

The following document is the minutes of the Council and Committee Meetings held on Thursday, 18 September 2003. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 2 October 2003 and therefore subject to change. Please refer to the minutes of the meeting of 2 October 2003 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**18 SEPTEMBER 2003**

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**COFFS HARBOUR CITY COUNCIL**

**ORDINARY MEETING**

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

**18 SEPTEMBER 2003**

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

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

**Leave of Absence:** Councillors IJ Ovens and CM McKimm

The meeting commenced at 5.20 p.m. with the Mayor, Councillor JC Bonfield, in the chair.

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**PUBLIC ADDRESSES**

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<b>Speaker</b>	<b>Subject</b>
Phil Doyle	18 - Pacific Highway Bypass
Garry Dew	18 - Pacific Highway Bypass
Sally Townley	PED76 – Tree Preservation Order

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## CONFIRMATION AND ADOPTION OF MINUTES

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177 **RESOLVED** (Williams/Strom) that the minutes of the City Business Units Committee meeting of 4 September 2003 be confirmed as a true and correct record of proceedings.

178 **RESOLVED** (Williams/Strom) that the minutes of the Corporate Services Committee meeting of 4 September 2003 be confirmed as a true and correct record of proceedings, with the addition of the following after the first paragraph in 'Increase in Rates as a result of the Property Boom' on page 6:

*"That Council defer % of rates, in part or whole, until death or disposal of the property at an interest rate that would cover Council's administration and borrowing costs, plus a small margin."*

## NOTICE OF MOTION

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### FUNDING CUTS TO CLEAN SEAS AND COASTAL ENVIRONMENT PROGRAMS

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179 **MOVED** (Williams/Wood) that Council write to the Local Member, Hon Luke Hartsuyker MP and the Federal Government expressing our deep concern at the cutting of funding for the Clean Seas Initiative and the Coastal Environmental Initiatives.

**The motion on being put to the meeting was carried.**

## GENERAL MANAGER'S REPORT

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### 18 PACIFIC HIGHWAY BYPASS

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The purpose of this report is to delineate a corridor that reflects Council's intention in its motions adopted in relation to the Pacific Highway at the City Business Units Committee meeting on 4 September 2003.

**Councillors Howe, Wood and Palmer declared an interest in the following matter, the reasons being that Councillors Howe and Palmer have an interest in land near Council's preferred corridor option and Councillor Wood is the Chair of the Coffs Harbour Pacific Highway Planning Strategy Steering Committee.**

As there was no quorum, discussion on the item was deferred.

## PLANNING ENVIRONMENT AND DEVELOPMENT REPORT

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### PED76 TREE PRESERVATION ORDER

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To advise Council of recent vegetation destruction and removal undertaken in the Northern Beaches area, and to adopt an amended Tree Preservation Order (TPO).

- 180** **RESOLVED** (Wood/Howe) that Council amend the Tree Preservation Order so that it applies as follows:

A Tree Preservation Order applies to all Australian native vegetation on land within the following zones where the lot has an area greater than the minimum indicated -

Zone	Minimum Lot Size
Rural 1A (east of the Pacific Highway)	1 ha
Rural 1B	1 ha
Residential Zones 2A, 2B, 2E	2,000 m <sup>2</sup>
Industrial Zone 4A	4,000 m <sup>2</sup>
Open Space Zone 6C	4,000 m <sup>2</sup>
Environmental Protection Zones 7A, 7B, 7C	No minimum

For the purposes of this Tree Preservation Order, a tree is:

- any woody-stemmed plant with either a height greater than 3 m or a girth of more than 15 cm, and
- any heath land, shrub land, sedge land or rush land identified in Council's native vegetation maps.

A person shall not carry out or permit or direct or cause any ring barking, cutting down, topping, lopping, removing or wilful destruction of any tree or trees to which a tree preservation order applies without development consent. This does not apply to or in respect of:

- (a) action required by regulations under the Electricity Safety Act 1945 or the Electricity Supply Act 1995, or
- (b) plants declared to be noxious weeds under the Noxious Weeds Act 1993, or
- (c) trees identified for removal under a bush fire management plan available from the office of the Council.

Wilful destruction includes the lighting of a fire on land for the purpose of land clearance, unless it is in accordance with a bush fire hazard reduction certificate issued under the Rural Fires Act.

- 181** **RESOLVED** (Strom/Wood) that a report be submitted to Council on the possibility of adjoining allotments of land, zoned Residential 2A, 2B or 2E, less than 2000 m<sup>2</sup> and in single ownership being included as land covered by the Tree Preservation Order.

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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- 182** **RESOLVED** (Strom/Williams) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 6.10 p.m.

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

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

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### **PED72 DEVELOPMENT APPLICATION NO. 561/03 - DEMOLISH THE EXISTING DWELLING AND ERECT MULTI UNIT COMPLEX (SIX UNITS) - LOT 1, DP 415471, 144 EDINBURGH STREET, COFFS HARBOUR**

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The purpose of the report is to advise Council on Development Application (DA) No. 561/03. The application is a proposal to demolish the existing 1950s single storey dwelling and construct a multi dwelling complex (six units with car parking).

