

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 18 December 2003 commencing 5pm.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(CITY BUSINESS UNITS COMMITTEE)**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**4 December 2003**  
**Commencing at 5.00pm**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<b>NOTICE OF MOTION</b>		
	PROVISION OF SHADE SHELTER AT COFFS HARBOUR CENOTAPH	2
<b>CITY BUSINESS UNITS DEPARTMENT REPORTS</b>		
E74	ALCOHOL RESTRICTION - TOORMINA APEX PARK	4
E75	CENTENNIAL OVAL WOOLGOOLGA - LEASE TO WOOLGOOLGA SPORTS COUNCIL	7
<b>PLANNING ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS</b>		
PED93	DEVELOPMENT APPLICATION NO. 1800/03 - MULTI UNIT HOUSING (18 DWELLINGS) - LOTS A, B AND C, DP 364007, 7 EDGAR STREET, COFFS HARBOUR	11



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(CITY BUSINESS UNITS COMMITTEE)**  
**4 December 2003**

Mayor and Councillors

**NOTICE OF MOTION**

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**PROVISION OF SHADE SHELTER AT COFFS HARBOUR CENOTAPH**

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**Purpose:**

Cr W A Wood has given notice of his intention to move the following motion at the Council's Ordinary Meeting on 4 December 2003:

*"That Council initiate discussions with the Coffs Harbour RSL Sub-branch and Coffs Harbour Ex-Services Club to determine the type, design and placement of shade structures at the Cenotaph, Castle and Vernon Streets, to shelter those attending official events.*

*Sources of funding for the project can be explored to ensure the work is completed prior to 25 April 2004."*

Provision of shade is the most practical expression of our gratitude and appreciation to those survivors of war, honoured on ANZAC and Remembrance Days, and their relatives would be to allow them to pay their respects as they remember comrades.

**General Manager's Comment:**

As the notice of motion proposes, Council would initiate discussions with the Coffs Harbour RSL Sub Branch and Coffs Harbour Ex Services Club to enable these organisations to arrange appropriate shade for their events.

Council's current Management Plan and Budget make no provision to assist with these works.

**cont'd**

## **Provision Of Shade Shelter At Coffs Harbour Cenotaph (cont'd)**

With respect to the type of shelter:

- an aesthetically designed permanent shelter would require a fair level of maintenance due to disfiguration from bird roosting in the adjoining eucalypts and vandalism
- Some form of demountable shelter for these occasions may be appropriate and discussions could be had with the RSL and the Club to permit or license the erection of some aesthetically practical shelter.
- Costs of an appropriate demountable may cost in the vicinity of \$15,000 and ongoing maintenance of say 12.5% per annum.

These matters would be included in the discussions to achieve the best outcome.

## CITY BUSINESS UNITS DEPARTMENT REPORTS

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### E74 ALCOHOL RESTRICTION - TOORMINA APEX PARK

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#### **Purpose:**

To recommend notices be placed to control the taking of and/or consumption of alcohol at Toormina Apex Park.

#### **Description of Item:**

This report has been prepared following a Matter of an Urgent Nature moved by Councillor Rhoades at the City Services meeting of 16 October 2003 and confirmed at Council's meeting of 6 November 2003. Councillor Rhoades requested that, as a matter of urgency, a report be brought to Council recommending the introduction of an Alcohol Free Zone at Toormina Apex Park (Lot 30 DP 242844) from 5pm until daylight hours.

Council's garbage contractor has confirmed regular evidence of alcohol use in the children's playground area of this reserve.

#### **Sustainability Assessment:**

- **Environment**

Installing notices will have a negligible impact on the locality.

- **Social**

A control on alcohol use in this area will have a positive impact on the community. The normal reserve user and local resident will not be continually confronted by intoxicated persons using this area of the reserve. The area around the playground is adjacent to the pathway that leads westerly to residential areas and the two local schools.

- **Economic**

#### **Broader Economic Implications**

No economic impact.

#### **Management Plan Implications**

Notices will be installed within current budget allocations.

#### **Related Policy and / or Precedents:**

Council has previously used S632(1)(e) of the Local Government Act 1993 to prohibit the taking and/or consumption of alcohol in reserves.

cont'd

## **E74 Alcohol Restriction - Toormina Apex Park (cont'd)**

### **Statutory Requirements:**

It is proposed that Council use powers granted under the Local Government Act 1993 to install signs prohibiting the taking of and/or consumption of alcohol at this reserve.

### **'S636 Acting contrary to notices erected by Councils**

632 (1) A person who, in a public place within the area of a Council, fails to comply with the terms of a notice erected by the Council is guilty of an offence.

*Maximum penalty: 10 penalty units or \$1100*

(2) The Terms of any such notice may relate to any one or more of the following:

- (a) the payment of a fee for entry to or the use of the land;
- (b) the taking of a vehicle into the place;
- (b1) the driving, parking or use of a vehicle in the place;
- (c) the taking of any animal or thing on the land;
- (d) the use of any animal or thing on the land;
- (e) the doing of any thing on the land;
- (f) the use of the land or any part of the land.'

Of these only (e) is relevant.

