



## MINUTES

### COFFS HARBOUR CITY COUNCIL ORDINARY COUNCIL MEETING COUNCIL ADMINISTRATION BUILDING

CNR COFF AND CASTLE STREETS, COFFS HARBOUR  
ON THURSDAY, 26 NOVEMBER 2020 AT 5.00PM

**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 since time immemorial. 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

The Mayor advised that the procedure for the Public Forum has now changed. Due to the current COVID-19 pandemic situation, speakers were given the option of providing a written statement which will be read to the meeting by a Director or addressing Council in person, following necessary social distancing protocols.

Speaker	Item
Gai Anderson	Against BS20/70 - Sale of Property At 169-171 Rose Avenue, Coffs Harbour
Gai Anderson	Against SC20/67 - City Hill Scoping Project Revised Site Analysis - Post Exhibition
Peter Wardman	Against BS20/71 - Coffs Harbour Airport Long Term Lease - Stage 4 Preferred Tenderer Lease Negotiations and Execution
Brad Daymond	For BS20/71 - Coffs Harbour Airport Long Term Lease - Stage 4 Preferred Tenderer Lease Negotiations and Execution

Speaker	Item
Jason McCarthy	Against SC20/70 - Coffs Harbour Local Environmental Plan 2013 - Housekeeping Amendment No. 3 (Including Woolgoolga town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) – Post-Exhibition
Stephen Sawtell	For SC20/71 - Coffs Jetty Strip Structure Plan - Post Exhibition
Cr Arkan left the meeting, the time being 5.45pm. Cr Arkan returned to the meeting, the time being 5.46pm.	
Mark Pigani	Against SC20/72 - Development Application No. 0290/20 - Residential Flat Building (46 Apartments) and Business Premises (2 Tenancies at Ground Floor) - Lot 2 DP 725818, Lot 3 DP 725818 & Lot B DP 339499, 57 Collingwood and 11 Orlando street, Coffs Harbour
Jim Booth	For SC20/72 - Development Application No. 0290/20 - Residential Flat Building (46 Apartments) and Business Premises (2 Tenancies at Ground Floor) - Lot 2 DP 725818, Lot 3 DP 725818 & Lot B DP 339499, 57 Collingwood and 11 Orlando street, Coffs Harbour

## DISCLOSURE OF INTEREST

Councillor	Items	Type of Interest
Cr Paul Amos	BS20/69 Contract No. RFT-1299- TO - Hire of Equipment (Plant and Trucks) 2020-2022	Non-Pecuniary - Less Than Significant Conflict as has business dealings with many of the contractors.
Cr Michael Adendorff	BS20/70 Sale of Property at 169- 171 Rose Avenue, Coffs Harbour	Non-Pecuniary - Less Than Significant Conflict as has property interests.
Cr John Arkan	SC20/70 Coffs Harbour Local Environmental Plan 2013 - Housekeeping Amendment No. 3 (Including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) - Post-Exhibition	Non-Pecuniary - Less Than Significant Conflict as he owns land in Woolgoolga.

Cr Adendorff left the meeting, the time being 6.03pm.

## APOLOGIES

No apologies

## LEAVE OF ABSENCE

No requests for leave of absence.

**CONFIRMATION OF MINUTES****2020/261 RESOLVED (Cr Paul Amos / Cr John Arkan)**

That the minutes of the Ordinary Meeting held on 12 November 2020 be confirmed.

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

**CARRIED**

**BUSINESS SERVICES REPORT****BS20/70 SALE OF PROPERTY AT 169-171 ROSE AVENUE, COFFS HARBOUR****EXECUTIVE SUMMARY**

Council resolved on 14 May 2020 and again on 13 August 2020 to sell the property located at 169-171 Rose Avenue, Coffs Harbour. The sale has been included in the funding model of the Cultural and Civic Place Project in Gordon Street, Coffs Harbour and has been determined as surplus to Council's needs.

The property has been held by Council since October 1992 when it was purchased and it has since been operated as commercial offices and storage both for various tenants and Council operations. The property comprises a commercially zoned holding upon which is constructed various single level tenancies contained within 3 separate detached and semi-detached buildings. Additionally, on the property there are storage and garage areas and a fenced yard area. The property is known as Lot 100 DP 861850 and has a site area of some 4,040 square metres. The total lettable area of the buildings on site is approximately 755 square metres.

Coffs Harbour Council as part of the sale will continue to occupy a small part of the property which is currently partly occupied by the Coffs Harbour Historical Society, being suite 4 and having an area of 124 square metres and an adjoining car port. Council will enter into a 3-year lease with 3 x 1 year options for continuing tenure initially at a rental of \$21,300 per annum gross.

Council have received an offer of \$2,100,000 excluding GST for the purchase of the property which is slightly above a recent independent valuation (Confidential Attachment 2) that was commissioned by Council. The offered price is considered fair and reasonable and it is recommended that Council accept the offer.

Cr Adendorff returned to the meeting, the time being 6.05pm.

