



MINUTES

COFFS HARBOUR CITY COUNCIL ORDINARY COUNCIL MEETING COUNCIL ADMINISTRATION BUILDING

CNR COFF AND CASTLE STREETS, COFFS HARBOUR
ON THURSDAY, 9 FEBRUARY 2017 AT 5.00PM

PRESENT: Cr Denise Knight, Cr Michael Adendorff, Cr Paul Amos, Cr John Arkan, 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, Section Leader Development Assessment, Group Leader Financial Services and Logistics and Executive Assistant

LEAVE OF ABSENCE Nil

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 that no other recordings of the meeting would be permitted.

DISCLOSURE OF INTEREST

Councillor	Items	Type of Interest
Cr Paul Amos	SC17/01 – DA18/17, Residential Flat Building, Strata-Subdivision and Demolition of Existing Structures – Lot 3, Sec 48, DP 758258, 31 Camperdown Street, Coffs Harbour	Non-Pecuniary - Significant Conflict as he has a close and personal association with some of the affected landowners.
Cr Michael Adendorff	NoM 17/01 - Coffs Harbour Local Environment Plan - CBD Height Restrictions	Non-Pecuniary - Less Than Significant Conflict as he owns Strata at Park Avenue, Coffs Harbour

Councillor	Items	Type of Interest
Cr Tegan Swan	T17/02 - Trust Report - Coffs Coast State Park Trust - Relocation of Marine Rescue Woolgoolga to Arrawarra Headland Facility	Non-Pecuniary - Less Than Significant Conflict as she is a member of the Woolgoolga Junior Surf Life Saving Club.

APOLOGIES

No apologies.

At 5.03pm, Cr Paul Amos left the meeting.

PUBLIC ADDRESSES

Time	Speaker	Item
5.00 pm	Graham Miller	SC17/01 – DA18/17, Residential Flat Building, Strata-Subdivision and Demolition of Existing Structures – Lot 3, Sec 48, DP 758258, 31 Camperdown Street, Coffs Harbour
5.05 pm	Warren Grimshaw	SC17/01 – DA18/17, Residential Flat Building, Strata-Subdivision and Demolition of Existing Structures – Lot 3, Sec 48, DP 758258, 31 Camperdown Street, Coffs Harbour
5.10 pm	Jason McCarthy Architect, Robert Shone Constructions	SC17/01 – DA18/17, Residential Flat Building, Strata-Subdivision and Demolition of Existing Structures – Lot 3, Sec 48, DP 758258, 31 Camperdown Street, Coffs Harbour

At 5.26pm, Cr Paul Amos returned to the meeting.

PUBLIC FORUM

No public forums

MAYORAL ACTIONS UNDER DELEGATED AUTHORITY

No Mayoral actions under delegated authority.

CONFIRMATION OF MINUTES

2017/1 RESOLVED (Cr Jan Strom / Cr Paul Amos)

That the minutes of the Ordinary Meeting held on 8 December 2016 be confirmed.

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

CARRIED

At 5:27 pm, Cr Paul Amos left the meeting.

SC17/01 DEVELOPMENT APPLICATION NO. 0018/17 - RESIDENTIAL FLAT BUILDING (7 UNITS), STRATA-SUBDIVISION AND DEMOLITION OF EXISTING STRUCTURES - LOT 3, SEC 48, DP 758258, 31 CAMPERDOWN STREET, COFFS HARBOUR

EXECUTIVE SUMMARY

This report provides an assessment of Development Application 0018/17 for a Residential Flat Building (7 units), Strata-subdivision and demolition of existing structures at Lot 3, Sec 48 DP 758258, 31 Camperdown Street, Coffs Harbour.

At its meeting of 22 August 2013, Council adopted Development Applications - Consideration by Council Policy which outlined:

That development applications for approval involving substantial aspects of the following elements be referred to Council for determination:

- *Significant public interest and community input;*
- *Substantial non-compliance with relevant strategic controls;*
- *Significant land use;*
- *Major environmental issue(s).*

The application was advertised and notified to adjoining land owners. A number of public submissions were received in response to notification of the application. Accordingly, this matter is reported to Council for determination due to significant public interest and community input.

