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

STAFF: General Manager, Director Sustainable Infrastructure, Director Sustainable Communities, Director Business Services 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 traditional custodians of the land on which we meet, the Gumbaynggirr people, who have cared for this land forever. We pay our respects to their Elders, past, present and emerging, and commit ourselves to a future with reconciliation and renewal at its heart.

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.

PUBLIC FORUM COMMENCED AT 5.00PM

Due to there being no public gallery following the announcement that public access to Council's offices has been temporarily suspended as a precaution to help reduce the risk of Coronavirus COVID-19 infection, all speakers are providing a written statement which will be read to the meeting.

<table>
<thead>
<tr>
<th>Speaker</th>
<th>Item</th>
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<tbody>
<tr>
<td>Claire Tobin</td>
<td>Against SC20/17 Development Application No. 0996/18 - Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor - Health Studio) - Lot 1, Lot 3 and Lot 5 DP 270090, Firman Drive, Coffs Harbour</td>
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<tr>
<td>Donald Macleod</td>
<td>Against SC20/17 Development Application No. 0996/18 - Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor - Health Studio) - Lot 1, Lot 3 and Lot 5 DP 270090, Firman Drive, Coffs Harbour</td>
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Jim Booth  
For SC20/17 Development Application No. 0996/18 - Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor - Health Studio) - Lot 1, Lot 3 and Lot 5 DP 270090, Firman Drive, Coffs Harbour

Ray Willing  
Against SC20/18 Development Application No. 0221/20 - Residential Flat Building - Lot 87 and 88 DP1253025, 5-13 Hastings Street, Woolgoolga

Donne Bloemhard  
Against SC20/19 Development Application No. 0170/20 - Boarding House (Including Demolition of Existing Structures) - Lot C DP408189, 2a Gundagai Place, Coffs Harbour

Elizabeth Donovan  
Against SC20/19 Development Application No. 0170/20 - Boarding House (Including Demolition of Existing Structures) - Lot C DP408189, 2a Gundagai Place, Coffs Harbour  
*Ms Donovan gave her apologies and was unable to supply a statement*

Sharon McKendry  
Against SC20/20 Request for Review of Determination – Development Application No. 0419/19 - Multi-Dwelling Housing (8 Units) Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-Subdivision of Land - Lot 21, DP20607, Lot 20, DP20607 and Lot 1, Sec 23, DP19360, 2 Fourth Avenue, Sawtell

Helen Crofts  
Against SC20/20 Request for Review of Determination – Development Application No. 0419/19 - Multi-Dwelling Housing (8 Units) Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-Subdivision of Land - Lot 21, DP20607, Lot 20, DP20607 and Lot 1, Sec 23, DP19360, 2 Fourth Avenue, Sawtell

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For SC20/20 Request for Review of Determination – Development Application No. 0419/19 - Multi-Dwelling Housing (8 Units) Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-Subdivision of Land - Lot 21, DP20607, Lot 20, DP20607 and Lot 1, Sec 23, DP19360, 2 Fourth Avenue, Sawtell

Howard Game  

Lisa Hagelstein  

**DISCLOSURE OF INTEREST**

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Items</th>
<th>Type of Interest</th>
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<tbody>
<tr>
<td>Cr Denise Knight</td>
<td>SC20/20 Request for Review of Determination – Development Application No. 0419/19 - Multi-Dwelling Housing (8 Units) Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-Subdivision of Land - Lot 21, DP20607, Lot 20, DP20607 and Lot 1, Sec 23, DP19360, 2 Fourth Avenue, Sawtell</td>
<td>Non-Pecuniary - Significant Conflict as she has close relationships</td>
</tr>
<tr>
<td>Cr George Cecato</td>
<td>SC20/17 Development Application No. 0996/18 - Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor - Health Studio) - Lot 1, Lot 3</td>
<td>Non-Pecuniary - Less Than Significant Conflict as he is a Coffs Coast Regional</td>
</tr>
</tbody>
</table>
ORDINARY COUNCIL MEETING MINUTES

14 MAY 2020

and Lot 5 DP 270090, Firman Drive, Coffs Harbour

Park (CCRP) Board Member, as appointed by the Minister to represent Council

Cr John Arkan SC20/18 Development Application No. 0221/20 – Residential Flat Building – Lot 87 and 88 DP1253025, 5-13 Hastings Street, Woolgoolga

Non-Pecuniary - Less Than Significant Conflict as he owns properties in River Street

Cr Michael Adendorff BS20/30 Sale of Commercial Properties in Association with the Cultural and Civic Space.

