

Minutes for this meeting will be confirmed at the Planning, Environment & Development Committee Meeting to be held in the Council Chambers, Council Administration Building, on 17 July 2003 commencing 5pm.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(CITY BUSINESS UNITS COMMITTEE)
BONVILLE MEMORIAL HALL
EAST BONVILLE ROAD, BONVILLE
3 July 2003
Commencing At 5.00pm

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COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(CITY BUSINESS UNITS COMMITTEE)

3 July 2003

Mayor and Councillors

CITY BUSINESS UNITS DEPARTMENT REPORTS

E41 TRANSFER OF INTERESTS IN DRAINAGE EASEMENTS, SANDY BEACH

Purpose:

Report seeking Council approval for the transfer of interests in a drainage easement affecting eight properties at Sandy Beach.

Description of Item:

Recent road works in Diamond Head Drive at Sandy Beach have resulted in storm water flows being re-diverted. The new road works now means that storm water is directed down Diamond Head Drive instead of flowing down an open drain affecting 19 and 21 Blackbutt Avenue, Sandy Beach as well as 5, 7, 9, 11-13, 15 and 17 Diamond Head Drive, Sandy Beach.

Each of the above properties is currently encumbered by a drainage easement in favour of Council which was used prior to the new road works. This drainage easement is now no longer required by Council and as such Council has no interest in maintaining its rights in relation to the easement.

Council has proposed to each of the affected owners that Council be released as the benefiting party and that the rights to the easement be transferred to the individual property owners. In this way the easement would act as an interallotment system and Council would therefore have no further interest or responsibilities in regard to the easement.

To facilitate the matter, Council has also proposed that the existing open drain within the easement be piped which would improve both the visual amenity of the easement and help with the control of storm water and localised flooding issues. Upon transfer of the interests in the easement, all maintenance responsibilities would transfer to the individual properties which would benefit from an interest in the easement.

cont'd

E41 Transfer Of Interests In Drainage Easements, Sandy Beach (cont'd)

Discussions have been held with all owners affected and agreement for the transfer of the benefiting rights to the easement has been reached on the following terms:

1. Council be responsible for all costs associated with the easement transfer.
2. Council at its cost pipe the easement as proposed on the plan attached to this report.
3. Council create an additional easement of approximately 15.43 square metres over 15 Diamond Head Drive (Lot 12 DP 1004693) to accommodate the new works.
4. That the owner of 15 Diamond Head Drive be compensated in the amount of \$300, exclusive of GST on the basis Council pay all other costs in relation to this matter.
5. That Council extinguish the existing drainage easement which has become obsolete along the western boundary of No 9 Diamond Head Drive (Lot 39 DP 227257).

Sustainability Assessment:

- **Environment**

There will be minor environmental impact as a result of this matter. Excavation associated with the pipeline will impact on the surface of the properties in the position of the trench. It will improve local flood issues.

- **Social**

The new pipeline will have a small but positive impact. It will improve the amenity of the area and the residents' wellbeing.

- **Economic**

The costs associated with this matter are to be funded by the Minor Drainage Improvements Programme. Total costs associated with the easement transfer are expected to be in the vicinity of \$5,000.

