

The following document is the minutes of the Council and Committee Meetings held on Thursday, 19 June 2003. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 3 July 2003 and therefore subject to change. Please refer to the minutes of the meeting of 3 July 2003 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)**  
**COUNCIL CHAMBER**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**19 JUNE 2003**

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**COFFS HARBOUR CITY COUNCIL**

**ORDINARY MEETING**

**(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)**

**19 JUNE 2003**

Present: Councillors JC Bonfield (Mayor), PJ Howe, CM McKimm, WR Palmer, KD Rhoades, J Strom (Deputy Mayor), AD Williams and WA Wood.

Staff: General Manager, Acting Director of Planning, Environment and Development, Director of City Business Units, Acting Director of City Services, Director of Corporate Services, Executive Assistant

Leave of Absence: Councillor PJ Howe

The meeting commenced at 5.02 p.m. with the Mayor, Councillor JC Bonfield, in the chair.

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**APOLOGY**

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- 103** **RESOLVED** (Bonfield/Wood) that the apology received from Councillor IJ Ovens for absence be accepted and leave be granted for the current meeting of Council.

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## PUBLIC ADDRESSES

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<b>Speaker</b>	<b>Subject</b>
Deborah Cowan	11 - 2003/2004 Management Plan and 2003/2004 Fees and Charges
Owen Rachford	PED42 - Development Application No. 1006/03 - Recreation Facility Laserball and Paintball - Lot 50, DP 630131, 8 Herdegen Close, Bonville
Ken Maguire	PED42 - Development Application No. 1006/03 - Recreation Facility Laserball and Paintball - Lot 50, DP. 630131, 8 Herdegen Close, Bonville
Ken Creech	PED43 - Development Application No. 1152/03 - Dual Occupancy and Subdivision - Lot 111, DP 1033464, 25 Royal Palm Drive, Sawtell
Annie Matheson	PED46 - Development Application No. 1005/03 - Dual Occupancy - Lot 47, DP 20607, 17 Boronia Street, Sawtell
David Miller	PED46 - Development Application No. 1005/03 - Dual Occupancy - Lot 47, DP 20607, 17 Boronia Street, Sawtell

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## CONFIRMATION AND ADOPTION OF MINUTES

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- 104** **RESOLVED** (Williams/Strom) that the minutes of the City Business Units Committee meeting of 5 June 2003 be confirmed as a true and correct record of proceedings.
- 105** **RESOLVED** (Williams/Strom) that the minutes of the Corporate Services Committee meeting of 5 June 2003 be confirmed as a true and correct record of proceedings.

The Mayor requested a motion to adjourn the Ordinary meeting and resolve into the Planning, Environment and Development Committee meeting.

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## PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE

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- 106** **RESOLVED** (Williams/Palmer) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 5.30 p.m.

The Mayor invited Councillor Williams to chair the Planning, Environment and Development Committee meeting.

## **PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS**

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### **PED42 DEVELOPMENT APPLICATION NO. 1006/03 - RECREATION FACILITY LASERBALL AND PAINTBALL: LOT 50, DP 630131, 8 HERDEGEN CLOSE, BONVILLE**

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The purpose of the report is to advise Council on Development Application No. 1006/03 which proposes a laserball and paintball recreation facility in Bonville.

#### **MOTION**

**MOVED** (Wood/Strom):

1. That Council approve Development Application No. 1006/03 for a recreation facility, laserball and paintball, on Lot 50, DP 630131, 8 Herdegen Close, Bonville subject to conditions foreshadowed within the report as well as technical conditions.
2. That the hours of operation of the proposed recreation facility, laserball and paintball, be restricted to a maximum of 50 hours per week from 10.00 a.m. - 4.00 p.m. weekdays and 10.00 a.m. - 6.00 p.m. on Saturday.
3. That all those persons who made a submission on the application be notified of Council's decision.
4. That established screening trees be planted prior to the operation of the recreation facility.