**2020/262 RESOLVED (Cr George Cecato / Cr Sally Townley)**

That Council:

1. Approve the sale of 169-171 Rose Avenue, Coffs Harbour at the agreed price of \$2,100,000 exclusive of GST to the party listed in confidential attachment 3 to this report.
2. Note that each party will pay their own conveyancing costs in relation to the matter.
3. Execute all documents necessary to facilitate the sale and under the common seal of Council if required.

**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**

**SUSTAINABLE COMMUNITIES REPORT****SC20/67 CITY HILL SCOPING PROJECT REVISED SITE ANALYSIS - POST EXHIBITION****EXECUTIVE SUMMARY**

The City Hill Scoping Project Revised Site Analysis provides an overview of the site development history, consideration of land uses, and future development options for both the northern and southern portions of the City Hill site.

Council at its Ordinary Meeting of 12 December 2019 resolved to note the final City Hill Scoping Project Site Analysis and place the Site Analysis on public exhibition, with a further report presented to Council in relation to the preferred use options once the broader Community and Cultural Facility planning process and Issues and Options Discussion Paper for Performing Arts Space (Indoor and Outdoor) had been finalised.

The City Hill Scoping Project Site Analysis was placed on public exhibition between 18 December 2019 and 3 March 2020 and four information and consultation sessions were held. Forty written submissions were received within the timeframe. The submissions have been reviewed and considered in the City Hill Scoping Project Revised Site Analysis.

The purpose of this report is to seek Council's adoption of the City Hill Scoping Project Revised Site Analysis (Attachment 1) and present cultural facility development opportunities for the site that can be incorporated into focussed planning for City Hill.

**2020/263 RESOLVED (Cr George Cecato / Cr John Arkan)**

That Council:

1. Adopt the City Hill Scoping Project Revised Site Analysis (Attachment 1).
2. Consider during the preparation of the Operational Plan 2021/22, a Master Plan for City Hill which incorporates the findings of the City Hill Scoping Project Revised Site Analysis.
3. Inform submitters on the City Hill Scoping Project Site Analysis of Council's decision.

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

**Against:** Cr Amos

**CARRIED**

**BUSINESS SERVICES REPORT****BS20/71 COFFS HARBOUR AIRPORT LONG TERM LEASE - STAGE 4 PREFERRED TENDERER LEASE NEGOTIATIONS AND EXECUTION****EXECUTIVE SUMMARY**

In December 2018 Council resolved to progress the Airport Lease Model for the Coffs Harbour Airport (CHA) to the next stages of due diligence and an expression of interest for non-binding bids.

In May 2019 Council resolved to appoint KPMG as independent expert advisors for the airport lease process. Since their appointment KPMG has undertaken a significant review of all relevant information and reports to date, and provided a gap analysis to inform further due diligence work required to ensure a comprehensive Information Memorandum (IM) could be provided to potential bidders for the airport lease. The IM was used to inform bidders during the Non-Binding Bids stage and in November 2019 Council considered the Non-Binding Bids received and resolved to progress the process to the Tender for Binding Bids stage.

The Tender for Binding Bids was released on 12 June 2020 and officially closed on 17 July 2020 at 3pm. Significant analysis of the Binding Bids was undertaken by Council's Evaluation Panel and Council's Commercial Advisors, KPMG and Legal Advisors, Ashurst and a report on the outcome of the Tender for Binding Bids was provided to Council on 27 August 2020.

At the 27 August 2020 meeting, Council resolved to progress the airport lease through negotiation and to receive a further report on the outcome of the negotiations. This report brings before Council the outcomes of the negotiations.

The lease process has been undertaken in line with the strict requirements of the Airport Lease Probity Plan which has been overseen by external probity advisors O'Connor Marsden (OCM).

**MOTION (Cr George Cecato / Cr Michael Adendorff)**

That Council:

1. Note the outcome of the lease negotiations with the preferred tenderer (Confidential Attachment 1).
2. Delegate the General Manager authority to execute on behalf of Council the Implementation Agreement, Equity Commitment Deed, Airport Lease, Airport Lease Supplemental Deed, Transitional Services Agreement, Development Agreement and Independent Certifier Deed (Confidential Attachment 2).
3. Request a report on the holding structure and governance arrangements for funds received from the airport lease.
4. Note the development of a joint communication plan with the preferred tenderer.

**AMENDMENT**

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

That Council prepare a report to highlight alternate management arrangements for the Coffs Harbour Regional Airport.

**For:** Crs Amos and Arkan

**Against:** Crs Knight, Adendorff, Cecato, Rhoades, Swan and Townley

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

**2020/264 RESOLVED (Cr George Cecato / Cr Michael Adendorff)**

That Council:

1. Note the outcome of the lease negotiations with the preferred tenderer (Confidential Attachment 1).
2. Delegate the General Manager authority to execute on behalf of Council the Implementation Agreement, Equity Commitment Deed, Airport Lease, Airport Lease Supplemental Deed, Transitional Services Agreement, Development Agreement and Independent Certifier Deed (Confidential Attachment 2).
3. Request a report on the holding structure and governance arrangements for funds received from the airport lease.
4. Note the development of a joint communication plan with the preferred tenderer.

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

**Against:** Crs Amos, 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**

**SUSTAINABLE COMMUNITIES REPORTS**

Cr Adendorff left the meeting, the time being 7.06pm.