It is recommended that the application be approved subject to a number of conditions.

MOTION (Cr Sally Townley / Cr Tegan Swan)

That Council:

1. Refuse Development Application No. 0018/17 for a Residential Flat Building (7 units), strata-subdivision and demolition of existing structures at Lot 3, Sec 48, DP 758258, 31 Camperdown Street, Coffs Harbour on the following grounds:
 - a) that it is inconsistent with the Coffs Harbour Local Environmental Plan 2013 in respect of building heights
 - b) that it is inconsistent with the Coffs Harbour Development Control Plan 2015 in respect of setbacks
2. Recognise the desirability of having high quality higher density housing in the Jetty area, while having due regard for the principles of view sharing.
3. Invite the applicant to consider submitting a revised DA which reduces the bulk of the proposed building and allows for greater view sharing.

AMENDMENT

2017/2 RESOLVED (Cr Keith Rhoades / Cr John Arkan)

That the matter be deferred subject to further consultation between parties and those parties include Council, the applicants and residents.

For: Crs Knight, Arkan, Cecato, Rhoades, Strom and Swan

Against: Crs Adendorff and Townley

CARRIED

At 5:50 pm, Cr Paul Amos returned to the meeting.

T17/02 TRUST REPORT - COFFS COAST STATE PARK TRUST - RELOCATION OF MARINE RESCUE WOOLGOOLGA TO ARRAWARRA HEADLAND FACILITY**EXECUTIVE SUMMARY**

Council, as Corporate Manager of the Coffs Coast State Park Trust, has been working with Marine Rescue Woolgoolga (MRW) and Woolgoolga Surf Life Saving Club (WSLSC) over recent years to secure suitable bases of operation for each organisation. The project has progressed substantially with many required outcomes now in place or close to finalisation. However, despite the progress, there remains concerns that the relocation of WSLSC to the vacated Marine Rescue site is in jeopardy. The WSLSC project is heavily reliant upon external funding from two main sources, being Federal funds pledged at the last Federal election (\$1M) and unsecured grant funding of \$1M. The WSLSC has advised the Trust that funding sources are at threat due to the WSLSC project not being 'spade ready' by 30 June 2017 and there is now considerable community desire to see the project preparations finalised in order to secure the required funds. The Trust has not verified this advice with the funding body.

In order to progress the WSLSC project to 'spade ready' status there are several issues that need to be resolved. Primarily, funding for the relocation of MRW to Arrawarra Headland needs to be committed to enable that project to proceed. This will, in turn, commence a process that will provide MRW with surety to terminate their lease at Woolgoolga Beach and enable the WSLSC Development Application (DA) to be assessed and a new lease lot for the WSLSC to be created. The assessment of the DA, the creation of a new lease lot and an undertaking to issue a lease for the lot will bring the WSLSC project to 'spade ready' status and facilitate access to the pledged Federal funding and pave the way for the WSLSC to apply for other grant funding opportunities.

The purpose of this report is to summarise the progress to date, outline a course of action that will result in the WSLSC project being 'spade ready' by 30 June 2017 and commit the required funds that will facilitate both projects being brought to completion.

2017/3 RESOLVED (Cr Tegan Swan / Cr Jan Strom)

That Council, as Corporate Manager of the Coffs Coast State Park Trust:

1. Approves a funding allocation from the reserves of the Coffs Coast State Park Trust of up to \$600,000 for the relocation of Marine Rescue Woolgoolga to Arrawarra Headland;
2. Provides progress report of item T17/02 for the Trust to note as a standing agenda item each Council meeting until 30 June 2017.
3. Notes that grant funding for the relocation project will continue to be pursued.
4. Expedites this project to meet the Federal funding criteria.

