

The following document is the minutes of the Council and Committee Meetings held on Thursday, 20 November 2003. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 4 December 2003 and therefore subject to change. Please refer to the minutes of the meeting of 4 December 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**

**20 NOVEMBER 2003  
COMMENCING AT 5.00 P.M.**

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**COFFS HARBOUR CITY COUNCIL**

**ORDINARY MEETING**

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

**20 NOVEMBER 2003**

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

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

**Leave of Absence:** Councillor IJ Ovens

The meeting commenced at 5.22 p.m. with the Mayor, Councillor JC Bonfield, in the chair.

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**PUBLIC ADDRESS**

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**Speaker**

**Subject**

Stan Dasey  
(Coffs Harbour Chamber of Commerce)

Rural Lands Strategic Plan: Assessment  
by Commissioners of Inquiry, Terms of  
Reference

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## **CONFIRMATION AND ADOPTION OF MINUTES**

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- 223** **RESOLVED** (Howe/McKimm) that the minutes of the City Business Units Committee meeting of 6 November 2003 be confirmed as a true and correct record of proceedings.
- 224** **RESOLVED** (Howe/McKimm) that the minutes of the Corporate Services Committee meeting of 6 November 2003 be confirmed as a true and correct record of proceedings.

## **NOTICE OF MOTION**

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### **INCREASING VOLUME OF TRAFFIC ON THE PACIFIC HIGHWAY**

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- 225** **RESOLVED** (Williams/McKimm):
1. That Council, together with other Councils along the coast, auto insurers and other concerned bodies, lobby the State and Federal Government for an immediate review of the regulations governing the heavy transport industry, including, but not limited to, occupational health and safety, driver education, use of alternative routes in times of highway blockages caused by the ever increasing volume of traffic on the Pacific Highway.
  2. That the industry be co-ordinated to meet national requirements and regulations.

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

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### **PED91 RURAL LANDS STRATEGIC PLAN: ASSESSMENT BY COMMISSIONERS OF INQUIRY, TERMS OF REFERENCE**

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The purpose of this report is to seek Council's endorsement to the attached Terms of Reference for the Rural Lands Strategic Plan subdivision provisions.

**Councillor Howe declared an interest in the following matter, vacated the Chamber and took no part in the discussion or voting, the reason being that she has an interest in land zoned 1A in the Plan.**

**cont'd**

**Ped91 Rural Lands Strategic Plan: Assessment By Commissioners Of Inquiry, Terms Of Reference (cont'd)**

**MOTION**

**MOVED** (Wood/Rhoades) that Council defer item PED 91 - Rural Lands Strategic Plan: Assessment by Commissioners of Inquiry, Terms of Reference to the Ordinary meeting of Council set down for 4 December. The purpose of the deferral is to allow Council to consider amending the Terms of Reference, broadening the Commissioners instructions in the manner suggested by EJ Armstrong.

**AMENDMENT**

**226 MOVED** (McKimm/Strom):

1. That Council modify Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 15) to include the following as additional 'deferred matters':

"Delete clause 18(3) and insert instead:

(3) Consent may be granted to the subdivision of land within Zone 1A and shown in the Coastal Agriculture Area map in Council's Coastal and Hinterland Rural Lands Development Control Plan provided each lot contains an area of not less than 6 hectares."

2. That Council adopt the revised Terms of Reference, attached to the report, for the Assessment by the Commissioners of Inquiry, subject to the following further amendments:

- That paragraph 1, sub paragraph 2, be amended to read: "the implications of preventing or allowing subdivision in the Drinking Water Catchment of Karangi dam and areas outside of Coramba-Karangie-Upper Orara and Nana Glen-Bucca during the trial period;"
- That paragraph 2 be amended to read: "The social, economic and environmental impacts, perceived outcomes and sustainability of dispersed settlement (small holdings) for the land zoned 1A Rural Agriculture".

3. That Council seek engagement of the Commissioners of Inquiry to conduct the Assessment.

4. That the Department of Infrastructure, Planning and Natural Resources be advised of the modification to Coffs Harbour City Local Environmental Plan (Amendment No. 15) and the adopted Terms of Reference for the Assessment.

5. That the community be advised of the above recommendation through the Rural Lands Bulletin.

6. That the assessment should not be limited to any assumptions contained in the Rural Lands Strategic Plan.

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

**cont'd**

**Ped91 Rural Lands Strategic Plan: Assessment By Commissioners Of Inquiry, Terms Of Reference (cont'd)**

Councillor Rhoades requested that his name be recorded against the motion.