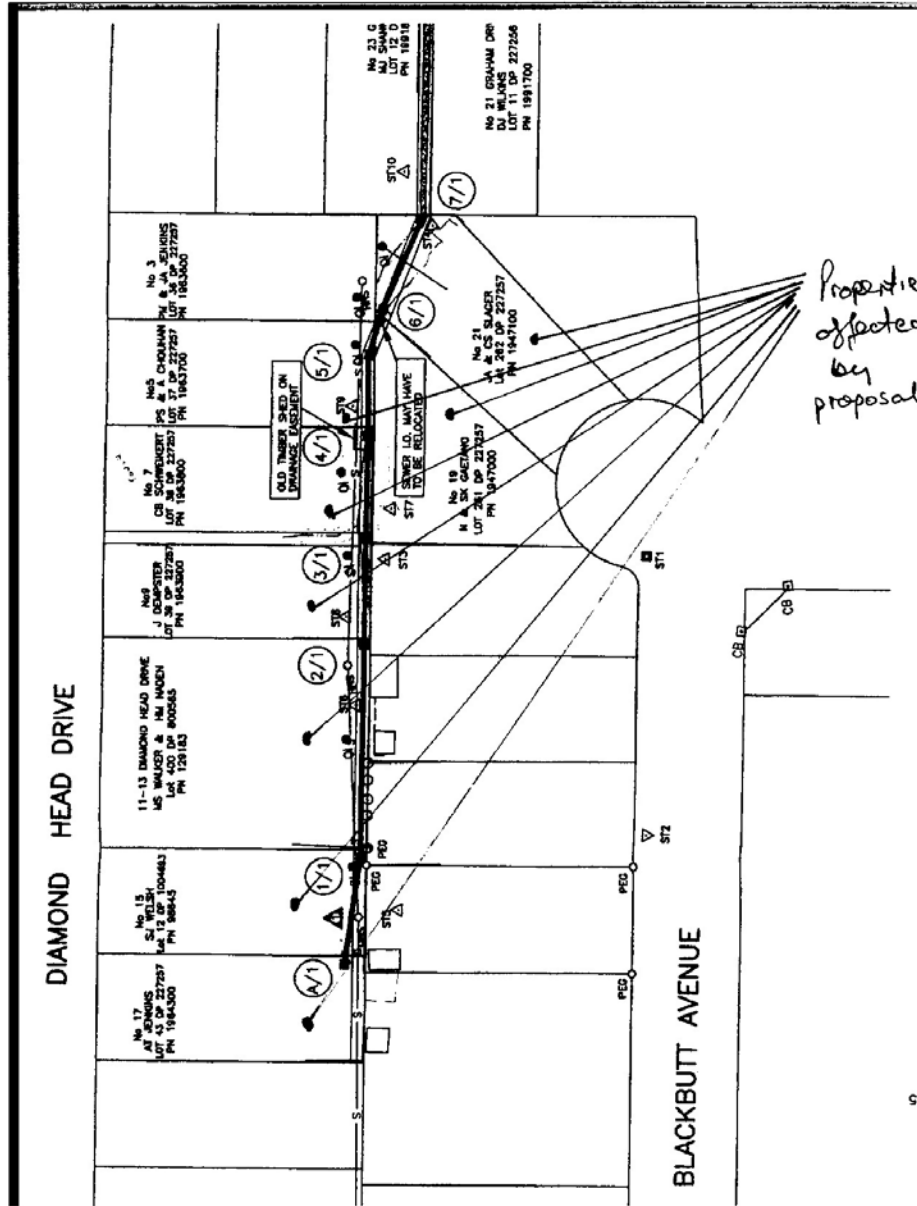
Implementation Date / Priority:

The matter will be actioned immediately.

Recommendation:

1. **That Council proceed with the transfer of its interests in the easement affecting the property owners of 19 and 21 Blackbutt Avenue, Sandy Beach as well as 5, 7, 9, 11-13, 15 and 17 Diamond Head Drive, Sandy Beach, on the terms and conditions contained within this report.**
2. **That all necessary documents associated with the acquisition and transfer of the easement be executed under the Common Seal of Council.**

Attachments:



E42 RELEASE OF EASEMENT TO DRAIN WATER - LOT 26 DP 1034193, 10 TOPAZ DRIVE EMERALD BEACH

Purpose:

Report seeking Council's consent to release and extinguish a drainage easement which currently exists over Lot 26 DP 1034193.

Description of Item:

Council has recently received a request from solicitor, Fishburn Watson O'Brien, on behalf of its client who owns a property at 10 Topaz Drive, Emerald Beach. The request is for Council to release a drainage easement described as "Easement to Drain Water 6 Wide" which was created by the registration of DP 1008104 and shown on the plan attached to this report.

This easement currently benefits Council however the requirement for maintenance of the easement rests with the property owner.

An on site meeting was conducted between Council's Valuer and Works Engineering staff and it was determined that the above easement is obsolete and is no longer required by Council. A new easement has been created around the perimeter of the property which is satisfactory for Council's purposes. This is shown on the plan attached to this report.

Fishburn Watson O'Brien has supplied an 88B instrument and survey plan which both require execution by Council under seal prior to lodgement at Land and Property Information.

Sustainability Assessment:

- **Environment**

There will be minimal environmental impact as a result of the release of this easement. Overland water flow will be directed down the alternate easement.

- **Social**

The release of the easement will have little social impact.

- **Economic**

There will be no economic impact on Council as all costs are to be covered by the applicant.

Consultation:

Council's Works Branch advises there is no requirement for Council to retain the easement as it has been replaced by a new easement around the boundary of the property which is to be maintained by the registered proprietor of the land. They have no objection to the extinguishment of the easement.

Implementation Date / Priority:

This matter will be acted upon immediately.

