



MINUTES

COFFS HARBOUR CITY COUNCIL ORDINARY COUNCIL MEETING COUNCIL ADMINISTRATION BUILDING

CNR COFF AND CASTLE STREETS, COFFS HARBOUR
ON THURSDAY, 23 NOVEMBER 2017 AT 5.00PM

PRESENT: Cr Denise Knight, Cr Michael Adendorff, Cr Paul Amos, Cr George Cecato, Cr Keith Rhoades, Cr Jan Strom, Cr Tegan Swan, Cr Sally Townley

STAFF: General Manager, Director Sustainable Infrastructure, Director Sustainable Communities, Director Business Services and Executive Assistant

LEAVE OF ABSENCE Cr John Arkan

OPENING OF ORDINARY MEETING

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

ACKNOWLEDGEMENT OF COUNTRY

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.

STATEMENT IN RELATION TO RECORDING OF MEETINGS

The Mayor reminded the Chamber that the meeting was to be recorded and live audio streamed, and that no other recordings of the meeting would be permitted.

DISCLOSURE OF INTEREST

Councillor	Items	Type of Interest
Cr Denise Knight	SC17/62 Planning Proposal PP_2017_Coffs_001_00 - to Permit a Vehicle Sales or Hire Premises at North Boambee Road, North Boambee Valley - Post Exhibition	Non-Pecuniary - Less Than Significant Conflict as the Watson family are friends and neighbours.
Cr George Cecato	BS17/47 Coffs Harbour Regional Airport Enterprise Park Development and BS17/48 Future Coffs Harbour Regional Airport Governance Options	Non-Pecuniary - Less Than Significant Conflict as he is a tenant at the airport, but there will be no gain or losses financially.

Councillor	Items	Type of Interest
Cr Paul Amos	SC17/64 0824/16DA Service Station – Lot 301 DP 1092858,4 Moonee Beach Road, Moonee Beach	Non-Pecuniary - Significant Conflict as whilst he believes tonight's decision will result in no substantial financial gain or loss to him personally, he appreciates his long association with petrol retailing in Coffs Harbour may prompt some ill-informed public opinion to the contrary. He wishes tonight's decision to be unencumbered with any doubt as to its integrity.

APOLOGIES

No apologies.

Cr Amos declared an interest in the following item, vacated the chamber and took no part in the discussion, the time being 5.03pm.

PUBLIC ADDRESSES

Time	Speaker	Item
5.00pm	Tim Chapman	SC17/64 0824/16DA Service Station – Lot 301 DP 1092858,4 Moonee Beach Road, Moonee Beach
5.05pm	Sam Chapman	SC17/64 0824/16DA Service Station – Lot 301 DP 1092858,4 Moonee Beach Road, Moonee Beach

Cr Amos returned to the meeting, the time being 5.23pm.

PUBLIC FORUM

No public forums.

PROCEDURAL MOTION

2017/271 RESOLVED (Cr Denise Knight / Cr Jan Strom)

That item SC17/64 0824/16DA Service Station – Lot 301 DP 1092858, 4 Moonee Beach Road, Moonee Beach be brought forward, prior to the Mayoral Minute.

The Motion on being put to the meeting was carried unanimously.

CARRIED

CONFIRMATION OF MINUTES

2017/272 RESOLVED (Cr Jan Strom / Cr George Cecato)

That the minutes of the Ordinary Meeting held on 9 November 2017 be confirmed.

The Motion on being put to the meeting was carried unanimously.

CARRIED

Cr Amos declared an interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.24pm.

DIRECTORATE REPORT - SUSTAINABLE COMMUNITIES

SC17/64 0824/16DA SERVICE STATION - LOT 301 DP 1092858, 4 MOONEE BEACH ROAD, MOONEE BEACH

EXECUTIVE SUMMARY

The purpose of this report is to present Development Application No. 0824/16 for Council's consideration. The application is for a new service station on a vacant site on the corner of Moonee Beach Road and Sullivan Road, Moonee Beach.