#### **AMENDMENT**

**MOVED** (Bonfield/McKimm) that consideration of Development Application No. 1006/03 for a recreation facility laserball and paintball on Lot 50, DP 630131, 8 Herdegen Close, Bonville be deferred pending submission of a report on the affects of the noise impacts created by the operation.

**The amendment on being put to the meeting was lost.**

**cont'd**

**Ped42 Development Application No. 1006/03 - Recreation Facility Laserball And Paintball: Lot 50, Dp 630131, 8 Herdegen Close, Bonville (cont'd)**

**FURTHER AMENDMENT**

**T32 MOVED** (Bonfield/McKimm):

1. That Council approve Development Application No. 1006/03 for a recreation facility, laserball and paintball, on Lot 50, DP 630131, 8 Herdegen Close, Bonville subject to conditions foreshadowed within the report as well as technical conditions.
2. That the hours of operation of the proposed recreation facility, laserball and paintball, be restricted to a maximum of 41 hours per week from 10.00 a.m. - 4.00 p.m. weekdays and Saturdays and 10.00 a.m. - 3.00 p.m. Sundays.
3. That all those persons who made a submission on the application be notified of Council's decision.
4. That established screening trees be planted prior to the operation of the recreation facility.

**The further amendment on being put to the meeting was carried. It then became the motion and on being put to the meeting was carried.**

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**PED43 DEVELOPMENT APPLICATION NO. 1152/03 - DUAL OCCUPANCY AND SUBDIVISION - LOT 111, DP 1033464, 25 ROYAL PALM DRIVE, SAWTELL**

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This report presents Development Application No. 1152/03 to Council for consideration. The application is for a dual occupancy development and subdivision.

- T33 RECOMMENDED** (Palmer/Wood) that Council approve Development Application No. 1152/03 for dual occupancy development and subdivision at Lot 111, DP 1033464, 25 Royal Palm Drive, Sawtell subject to standard technical conditions.

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**PED46 DEVELOPMENT APPLICATION NO. 1005/03 - DUAL OCCUPANCY -  
LOT 47, DP 20607, 17 BORONIA STREET, SAWTELL**

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The purpose of this report is to advise Council on an application for medium density housing comprising two dwellings on Lot 47, DP 20607, 17 Boronia Street, Sawtell.

**RECOMMENDED** (Bonfield/Strom) that consideration of Development Application No. 1005/03 for two dwellings on Lot 47, DP 20607, 17 Boronia Street, Sawtell be deferred to enable Council to undertake a site inspection.

**AMENDMENT**

**T34 MOVED** (Rhoades/Palmer) that consideration of Development Application No. 1005/03 for two dwellings on Lot 47, DP 20607, 17 Boronia Street, Sawtell be approved subject to standard technical conditions

**The amendment on being put to the meeting was carried. It then became the motion and on being put to the meeting was carried.**

**GENERAL MANAGER'S REPORTS**

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**11 2003/2004 MANAGEMENT PLAN AND 2003/2004 FEES AND CHARGES**

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To present Council with the recommended 2003/2004 Management Plan and 2003/2004 Fees and Charges for consideration and adoption.

**MOTION**

**T35 MOVED** (Wood/Bonfield) that:

1. Council adopts the Draft 2003/2004 Fees and Charges as the final 2003/2004 Fees and Charges, with the amendments listed in this report.
2. Council adopts the Draft 2003/2004 Management Plan as the final 2003/2004 Management Plan, with the following amendments:
  - (a) Council supports budget adjustments and schedules listed (A) to (K) in the Issues section of this report, for inclusion in the 2003/2004 Management Plan;
  - (b) Council approves budget adjustments to provide a \$4,000 donation to Lowanna Mountain Railway Inc, an increase of \$50,000 to the dust sealing program, a \$35,000 allocation to Woolgoolga Sports Council Inc, a \$3,500 allocation for a street light and pole on Stadium Drive, and that Council note the adoption of the plant replacement program;