Non-Pecuniary - Less Than Significant Conflict as he has property interests

APOLOGIES

No apologies.

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

CONFIRMATION OF MINUTES

2020/90 RESOLVED (Cr Sally Townley / Cr John Arkan)
That the minutes of the Ordinary Meeting held on 23 April 2020 be confirmed.
The Motion on being put to the meeting was carried unanimously.

CARRIED

SC20/17 DEVELOPMENT APPLICATION NO. 0996/18 - TOURIST AND VISITOR ACCOMMODATION (HOTEL), FUNCTION CENTRE AND RECREATION FACILITY (INDOOR - HEALTH STUDIO) - LOT 1, LOT 3 AND LOT 5 DP 270090, FIRMAN DRIVE, COFFS HARBOUR

EXECUTIVE SUMMARY

This report provides an assessment of Development Application No. 0996/18 for Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor Health Studio) at Lot 1, Lot 3 and Lot 5 DP 270090, Firman Drive, Coffs Harbour.

At its meeting of 12 October 2017, Council adopted the ‘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;
- A proposed variation to the Local Environmental Plan that varies from the development standard by more than 10%;
- Significant land use; and
- Major environmental issues.
The development application is reported to Council for determination because it proposes to vary a development standard in the Local Environmental Plan by more than 10%. The application is also reported to Council for determination due to ‘significant public interest and community input’. Following public exhibition of the application, Council received eighty submissions.

**MOTION (Cr Sally Townley / Cr Paul Amos)**

That Council

1. Refuse Development Application No. 0996/18 for Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor Health Studio) at Lot 1, Lot 3 and Lot 5 DP 270090, Firman Drive, Coffs Harbour on the grounds that
   (a) it is inconsistent with the LEP in terms of maximum building height of 11m
   (b) it is inconsistent with the following objective of the R1 zone, “encourage the provision of appropriately scaled tourist and visitor accommodation and tourist-related development in locations where it can be adequately provided with services and where the scale and intensity of the development does not detrimentally impact on adjoining, predominantly residential land uses”
   (c) it is inconsistent with the DCP in terms of maximum building length of 45m

2. Advise persons who made a submission on Development Application No. 0996/18 of Council’s decision.

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

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

**MOTION 2020/91**

RESOLVED (Cr George Cecato / Cr Tegan Swan)

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 of Coffs Harbour Local Environmental Plan 2013 in this particular case.

2. Approve Development Application No. 0996/18 for Tourist and Visitor Accommodation (Hotel), Function Centre and Recreation Facility (Indoor Health Studio) at Lot 1, Lot 3 and Lot 5 DP 270090, Firman Drive, Coffs Harbour subject to the conditions in Attachment 3 with the inclusion of the following additional conditions:

   **Amended Landscape Plan:**

   22A. An amended landscaping plan that provides for additional plantings (to those shown on the submitted landscaping plans, prepared by gardenexpressions and dated 19 November 2019) within the unnamed road reserve and along the adjacent northern boundary of the development site, which will provide a visual screening function to the adjoining residential properties, must be submitted to and approved by Council prior to the issue of a Construction Certificate.

   The Plan must be prepared and certified by a qualified architect, landscape architect or professional landscape consultant. The Plan is to comply with Council’s Landscaping Guidelines, is to be managed as a bushland setting and is to incorporate measures to ensure the maintenance and survival of the landscaping.

   **Landscaping Works:**

   62A. Prior to the issue of an Occupation Certificate a works as executed plan is to be submitted to the Principal Certifying Authority certifying that all landscape works have been carried out in accordance with the approved plan.
3. Advise persons who made a submission on Development Application No. 0996/18 of Council’s decision.