- T68** **RECOMMENDED** (Strom/Wood) that Council approve Development Application No. 561/03 for multi unit dwellings (six) and demolition of existing building on Lot 1, DP 415471, 144 Edinburgh Street, Coffs Harbour subject to standard technical conditions.

### **PED73 STATUS OF SUBDIVISION AND LANDFORM MODIFICATION WORKS - LOT 110, DP 224091, 72 BLUFF ROAD, EMERALD BEACH**

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This report informs Council of the status of subdivision and landform modification works at 72 Bluff Road, Emerald Beach.

**MOVED** (Williams/Strom) that Item PED73 be deferred and a report be submitted to Council exploring the possibilities for further legal action.

**cont'd**

**Ped73 Status Of Subdivision And Landform Modification Works - Lot 110, Dp 224091, 72 Bluff Road, Emerald Beach (cont'd)**

**AMENDMENT**

**T69 MOVED** (Palmer/Rhoades):

1. That the report on the status of subdivision and landform modification works at Lot 110, DP 224091, 72 Bluff Road, Emerald Beach be noted.
2. That a copy of the report be provided to the Bluff Road Residents' Committee for their information.
3. That a copy of the report be provided to the owner of Lot 110, DP 224091, 72 Bluff Road, Emerald Beach, the contractor - Yore Contractors Pty. Limited and the developer's consultant, de Groot and Benson Pty. Limited, for their information.
4. That it be noted that the contractor has been issued with a Penalty Infringement Notice for unauthorised work.
5. That prior to approval of any applications for future stages on the site, consultation take place with the Bluff Road Residents' Committee.

**The 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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**PED74 LOW DENSITY HOUSING DEVELOPMENT CONTROL PLAN**

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The purpose of this report is to advise Council of amendments to the Draft Low Density Housing Development Control Plan (DCP) following its exhibition.

**T70 RECOMMENDED** (Wood/Palmer):

1. That in accordance with Clause 21(1) of the Environmental Planning and Assessment Regulation, Council adopt the Low Density Housing Development Control Plan attached to the report.
2. That in accordance with Clause 21(2) of the Environmental Planning and Assessment Regulation, Council give public notice of its decision.
3. That all persons who made a submission be advised in writing of Council's resolution.

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## **PED75 PARK BEACH MASTERPLAN**

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To report to Council on the exhibition and public forums on the Park Beach Masterplan.

**T71 RECOMMENDED** (Strom/Bonfield):

1. That Council adopt the Park Beach Masterplan.
2. That Council consider the schedule of works in the preparation of the 2004/2005 Management Plan.
3. That Council prepare a Section 94 Contributions Plan for those components of the schedule of works, able to have such a levy established.
4. That Council develop a business and marketing strategy for the Park Beach area, including how the strategy would be implemented and funded.
5. That no direct connection from Vincent Street to Hogbin Drive be constructed.
6. That public notification of the adoption of the Masterplan be given.

## **CORPORATE SERVICES DEPARTMENT REPORT**

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### **F60 BUDGET REVIEW FOR YEAR ENDED 30 JUNE 2003**

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To report on the final results of the financial position of various activities to the year ended 30 June 2003.

**T72 RECOMMENDED** (Strom/Bonfield):

1. That \$15,000 be allocated for Minor Capital Works in the City Parks Program
2. That \$50,000 be allocated for replacement of the Interstator Mower in the City Parks Program
3. That \$107,000 be allocated in the City Services Department for
  - a) Contracts Manager Software (\$40,000)
  - b) Review of works priorities in Councils Pedestrian Access and Mobility Plan and commence development of Councils Integrated Transport Management Plan. This to include the review of Councils Cycleway Strategy and Planning work for the Coffs Harbour to Northern Beaches Cycleway. (\$67,000)
4. That \$10,000 be allocated for Contribution towards a Business Developer Manager at Coffs Harbour Technology Park.

**cont'd**

**F60 Budget Review For Year Ended 30 June 2003 (cont'd)**

- 5. That \$30,000 be allocated to enable completion of Coramba Street Works.
- 6. That the estimated results for the financial year 2002/03, after allocating the above additional funding, be noted as follows:

General Account	\$ 79,111 deficit
Water Account	\$ 2,579,651 surplus
Sewer Account	\$ 1,967,061 surplus

- 7. That the various revotes from 2002/2003 to 2003/2004 as detailed in Attachment D as follows, be adopted.

SUMMARY	REVOTE \$	FUNDING			
		Revenue \$	External \$	Environment Levy \$	Restricted Equity \$
General Account	8,521,103	2,727,846	1,760,867	569,958	3,462,432
Water Account	7,648,943	1,072,693			6,576,250
Sewer Account	4,485,008	550,974	1,403,017		2,531,017

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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 6.39 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.

- T73 RECOMMENDED** (Strom/Williams) that the Committee now move into Open Council.



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**ADOPTION OF PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE  
REPORT**

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- 183** **RESOLVED** (Strom/Howe) that the report of the Planning, Environment and Development Committee meeting be received and adopted.

This concluded the business and the meeting closed at 6.40 p.m.

Confirmed: 2 October 2003

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J C Bonfield  
Mayor