**cont'd**

**11 2003/2004 Management Plan And 2003/2004 Fees And Charges (cont'd)**

- (c) Council forms a project team to explore options for funding infrastructure improvement works throughout the city;
- 3. Council notes the proposed actions and responses relating to surf patrol extensions, safety at Raleigh Street Moonee, footpath construction at Boambee Public School, and a signboard structure at Fitzroy Oval.
- 4. Council continues to pursue cost efficiency measures through the Coffs Best Value program to reduce the deficit during the 2003/2004 financial year.
- 5. Council notes the issues raised and the proposed actions and responses to community submissions to the Draft 2003/2004 Management Plan, and all those who have made submissions be thanked and informed of Council's decision.
- 6. (a) That \$100,000 be allocated from existing funds held for Jetty Foreshore improvement works towards Boat Ramp access modifications, subject to matching funding being committed from other State government departments.  
  
(b) That the project team referred to in 2(c) above take as a priority seeking funding options for the boat ramp.
- 7. That a sum of \$22,000 be allocated for footpath construction at Boambee Public School and that this allocation be deficit funded.
- 8. That \$30,000 be allocated for the extension of lifeguard services at Sawtell Beach to cover a seven month period and be deficit funded.
- 9. That \$50,000 be allocated for 'seed funding' to attract government funding and possible partnerships for a Senior Citizens Centre.
- 10. That Council investigate and report on the possibilities of developing a partnership with Coffs Harbour Sports Advisory Committee and associated sports, service clubs, community groups, commercial and business organisations in Coffs Harbour, toward the construction of amenities blocks on the western part of the playing fields at the Coffs Harbour Sport and Leisure Park.
- 11. The Budget deficit be extended to \$530,118 in 2003/2004 to meet priority needs of the Council and the community.

**cont'd**



**11 2003/2004 Management Plan And 2003/2004 Fees And Charges (cont'd)**

**AMENDMENT**

**MOVED** (Rhoades/Palmer):

1. That a sum of \$100,000 be allocated for the construction of an amenities block on western part of playing field, to be funded from an increase to the deficit.
2. That Council investigate and report on the possibilities of developing a partnership with Coffs Harbour Sports Advisory Committee and associated sports, service clubs, community groups, commercial and business organisations in Coffs Harbour, toward the construction of amenities blocks on the western part of the playing fields at the Coffs Harbour Sport and Leisure Park

**The amendment on being put to the meeting was lost.**

**Councillor McKimm left the meeting, the time being 7.30 p.m.**

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**12 REPORT ON PROCESS - DEVELOPMENT APPLICATION NO 518/02 - PROPOSED ECO-TOURISM FACILITY**

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To report on Council's resolution dated 15 May 2003 in relation to this matter.

**T36 RECOMMENDED** (Wood/Strom):

1. That the information contained in this report be noted.
2. That Development Application No. 518/02 for the establishment of an eco-tourism facility at Lot 2, DP 52271, 3 Darkum Headland Road, Mullaway be now considered.

**PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS**

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**PED41 DEVELOPMENT APPLICATION NO. 518/02: PROPOSED ECO-TOURISM FACILITY: LOT 2, DP 523271, 3 DARKUM HEADLAND ROAD, MULLAWAY**

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This application seeks Council's approval for an eco-tourism facility at the property.

- T37** **RECOMMENDED** (Wood/Strom) that Development Application No. 518/02 for the establishment of an eco-tourism facility at Lot 2, DP 523271, 3 Darkum Headland Road, Mullaway be refused on the grounds that the development is prohibited. The proposal does not satisfy the definition of "eco-tourism facility" under the Coffs Harbour City Local Environmental Plan 2000. The proposed development will have a deleterious effect on the ecology of its location, contrary to the terms of the definition.

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**PED44 PLANNING STATUS: LOT 4, DP 245955, 55 TIKI ROAD, MOONEE**

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The purpose of this report is to inform Council of the planning status of land at Tiki Road, Moonee.

- T38** **RECOMMENDED** (Wood/Palmer):
1. That Council defer any rezoning proposal for the Tiki Road area pending final resolution of the Pacific Highway Planning Strategy, the Moonee Release Area and the Rural Lands Strategy.
  2. That the owner of the land (Lot 4, DP 245955, 55 Tiki Road, Moonee) be informed of Council's decision.