**Councillor Howe returned to the Chamber and was advised of the outcome.**

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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- 227** **RESOLVED** (Strom/McKimm) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 6.05 p.m.

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

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**GENERAL MANAGER'S REPORTS**

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**23** **DRAFT 2002/2003 ANNUAL REPORT**

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To provide Council with the recommended Annual Report for the 2002/2003 financial year, and the 2003 State of the Environment Supplementary Report.

- T78** **RECOMMENDED** (Williams/McKimm):

1. That Council adopts the 2002/2003 Annual Report (Regulatory Report) and the Supplementary State of the Environment Report for the period 1 July 2002 to 30 June 2003.
2. That Council adopt in principle the 2002/2003 Annual Report (Summary Report) for preparation for publication.

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**24 QUARTERLY PERFORMANCE REPORTING FOR QUARTER ENDING 30 SEPTEMBER 2003**

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To report on the achievement of customer service guarantees and performance targets for the July to September 2003 quarter.

**T79 RECOMMENDED** (Williams/Bonfield):

1. That Council notes the issues surrounding those measures that have not been achieved for the period ending 30 September 2003:

Original Measure	Revised Measure	Comment
City Image		
Promote and instill Triple Bottom Line decision making into: - Purchasing - Due Sept 2003	December 2003	Work has commenced on this project
Rural Lands		
Resolution of settlement issues by 31 July 2003	December 2003	A report on this issue will go to the December meeting

2. That Council note the achievements of customer service guarantees, as outlined in Attachment 1 of the General Manager's Report, for the July to September 2003 quarter.
3. That Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report, for the July to September 2003 quarter.
4. That Council note the achievement of performance targets, as outlined in a separate booklet, which is available in the Councillors room, for the July to September 2003 quarter.
5. That Council continues to monitor its performance with a view to improving service delivery.

## PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

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### **PED81 DEVELOPMENT APPLICATION NO. 1800/03 - MULTI UNIT HOUSING (18 DWELLINGS) - LOTS A, B AND C, DP 364007, EDGAR STREET, COFFS HARBOUR**

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The purpose of this report is to seek Council's approval for the erection of a three storey residential flat building comprising 18 dwellings, with a basement car park, at the corner of Collingwood and Edgar Street, opposite the Jetty Village shopping centre.

**T80** **RECOMMENDED** (McKimm/Strom) that Item PED 81 - Development Application No. 1800/03 for multi unit housing (18 dwellings) on Lots A, B and C, DP 364007, Edgar Street, Coffs Harbour be deferred pending:

1. provision of architectural drawings of the development, and
2. a report on the implications of the discrepancies with the Medium-High Density Housing Development Control Plan, and car parking arrangements (on and off the site).

Councillor Palmer entered the Chamber, the time being 6.10 p.m.

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### **PED82 DEVELOPMENT APPLICATION NO. 54/04 - INTEGRATED COMMUNITY TITLE DEVELOPMENT - LOT 22, DP 270222, 95 JAMES SMALL DRIVE, KORORA AND APPLICATION TO MODIFY DEVELOPMENT CONSENT 116/97**

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To report on Development Application (DA) No. 54/04 which is an application for an integrated community title development consisting of nine dwellings on separate lots. Also considered in this report is an application to modify an existing approval for this site (development consent 116/97). The proposed modification will allow the two approvals to work together by providing a "linking road".

**T81** **RECOMMENDED** (Wood/Bonfield) that Development Application No. 54/04 for Integrated Community Title Development at Lot 22, DP 270222, 95 James Small Drive, Korora be approved subject to the following conditions:

1. Compensatory Planting

Compensatory planting for trees removed by this development being undertaken on the site. Compensatory planting is to be at a rate of four trees to every one tree removed. All work is to be completed to the satisfaction of Council prior to occupation.

All trees at time of planting are to have a minimum height of 1.2 metres.

**cont'd**



**Ped82 Development Application No. 54/04 - Integrated Community Title Development - Lot 22, Dp 270222, 95 James Small Drive, Korora And Application To Modify Development Consent 116/97 (cont'd)**

A detailed plan showing the location and all proposed compensatory planting and nominated tree species is to be submitted to Council and approved prior to commencement of any work on site. The plan is also to include proposed methods to ensure survival of the planting.

2. Technical conditions as attached to Development Application No. 54/04 file and tabled at the Council meeting.

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**PED83 DEVELOPMENT APPLICATION NO. 154/04 - BOUNDARY ALTERATION, DUAL OCCUPANCY AND SUBDIVISION - LOT 24, DP 1001621 AND LOT 3, DP 1012104, BREAKERS WAY, KORORA**

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The purpose of this report is to advise Council on an application for a boundary alteration, dual occupancy and subdivision involving two lots at Breakers Way, Korora.