**SC20/70 COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013 - HOUSEKEEPING AMENDMENT NO. 3 (INCLUDING WOOLGOOLGA TOWN CENTRE MASTERPLAN AND LOCAL GROWTH MANAGEMENT STRATEGY DESIGN EXCELLENCE FOR INDUSTRIAL AREAS) - POST-EXHIBITION****EXECUTIVE SUMMARY**

At its Ordinary Meeting of 11 June 2020, Council resolved to initiate Coffs Harbour Local Environmental Plan (LEP) 2013 - Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas). This amendment comprised miscellaneous changes such as the correction of mapping anomalies and listed heritage items; alignment with the Woolgoolga Town Centre Masterplan; and alignment with the Coffs Harbour Local Growth Management Strategy.

Public exhibition of the planning proposal was undertaken from 30 July to 15 September 2020. The purpose of this report is to seek endorsement from Council of Planning Proposal PP\_2020\_COFFS\_002\_00 Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) – Post Exhibition (Attachment 1). The proposed LEP amendment will ensure that Coffs Harbour LEP 2013 remains up to date and accurate; and that the actions and recommendations within the Coffs Harbour Local Growth Management Strategy 2020 and Woolgoolga Town Centre Masterplan are implemented.

Cr Adendorff returned to the meeting, the time being 7.08pm.

**2020/265 RESOLVED (Cr Denise Knight / Cr Tegan Swan)**

That Council:

1. Endorse Planning Proposal PP\_2020\_COFFS\_002\_00 Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) – Post Exhibition (Attachment 1).
2. Delegate to the General Manager the authority issued by the NSW Department of Planning, Industry and Environment to exercise the functions of the Minister under Section 3.36 of the *Environmental Planning and Assessment Act 1979* for the purposes of finalising Planning Proposal PP\_2020\_COFFS\_002\_00 Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) – Post Exhibition.
3. Continue to consult with NSW Department of Planning, Industry 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 Planning Proposal PP\_2020\_COFFS\_002\_00 Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) – Post Exhibition.
4. Inform those whom made a submission to Planning Proposal PP\_2020\_COFFS\_002\_00 Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Masterplan and Local Growth Management Strategy Design Excellence for Industrial Areas) of Council's decision.
5. As a matter of policy, resolve to give significant weight to the Woolgoolga Town Centre Masterplan as a matter of immediate development assessment consideration prior to the making of the LEP.

**For:** Crs Knight, Amos, Cecato, Swan and Townley

**Against:** Crs Adendorff, Arkan and Rhoades

**CARRIED**

**SC20/71 COFFS JETTY STRIP STRUCTURE PLAN - POST EXHIBITION****EXECUTIVE SUMMARY**

At its meeting of 14 May 2020, Council resolved to place the draft Coffs Jetty Strip Structure Plan on public exhibition. The structure plan was prepared to ensure that development within this key area of the Jetty Precinct accords with the community's desires for the area; strengthens the values of the Jetty Precinct as a whole; and assists in providing a positive interface between existing buildings, proposed development and the streetscape.

The purpose of this report is to seek endorsement of the final Coffs Jetty Strip Structure Plan (Attachment 1) and consider allocation of funding in the 2021-2022 Council budget to allow the project to proceed in stages (Attachment 2).

The Jetty Strip Structure plan was placed on public exhibition in May 2020, fifty-one submissions were received (Attachment 3) which have been taken into consideration in finalising the structure plan (Attachment 4).

The report also identifies Council's intentions to continue discussions with the NSW Government with the intent of obtaining ownership of the Whale Tail land (Attachment 5).

**2020/266 RESOLVED (Cr Paul Amos / Cr Keith Rhoades)**

That Council:

1. Endorse the Coffs Jetty Strip Structure Plan (Attachment 1).
2. Consider funding allocation within the 2021-2022 Council budget to proceed to detailed design for the Coffs Jetty Strip Structure Plan and related road closure and acquisition (Attachment 2) together with the preparation of a Place Manual and Place and Movement Plan for the Jetty Precinct in accordance with the timeframes outlined in the Coffs Harbour Local Strategic Planning Statement.
3. Continue negotiations with the NSW Government to acquire Lot 1 DP 1097861 (the Whale Tail land) (Attachment 5).
4. Inform persons who made a submission on the draft Coffs Jetty Strip Structure Plan of Council's decision.

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

**CARRIED**

**SC20/72 DEVELOPMENT APPLICATION NO. 0290/20 - RESIDENTIAL FLAT BUILDING (46 APARTMENTS) AND BUSINESS PREMISES (2 TENANCIES AT GROUND FLOOR) - LOT 2 DP 725818, LOT 3 DP 725818 & LOT B DP 339499, 57 COLLINGWOOD AND 11 ORLANDO STREET, COFFS HARBOUR****EXECUTIVE SUMMARY**

This report provides an assessment of Development Application No. 0290/20 for a residential flat building (46 apartments) and business premises (2 tenancies at ground floor) at Lot 2 DP 725818, Lot 3 DP 725818 & Lot B DP 339499, 57 Collingwood and 11 Orlando Street, 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, Council received forty-one (41) submissions. Accordingly, this matter is reported to Council for determination due to 'significant public interest and community input' as well as the development application proposing to vary a development standard in the Local Environmental Plan by more than 10%.