The proposed development was put on public exhibition in accordance with clause 14 of State Environmental Planning Policy No. 33 Hazardous and Offensive Development and Council's Development Control Plan Component B1 – Public Notification. A total of 250 submissions were received during the first public exhibition period which occurred from 2 June 2016 till 15 July 2016. The proposal was subsequently amended and further information was submitted following this public exhibition period. The revised proposal was put on public exhibition from 23 February 2017 till 24 March 2017. A total of 144 submissions were received during this second public exhibition period.

Accordingly, this matter is reported to Council for determination as the development application has generated significant community interest.

MOTION**2017/273 RESOLVED (Cr Jan Strom / Cr Denise Knight)**

That Council:

1. Refuse Development Application No. 0824/16 for construction of a service station at Lot 301 DP 1092858, 4 Moonee Beach Road, Moonee Beach as the development is not in the public interest because it would have a detrimental impact on the village amenity of Moonee Beach due to:
 - 1.1 - increased levels of non-resident traffic
 - noise for nearby residents particularly with 24 hour operation
 - safety
 - proximity to the child care centre
- 1.2 it is inconsistent with some of the objectives of the B2 zones under the Coffs Harbour LEP.
- 1.3 it presents an unacceptable risk of pollution to nearby waterways.
2. Advise persons who made a submission on Development Application No. 0824/16 of Council's decision.
3. Instigate a precinct-place planning exercise encompassing Moonee Beach to better align development regulations with community values and a further report be presented on the resourcing requirements.

The Motion on being put to the meeting was carried unanimously.

CARRIED

Cr Amos returned to the meeting, the time being 5.52pm.

MAYORAL MINUTE**MM17/03 CITY CENTRE MASTER PLAN - CITY SQUARE UPGRADE PROJECT****2017/274 RESOLVED (Cr Denise Knight)**

That Council:

1. Note its resolution of 26 October 2017 that Council will further consider the governance arrangements surrounding the City Centre Master Plan Committee following future consultation with stakeholders.
2. Note its resolution of 26 October 2017 that Council encourages the current City Centre Master Plan Marketing Sub-Committee to continue its activation efforts.
3. Acknowledge that the City Centre Master Plan Committee has recommended works for the Upgrade of City Square and those works have been authorised by Council.
4. Proceed with the execution of the works to Upgrade City Square in due course subject to tendering requirements being met.

The Motion on being put to the meeting was carried unanimously.

CARRIED

GENERAL MANAGER'S REPORTS**GM17/30 COUNCIL MEETING DATES - 2018****EXECUTIVE SUMMARY**

To seek Councillors' confirmation to set Council's meeting dates for the period January 2018 to December 2018.

2017/275 RESOLVED (Cr Jan Strom / Cr Sally Townley)

That Council:

1. No Council meetings be scheduled for January 2018.
2. The first meeting in 2018 be scheduled for 8 February 2018.
3. Meetings from February to November 2018 are scheduled on the second and fourth Thursday of each month.
4. The last Council meeting for 2018 be scheduled on 13 December 2018.

The Motion on being put to the meeting was carried unanimously.

CARRIED

DIRECTORATE REPORTS - BUSINESS SERVICES**BS17/43 BANK AND INVESTMENT BALANCES FOR OCTOBER 2017****EXECUTIVE SUMMARY**

Council's Bank Balances and Investments as at 31 October 2017 totalled \$189,624,651.19. Council receives independent advice and invests surplus funds in accordance with Council's Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the My Coffs Community Strategic Plan.

Also included for the first time is a summary of Council's investments broken down into Fossil Fuel Lending Authorised Deposit Taking institutions (ADIs) and Non Fossil Fuel Lending ADIs (refer attachment).

2017/276 RESOLVED (Cr Paul Amos / Cr Jan Strom)

That Council note the bank balances and investments totalling \$189,624,651.19 (including from loans, Developer Contributions and other avenues that form the restricted accounts and are committed for future works) as at 31 October 2017.

The Motion on being put to the meeting was carried unanimously.

CARRIED

BS17/44 QUARTERLY BUDGET REVIEW STATEMENT FOR SEPTEMBER 2017**EXECUTIVE SUMMARY**

The Office of Local Government has developed a minimum set of budget reports to assist Council in meeting their legislative requirements under Clause 203 of the Regulation. This regulation requires a council's responsible accounting officer to submit quarterly budget review statements to the governing body of Council. These minimum statements are contained within the attachments to this report.