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

Against: Crs Amos, Arkan and Townley

CARRIED

The meeting adjourned for a short recess, the time being 7.30pm and reconvened at 7.42pm.

SC20/18 DEVELOPMENT APPLICATION NO. 0221/20 - RESIDENTIAL FLAT BUILDING - LOT 87 AND 88 DP1253025, 5-13 HASTINGS STREET, WOOLGOOLGA

EXECUTIVE SUMMARY

This report provides an assessment of Development Application No. 0221/20 for construction of a Residential Flat Building (4 buildings containing 52 units), demolition of existing dwelling and strata subdivision at Lots 87 and 88 DP1253025, 5-13 Hastings Street, Woolgoolga.

At its meeting of 12 October 2017, Council adopted the ‘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;
- A proposed variation to the Local Environmental Plan that varies from the development standard by more than 10%;
- Significant land use; and
- Major environmental issues.

The development application is reported to Council for determination because it proposes to vary a development standard in the Local Environmental Plan by more than 10%.

MOTION (Cr Tegan Swan / Cr Sally Townley)

That Council:

1. Defer consideration of Development Application No. 0221/20 to enable a further 14 day period of public advertising and notification.

2. Receive an updated development assessment report outlining this additional public advertising and notification together with more detailed analysis of the proposed development against the Woolgoolga Town Centre Masterplan.

Cr Arkan gave notice of a Foreshadowed Motion.

AMENDMENT

(Cr Paul Amos / Cr Keith Rhoades)


MOTION PUT

2020/92 RESOLVED (Cr Paul Amos)

That the motion be put.

For: Crs Knight, Amos, Arkan, Cecato, Rhoades and Townley

Against: Crs Adendorff and Swan

CARRIED
(Cr Paul Amos / Cr Keith Rhoades)

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

The AMENDMENT on being put to the meeting resulted in a tied vote. The Mayor used her casting vote and the AMENDMENT was declared LOST.

2020/93 RESOLVED (Cr Tegan Swan / Cr Sally Townley)
That Council:
1. Defer consideration of Development Application No. 0221/20 to enable a further 14 day period of public advertising and notification.
2. Receive an updated development assessment report outlining this additional public advertising and notification together with more detailed analysis of the proposed development against the Woolgoolga Town Centre Masterplan.

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

The Motion was carried, therefore the Foreshadowed Motion lapsed and was not considered.

FORESHADOWED MOTION
(Cr John Arkan)
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 Height of Buildings under Clause 4.3 of Coffs Harbour Local Environmental Plan 2013 in this particular case.
2. Approve Development Application No. 0221/20 for construction of a Residential Flat Building (4 buildings containing 52 units), demolition of existing dwelling and strata subdivision at Lots 87 and 88 DP1253025, 5-13 Hastings Street, Woolgoolga subject to the conditions in Attachment 3.
3. Advise persons who made a submission on Development Application No. 0221/20 of Council’s decision.

SC20/19 DEVELOPMENT APPLICATION NO. 0170/20 - BOARDING HOUSE (INCLUDING DEMOLITION OF EXISTING STRUCTURES) - LOT C DP 408189, 2A GUNDAGAI PLACE, COFFS HARBOUR

EXECUTIVE SUMMARY

This report provides an assessment of Development Application No. 0170/20DA for a Boarding House (including demolition of existing structures) at Lot C DP 408189, 2A Gundagai Place, Coffs Harbour.

At its meeting of 12 October 2017, Council adopted the ‘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;
- A proposed variation to the Local Environmental Plan that varies from the development standard by more than 10%;
- Significant land use; and
- Major environmental issues.

Following public exhibition of the application (on 2 occasions), Council received a total of 22 submissions plus a petition containing 31 signatures. Accordingly, this matter is reported to Council for determination due to ‘significant public interest and community input’.

2020/94 RESOLVED (Cr Sally Townley / Cr George Cecato)

That Council:

1. Refuse Development Application No. 0170/20 for a Boarding House (including demolition of existing structures) at Lot C DP 408189, 2A Gundagai Place, Coffs Harbour on the basis of:
   (a) unacceptable impacts on neighbourhood amenity

2. Advise persons who made a submission on Development Application No. 0170/20 of Council’s decision.

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

CARRIED

Cr Denise Knight declared an interest in the following item, vacated the chamber at 8.36pm and took no part in the discussion or voting. Cr Tegan Swan assumed her Chair.