**2020/267 RESOLVED (Cr George Cecato / 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 Standard under Clause 4.3 of Coffs Harbour Local Environmental Plan 2013 in this particular case.
2. Approve Development Application No. 0290/20 for a residential flat building (46 apartments) and business premises (2 tenancies at ground floor) at Lot 2 DP 725818, Lot 3 DP 725818 & Lot B DP 339499, 57 Collingwood and 11 Orlando Street, Coffs Harbour subject to the conditions provided in Attachment 3.
3. Advise persons who made a submission of Council's decision.

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

**Against:** Crs Amos and Townley

**CARRIED**

The meeting adjourned for a short recess, the time being 7.38pm and reconvened at 7.50pm.

## GENERAL MANAGER'S REPORTS

### GM20/31 COUNCIL MEETING DATES 2021

#### EXECUTIVE SUMMARY

To seek council's endorsement of the Ordinary Council meeting dates for the 2021 calendar year.

**2020/268 RESOLVED (Cr George Cecato / Cr Sally Townley)**

That:

1. No Council meetings be scheduled for January 2021.
2. Meetings from February to November 2021 are scheduled on the second and fourth Thursday of each month.
3. No meetings will be held in September due to the 2021 Local Government Elections.
4. No meeting to be held on 8 April 2021 due to Easter the previous weekend.
5. The last Council meeting for 2021 be scheduled on 9 December 2021.

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

**CARRIED**



**GM20/32 COUNCIL COMMITTEES - SUSTAINABILITY ADVISORY COMMITTEE****EXECUTIVE SUMMARY**

At its 12 March 2020 Meeting, Council established the Sustainability Advisory Committee and terms of reference. Council recently completed an expression of interest (EOI) to fill the four community member and two community organisation representative vacancies on this Committee. The EOI identified suitable nominations for all roles and this report:

- Provides Council with details regarding the EOI
- Presents the recommended nominees for appointment
- Seeks to appoint a Councillor to the committee

**2020/269 RESOLVED (Cr Tegan Swan / Cr Sally Townley)**

That Council:

1. Appoint Councillors Swan and Townley to this Committee.
2. Appoint the following community member nominees to the Sustainability Advisory Committee:
  - 2.1. Barney Maple,
  - 2.2. Janelle Mawhinney,
  - 2.3. Jonathan Cassell,
  - 2.4. Lindy Davis.
3. Appoint representatives from the following community organisations to the Sustainability Advisory Committee:
  - 3.1. Repower Coffs,
  - 3.2. Mission Australia – Mid North Coast NSW.

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

**CARRIED**

**GM20/33 COUNCIL COMMITTEES - HERITAGE ADVISORY COMMITTEE****EXECUTIVE SUMMARY**

The Heritage Executive Committee and its terms of reference (ToR) was recently reviewed and the following changes have been recommended:

- Change the Committee's title from Heritage Executive Committee to Heritage Advisory Committee
- Refine the Committee's purpose, objectives, scope and delegations
- Expand the membership to include a Councillor and encompass a wider range of heritage related sectors of the community

This report provides details of the review and recommends that Council endorses these changes by adopting the amended ToR and appointing a Councillor to the Committee.

**2020/270 RESOLVED (Cr Sally Townley / Cr John Arkan)**

That Council:

1. Adopt the amended Heritage Advisory Committee Terms of Reference.
2. Appoint Councillor Swan to this Committee.
3. Note that an expression of interest to the newly created roles will be held as a result of the amended Terms of Reference.
4. Endorse the continuation of the Heritage Advisory Committee until 2024.

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

**CARRIED**

**GM20/34 BUSHFIRE LOCAL ECONOMIC RECOVERY FUND GRANT APPLICATIONS****EXECUTIVE SUMMARY**

The Bushfire Local Economic Recovery (BLER) Fund, jointly funded by the Australian and NSW Governments, is a \$250 million fund which provides grants to support the social and economic recovery of communities affected by bushfire in 47 regional NSW Local Government Areas (LGAs), including the Coffs Harbour LGA. Grants of between \$200,000 and \$20 million are available for eligible projects and funding is available in the following three categories:

- Infrastructure projects, such as roads to support increased industrial development
- Environmental projects, such as regeneration activities.
- Programs including social, business and environmental education initiatives.

From a review of outstanding significant projects endorsed by Council in April 2018 and a review of the current Delivery Program, three priority infrastructure projects have been identified for grant applications to the BLER fund and are recommended to Council, being:

1. Jetty Theatre Project (total project cost \$4 million, grant application for \$4 million);
2. Brelsford Park Masterplan Project (total project cost \$5 million, grant application for \$5 million); and
3. Woolgoolga and Sawtell Swimming Pools Redevelopment (total project cost \$15 million, grant application for \$9 million).

The recommendation also notes that grant applications will also be made to facilitate some positive recovery and engagement activities.

As part of the Delivery Program/Operational Plan setting process for 2021/22, Council officers will further review projects for priority grant funding. A suggested list will be provided to Council for its consideration early next calendar year.