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

CARRIED

DIRECTORATE REPORTS - BUSINESS SERVICES**BS17/01 MONTHLY FINANCIAL PERFORMANCE REPORT FOR THE MONTH ENDED 30 NOVEMBER 2016****EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement of the monthly financial performance report for 30 November 2016. This report provides information on the actual to budget position at the financial statement level along with detailed functional financial performance at the program level and capital expenditure reports for the current financial year. The report is also to provide a summary of the proposed budget adjustments for the month and to report on the consolidated financial position as at 30 November 2016 and to report on Council's Bank Balances and Investments as at 30 November 2016.

2017/4 RESOLVED (Cr Jan Strom / Cr Michael Adendorff)

That Council:

1. Note the monthly financial performance report for 30 November 2016.
2. Approve the recommended budget adjustments included in this Report and note the the following Consolidated Income Statement.

CONSOLIDATED INCOME STATEMENT as at 30 November 2016:

	2016/17 Original Budget	2016/17 Revised Budget	2016/17 Projected Budget	2016/17 Actuals
	'000s	'000s	'000s	'000s
Recurrent Revenue				
Rates & Annual Charges	\$86,781	\$86,785	\$86,785	\$88,450
User Charges & Fees	\$33,104	\$28,249	\$28,449	\$11,330
Interest & Investment Revenue	\$5,700	\$5,828	\$5,828	\$3,050
Other Revenues	\$8,152	\$13,091	\$13,427	\$5,010
Grants & Contributions provided for Operating Purposes	\$20,924	\$21,474	\$21,944	\$7,160
RECURRENT REVENUE	\$154,661	\$155,427	\$156,433	\$115,030
Recurrent Expenditure				
Employee Benefits & Oncosts	\$37,814	\$37,651	\$37,901	\$17,150
Borrowing Costs	\$11,498	\$11,498	\$11,498	\$2,910
Materials & Contracts	\$54,123	\$57,709	\$58,967	\$14,880
Depreciation & Amortisation	\$44,767	\$44,767	\$44,767	\$18,650

Other Expenses	\$12,236	\$12,284	\$12,385	\$4,497
RECURRENT EXPENDITURE	\$160,438	\$163,909	\$165,518	\$58,109
NET OPERATING (DEFICIT)	(\$5,777)	(\$8,482)	(\$9,085)	\$56,923
Capital Revenue				
Capital Grants, Subsidies, Contributions and Donations	\$24,317	\$24,317	\$24,317	\$7,697
CAPITAL REVENUE	\$24,317	\$24,317	\$24,317	\$7,697
NET SURPLUS	\$18,540	\$15,835	\$15,232	\$64,620

3. Note the bank balances and investments totaling \$179,138,995 (including from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) as at 30 November 2016.

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

CARRIED

BS17/02 TOORMINA COMMUNITY PRESCHOOL - APPLICATION FOR LOAN

EXECUTIVE SUMMARY

Toormina Community Preschool is seeking a loan of \$150,000 from Council to assist in funding the addition of a Community Education Room within their facility. The loan application complies with Council's Loans to Community Groups Policy and is therefore recommended for approval with conditions.

2017/5 RESOLVED (Cr Jan Strom / Cr Sally Townley)

That Council provide a loan of \$150,000 to the Toormina Community Preschool Inc on the following terms and conditions:

1. The principal be repaid over a term of 10 years at an interest rate of 2.5% above the 6 month, mid point, Bank Bill Swap Rate, fixed for 12 months and reassessed each year on 1 March;
2. Repayments be made by direct bank transfer;
3. The loan to commence 1 March 2017.

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

CARRIED

NOTICES OF MOTION – SUSTAINABLE COMMUNITIES**NOM17/01 COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN - CBD HEIGHT RESTRICTIONS****2017/6 RESOLVED (Cr Keith Rhoades / Cr Jan Strom)**

1. That Council commence urgently a review of the building heights in the CBD of Coffs Harbour (as defined in the CBD Masterplan) with a view to seeking an amendment to the LEP based on the findings.
2. That a funding report to commence the review be presented to Council at the next meeting.