SC20/20 REQUEST FOR REVIEW OF DETERMINATION - DEVELOPMENT APPLICATION NO. 0419/19 - MULTI-DWELLING HOUSING (8 UNITS) STRATA SUBDIVISION, DEMOLITION OF EXISTING DWELLING, CONSOLIDATION AND RE-SUBDIVISION OF LAND - LOT 21, DP 20607, LOT 20, DP 20607 AND LOT 1, SEC 23, DP 19360, 2 FOURTH AVENUE, SAWTELL

EXECUTIVE SUMMARY

At Council’s meeting of 12 September 2019, Council resolved that Development Application No. 0419/19 for Multi-Dwelling Housing (8 units), Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-subdivision at Lot 21 DP 20607, Lot 20 DP 20607 and Lot 1 Sec 23 DP 19360, 2 Fourth Avenue, Sawtell be refused.

On 4 December 2019, Council received a request for a review of the determination under Section 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) from the applicant.

As part of this request the applicant has made amendments to the proposal and development application.

The request for review and amended proposal was notified and advertised (as required by the Environmental Planning and Assessment Regulation 2000). Twenty submissions were received.

As the determination was made by the Council, the EP&A Act requires that the review of the determination must be made by Council and cannot be made by a delegate of Council.

The purpose of this report is to present the applicant’s request to Council to allow the determination to be formally reviewed.

MOTION (Cr Sally Townley / Cr Tegan Swan)

That Council:

1. Undertake a review of the determination of Development Application No. 0419/19 in accordance with Section 8.2 of the Environmental Planning and Assessment Act 1979.

2. Refuse Development Application No. 0419/19 for a Multi-dwelling Housing (8 units), Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-subdivision of Land, Lot 21, DP 20607, Lot 20, DP 20607 and Lot 1, Sec 23,DP 19360, 2 Fourth Avenue, Sawtell on
the basis of:
(a) unacceptable impacts on local traffic
(b) unacceptable impacts on flooding
(c) unacceptable impacts on neighbourhood amenity
(d) not being in the public interest

3. Advise persons who made a submission on Development Application No. 0419/19, and the review of the determination, of Council’s decision.

Cr John Arkan left the meeting, the time being 8.49pm.
Cr John Arkan returned to the meeting, the time being 8.51pm.

For: Crs Rhoades, Swan and Townley
Against: Crs Adendorff, Amos, Arkan and Cecato

The MOTION on being put to the meeting was LOST.

MOTION

MOTION (Cr George Cecato / Cr Michael Adendorff)
That Council:

1. Undertake a review of the determination of Development Application No. 0419/19 in accordance with Section 8.2 of the Environmental Planning and Assessment Act 1979.

2. Approve Development Application No. 0419/19 for a Multi-Dwelling Housing (8 units), Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-subdivision of Land, Lot 21, DP 20607, Lot 20, DP 20607 and Lot 1, Sec 23, DP 19360, 2 Fourth Avenue, Sawtell subject to the conditions in Attachment 3.

3. Advise persons who made a submission on Development Application No. 0419/19, and the review of the determination, of Council’s decision.

Cr Arkan left the meeting, the time being 9.11pm.
Cr Arkan returned to the meeting, the time being 9.13pm.

MOTION PUT

2020/95 RESOLVED (Cr Paul Amos)
That the motion be put.

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

CARRIED

MOTION

2020/96 RESOLVED (Cr George Cecato / Cr Michael Adendorff)
That Council:

1. Undertake a review of the determination of Development Application No. 0419/19 in accordance with Section 8.2 of the Environmental Planning and Assessment Act 1979.

2. Approve Development Application No. 0419/19 for a Multi-Dwelling Housing (8 units), Strata Subdivision, Demolition of Existing Dwelling, Consolidation and Re-subdivision of Land, Lot 21, DP 20607, Lot 20, DP 20607 and Lot 1, Sec 23, DP 19360, 2 Fourth Avenue, Sawtell subject to the conditions in Attachment 3.