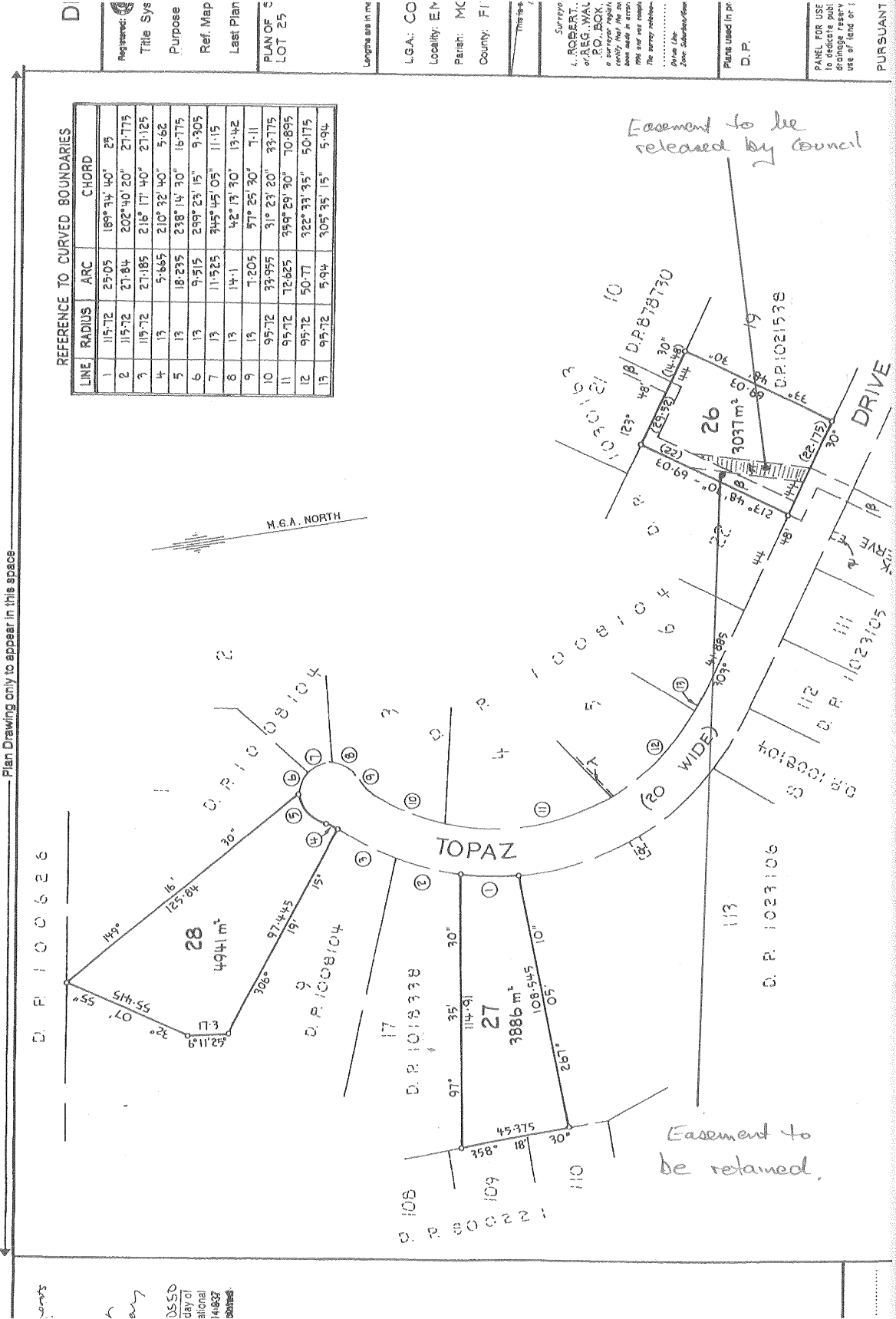
cont'd

E42 Release Of Easement To Drain Water - Lot 26 Dp 1034193, 10 Topaz Drive Emerald Beach (cont'd)

Recommendation:

- 1. That Council execute under seal the 88B Instrument to release the drainage easement registered under DP 1008104 over Lot 26 DP 1034193 and the survey plan supplied by Fishburn Watson O'Brien.**
- 2. That Council execute under seal any other documents required in relation to this matter.**

Attachments:



D.I.
 Registered:
 Title Sys
 Purpose
 Ref. Map
 Last Plan
 PLAN OF S
 LOT 25

Lengths are in m
 L.G.A.: CO
 Locality: EIM
 Parish: MC
 County: FI

Surveyed
 L. ROBERT.
 of ARES. WAL
 P.O. BOX.
 a surveyor registered
 under the Survey Act
 1966 and was called
 upon to certify that
 the above is a true and
 correct copy of the
 original plan
 drawn by
 the Surveyor-General

Plans used in: pr
 D.P.

