan) that Council, in accordance with Section 115 of the Roads Act 1993, approve the placement of a 10 tonne GVM load limit on East Bonville Road Bridge, Bonville.

### **CS13/16 TENDER RFT-580-TO: SUPPLY & DELIVERY OF CHEMICAL DOSING UNIT FOR SAWTELL PUMP STATION**

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To report on tenders received for Contract RFT-580-TO, for the supply and delivery of a Chemical Dosing Unit for the Main Sawtell Pump Station to enable the decommissioning of Sawtell Treatment Plant (STP), and to gain Council approval to accept a tender.

- 64 RESOLVED** (Innes/Arkan) that:
1. Council accepts the tender of Demaher Pty Ltd, ABN 41 106 672 020 for Contract RFT-580-TO, Supply and Delivery of a Chemical Dosing Unit, for the amount of \$275,693.28 inclusive of GST on the basis that:
    - 1.1. The tender is the most advantageous to Council.
    - 1.2. The tenderer has the necessary experience in similar works and its ability and performance are satisfactory.
    - 1.3. The tenderer's financial capacity is acceptable.
  2. The contract documents be executed under the Seal of Council.

### **REQUESTS FOR LEAVE OF ABSENCE**

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There were no requests for leave of absence.

### **MATTERS OF AN URGENT NATURE**

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There were no matters of an urgent nature.

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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 7.03 pm.

Confirmed: 27 March 2013

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Denise Knight  
Mayor