3. Advise persons who made a submission on Development Application No. 0419/19, and the review of the determination, of Council’s decision.
At 9:16 pm, Cr Denise Knight returned to the meeting and assumed the Chair.

The meeting adjourned for a short recess, the time being 9.16pm and reconvened at 9.19pm.

SC20/21 REQUEST FOR REVIEW OF DETERMINATION - DEVELOPMENT APPLICATION NO. 0285/19 - TELECOMMUNICATIONS FACILITY (30m HIGH MONOPOLE, COMPOUND AND RADIO-COMMUNICATION EQUIPMENT) - LOT 202 DP 1219403, 544-556 SOLITARY ISLANDS WAY, MOONEE BEACH

EXECUTIVE SUMMARY

At Council’s meeting of 25 July 2019, Council resolved that Development Application No. 0285/19 for a Telecommunications Facility (30m high monopole, compound and radio-communication equipment) at Lot 202 DP 1219403, 544-556 Solitary Islands Way, Moonee Beach be refused.

On 2 December 2019, Council received a request for a review of the determination under Section 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) from the applicant.

As part of this request, the applicant has made amendments to the proposal and development application.

The request for review and amended proposal was notified and advertised, as required by the Environmental Planning and Assessment Regulation 2000 (Regulation). No submissions were received.

As the determination was made by Council, the EP&A Act requires that the review of the determination must be made by Council and cannot be made by a delegate of Council.

The purpose of this report is to present the applicant’s request to Council to allow the determination of the development to be formally reviewed.

MOTION (Cr Tegan Swan / Cr Sally Townley)

That Council:

1. Undertake a review of the determination of Development Application No. 0285/19 in accordance with Section 8.2 of the Environmental Planning and Assessment Act 1979.

2. Do not 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 of Coffs Harbour Local Environmental Plan 2013 in this particular case.

3. Refuse Development Application No. 0285/19 for a Telecommunications Facility (30m high monopole, compound and radio-communication equipment) at Lot 202 DP 1219403, 544-556 Solitary Islands Way, Moonee Beach.

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

The MOTION on being put to the meeting was LOST.

MOTION

RESOLVED (Cr Keith Rhoades / Cr George Cecato)

That Council:

1. Undertake a review of the determination of Development Application No. 0285/19 in
accordance with Section 8.2 of the Environmental Planning and Assessment Act 1979.

2. 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 of Coffs Harbour Local Environmental Plan 2013 in this particular case.

3. Approve Development Application No. 0285/19 for a Telecommunications Facility (30m high monopole, compound and radio-communication equipment) at Lot 202 DP 1219403, 544-556 Solitary Islands Way, Moonee Beach subject to the draft conditions in Attachment 3.

For: Crs Knight, Amos, Cecato and Rhoades

Against: Crs Adendorff, Arkan, Swan and Townley

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

CARRIED

GENERAL MANAGER'S REPORTS

GM20/09 AMENDED CODE OF MEETING PRACTICE

EXECUTIVE SUMMARY

At the 12 March 2020 Meeting, Council resolved to amend the Code of Meeting Practice “CoMP”. As a result, the CoMP was placed on public exhibition for a minimum of 42 days. This report presents the amended CoMP for adoption.

RESOLVED (Cr Paul Amos / Cr John Arkan)

That Council adopt the amended Code of Meeting Practice.

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

CARRIED

BS20/30 SALE OF COMMERCIAL PROPERTIES IN ASSOCIATION WITH THE CULTURAL AND CIVIC SPACE PROJECT

EXECUTIVE SUMMARY

As part of the funding model for the Cultural and Civic Space Project, Council, through its commercial agent, completed an expression of interest marketing campaign for the sale of four commercial properties within Coffs Harbour. The campaign was finalised on 9 April 2020 and a number of offers were received as detailed in the confidential attachment to this report. It is considered that none of the offers received are of an amount that Council could accept as they are below the market value of the properties. It is recommended that Council formally reject the offers and continue to negotiate with prospective buyers to obtain a fair and reasonable market price for each holding.