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES**SC17/02 DEVELOPMENT APPLICATION 0381/17DA - MULTI DWELLING HOUSING AND STRATA SUBDIVISION - LOT 2, DP 505494, 131 VICTORIA STREET, COFFS HARBOUR****EXECUTIVE SUMMARY**

This report provides an assessment of Development Application 0381/17DA for multi dwelling housing (three townhouses) and strata subdivision at Lot 2, DP 505494, 131 Victoria Street, Coffs Harbour.

The development will have a maximum building height of 8.4 metres. Clause 4.3(2) of Coffs Harbour Local Environmental Plan 2013 specifies a height of building, development standard of 5.4 metres for the site.

The application was notified to adjoining and nearby land owners. No submissions were received. It is recommended that the application be approved subject to a number of conditions.

This application is reported to Council for determination in accordance with Department of Planning Circular PS 08–014 which specifies that all development applications which propose a variation greater than 10% to a development standard must be determined by full Council.

2017/7 RESOLVED (Cr Sally Townley / Cr Jan Strom)

That Council:

1. Support the request to vary a development standard made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the maximum building height under Clause 4.3(2) of Coffs Harbour Local Environmental Plan 2013 in this particular case.
2. Approve Development Application 0381/17DA, Multi Dwelling Housing and Strata Subdivision, Lot 2, DP 505494, 131 Victoria Street, Coffs Harbour subject to the conditions in Attachment 3.

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

CARRIED

SC17/03 BUILDING BETTER REGIONS FUND - ROUND ONE 2017 - INFRASTRUCTURE PROJECTS**EXECUTIVE SUMMARY**

The Building Better Regions Fund (BBRF), which has replaced the National Stronger Regions Fund (NSRF), is now open, with \$297.7 million available over the next four years (2017-2020) for infrastructure and community projects.

The fund aims to achieve the following outcomes in regional and remote communities:

- create jobs
- have a positive impact on economic activity, including Indigenous economic participation through employment and supplier-use outcomes
- enhance community facilities
- enhance leadership capacity
- encourage community cohesion and sense of identity.

This report seeks Council's endorsement of two projects to be submitted to the BBRF Infrastructure Projects Round 1 funding stream. The two projects are:

1. Building an EPIC Stadium for the Future at a total project cost of \$13,440,000.
2. Woolgoolga Beach Reserve Community Infrastructure Improvement Program at a total project cost of \$500,000.

If successful, Council will need to commit to matching grant funds in cash on a dollar for dollar basis, for each project.

2017/8 RESOLVED (Cr Sally Townley / Cr John Arkan)

That Council deal with the following motion as two separate motions.

That Council submit two projects for the Building Better Regions Fund Infrastructure Projects Round 1, being:

1. Building an EPIC Stadium for the Future project, at a total project cost of \$13,440,000.
2. Woolgoolga Beach Reserve Community Infrastructure Improvement Program, at a total project cost of \$500,000.

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

CARRIED

The General Manager left the meeting at 6.42pm, the Director of Business Services was the Acting General Manager.

2017/9 RESOLVED (Cr Keith Rhoades / Cr George Cecato)

1. That Council submit the following project for the Building Better Regions Fund Infrastructure Projects Round 1:

Building an EPIC Stadium for the Future project, at a total project cost of \$13,440,000.

2. If Council's application was successful, the contribution formula would be \$2M from T2S Reserve and \$4.72M from loan funds.

For: Crs Knight, Adendorff, Arkan, Cecato and Rhoades

Against: Crs Amos, Strom, Swan and Townley

CARRIED

The General Manager returned to the meeting at 6.46pm, but did not resume as General Manager until 7.35pm.

The Mayor requested a break for 10 minutes, the time being 7.43pm. The meeting resumed at 7.49pm.

2017/10 RESOLVED (Cr Jan Strom / Cr John Arkan)

That Council submit the following project for the Building Better Regions Fund Infrastructure Projects Round 1:

Woolgoolga Beach Reserve Community Infrastructure Improvement Program, at a total project cost of \$500,000.