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**PED45 DEVELOPMENT APPLICATION NO. 683/03 - 12 TOWNHOUSES, SWIMMING POOL AND GAZEBO - LOT 1, DP 1012104, BAY DRIVE, COFFS HARBOUR**

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This application seeks approval for 12 townhouses and a swimming pool on Lot 1, DP 1012104, which is located to the north of Pacific Bay Resort.

In 1997 Council approved the construction of 36 townhouses on this site. To date 24 townhouses have been constructed and the proposed 12 townhouses and pool form the final stage of the project. The 12 townhouses differ to that previously approved by Council, hence this application.

- T39** **RECOMMENDED** (Rhoades/Wood) that Development Application No. 683/03 for the construction of 12 townhouses, a swimming pool and a gazebo at Lot 1, DP 1012104, Bay Drive, Coffs Harbor be approved subject to technical conditions.

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**PED47 DEVELOPMENT APPLICATION NO. 1362/03 - EXTENSION TO EXISTING AGED CARE FACILITY AND AFTER HOURS MEDICAL CLINIC - LOT 1, DP 836140, 49 HIGH STREET, WOOLGOOLGA**

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The purpose of this report is to advise Council on Development Application (DA) No. 1362/03 which proposes a 34 bed extension to an existing aged care facility and after hours medical clinic in Woolgoolga.

- T40** **RECOMMENDED** (Strom/Wood) that the General Manager be authorised to issue development consent for the construction of a 34 bed extension to the existing aged care facility on Lot 1, DP 836140, 49 High Street, Woolgoolga upon resolution of conditions recommended by the NSW Rural Fire Service.

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**PED48 DEVELOPMENT APPLICATION NO. 1389/03 - MULTI UNIT HOUSING (SEVEN TOWNHOUSES) - LOT 1, SECTION 62, DP 758258, 149 EDINBURGH STREET, COFFS HARBOUR**

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The purpose of the report is to advise Council on Development Application No. 1389/03. The application is a multi unit housing proposal for seven townhouses.

- T41** **RECOMMENDED** (Palmer/Wood) that Council approve Development Application No. 1309/03 for multi unit housing (seven townhouses) on Lot 1, Section 62, DP 758258, 149 Edinburgh Street, Coffs Harbour subject to standard technical conditions.

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**PED49 DEVELOPMENT APPLICATION NO. 1430/03 - MULTI UNIT HOUSING AND STRATA SUBDIVISION - LOTS 9 AND 10, SECTION 39, DP 758258, 268 HARBOUR DRIVE, COFFS HARBOUR**

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The purpose of the report is to advise Council on Development Application No. 1430/03 which proposes the construction of 10 townhouses and strata subdivision in the Jetty area, Coffs Harbour.

- T42 RECOMMENDED** (Strom/Bonfield) that Council approve Development Application No. 1430/03 for demolition of existing dwelling and construction of multi unit housing (ten townhouses) and strata subdivision on Lots 9 and 10, Section 39, DP 758258, 268 Harbour Drive, Coffs Harbour subject to technical conditions.

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**PED50 REGIONAL WASTE MANAGEMENT**

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This report outlines the progress and achievements of the Mid North Coast Waste Forum group, now known as MIDWASTE, and the successful application for grant funding from Resource NSW. The grant of \$150,000 is for the implementation of programs under the Mid North Coast Regional Waste Strategy.

- T43 RECOMMENDED** (Strom/Palmer):

1. That the report on the success of MIDWASTE receiving a grant of \$150,000 from Resource NSW for the implementation of programs under the Mid North Coast Regional Waste Management Strategy be received and noted.
2. That a further report be presented to Council at such time as the level of funding has been determined by MIDWASTE.

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**PED51 DESIGN QUALITY PROGRAM**

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To advise Council of its successful application to the New South Wales Design Quality Program – Residential Design Fund; \$40,000 is being offered on a dollar for dollar basis to prepare urban design guidelines for the Jetty Area west of the railway line (Precincts 2-6).