MOTION (Cr Sally Townley / Cr Tegan Swan)

That Council:

1. Decline to accept the amounts tendered via the expression of Interest process for the sale of Council properties that concluded on 9 April 2020, being
   a. Property (a) Administration Building, 2 Castle St, Coffs Harbour (Lot 2 DP 566885, Lot 1 DP 566855, Lot 8 Sec 6 DP 758258),
   b. Property (b) Rigby House, 27-29 Duke Street Coffs Harbour (Lot 110 Sec DP 777398),
c. Property (c) Museum, 215A Harbour Drive, Coffs Harbour (Lot 101 Sec DP 1041655)

2. Place a temporary pause on the inclusion of Property (a) Administration Building and Property (b) Rigby House from any Expression of Interest for sale process.

3. Authorise the General Manager to engage in negotiations with prospective buyers via the commercial real estate agent engaged by Council under the current agency agreement with a view to achieving a reasonable offer in line with market value for Property (c) above (Museum Building) and Property (d) 169-171 Rose Ave, Coffs Harbour (Lot 100 Sec DP 861850)

4. Note that a report will be brought back to Council in regard to property sale negotiations.

5. Request a report detailing alternative funding options for the Cultural and Civic Space Project for the funding component relating to property asset sales.

6. Receives a report detailing the financial implications of the removal of the proposed functions of Council staff offices and associated working spaces within the Cultural and Civic Space, (other than Library, Gallery and Museum staff) and exploring opportunities for alternative uses for the space including community and/or commercial uses.

**AMENDMENT**
(Cr John Arkan / Cr Paul Amos)

That Council:

1. Decline to accept the amounts tendered via the expression of Interest process for the sale of Council properties that concluded on 9 April 2020, being
   a. Property (a) Administration Building, 2 Castle St, Coffs Harbour (Lot 2 DP 566885, Lot 1 DP 566855, Lot 8 Sec 6 DP 758258),
   b. Property (b) Rigby House, 27-29 Duke Street Coffs Harbour (Lot 110 Sec DP 777398),
   c. Property (c) Museum, 215A Harbour Drive, Coffs Harbour (Lot 101 Sec DP 1041655)

2. Request a report detailing alternative locations and funding opportunities for the Cultural and Civic Space Project for Coffs Harbour City.

For: Cr Arkan
Against: Crs Knight, Adendorff, Amos, Cecato, Rhoades, Swan and Townley

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

**MOTION PUT**

2020/99 RESOLVED (Cr Denise Knight)

That the motion be put.

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

CARRIED

2020/100 RESOLVED (Cr Sally Townley / Cr Tegan Swan)

That Council:

1. Decline to accept the amounts tendered via the expression of Interest process for the sale of Council properties that concluded on 9 April 2020, being
   a. Property (a) Administration Building, 2 Castle St, Coffs Harbour (Lot 2 DP 566885, Lot 1 DP 566855, Lot 8 Sec 6 DP 758258),
   b. Property (b) Rigby House, 27-29 Duke Street Coffs Harbour (Lot 110 Sec DP 777398),
   c. Property (c) Museum, 215A Harbour Drive, Coffs Harbour (Lot 101 Sec DP 1041655)
2. Place a temporary pause on the inclusion of Property (a) Administration Building and Property (b) Rigby House from any Expression of Interest for sale process.

3. Authorise the General Manager to engage in negotiations with prospective buyers via the commercial real estate agent engaged by Council under the current agency agreement with a view to achieving a reasonable offer in line with market value for Property (c) above (Museum Building) and Property (d) 169-171 Rose Ave, Coffs Harbour (Lot 100 Sec DP 861850)

4. Note that a report will be brought back to Council in regard to property sale negotiations.

5. Request a report detailing alternative funding options for the Cultural and Civic Space Project for the funding component relating to property asset sales.

6. Receives a report detailing the financial implications of the removal of the proposed functions of Council staff offices and associated working spaces within the Cultural and Civic Space, (other than Library, Gallery and Museum staff) and exploring opportunities for alternative uses for the space including community and/or commercial uses.