PANEL FOR USE
 to indicate public
 drainage reserve
 use of land or 1

PURSUANT

E43 ACQUISITION OF PROPERTY - 36 CLARENCE STREET WOOLGOOLGA

Purpose:

Report seeking Council approval for the acquisition of a property at 36 Clarence Street, Woolgoolga.

Description of Item:

Council requires the acquisition of 36 Clarence Street, Woolgoolga in order to construct a sewer main along either its northern or southern boundaries. Council is currently experiencing ongoing sewage surcharge problems during heavy rainfall on the western side of the highway at Hubbard Street. To rectify this situation the preferred option is to construct a new line from Hubbard Street, across the highway, through 36 Clarence Street and to join it up with a trunk main in Turon Parade.

The property described as Lot 1 DP 125957 at 36 Clarence Street, Woolgoolga comprises a vacant parcel of land having an area of approximately 486.9 square metres. The property adjoins a variety of residential development and fronts the busy Pacific Highway known as Clarence Street at this point. A plan showing the location of the property is attached to this report.

The property is zoned 2E Residential Tourist. This zoning permits a single dwelling to be erected upon the property. It is noted the property is also flood affected and consultation with Council's flooding engineer indicates the 1:100 year flood height at this locality is 5.4 metres AHD. The land's existing AHD is estimated to be approximately 5 to 5.5 metres AHD.

Unsuccessful negotiations have been held with the owner of 36 Clarence Street to provide Council access to the property to construct the sewer line.

The property has been on the market for some time with an asking price of \$55,000 through a local agent. Council has been able to negotiate a price of \$50,000 for the purchase of the land.

Once Council owns the land it is intended to construct the pipeline across the property then resell the land. It is considered the pipeline will have little impact upon the value of the property or the resale of the land.

The land is heavily constrained by various factors and as such is priced at the lower end of the market. Given the current strength of the residential property market it is anticipated Council should have no major problems reselling the land for a similar amount to that for which it is to be purchased.

Sustainability Assessment:

- **Environment**

The environmental impact should be positive in the longer term as the construction of the new sewer pipeline will alleviate sewer surcharge problems in the Hubbard Street area of Woolgoolga. The construction of the pipeline will cause some short term disturbance to the surface of the land where open trenching is required.

cont'd

E43 Acquisition Of Property - 36 Clarence Street Woolgoolga (cont'd)

- **Social**

There will be a minimal social impact as a result of the matter. What impact there is will be positive as the community will benefit from improved infrastructure.

- **Economic**

The acquisition of the property will be funded from the capital works sewer program. Income from the resale of the land will be returned to this program. It is anticipated that the exercise of buying then reselling the land could cost in the vicinity of \$5,000 to \$10,000.

The negotiated price has been undertaken by Council's qualified valuation staff.

Consultation:

This matter has been discussed with Council's City Services Department who are supportive of this proposal.

Implementation Date / Priority:

The matter will be actioned immediately.

Recommendation:

1. **That Council proceed to acquire 36 Clarence Street, Woolgoolga on the terms contained within the body of this report.**
2. **That Council resell the property by private treaty once the sewer pipeline works have been completed.**
3. **That the General Manager be given delegated authority to determine the sale price once the land is returned to the market.**
4. **That all necessary documents associated with the acquisition and subsequent disposal be executed under the common seal of Council.**
5. **That the land being acquired be classified as operational land under the provisions of the Local Government Act 1993.**

Attachments:



E44 ACQUISITION OF LAND FOR DEDICATION AS PUBLIC ROAD - 24 HUTCHINSON STREET, ULONG

Purpose:

Report seeking Council approval for the acquisition of land at 24 Hutchinson Street, Ulong.

Description of Item:

Recent concerns regarding pedestrian access from the Ulong Primary School to the Ulong Showground in the vicinity of Hutchinson Street have brought to light that school children regularly walk across land which is in private ownership. This land is known as Lot 34 DP 652722 or 24 Hutchinson Street and is owned by Mr and Mrs Soderlund.

Council's valuation staff have met with Mr and Mrs Soderlund and it has been agreed that Council will purchase a small section of their land at the southern end of Hutchinson Street for dedication as a public road. The area of land affected is shown more clearly on the attached plan. The total area of land involved is approximately 120 square metres and represents a small part of the Soderlund property which has a total area of some 3.39 hectares.