The responsible accounting officer advises that the Quarterly Budget Review Statement indicates the financial position of the Council is satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

This report summarises the proposed budget adjustments for the quarter and the impact upon the projected budget position for the current financial year.

2017/277 RESOLVED (Cr Michael Adendorff / Cr Jan Strom)

That Council:

- Note the Quarterly Budget Review Statement and the following estimated budget position as at 30 September 2017:

	2017/18 Original Budget	2017/18 Revised Budget	2017/18 Projected Budget	2017/18 Sep YTD Actuals
	'000s	'000s	'000s	'000s
Recurrent Revenue				
Rates & Annual Charges	\$94,845	\$94,845	\$94,689	\$93,229
User Charges & Fees	\$30,750	\$30,750	\$30,603	\$5,566
Interest & Investment Revenue	\$5,140	\$5,140	\$5,140	\$1,917
Other Revenues	\$15,171	\$15,171	\$15,164	\$2,569
Grants & Contributions provided for Operating Purposes	\$12,620	\$12,791	\$9,925	\$2,968
RECURRENT REVENUE	\$158,526	\$158,697	\$155,521	\$106,249
Recurrent Expenditure				
Employee Benefits & Oncosts	\$48,718	\$48,718	\$48,176	\$12,528
Borrowing Costs	\$10,621	\$10,621	\$10,621	\$1,307
Materials & Contracts	\$117,366	\$141,647	\$148,351	\$23,530
	2017/18 Original Budget	2017/18 Revised Budget	2017/18 Projected Budget	2017/18 Sep YTD Actuals
	'000s	'000s	'000s	'000s
Depreciation & Amortisation	\$46,170	\$46,170	\$38,907	\$9,728
Other Expenses	\$1,667	\$1,667	\$1,661	\$1,793
Less: Capitalised Expenses	(58,482)	(81,139)	(87,013)	(12,913)
RECURRENT EXPENDITURE	\$166,060	\$167,684	\$160,703	\$35,973
NET OPERATING (DEFICIT)	(\$7,534)	(\$8,987)	(\$5,182)	\$70,276
Capital Revenue				
Capital Grants, Subsidies, Contributions and Donations	\$25,793	\$30,386	\$33,924	\$2,977
CAPITAL REVENUE	\$25,793	\$30,386	\$33,924	\$2,977
NET SURPLUS	\$18,259	\$21,399	\$28,742	\$73,253

- Approve the budget adjustments included in this report totalling \$3,913,380.

The Motion on being put to the meeting was carried unanimously.

CARRIED

BS17/45 ENVIRONMENTAL LEVY PROJECTS QUARTERLY REPORT TO 30 SEPTEMBER 2017**EXECUTIVE SUMMARY**

This report provides Council with a quarterly status update to 30 September 2017 on the projects funded under the Environmental Levy (EL) Program for Council's consideration and noting.

2017/278 RESOLVED (Cr Jan Strom / Cr Sally Townley)

That Council notes the status of the Environmental Levy Program projects as at 30 September 2017 as outlined in the attachment.

The Motion on being put to the meeting was carried unanimously.

CARRIED

BS17/46 UPTOWN MARKETS**EXECUTIVE SUMMARY**

The Uptown Markets are a licenced activity held Sundays on the ground floor of the Castle Street carpark. These particular markets have been run from this location since the carpark was opened, and previously operated from the Park Avenue carpark.

The current licence was put in place as a result of previous Council resolution for a period of two years with an option for a further two year term. The option was taken up and the current licence is now due to expire on 31 January 2018.

The licensees have sought consideration for a further licence agreement for continued operation of the Uptown Markets.

2017/279 RESOLVED (Cr Jan Strom / Cr Michael Adendorff)

That Council as registered proprietor of 8-20 Castle Street, Coffs Harbour (Lot 1 DP 1220675):

1. Licence Jevilin Gano Guevara to operate the Uptown Markets on Sundays from the ground floor of the Castle Street carpark for one year.
2. Refrain from issuing concurrent licence agreements for competitive markets to be held on Sundays from this location during the licence period.

The Motion on being put to the meeting was carried unanimously.