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

CARRIED

MOTION

2020/101 RESOLVED (Cr Denise Knight / Cr Tegan Swan)

That Council continue the Ordinary Meeting of 14 May 2020 in accordance with clause 18.2 of the Code of Meeting Practice.

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

Against: Crs Adendorff and Amos

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES

SC20/16 COFFS JETTY STRIP STRUCTURE PLAN - DRAFT - COMMUNITY CONSULTATION

EXECUTIVE SUMMARY

The Coffs Jetty Precinct has been identified as a key infill area, delivering a significant proportion of housing and economic growth for the Coffs Harbour Local Government Area (LGA) over the next twenty years.

There are currently a number of development proposals being formulated within a key area of the Jetty Precinct colloquially known as the ‘Jetty Strip’. Two of such development proposals front Harbour Drive and have the potential to impact on the interface of the Jetty Strip, as well as key connections to the Jetty foreshores.

In the absence of a Place Plan to guide development in the Jetty Precinct, Council commenced a project to develop a structure plan for the area within the precinct currently subject to increasing development pressure. This structure plan will ensure that development within this key area of the Jetty Precinct accords with the community’s needs and strengthens the values of the Jetty Precinct as a whole. It will also assist in providing a positive interface between the existing buildings, proposed developments and the streetscape.

On 15 December 2019, Council engaged consultants King and Campbell to prepare the structure plan in conjunction with council staff and key stakeholders. The purpose of this report is to seek Council’s endorsement to publicly exhibit the draft Coffs Jetty Strip Structure Plan (Attachment 1) to seek feedback from the community and stakeholders.
2020/102  RESOLVED (Cr Tegan Swan / Cr John Arkan)

That Council:

1. Endorse for public exhibition the draft Coffs Jetty Strip Structure Plan (Attachment 1) for a minimum period of 28 days.
2. Note that a further report will be brought back to Council to present the outcomes of the public exhibition process, and for consideration of a final Coffs Jetty Strip Structure Plan.

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

CARRIED


EXECUTIVE SUMMARY

The Integrated Planning and Reporting framework requires Council to prepare a Delivery Program following each ordinary election which specifies the activities to be undertaken for the 4 year period of the election term. This Delivery Program is reviewed annually and executed with an Operational Plan which specifies the work to be undertaken and budgeted for in that financial year. These two documents are the key planning documents which enable Council to deliver on the MyCoffs Community Strategic Plan.

Changes to Integrated Planning and Reporting requirements for 2020 have been declared by the NSW Government as a result of the extenuating circumstances under the COVID-19 emergency. The 2020 Local Government Elections have also been postponed by one year to September 2021. These changes mean that Council’s existing 2017-2021 Delivery Program will apply for a further 12 months and change to a 2017-2022 Delivery Program by maintaining the key themes and any activities not yet completed.

Council is required to place the draft Operational Plan on exhibition for at least 28 days and allow for public submissions during this period. In order to facilitate this, the attachments representing the Draft 2017-2022 Delivery Program (Year 4) and the Draft Operational Plan 2020/21 are being presented for Council’s consideration. Accompanying these documents are the Delivery Program Budgets 2020/21 and Draft 2020/21 Fees and Charges.

COVID-19 has introduced an element of uncertainty into the annual planning and budgeting processes. The COVID-19 impacts are in addition to economic and social impacts felt from bushfires, flood and drought during the 2019/20 year. Financial adjustments and policy positions are continuing to be developed to ensure that Council is supporting the local community through the public health crisis and severe economic consequences wrought by the pandemic and the necessary national response. Council’s revenue streams have been impacted by the decisions made to support the community. Accordingly, the draft documents being presented to Council and subsequently to the community, represent the organisation’s best efforts in defining what activities and programs Council is able to progress, and the Council response to the evolving situation within the resources available.

MOTION (Cr Sally Townley / Cr Michael Adendorff)

That Council:

1. Resolve to place the following documents on public exhibition for a minimum period of 28 days:
   1.1. Draft 2017-2022 Delivery Program (Year 4);
   1.2. Draft 2020/21 Operational Plan;
1.3. Draft 2020/21 Delivery Program Budgets; and

2. Note that a further report will be brought back to Council to present the outcomes of the public exhibition process prior to adopting the final Delivery Program, Operational Plan, Delivery Program Budgets and Fees and Charges documents by 31 July 2020.