Mr and Mrs Soderlund have agreed to the above proposal on the following terms:

1. Council being responsible for the extension of the Hutchinson Street pavement to the existing entrance gate to the property shown on the plan attached to this report.
2. Council at its cost dust seal a section of the driveway over the Soderlund property from the existing entrance gate and extending approximately 17 metres into the property.
3. Council being responsible for all other costs associated with this matter, including all legal, surveying, transfer and registration costs.

Sustainability Assessment:

• **Environment**

The environmental impact of this matter will be minimal as the works will occur upon existing roadways or driveways.

• **Social**

There will be a positive social impact as a result of this proposal. Legal and functional access will be provided between the local primary school and the Ulong Showground. This will have a long lasting positive impact for the local community of Ulong.

• **Economic**

The acquisition will cost Council in the vicinity of \$6,000 having regard to the work to be undertaken and the legal matters to be addressed in regard to the property transfer. Funds for this project will come from Council's old easements and roads program.

Council's valuation staff consider the compensation agreement fair and reasonable.

cont'd

E44 Acquisition Of Land For Dedication As Public Road - 24 Hutchinson Street, Ulong (cont'd)

Consultation:

This matter has been discussed with Council's Works Branch in regard to costing and construction related matters.

Implementation Date / Priority:

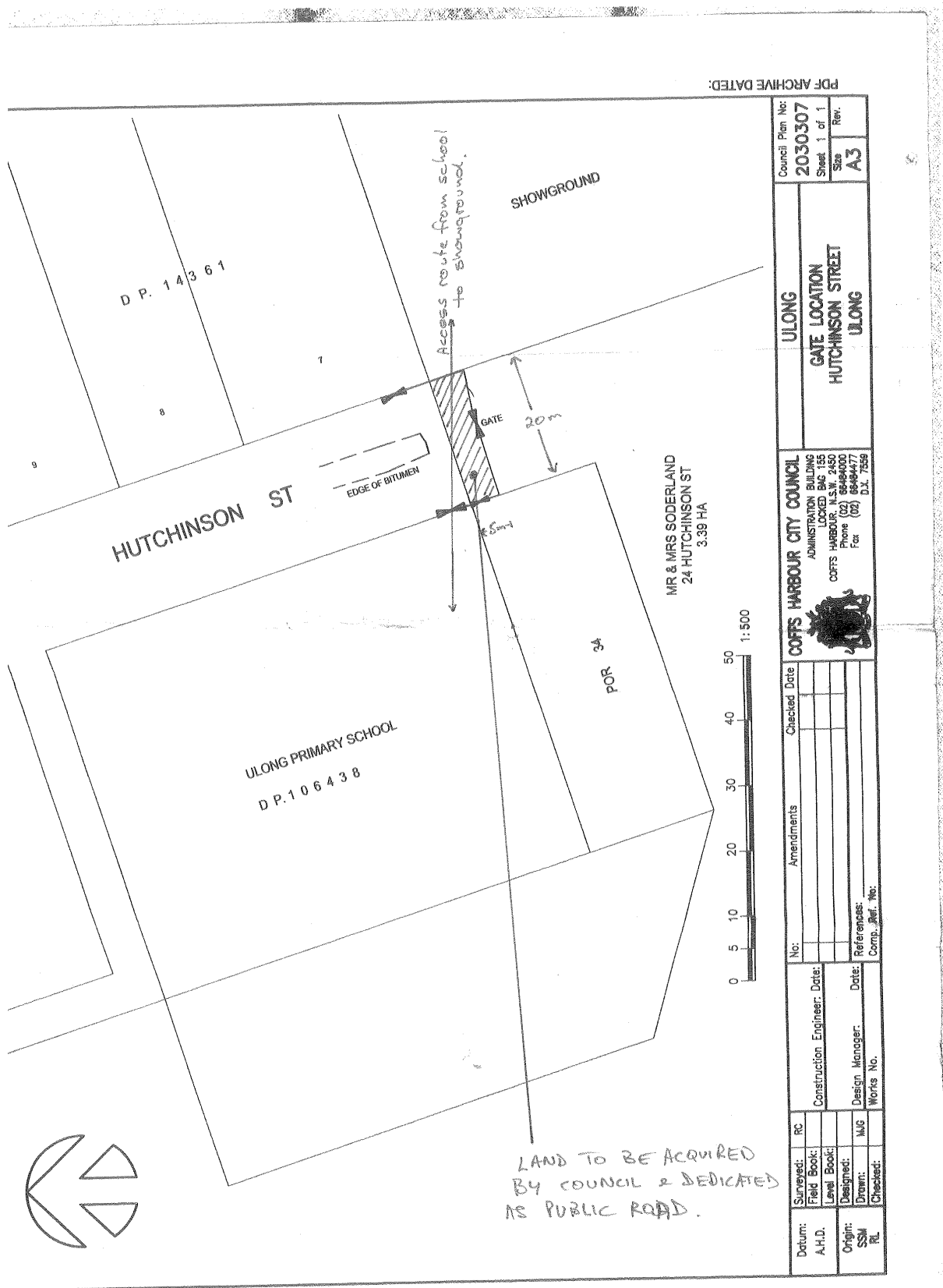
The matter will be actioned immediately.