**2020/271 RESOLVED (Cr Tegan Swan / Cr John Arkan)**

That Council:

1. Endorse the following infrastructure projects for grant applications to the Bushfire Local Economic Recovery Fund:
  - 1.1. Jetty Theatre Project (grant application \$4 million);
  - 1.2. Brelsford Park Masterplan Project (grant application \$5 million); and
  - 1.3. Woolgoolga and Sawtell Swimming Pools Redevelopment (grant application \$9 million).
2. Note that grant applications will be made to facilitate some recovery and engagement activities.

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

**CARRIED**

**DIRECTORATE REPORTS - BUSINESS SERVICES****BS20/67 BANK AND INVESTMENT BALANCES FOR OCTOBER 2020****EXECUTIVE SUMMARY**

Council's Bank Balances and Investments as at 31 October 2020 totalled \$224,233,589.60. 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 Delivery Program and associated Operational Plans.

**2020/272 RESOLVED (Cr George Cecato / Cr Tegan Swan)**

That Council note the bank balances and investments totalling \$224,233,589.60 (including from loans, Developer Contributions and other avenues that form the restricted accounts and are committed for future works) as at 31 October 2020.

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

**CARRIED**

**BS20/68 QUARTERLY OPERATIONAL PLAN AND BUDGET REVIEW STATEMENT FOR SEPTEMBER 2020****EXECUTIVE SUMMARY**

Coffs Harbour City Council's 2020/21 Operational Plan was adopted on 27 June 2020 for implementation from 1 July 2020.

Internal reporting for the September 2020 quarter has identified the need for a number of amendments to the 2020/21 Operational Plan. The proposed changes relate to extensions in the forecast end dates of projects within the same financial year, adding projects that were not in the adopted 2020/21 Operational Plan and changes in the resulting measurement of metrics.

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 Local Government (General) Regulation 2005. This regulation requires a Council's Responsible Accounting Officer to submit quarterly budget review statements to the governing body of Council. These statements are contained within the attachments to this report.

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

COVID-19 has introduced an element of uncertainty into the budget review process. Financial adjustments and policy positions continue to be developed to ensure that Council is minimising the disruption to services and supporting the local community through the public health crisis.

The recommendations contained within the report, if adopted, would result in a net budget deficit of \$4.875M compared to the original position of \$5.058M.

**2020/273 RESOLVED (Cr George Cecato / Cr Michael Adendorff)**

That Council:

1. Note the Quarterly Budget Review Statement and the following estimated budget position as at 30 September 2020:

	<b>2020/21 Original Budget \$'000</b>	<b>2020/21 Revised Budget \$'000</b>	<b>2020/21 Projected Budget \$'000</b>	<b>2020/21 Sep YTD Actuals \$'000</b>
<b>Recurrent Revenue</b>				
Rates & Annual Charges	100,348	100,348	100,648	102,451
User Charges & Fees	53,006	53,006	54,880	9,622
Interest & Investment Revenue	5,265	5,265	5,265	799
Other Revenues	9,451	9,451	9,595	1,736
Grants & Contributions provided for Operating Purposes	15,166	15,337	15,550	3,527
<b>Total Recurrent Revenue</b>	<b>183,236</b>	<b>183,407</b>	<b>185,938</b>	<b>118,135</b>
<b>Recurrent Expenditure</b>				
Employee Benefits & Oncosts	59,886	60,045	59,905	15,546
Borrowing Costs	7,782	7,782	7,781	960
Materials & Contracts	177,324	199,366	201,844	22,412
Depreciation & Amortisation	47,335	47,335	47,335	11,423
Other Expenses	10,606	10,612	10,931	2,568
Less: Capitalised Expenses	(114,639)	(134,527)	(136,983)	(11,050)
<b>Total Recurrent Expenditure</b>	<b>188,294</b>	<b>190,613</b>	<b>190,813</b>	<b>41,859</b>
<b>Net Operating (Deficit) / Surplus</b>	<b>(5,058)</b>	<b>(7,206)</b>	<b>(4,875)</b>	<b>76,276</b>
<b>Capital Revenue</b>				
Capital Grants, Subsidies, Contributions and Donations	53,669	55,951	57,148	6,118
<b>Total Capital Revenue</b>	<b>53,669</b>	<b>55,951</b>	<b>57,148</b>	<b>6,118</b>
<b>Net Surplus</b>	<b>48,611</b>	<b>48,745</b>	<b>52,273</b>	<b>82,394</b>

2. Approve the following budget adjustments:
- \$2,330,204 decrease in the budgeted net operating deficit;
  - \$1,196,461 increase in budgeted capital revenue to be received;
  - \$2,455,967 increase in the budgeted level of capital expenditure;
  - \$1,523,599 funding into cash reserves
3. That Council endorse the proposed amendments to the 2020/21 Operational Plan as set out in the Issues section of this report.

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

**CARRIED**

**BS20/69 CONTRACT NO. RFT-1299-TO - HIRE OF EQUIPMENT (PLANT AND TRUCKS)  
2020-2022****EXECUTIVE SUMMARY**

In order for Council to undertake its maintenance and major capital works programs it is necessary to complement Council's plant fleet with specific contract plant. Tenderers were given two options, being to supply Council with plant including an operator or to supply plant only, excluding an operator. Tenderers were required to submit tendered rates for items of plant and in addition any attachments that can be utilised with the specific plant item. Sixty submissions were received with each tendering on various items of plant, trucks and equipment.