Cr John Arkan left the meeting, the time being 10.27pm.
Cr John Arkan returned to the meeting, the time being 10.30pm.

MOTION PUT

2020/103 RESOLVED (Cr Denise Knight)

That the motion be put.

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

CARRIED

2020/104 RESOLVED (Cr Sally Townley / Cr Michael Adendorff)

That Council:

1. Resolve to place the following documents on public exhibition for a minimum period of 28 days:
   1.1. Draft 2017-2022 Delivery Program (Year 4);
   1.2. Draft 2020/21 Operational Plan;
   1.3. Draft 2020/21 Delivery Program Budgets; and

2. Note that a further report will be brought back to Council to present the outcomes of the public exhibition process prior to adopting the final Delivery Program, Operational Plan, Delivery Program Budgets and Fees and Charges documents by 31 July 2020.

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

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

CARRIED

SC20/23 POSITIVE AGEING STRATEGY 2020-2024 - DRAFT

EXECUTIVE SUMMARY

The Positive Ageing Strategy 2020-2024 is a four-year strategy representing Council’s commitment to support the ageing population. Council acknowledges that the population of older people in the Local Government Area (LGA) is increasing and the importance of supporting access to infrastructure, facilities, activities and appropriate services for people as they age. The strategy provides direction for how Council will respond to the opportunities and challenges of an ageing population.

There are a number of key drivers for the Positive Ageing Strategy 2020-2024:

1. Understanding and responding to the needs of older people
   The strategy provides a strategic framework to guide the ongoing development and delivery of programs and services for seniors in the LGA.

2. Understanding and planning for the impact of population ageing
   It is important for Council and the community to understand and plan for the ageing of the
population, in order to maximise the benefits, and proactively manage the challenges associated with this demographic change.

2020/105 RESOLVED (Cr Tegan Swan / Cr Sally Townley)
That Council:
1. Endorse the Draft Positive Ageing Strategy 2020-2024 and place on public exhibition for a minimum period of 28 days.
2. Receive a further report for consideration post exhibition.

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

CARRIED

DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE

SI20/10 UPDATE ON THE JETTY STRUCTURE CONDITION

EXECUTIVE SUMMARY

Repair work on 7 spans of the Coffs Harbour Historic Jetty during 2018 and 2019 found that the structure is in worse condition than originally assessed, potentially requiring major renewal of the remaining 53 spans within 2-5 years.

The Jetty has been nominated for listing on the State Heritage Register which will guide the renewal process. Renewal plans will need to be sensitive to the heritage status of the item. The plans will need to be submitted to the Heritage Council for approval with supporting documentation, such as a Heritage Impact Statement and Conservation Management Strategy.

The Jetty structure is integral to the history and fabric of Coffs Harbour. It lends its name to a major locality of the City. It is arguably the iconic landmark of Coffs Harbour.

Total renewal costs are estimated to be in the range of $16-20m but require further expert input to be further refined.

By way of a gazettal notice on 18 October 2002 the responsibility for the care and maintenance of the Jetty was transferred from the State Government to Coffs Harbour City Council, in Council’s capacity as the Crown-appointed Manager of the Coffs Coast State Park.

Council’s resolved position at the time of the transfer, and it remains so, was to reserve the right to resign the transfer. Given Council’s resolved position on the matter, the significant heritage aspects which would apply to any renewal work, and the original Crown provenance of the iconic structure, this Report advises that the options for funding the potential scale of renewal and repair should include seeking funds from the State and Federal Governments.

THE STRUCTURE REMAINS SAFE FOR ITS CURRENT USAGE PATTERNS.

2020/106 RESOLVED (Cr John Arkan / Cr Tegan Swan)
That Council:
1. Note the Report
2. Progress plans for renewal of the Jetty including a detailed design ready for construction, cost estimates, heritage approvals and heritage documentation

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

CARRIED
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 10.51pm.

Confirmed: 28 May 2020

Denise Knight
Mayor