**T82** **RECOMMENDED** (Bonfield/McKimm) that Development Application No. 154/04 for a boundary alteration, dual occupancy and subdivision at Lot 24, DP 1001621 and Lot 25, DP 1012104, Breakers Way, Korora be approved subject to the following conditions:

1. Evidence of the registration of the boundary alteration between Lot 24 and Lot 25 is to be submitted to Council prior to the issue of the Construction Certificate for the dual occupancy.
2. The linen plan for the subdivision of the dual occupancy not being released until the ground floor level of each dwelling has been constructed.
3. Standard technical conditions as attached to Development Application No. 154/04 file and tabled at the Council meeting.

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**PED84 DEVELOPMENT APPLICATION NO. 395/04 - BUSINESS PREMISES -  
LOTS A AND B, DP 366102, 151 AND 153 EDINBURGH STREET,  
COFFS HARBOUR**

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To report on Development Application No. 395/04 for conversion of an existing heritage building at 151 Edinburgh Street to a Business Premises.

**T83 RECOMMENDED** (Bonfield/Strom) that Development Application No. 395/04 for Business Premises on Lots A and B, DP 366102, 151 and 153 Edinburgh Street, Coffs Harbour be approved subject to the following conditions:

1. Footpath Construction

A footpath being constructed along the Moore and Edinburgh Street frontages of the site in accordance with Council's Plan No. 2011007. The footpath is to be in concrete unless Council's approval is obtained for any alternative footpath treatment.

These works are to be completed prior to operation of the site as a Business Premises unless other arrangements satisfactory to Council for their completion at some other time are made.

2. Hours of Operation

This site is only to be used as a Business Premises during the hours of 8.30 a.m. to 6.00 p.m., Monday to Friday. No business is to occur on Saturday, Sunday or public holidays.

3. Maximum Noise Levels

Noise emission from the premises is not to exceed 5dB(A) above background noise level at any time during operation.

4. Access for Disabled Persons

A disabled persons access ramp and disabled persons car parking space being provided in accordance with the Building Code of Australia provisions. Details are to be submitted to and approved by Council prior to commencement of any work on site. The developer's attention is drawn to the provisions of the Disability Discrimination Act 1992.

All work is to be completed prior to operation of the site as a Business Premises.

5. Conservation Management Plan

A Conservation Management Plan, prepared in accordance with the NSW Local Government Heritage Guidelines, being submitted to Council and approved prior to operation of the site as a Business Premises and prior to any work commencing on site. The Conservation Management Plan is to guide the future development and management of the property.

**cont'd**

**Ped84 Development Application No. 395/04 - Business Premises - Lots A And B, Dp 366102, 151 And 153 Edinburgh Street, Coffs Harbour (cont'd)**

6. Signs

Only one separate sign structure may occur on site. Details of the proposed sign are to be submitted to Council and approved prior to operation of the site as a Business Premises and prior to any work commencing on site. Any proposed amendments to sign detail are to be submitted to Council for approval. The sign is only to be provided in accordance with the approved Council arrangement.

7. Painting

Details of all proposed paint finishes being submitted to Council and approved prior to any work commencing on site.

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**PED85 ENVIRONMENTAL LEVY PROJECTS REPORT**

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To provide Council with a quarterly status report on the projects funded under the Environmental Levy Program.

**T84 RECOMMENDED** (McKimm/Strom):

1. That Council notes the status of Environmental Levy Projects as at 30 September 2003 as outlined in the report.
2. That Council continues to monitor the Environmental Levy Program to ensure the earliest completion of projects.

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**PED86 TREE PRESERVATION ORDER: ADDITIONAL LAND**

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To report on the possibility of extending the Tree Preservation Order (TPO) to include adjoining residential allotments (land zoned 2A, 2B or 2E) in the same ownership that individually are less than 2000 m<sup>2</sup>, but collectively exceed 2000 m<sup>2</sup>; the TPO currently applies to residential land parcels over 2000 m<sup>2</sup> in area.

**T85 RECOMMENDED** (Bonfield/McKimm) that the Tree Preservation Order remain as previously adopted.

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**PED87 DRAFT WEST WOOLGOOLGA DEVELOPMENT CONTROL PLAN AND  
DRAFT WEST WOOLGOOLGA CONTRIBUTIONS PLAN**

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The purpose of this report is to present to Council the West Woolgoolga Development Control and Contributions Plan.

**T86 RECOMMENDED** (Bonfield/McKimm):

1. That Council exhibit the Draft West Woolgoolga Development Control Plan and the Draft West Woolgoolga Contributions Plan.
2. That all landowners within and adjoining the release area covered by the Draft Plans be advised of Council's decision.