CARRIED

BS17/47 COFFS HARBOUR REGIONAL AIRPORT ENTERPRISE PARK DEVELOPMENT**EXECUTIVE SUMMARY**

Coffs Harbour Regional Airport (CHRA) has identified land in the northern general aviation precinct that is surplus to future airside operational needs and is suitable for the development of an Enterprise Park to cater for economic growth in the region. The development of this area is also contained in the Airport Masterplan.

Planning approval to redevelop the precinct as a 99-lot subdivision was determined by the Northern Joint Regional Planning Panel in July 2017.

The 99-lot development will be staged with an approximate total investment of \$24M. The project is intended to make a meaningful contribution to Coffs Harbour's regional role as an economic and employment hub that leverages from the competitive advantages of the existing airport infrastructure and the inherent natural advantages of the site.

However, to test the financial feasibility of the land development CHRA commissioned two financial models. Both financial models demonstrate that the land development provides positive returns. It is intended that the development be undertaken in up to seven stages and preliminary assessment suggest that the initial development should provide for stages 1 and 2. The initial investment for stages 1 and 2 is estimated at \$10.5M.

If required, funding can be provided through internal borrowings from Council's Water and/or Sewer Funds and thereby utilise some of the currently held unexpended loan funds of approximately \$46.8M. However, it is also possible that grant funding for the Enterprise Park may be gained through NSW Regional Growth Fund.

The preparation of a Probity plan to guide the ongoing CHRA Enterprise Park development will ensure proper decision making processes are followed, conflicts of interest are managed and Council's reputational risk is minimised.

2017/280 RESOLVED (Cr Keith Rhoades / Cr George Cecato)

That Council:

1. Continue to advance the CHRA Enterprise Park development, in particular stages 1 and 2.
2. Note the preparation of a Probity Plan to guide the ongoing CHRA Enterprise Park development.
3. Continue to seek grant funding from the NSW Regional Growth Fund for the CHRA Enterprise Park development.
4. Seek ministerial approval under Section 410(3) of the Local Government Act 1993 to undertake internal borrowing from the Water and/or Sewer Funds, in order to provide debt funding of up to \$10.5M for stages 1 and 2 of the CHRA Enterprise Park development.

For: Crs Knight, Adendorff, Amos, Cecato, Rhoades, Strom and Swan

Against: Cr Townley

CARRIED

BS17/48 FUTURE COFFS HARBOUR REGIONAL AIRPORT GOVERNANCE OPTIONS**EXECUTIVE SUMMARY**

Management options for Coffs Harbour Regional Airport (CHRA) were last reviewed in May 2013 with a comparative assessment of various models. Three models were compared being a Council Business Unit Model, a Management Contract Model and a Private Sector Concession Model (or Public Private Partnership). Although the report did not clearly recommend an option, the Private Sector Concession Model scored highest in the evaluation.

Council has to date pursued a mixed model with a Management Contract for the Airport Manager and the operations undertaken through a Council business unit.

A report was presented to Council in July 2015 to undertake a study as a first phase to inform future governance options for the CHRA. However, Council resolved to take no action at that time. It is understood that this was partly due to the fact the the land development subdivision DA had not yet been determined. The DA has now been approved and therefore it is considered appropriate to progress with a study to evaluate possible governance options.

The study will analyse information on CHRA's assets, operations, financial projections and valuations, and this analysis will provide the basis for assessing various governance/management options.

Strategic issues that require assessment in relation to the airport include:

- Capital investment and growth;
- Long term management;
- Economic growth; and
- Level of ongoing risk.

Exploring the long term governance/management options provides an evidence-based approach to assessing the best option moving forward. This can progress through an initial options study undertaken by a suitably qualified consultant.

This approach is recommended as it provides Council with the opportunity to explore the opportunities that may exist to deliver Council a superior economic return from the airport business, reduce capital investment requirements and reduce ongoing risk.

2017/281 RESOLVED (Cr Keith Rhoades / Cr George Cecato)

That Council endorses the undertaking of an options study to inform consideration of future governance/management options for the Coffs Harbour Regional Airport (CHRA).

The Motion on being put to the meeting was carried unanimously.