It is recommended that Council to accept tenders for the inclusion into a panel contract for the Hire of Equipment (Plant and Trucks) for the two year period from 1 December 2020 to 30 November 2022, with an option to extend for further 2 x 12 month periods, thereby extending the contract through to 30 November 2024.

**2020/274 RESOLVED (Cr George Cecato / Cr Keith Rhoades)**

That Council:

1. In accordance with Clause 178(1)(a) of the Local Government(General) Regulation 2005, accepts onto panel contract RFT-1299-TO, the following list of contractors:

Contractor Name	ABN	# Plant	# Float	# Water	# Truck	Total Plant	Suburb
A & K McIntyre Pty Ltd	48 078 685 471	0	0	0	2	2	Bonville, NSW
All Kerb Pty Ltd TA Hudko Earthmoving	67 153 317 287	9	0	0	5	14	Sawtell, NSW
Arbpro PTY LTD	84 123 994 570	13	0	0	7	20	Moonee Beach, NSW
Blaizes Earthworx Pty Ltd	99 168 125 862	9	0	0	3	12	Coramba, NSW
Burnett Civil	76 124 982 798	26	4	3	10	43	Karangi, NSW
Cable and Pipe Locations	74 143 001 067	10	1	0	0	11	Woolgoolga, NSW
Civilnett Pty Limited	15 606 209 956	10	2	0	4	16	Coffs Harbour, NSW
Coates Hire	99 074 126 971	189	0	4	13	206	Coffs Harbour, NSW
Conplant Pty Ltd	15 000 373 151	945	1	0	0	946	Coffs Harbour, NSW
D Walker Pumbing (AUST) Pty Ltd	11 617 720 859	3	0	0	4	7	Valla, NSW
DJ & CA Atkinson Pty Ltd	93 005 572 858	1	1	0	0	2	Nana Glen, NSW
Doyle Civil Pty Ltd	98 612 430 654	14	0	1	3	18	Boambee, NSW
Eastern Dorrigo Slashing	96 297 359 270	5	0	0	0	5	Ulong, NSW
EB & DE Bunt Pty Ltd	68 081 916 181	6	5	4	27	42	Coffs Harbour, NSW
English Cranes Pty	22 159 960 317	9	0	0	2	11	Coffs Harbour,

Ltd (North Coast Cranes)								NSW
Fortade Earthmoving Pty Ltd	58 608 847 963	16	2	1	14	33		Macksville, NSW
John Lacey Earthmoving Pty Ltd	11 108 021 398	11	2	1	6	20		Coffs Harbour, NSW
JP Cranes Pty Ltd TA Coffs City Cranes	87 085 659 794	15	0	0	5	20		Coffs Harbour, NSW
KBS Mackay Pty Ltd	98 103 146 372	7	2	0	4	13		Coffs Harbour, NSW
Kennards Hire	69 001 740 727	111	0	0	13	124		Coffs Harbour, NSW
Mal Keough Earthmoving Pty Ltd	42 105 032 184	2	0	0	1	3		Toormina, NSW
Master Hire	45 063 866 928	988	0	0	15	1003		Coffs Harbour, NSW
McLennan Earthmoving Pty Ltd	96 055 186 797	57	8	2	38	105		South Grafton, NSW
Mid North Coast Contractors	12 158 993 143	11	2	1	3	17		Nana Glen, NSW
Northpipe Constructions Pty Ltd	75 105 083 805	13	1	0	1	15		Nambucca Heads, NSW
Peter Rowan Pty Ltd	32 099 764 413	4	1	1	15	21		Coffs Harbour, NSW
R & M Earthmoving Pty Ltd	57 103 091 998	7	1	1	4	13		Upper Orara, NSW
RJ CM Tate Pty Ltd	61 636 808 815	1	0	0	0	1		Woolgoolga, NSW
Ryan Earthmoving	34 040 318 488	5	1	1	0	7		Coffs Harbour, NSW
S & K Grady Pty Ltd TA Coffs Coast Water	29 626 044 862	0	0	1	1	2		Boambee, NSW
Serendip TA Action Hire Vehicles	86 003 378 256	0	0	0	62	62		Coffs Harbour, NSW
Solo resource Recovery	62 398 515 816	6	0	0	0	6		Kingscliff, NSW
Specialised Pavement Services Pty Ltd	46 076 353 887	3	0	0	0	3		Belrose, NSW
Troy Odoherty Earthmoving Pty Ltd	96 101 417 887	6	0	0	2	8		Coffs Harbour, NSW
Tutt Bryant Hire Pty Ltd	59 087 847 489	283	3	9	21	316		Coffs Harbour, NSW
		<b>2795</b>	<b>37</b>	<b>30</b>	<b>285</b>	<b>3147</b>		

2. Accepts onto the panel contract RFT-1299-TO, the following list of contractors, on the condition that the contractors provide all outstanding documentation to BNG Conserve to complete their accreditation.