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

CARRIED

SC17/04 SUBMISSION REGARDING THE DEVELOPMENT OF A NSW KOALA STRATEGY

EXECUTIVE SUMMARY

The objective of this report is to provide Council with an overview of the Chief Scientist and Engineer's report regarding the independent review into the decline of koala populations in key areas of NSW (Attachment 1) and to provide a submission for lodgement with the State Government (Attachment 2).

2017/11 RESOLVED (Cr Sally Townley / Cr Jan Strom)

That Council endorse the attached submission (Attachment 2) to the NSW Government regarding the development of a NSW Koala Strategy.

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

CARRIED

NOTICES OF MOTION – SUSTAINABLE INFRASTRUCTURE**NOM17/02 BOAMBEE HEADLAND - ERADICATION OF NOXIOUS PLANTS AND WEEDS****2017/12 RESOLVED (Cr Keith Rhoades / Cr George Cecato)**

That Council urgently commence a programme to eradicate noxious plants and weeds and restore the vista of the surrounding area on Boambee Headland, Sawtell.

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

Against: Cr Townley

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE**SI17/01 GRANT OF EASEMENT TO ESSENTIAL ENERGY AFFECTING COUNCIL LAND - LOT 42 DP 1180793 HALLS ROAD, NORTH BOAMBEE VALLEY****EXECUTIVE SUMMARY**

The purpose of this report is to obtain formal approval to allow Council to grant an easement in favour of Essential Energy to satisfy their requirements in association with the installation of electrical Infrastructure.

2017/13 RESOLVED (Cr Jan Strom / Cr George Cecato)

That Council:

1. Accept from the adjoining developer an amount of \$250 inclusive of GST as compensation for the grant of an easement over Council's land to Essential Energy.
2. Accept that all costs associated with the matter will be the responsibility of the adjoining developer.
3. Authorise the execution of the necessary documents under seal.

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

CARRIED

TRUST REPORTS**T17/01 TRUST REPORT - LEASE OF PUBLIC SWIMMING POOLS****EXECUTIVE SUMMARY**

This report seeks approval for Council, as Reserve Trust Managers, to enter into three separate 20 year leases to Coffs Harbour City Council over each of the public swimming pools in Coffs Harbour, Woolgoolga and Sawtell being located in parts of the respective reserves.

2017/14 RESOLVED (Cr Tegan Swan / Cr Paul Amos)

1. That Council, as Corporate Manager of the Coffs Coast State Park Trust, enter into separate leases over part Reserve 1002970 (Coffs Harbour War Memorial Olympic Pool) and part Reserve 81703 (Sawtell Swimming Pool) for a 20 year term to Coffs Harbour City Council.
2. That Council, as Corporate Manager of Reserve 91945 enter into a lease over part Reserve 91945 (Woolgoolga Swimming Pool) for a 20 year term to Coffs Harbour City Council.
3. That Council, as Corporate Manager of the Coffs Coast State Park Trust and Corporate Manager of Reserve 91945, authorise the General Manager to execute the respective leases.

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

CARRIED

T17/03 TRUST REPORT - RENEWAL OF LEASE TO COFFS HARBOUR PRE-SCHOOL ASSOCIATION INCORPORATED**EXECUTIVE SUMMARY**

This report seeks approval from Coffs Harbour (R.97618) Pre-School Reserve Trust to renew lease of Crown Reserve R.97618 to Coffs Harbour Pre-School Association Incorporated for a period of ten years.

2017/15 RESOLVED (Cr Sally Townley / Cr Jan Strom)

That Council, as Corporate Manager of the Coffs Harbour (R.97618) Pre-School Reserve Trust:

1. Authorise the General Manager to enter into a lease with the Coffs Harbour Pre-School Association Incorporated for a term of ten years from 1 July 2016.
2. Authorise any necessary documents associated with the lease to Coffs Harbour Pre-School Association Incorporated to be executed on behalf of the Coffs Harbour (R.97618) Pre-School Reserve Trust under the common seal of Coffs Harbour City Council.

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

CARRIED

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

CLOSE OF MEETING

The Meeting closed at 8.12pm.

Confirmed: 23 February 2017.

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Denise Knight
Mayor