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES**SC17/62 PLANNING PROPOSAL PP_2017_COFFS_001_00 - TO PERMIT A VEHICLE SALES OR HIRE PREMISES AT NORTH BOAMBEE ROAD, NORTH BOAMBEE VALLEY - POST EXHIBITION****EXECUTIVE SUMMARY**

At its Ordinary Meeting of 23 February 2017, Council resolved to support a proponent-led Planning Proposal (PP) to modify *Coffs Harbour Local Environmental Plan 2013* ('LEP 2013'). The PP was sought in recognition of an existing vehicle sales or hire premises at 6-6A North Boambee Road, North Boambee Valley (Lot 121 & 122 DP 1184992), and a desired expansion of that business over adjacent properties at 6B and 10 North Boambee Road, North Boambee Valley (Lot 3 DP 1022408 & Lot 120 DP 1184992).

This report informs Council of the outcome of the exhibition of the PP (PP_2017_Coffs_001_00). It provides Council with a post-exhibition version of the PP (Attachment 1) and copies of submissions received (Attachment 2). It recommends that Council support the PP and finalise it under delegation. The PP consists of an amendment to Schedule 1 (Additional Permitted Uses) of LEP 2013 to permit (with consent) a 'vehicle sales or hire premises' on the subject site; and includes a sunset clause to allow Council to consider a development application for this use on the site within five (5) years of the amendment. The landowner is in agreement with the PP.

2017/282 RESOLVED (Cr Jan Strom / Cr George Cecato)

That Council:

1. Endorse Planning Proposal PP_2017_Coffs_001_00 – to permit (with Council consent) an expansion of an existing vehicle sales or hire premises on Lot 3 DP 1022408, Lot 120, 121 & 122 DP 1184992, 6, 6A, 6B & 10 North Boambee Road, North Boambee Valley (Attachment 1).
2. Delegate to the General Manager the authority issued by the NSW Department of Planning and Environment to exercise the functions of the Minister under Section 59 of the *Environmental Planning and Assessment Act 1979* for the purposes of finalising this Planning Proposal.
3. Continue to consult with the NSW Department of Planning and Environment on the terms of the amendment to *Coffs Harbour Local Environmental Plan 2013*, to ensure its consistency with the objectives, outcomes and provisions of the Planning Proposal.
4. Inform the landowners and their consultant of Council's decision.

The Motion on being put to the meeting was carried unanimously.

CARRIED

SC17/63 2016/17 ANNUAL REPORT**EXECUTIVE SUMMARY**

Under the Local Government Act, Council is required to complete an Annual Report within five months of the end of the financial year. The legislation requires that the 2016/17 Annual Report be posted on Council's website by 30 November 2017.

The Annual Report is tabled in two sections:

- Section 1 provides an overview of Council's significant achievements during 2016/17.
- Section 2 details statutory information that is prescribed by the Local Government (General) Regulation 2005.
- Section 3 contains Council's audited Annual Financial Statements for 2016/17.

The Annual Report is an opportunity for Council to account to the community on the progress made in implementing its Delivery Program over the course of the financial year.

2017/283 RESOLVED (Cr Keith Rhoades / Cr George Cecato)

That Council adopts the Coffs Harbour City Council 2016/17 Annual Report.

The Motion on being put to the meeting was carried unanimously.

CARRIED

TRUST REPORTS**T17/19 TRUST REPORT - COFFS COAST STATE PARK TRUST SPECIAL PURPOSE FINANCIAL REPORT AND AUDIT 2017****EXECUTIVE SUMMARY**

The purpose of this report is to provide Council, as Corporate Manager of the Coffs Coast State Park Trust (CCSPT), with final audited Special Purpose Financial Statements for year ended 30 June 2017. A copy of the Trust's audited Special Purpose Financial Report is attached.

2017/284 RESOLVED (Cr Keith Rhoades / Cr Paul Amos)

That Council, as Corporate Manager of the Coffs Coast State Park Trust, receive and adopt the audited Special Purpose Financial Report for 2016-17.

The Motion on being put to the meeting was carried unanimously.

CARRIED

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

QUESTIONS ON NOTICE

No questions on notice.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

CLOSE OF MEETING

The Meeting closed at 6.11pm.

Confirmed: 7 December 2017

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Denise Knight
Mayor