Contractor Name	ABN	# Plant	# Float	# Water	# Truck	Total Plant	Suburb
Altro Holdings TA Orange Hire	97 133 373 154	38	0	0	0	38	Thornton, NSW
Ausroad Plant Services	33 165 889 636	6	0	0	0	6	Archerfield, QLD
Bayrange Logistics (formerly TG Jung Quarries)	43 627 818 026	0	0	0	5	5	Karangie, NSW
CW & VJ Cooper	47 085 119 642	2	1	0	2	5	Grafton, NSW
Cyber Coach (Pades Excavations)	33 139 186 280	3	0	0	4	7	Coffs Harbour, NSW
Dashebs Pty Ltd (North Coast Road Sweepers)	14 608 231 205	4	0	0	0	4	Gulmarrad, NSW
EJD Hammond (Hammond Earthmoving)	62 003 628 822	13	1	1	2	17	Bonville, NSW
Hydro Digga Pty Ltd	52 640 286 380	9	0	0	0	9	Coffs Harbour, NSW
JR Richards & sons	34 000 526 385	12	0	0	0	12	Tuncurry, NSW
Kenny Earthmoving Pty Ltd	19 602 551 502	2	0	0	1	3	Emerald Beach, NSW
McIntyre Services PTY LTD	26 643 460 664	2	1	0	1	4	Nana Glen, NSW
McIntyre Tippers Pty Ltd	90 156 120 731	1	0	0	2	3	Sapphire Beach, NSW
Pilbara Truck Hire	68 156 151 487	0	0	4	2	6	Toormina, NSW
Valley Earthworks	72 109 527 095	28	2	0	8	38	Yamba, NSW
Warren McCarthy	96 601 798 040	2	0	0	1	3	Coffs Harbour, NSW
Wright Bros Civil	68 617 421 388	4	1	0	1	6	Valla, NSW
		<b>113</b>	<b>5</b>	<b>4</b>	<b>27</b>	<b>149</b>	

3. Notes that the recommendation is made on the basis that:
  - b) The tender offers are the most suitable and advantageous following the application of Councils Tender Value Selection System.
  - c) By contracting to a panel, Council will source from the most competitively priced proponents.
4. Agrees to a provision to allow 2 x 12 month extensions each, to be extended individually and based on satisfactory supplier performance.

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

**CARRIED**

**DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES****SC20/66 COFFS HARBOUR CITY COUNCIL 2019/20 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 2019/20 Annual Report be posted on Council's website by 30 November 2020.

The Annual Report is tabled in three sections:

- Section 1 provides an overview of Council's significant achievements during 2019/20.
- 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 2019/20.

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.

**2020/275 RESOLVED (Cr George Cecato / Cr Michael Adendorff)**

That Council adopts the Coffs Harbour City Council 2019/20 Annual Report.

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

**CARRIED**

**SC20/68 WOOLGOOLGA AND NORTHERN BEACHES YOUTH EDUCATIONAL & EVENTS CENTRE AND UPCYCLED TRAINING FACILITY**

At Council's 26 July 2018 Ordinary Meeting, it was resolved to investigate the feasibility of the *Woolgoolga and Northern Beaches Youth Educational and Events Centre and Upcycled Training Facility* proposal.

This report details the actions and initiatives that have subsequently been undertaken and occurred. Council staff have been unable to secure a detailed project proposal and accordingly, have been unable to fully investigate the feasibility.

**2020/276 RESOLVED (Cr Tegan Swan / Cr Sally Townley)**

That Council:

1. Note that a detailed project proposal has not been able to be secured and therefore is unable to investigate the feasibility of the Woolgoolga and Northern Beaches Youth Educational and Events Centre and Upcycled Training Facility.
2. Note that Woolgoolga has an adequate provision of facilities that have capacity as bookable spaces for youth-focussed programs at certain times and that in coming years, the completion of the West Woolgoolga Sports Complex will provide further multi-purpose indoor and outdoor spaces that may be utilised for a range of activities for young people.

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

**CARRIED**



**SC20/69 COFFS HARBOUR LOCAL GROWTH MANAGEMENT STRATEGY - CHAPTER 8 EMPLOYMENT LANDS - CONDITIONAL APPROVAL BY NSW GOVERNMENT****EXECUTIVE SUMMARY**

Council at its Ordinary Meeting of 8 October 2020 resolved to adopt the Coffs Harbour Local Growth Management Strategy – Chapter 8 Employment Lands (referred to for the remainder of this report as ‘Chapter 8 – Employment Lands’) and Chapter 9 Resources; and to seek endorsement for Chapter 8 Employment Lands from the NSW Department of Planning, Industry and Environment (DPIE). Chapter 8 Employment Lands was forwarded to NSW DPIE in accordance with that resolution, who provided their conditional approval on 27 October 2020 (Attachment 1).

The North Boambee Valley West Investigation Area and the South Bonville Investigation Area were not approved by NSW DPIE. As such, Chapter 8 Employment Lands (Attachment 2) and two associated pages of Chapter 4 Compact City Program (Attachment 3) have been updated to reflect this. The purpose of this report is to advise Council of this matter.