Recommendation:


1. That Council proceed to acquire that section of land shown in the plan attached to this report being part Lot 34 DP 652722, 24 Hutchinson Street, Ulong.
2. That Council acquire the above land for road purposes on the terms and conditions contained within the body of this report.
3. That the land to be acquired be classified as operational land under the Local Government Act, 1993.
4. That all necessary documents associated with the acquisition be executed under the common seal of Council.

**C Spring
Acting Director City Business Units**

Attachments:



PDF ARCHIVE DATED:

Council Plan No: 2030307		Sheet 1 of 1		Rev: A3	
ULONG					
GATE LOCATION					
HUTCHINSON STREET					
ULONG					
COFTS HARBOUR CITY COUNCIL					
ADMINISTRATION BUILDING LOCKED BAG 2450 COFTS HARBOUR, N.S.W. 2450 Phone (02) 86494000 Fax (02) 86494777 D.L. 7559					
					
No:		Amendments		Checked Date	
Construction Engineer: Date:		Design Manager: Date:		References:	
RC		MUG		Works No.	
Surveyed: Field Book:		Designed: Drawn:		Checked:	
Datum: A.H.D.		Origin: SSM		RL	

LAND TO BE ACQUIRED
BY COUNCIL & DEDICATED
AS PUBLIC ROAD.

PLANNING ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

PED55 PACIFIC HIGHWAY PLANNING STRATEGY: COMMUNITY FORUMS

Purpose:

The purpose of this report is to update Council on the Pacific Highway Planning Strategy Forums.

The report recommends that Council note the minutes of the Forums and endorse the process of community engagement.

Background:

A Steering Committee was established in 2001 to oversee the preparation of a Planning Strategy for the upgrading of the Pacific Highway. The Steering Committee consists of representatives from planningNSW, the Roads and Traffic Authority and Council.

Three Community Focus Groups (CFGs) were established to assist in the preparation of the Strategy and to help communicate with the local communities that the CFG members represent.

Last year Council appointed consultants to carry out a Peer Review of the Pacific Highway Planning Strategy. One of the significant findings of the Review was the need for greater transparency and improved communication.

At a Council workshop with CFG members, held on the 6 November 2002, to discuss the Peer Review there was general consensus for closer communication between Council, the Steering Committee and CFG members. One suggestion was for selected CFG members to attend as observers of the Steering Committee meetings. Subsequent meetings of the Steering Committee resulted in an alternative proposal which would involve Council having forums with CFG members to discuss the project. This proposal was expanded to have a series of forums with a wider group that included not only the CFG members, but also other community members that have approached Council with an interest in the project.

Report:

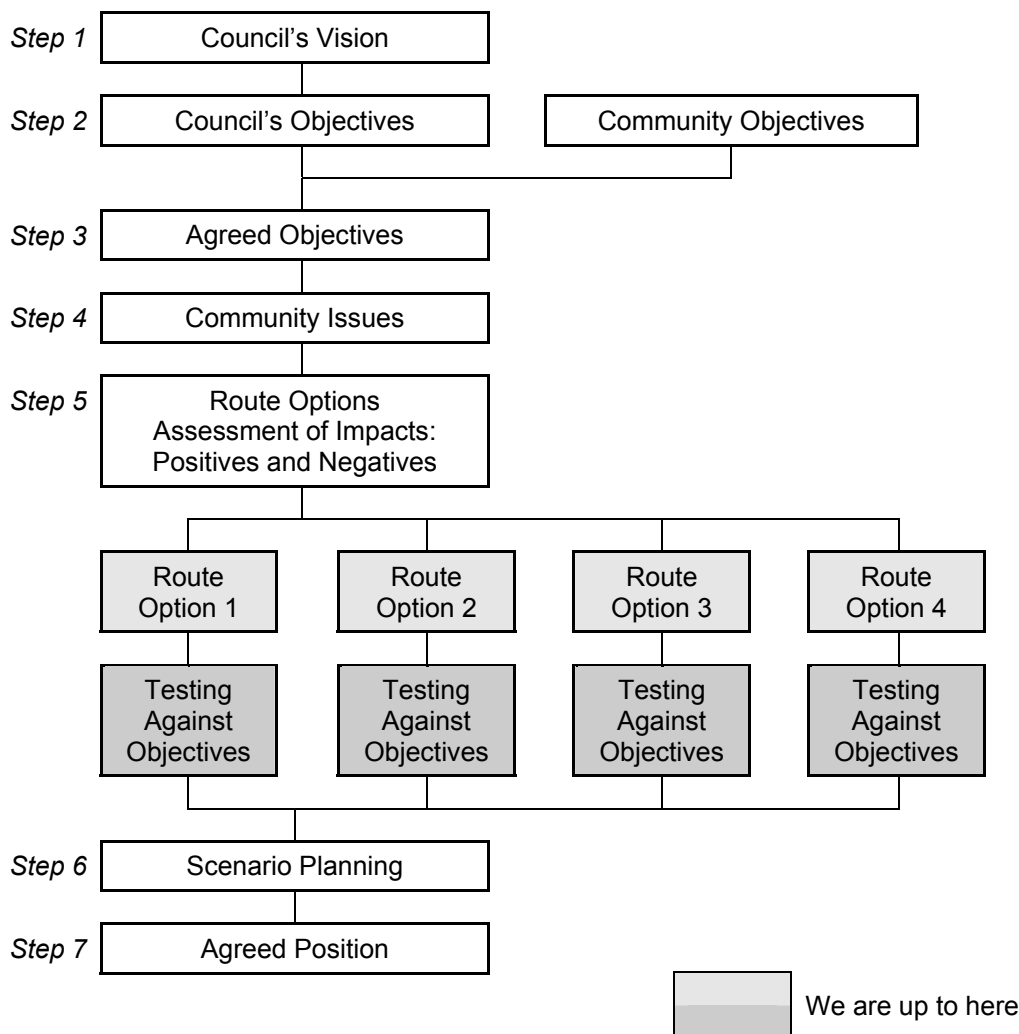
Three public forums have been held to assist Council in determining a position on the best strategy for the local community. The forums will involve the community determining the objectives, the broad issues, the positive and negative aspects of different route options, and scenario planning of a range of strategies (see flow chart for process).

The minutes of the meetings have been circulated separately to Councillors.

cont'd

Ped55 Pacific Highway Planning Strategy: Community Forums (cont'd)

COMMUNITY ENGAGEMENT PROCESS



It is the intention of the forums to reach a collective position on the best strategy for the project; this will enable Council to more effectively represent the local community.

Recommendation:

1. That Council note the minutes of the Council Forums on the Pacific Highway Planning Strategy dated 20 May 2003, 3 June 2003 and 17 June 2003.
2. That Council endorse the process of community engagement outlined in this report.

R Bennell
Acting Director Planning Environment and Development

CITY SERVICES DEPARTMENT REPORTS

44 B-DOUBLE ACCESS - STADIUM DRIVE AND HOGBIN DRIVE

Purpose:

To consider approval of Stadium Drive and Hogbin Drive (Christmas Bells Road to Hi-Tech Drive only) for B-Double access between 2.00am and 7.30am.

Description of Item:

Council at its meeting of 5 December 2002 resolved to trial the operation of B-Double vehicles on sections of Hogbin Drive and Stadium Drive in order to provide access to the Christmas Bells Road and Hi-Tech Drive industrial areas. Time restrictions on the trial limited B-Double access to between the hours of 2.00am and 7.30am. The trial period ends on 30 June 2003.

Sustainability Assessment:

- **Environment**

- B-Doubles reduce the number of truck movements required to move freight. Route approval would result in improved energy efficiency, air quality and reduced noise impact over conventional truck freight.

- **Social**

B-Doubles are up to 6.0m longer than conventional semi-trailers. They are perceived as an increased road safety risk due to their increased length. Higher vehicle standards, safety features and driver licensing requirements however improve the road safety implications over conventional semi-trailers.

- **Economic**

B-Double vehicles improve road freight efficiency. Many local freight companies require B-Double access to maintain road freight contracts in the city.

Issues:

Details of the issues relating to the operation of B-Doubles have been before Council in previous reports. The trial was implemented in order to assess any road safety or community amenity issues arising as a result of B-Double operation. A letter to residents and property owners along the trial route was sent on 2 June 2003 seeking comment on the B-Double trial.