**T44 RECOMMENDED (Wood/Strom):**

1. That the Memorandum of Understanding between Coffs Harbour City Council and Urban Design Advisory Service be executed under the Common Seal of Council.
2. That \$40,000 be allocated to the project in the 2003/2004 Management Plan.

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**PED52 ILLEGAL VEGETATION CLEARING AND LANDFORM MODIFICATION, MOONEE**

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The purpose of this report is to inform Council of illegal clearing of vegetation in the Moonee Residential Release Area, and initiate action for breaches under Coffs Harbour City Local Environmental Plan (LEP) 2000.

**Councillor Bonfield declared an interest in this matter, vacated the Chamber and took no part in the discussion or voting, the reason being that she is associated with an owner.**

**T45 RECOMMENDED (Wood/Strom):**

1. That legal action be taken against the owner of Lot 7, DP 252223 for a breach or breaches of Coffs Harbour City Local Environmental Plan 2000, as advised by Council's solicitor.
2. That Council adopt the following approach:
  - (a) In release areas, seek to raise developer contributions for purchase of land for conservation where feasible, so that landowners are not disadvantaged for having protected valuable vegetation and habitat.
  - (b) Where landowners clear land prior to lodging an application for development, as a means to avoid environmental protection legislation, assessment be based on the environmental values prior to the illegal clearing.
3. That, as a matter of procedure, the General Manager be authorised to proceed on matters of this nature.

**Councillor Bonfield returned to the Chamber.**

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**PED53 KOALA MANAGEMENT ADVISORY COMMITTEE - MINUTES OF MEETING, 2 JUNE 2003**

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To endorse the actions taken by the Koala Management Advisory Committee.

**T46 RECOMMENDED** (Bonfield/Wood):

1. That the Minutes of the Koala Management Advisory Committee of 2 June 2003, attached to the report, be noted.
2. That Council approve the variation of funding within the Environmental Levy program 2002/2003 of \$5,000 from Implementation of Koala Plan of Management to Fine Scale Mapping of Koala Habitat.

**CORPORATE SERVICES DEPARTMENT REPORTS**

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**F35 BUDGET FOR 2003/2004 - FORMAT REQUIRED BY ACCOUNTING CODES**

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To meet requirements in the Local Government Accounting Codes in respect of budgets.

- T47 RECOMMENDED** (Bonfield/Strom) that the two 2003/2004 budgets, prepared in Type and Function format and in accordance with the Statement of Financial Performance and Note 2a of the annual financial reports, be adopted, subject to any variations made when the Management Plan is adopted.

**CITY RESOURCES DEPARTMENT SUPPLEMENTARY REPORT**

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**FILM MID NORTH COAST**

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The purpose of this report is to ask Council to reconsider a contribute funds for the ongoing operations of Film Mid North Coast.

**T48 RECOMMENDED** (Strom/Bonfield):

1. That Council advise Film Mid North Coast that a contribution of \$10,000 will be provided for 2003/2004 and any further contribution will be provided on an in-kind basis.
2. That Council advise the Department of State and Regional Development that support will be provided to the level above. That any further and/or ongoing support be based on positive feedback of economic, social and environmental benefits being achieved.

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## CONCLUSION OF COMMITTEE MEETING

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The Chairman advised that the business of the Committee was concluded and invited the Mayor to resume the chair.

The Mayor resumed chairmanship of the meeting at 7.55 p.m.

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## OPEN COUNCIL

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The Mayor requested a motion to close the Committee meeting and move into Open Council.

- T49**    **RECOMMENDED** (Strom/Palmer) that the Committee now move into Open Council.

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## ADOPTION OF PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE REPORT

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- 107**    **RESOLVED** (Strom/Wood):

1. That the report of the Planning, Environment and Development Committee meeting be received and adopted.
2. That the following Councillor recorded a conflict of interest during the Committee meeting:

<b>Item</b>	<b>Councillor</b>
PED52    Illegal Vegetation Clearing and Landform Modification, Moonee	JC Bonfield

This concluded the business and the meeting closed at 7.56 p.m.

Confirmed:    3 July 2003

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J C Bonfield  
Mayor