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**PED88 STATE ENVIRONMENTAL PLANNING POLICY NO. 64 - ADVERTISING  
AND SIGNAGE**

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The purpose of this report is to inform Council of the result of its request to the Department of Infrastructure, Planning and Natural Resources (DIPNR) requesting exemption from State Environmental Planning Policy (SEPP) No. 64.

**T87 RECOMMENDED** (Strom/McKimm):

1. That Council note the Department of Infrastructure, Planning and Natural Resources decision not to support Council's application for exemption from State Environmental Planning Policy No. 64 - Advertising and Signage.
2. That Council review Coffs Harbour City Local Environmental Plan 2000 and the Signs Development Control Plan when the results of the Department of Infrastructure, Planning and Natural Resources' review of State Environmental Planning Policy No. 64 - Advertising and Signage is completed.

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**PED89 COFFS HARBOUR JETTY MASTERPLAN - PRECINCTS WEST OF THE  
HARBOUR**

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The purpose of this report is to present to Council an expression of interest from the Urban Design Advisory Service (UDAS) to produce a Masterplan and Development Control Plan (DCP) for the residential and business precincts of the Coffs Harbour Jetty area, west of the railway line.

**cont'd**

**Ped89 Coffs Harbour Jetty Masterplan - Precincts West Of The Harbour (cont'd)**

**Councillors Strom, Palmer and Wood declared an interest in the following matter, vacated the Chamber and took no part in the discussion or voting, the reason being that Councillors Strom, Palmer and Wood own property and live in the area.**

**T88 RECOMMENDED (Bonfield/McKimm):**

1. That Council endorse the commencement of the project as outlined in the Expression of Interest from the Urban Design Advisory Service (supplied separately to Councillors).
2. That Council form a working group consisting of Councillors Howe and McKimm, Council staff and a representative from:
  - City Beaches Streets Ahead, and
  - Department of Infrastructure, Planning and Natural Resources.

**Councillors Strom, Palmer and Wood returned to the Chamber and were advised of the outcome.**

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**PED90 DEVELOPMENT POTENTIAL - LOT 1 AND LOT 2, DP 840016, PACIFIC HIGHWAY, EMERALD BEACH**

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The purpose of this report is to enable Council to respond to a request from the Department of Infrastructure, Planning and Natural Resources (DIPNR) regarding the development potential of Lot 1 and Lot 2, DP 840016, Pacific Highway, Emerald Beach.

**T89 RECOMMENDED (McKimm/Strom) that Item PED90 - Development Potential: Lot 1 and Lot 2, DP 840016, Pacific Highway, Emerald Beach be deferred to enable the property owners to lodge a submission for Council's consideration.**

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**PED92 VEGETATION STRATEGY EXHIBITION PERIOD**

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To provide a progress report on the Vegetation Strategy and extend the exhibition period.

**T90 RECOMMENDED (Strom/Wood) that Council endorse the extension of the exhibition period of the Draft Vegetation Strategy to 27 February 2004.**

## CITY BUSINESS UNITS DEPARTMENT REPORT

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### **E73 RELOCATION OF ACCESS HANDLE - LOT 2 DP 863703, GUNDAGAI STREET, COFFS HARBOUR**

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Report seeking Council approval for the relocation of an existing access handle servicing a Council parcel of land.

#### **T91 RECOMMENDED (McKimm/Williams):**

1. That Council consent to the relocation of the access handle currently described as Part Lot 2 DP 863703 to the east as shown on the plan attached to this report.
2. That Council consent to the relocation of the access handle on the terms contained within this report.
3. That all necessary documents associated with this matter be executed under the common seal of Council.
4. that Council provide its consent as owner to the lodgment of a Development Application by the Catholic Club which will impact upon Council's existing access handle.
5. That the land being transferred to Council be classified as operational land under the provision of the Local Government Act, 1993.

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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 6.40 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.

#### **T92 RECOMMENDED (Strom/McKimm) that the Committee now move into Open Council.**

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

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**228 RESOLVED** (Strom/Williams):

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

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<b>Item</b>	<b>Councillor</b>
PED 91 Rural Lands Strategic Plan: Assessment by Commissioners of Inquiry, Terms of Reference	Councillor Howe
PED89 Coffs Harbour Jetty Masterplan - Precincts West of the Harbour	Councillors, Strom, Palmer and Wood

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This concluded the business and the meeting closed at 6.41 p.m.

Confirmed: 4 December 2003

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J C Bonfield  
Mayor