Two submissions were received. In summary the issues raised were:

cont'd

44 B-Double Access - Stadium Drive And Hogbin Drive (cont'd)

Issue 1

- Adequacy of the Hogbin Drive roundabout to cater for the turning path of a B-Double.

Response

As previously reported to Council, the trial route has been subjected to a technical assessment in accordance with relevant guidelines and meets the required criteria.

Issues 2 & 3

- Enforcement of time restrictions - concerns that B-Doubles are operating outside the approval time periods.
- Vehicle speeds and driver behaviour - concerns regarding the speed of vehicles and cutting of corners.

Response

Enforcement issues such as adherence to time restrictions, vehicle speeds and driver behaviour will be discussed with the Police if a route approval is given.

Issue 4

- Noise associated with engine braking, particularly at night.

Response

Signs advising drivers to limit the use of noise and compression braking have been installed on Stadium Drive.

Recommendation:

That Stadium Drive, Hogbin Drive (Christmas Bells Road to Hi-Tech Drive), Christmas Bells Road and the Hi-Tech Drive industrial area be approved for B-Double access between 2.00am and 7.30am.

45 CONTRIBUTION TO SENIOR CITIZENS CENTRE, WOOLGOOLGA

Purpose:

Advising Council of representations by the Rotary Club of Woolgoolga for a contribution towards the cost of site development for construction of the Senior Citizens Centre in Boundary Street, Woolgoolga, and recommending a contribution.

Description of Item:

Council has previously agreed with the Rotary Club of Woolgoolga to the development of a Senior Citizens Centre on a Crown Reserve in Boundary Street adjacent to the Community Village, and for which Council is the Trustee. The site was occupied by an old weatherboard building, which was most recently used by the Girl Guides, and which has subsequently been removed to make way for the new Senior Citizens Centre building.

The Rotary Club is undertaking the construction of the new building and has received substantial funding from the Federal Government, but is still awaiting the outcome of an application for a State Government grant. In addition, local businesses are contributing to the project and members of the Rotary Club are providing time and skills in managing the project. Although complete funding for the project has not yet been received, construction has started and progressed to the erection of brickwork at the time of this report.

After removal of the old weatherboard structure, earthworks were undertaken to prepare the site for the new building. During this time, it became apparent that there were a number of factors that would increase the cost of developing the site:

- A large eucalypt needed to be removed to allow better positioning of the building and remove the risk of future damage or injury.
- A drainage sump at the rear of the property had been illegally connected to the sewer and would require a considerable length of pipework to connect to the street drainage system in Boundary Street.
- Because of the poor drainage on the site and its low-lying nature, significant removal of unsuitable foundation material was required.

Discussions have been held on several occasions between the Rotary Club project managers and Council staff on each of these issues. These discussions culminated in a request by the Club that Council contribute the cost of remedying these problems, together with other Council charges associated with the project.

Sustainability Assessment:

- **Environment**

The development will have minimal impact on the natural environment as it is effectively replacement of an old building with a new one. Increased stormwater runoff will be negligible and normal erosion and sedimentation controls will be used during construction. The development will rectify an illegal stormwater connection to the sewer.

cont'd

45 Contribution To Senior Citizens Centre, Woolgoolga (cont'd)

- **Social**

The development will fulfill a community need to provide a centre for senior citizens activities and meetings. The project is well supported by the local community and businesses and is seen as an important facility for Woolgoolga and the surrounding areas. The development complements the existing Community Centre on an adjacent site and enhances the location as a focus for community activities.

- **Economic**

Council has received various requests for contribution to this project, the value of which can be summarized as follows:-

Refund of building and construction fees	\$ 8,729.28
Removal of tree	1,485.00
Site drainage rectification	2,381.00
Upgrade lane to Beach Street	1,709.00
Removal and replacement of unsuitable foundation material	4,139.30
Additional concrete for footings	<u>2,232.00</u>
Total	<u>\$20,675.58</u>

In addition, it has also been agreed to waive tipping fees for disposal of waste on the project and supply landscaping materials that Council carries in stock.

Whilst it could be argued that these costs are normal risks attached to the development of any new building, it is clear that most of them could not have been foreseen by the Club. In view of the financial constraints that they are working under to complete the project, it is recommended that Council provide a contribution to cover the cost of the items shown above.

If Council resolves to contribute the costs shown above, the funding can be taken from current programs in the end of financial year reconciliation.

Recommendation:

That Council make a contribution of \$20,675.58 to the Rotary Club of Woolgoolga for development of the Senior citizens Centre in Boundary Street, Woolgoolga.

L Ford
Acting Director City Services