**MOTION (Cr John Arkan / Cr Michael Adendorff)**

That an amended Chapter be prepared addressing the concerns raised by DPIE relating to environmental constraints for the North Boambee Valley West Investigation Area - Employment Lands.

Cr Townley gave notice of a Foreshadowed Motion.

**AMENDMENT****2020/277 RESOLVED (Cr Paul Amos / Cr John Arkan)**

That Council send a request to DPIE seeking a detailed justification of North Boambee Valley West Investigation Area and Bonville Investigation Area being eliminated from the Employment Lands.

**For:** Crs Adendorff, Amos, Arkan, Cecato, Rhoades and Swan

**Against:** Crs Knight and Townley

The **AMENDMENT** on being put to the meeting was **carried**. It then became the **MOTION**.

**For:** Crs Adendorff, Amos, Arkan, Cecato, Rhoades and Swan

**Against:** Crs Knight and Townley

**CARRIED**

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

**FORESHADOWED MOTION**

**(Cr Sally Townley**

That Council:

1. Note the updates to the Coffs Harbour Local Growth Management Strategy Chapter 8 Employment Lands (Attachment 2) in response to the conditional approval from the NSW Government.
2. Notify those who made a submission to the draft Coffs Harbour Local Growth Management Strategy – Chapter 8 Employment Lands of these updates.

**SC20/73 DEVELOPMENT APPLICATION NO. 0708/20 - DUAL OCCUPANCY (DETACHED, INVOLVING CHANGE OF USE OF EXISTING BUILDING AND USE OF EXISTING UNAPPROVED ADDITIONS) - LOT 21 DP 792034, 110 NORTH ISLAND LOOP ROAD, UPPER ORARA**

**EXECUTIVE SUMMARY**

This report provides an assessment of Development Application No. 0708/20 for a dual occupancy (detached, involving change of use of existing building and use of existing unapproved additions) at Lot 21 DP 792034, 110 North Island Loop Road, Upper Orara.

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%.

**2020/278 RESOLVED (Cr John Arkan / Cr Sally Townley)**

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 minimum separation distance between dwellings under Clause 4.2E(2)(c) of Coffs Harbour Local Environmental Plan 2013 in this particular case.
2. Approve Development Application No. 0708/20 for a dual occupancy (detached, involving change of use of existing building and use of existing unapproved additions) at Lot 21 DP 792034, 110 North Island Loop Road, Upper Orara, subject to the conditions provided in Attachment 3.

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

**CARRIED**

**SC20/74 OPTIONS TO UNDERTAKE SUPPORTIVE MONITORING OF INTENSIVE AGRICULTURAL INDUSTRY**

**EXECUTIVE SUMMARY**

Council resolved at its meeting of 26 March 2020, to allocate additional resources to assist the State Government and the intensive agricultural industry through provision of supportive monitoring in the areas of water quality, water usage and illegal clearing.

This report provides Council with options for consideration with regard to the allocation of additional resourcing.

**2020/279 RESOLVED (Cr Sally Townley / Cr Tegan Swan)**

That Council consider during the preparation of the next updated Delivery Program 2021/22 the allocation of an annual amount of \$130,000 for the appointment of a 2 year fixed term Project Officer to undertake supportive monitoring of the intensive agricultural industry focussed on proactive education and compliance activities.

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

**CARRIED**

**SC20/75 ROYAL AUSTRALIAN AIR FORCE - NO. 36 SQUADRON - FREEDOM OF ENTRY****EXECUTIVE SUMMARY**

The Coffs Harbour and District Branch of the Royal Australian Air Force (RAAF) and Council have had initial meetings to discuss a potential "Freedom of Entry" association between the RAAF's No. 36 Squadron (36SQN) and the City of Coffs Harbour.

RAAF protocol requires a host city to formally write to the RAAF Chief of Air Force, to request such activities.

Discussions to date have indicated the desire for 36SQN personnel to support ANZAC services and other initiatives such as school visits and parades within the community, subject to availability. In particular, discussions have indicated strong desire to grant and celebrate the Freedom of Entry to the City as part of the Centenary of the Royal Australian Air Force celebrations, which will be celebrated in 2021.

**2020/280 RESOLVED (Cr Denise Knight / Cr Tegan Swan)**

That Council endorse the request of the Coffs Harbour and District RAAF Branch and formally write to the RAAF Chief of Air Force regarding a potential "Freedom of Entry" association between Council and the RAAF, possibly the No.36 Squadron.

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

**CARRIED****SI20/20 COASTAL WORKS GOVERNANCE FRAMEWORK****EXECUTIVE SUMMARY**

In March 2020, Council unanimously resolved to adopt a Notice of Motion to review and update the Coastal Works Governance Protocols and the related Instrument of Delegation which affects commercial activities of that business unit.

The purpose of this report is to bring back the revised Governance Protocols document for Council adoption.

**2020/281 RESOLVED (Cr Paul Amos / Cr Tegan Swan)**

That Council defer adoption of the Revised Coastal Works Governance Protocols until after it has been reviewed by the Coffs Harbour Council Audit and Risk Committee for endorsement and comments as to good governance and remuneration benchmarks.

**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 8.19pm.

Confirmed: 10 December 2020

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Denise Knight  
Mayor