### **Issues:**

The reserve and playground area is being used by people who consume alcohol and who are not at the reserve to use the playground area and are a cause for concern to normal reserve users and neighbouring residents. The reserve does not have other recreation facilities such as a bbq, picnic shelter etc where responsible alcohol use would be a normal part of the recreational use of such an area. In this instance the normal reserve user will not be disadvantaged by control of alcohol

### **Recommendation:**

**1. That Council using the powers granted by S632(1)(e) of the Local Government Act 1993 prohibit 'the taking of and/or consumption of alcohol within the Reserve' at:**

- **Toormina Apex Park, Lot 30 DP 242844, Toormina**

**2. That notices in accordance with the Act be installed.**

Attachments:



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**E75 CENTENNIAL OVAL WOOLGOOLGA - LEASE TO WOOLGOOLGA SPORTS COUNCIL**

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**Purpose:**

Seeking Council approval for proposal to lease Centennial Oval in Beach Street Woolgoolga to Woolgoolga Sports Council Incorporated

**Description of Item:**

Woolgoolga Sports Council Incorporated has responsibility, under the terms of an existing lease agreement, for management and operation of Council's main sporting field facilities in Centenary Drive Woolgoolga. This includes field allocations and hiring to the various local sporting organizations that utilize these facilities during their respective playing seasons.

Earlier this year, following discussions between Council representatives and the Chairman of Woolgoolga Sports Council, an agreement was reached on management of Centennial Oval at Woolgoolga also being transferred from Council to Woolgoolga Sports Council Inc.

This agreement has been supported within Council's 2003-2004 Management Plan where an allocation of funding was made to the Sports Council to cover operational and maintenance costs for Centennial Oval for the current financial year.

In order to provide a legal tenure for Woolgoolga Sports Council Inc. in respect of the management and maintenance of Centennial Oval it is appropriate that a formal Lease be put in place between Council and the Sports Council.

**Sustainability Assessment:**

- **Environment**

As this proposal involves the leasing of an existing sporting field facility there would be no adverse environmental impact.

- **Social**

Woolgoolga Sports Council Inc. is fully involved in the mainstream sporting activities within the local Woolgoolga Community. Assuming operational management and maintenance of Centennial Oval is a further extension of local community involvement in Woolgoolga's sporting facilities.

- **Economic**

**Broader Economic Implications**

Although Council has provided a financial contribution to the Woolgoolga Sports Council Inc. in respect of the Sports Council's operational management and maintenance of Centennial Oval, it is considered that Council will achieve benefits and savings, particularly with regard to administration and on-site management activities. As already indicated there is also the favourable side of involvement of a local community organization in the management of its own local affairs.

cont'd

## **E75 Centennial Oval Woolgoolga - Lease To Woolgoolga Sports Council (cont'd)**

### **Management Plan Implications**

In view of the existing allocation of funding this proposal should not have any adverse impact on Council's 2003-2004 Management Plan.

### **Consultation:**

This proposal has been undertaken in consultation with Council's City Parks Manager, Sports Administration Manager, City Treasurer and Chairman of the Woolgoolga Sports Council Incorporated, Mr Clive Joass.

In addition, as the proposal involves the leasing of Community classified land then it will be advertised locally and the community will be given the opportunity to forward submissions to Council.

### **Related Policy and / or Precedents:**

Council currently holds a number of existing lease arrangements with various local sporting organizations within the Coffs Harbour local government area, as well as other existing leases in the Woolgoolga locality with the Woolgoolga Sports Council Incorporated (eg Woolgoolga Sports Ground in Centenary Drive, Woolgoolga Netball Courts in Nightingale Street, and the Woolgoolga Youth Club facility in Queen Street).

### **Statutory Requirements:**

It is noted that Centennial Oval is zoned Open Space land, as well as being classified as Community land in accordance with the provisions of the Local Government Act 1993 (LG Act). Section 46 of the LG Act does enable Council to lease the subject land to the Woolgoolga Sports Council Inc. subject to compliance with various provisions of the LG Act.

In summary, as long as the lease proposal does not remove the land from public use or benefit, and the proposal is in accordance with provisions of a plan of management for the land, then Council has authority to pursue the lease arrangement. In this instance, leasing of the land can be undertaken in accordance with Council's adopted Sports Grounds Plan of Management.

Further, Sections 47, 47A and 47AA of the LG Act require leases to be restricted to a maximum term of 21 years, and that the lease arrangement needs to be advertised locally and adjoining owners notified, as well as public submissions being sought (28 day period) in respect of the proposal. In this particular proposal, if any submission is an objection then Council must refer the matter to the Minister, and Council cannot proceed without the Minister granting his consent.

### **Issues:**

In order to pursue this proposal it is intended to initially advertise it locally in Woolgoolga and to comply with the notification provisions of the LG Act. In the event that any submissions received are in fact objections to the proposal then the matter would not be pursued any further without a report being brought back to Council in respect of the matter.

Preliminary negotiations have been undertaken, and agreed, with the Woolgoolga Sports Council Incorporated regarding proposed lease terms and conditions in the event that there are no objections received following local advertising of the proposal.

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## **E75 Centennial Oval Woolgoolga - Lease To Woolgoolga Sports Council (cont'd)**

The proposed terms and conditions are as follows:

- Term: 10 years plus 10 year option.
- Rental: \$600 per annum, subject to annual CPI increases.
- Rates: Council to be responsible for payment of general land rates.  
Lessee to be responsible for all water, sewerage and waste charges.
- Other:
- a) Lessee to submit audited accounts of income and expenditure to Council each year.
  - b) On assessment of the income/expenditure balance, Council reserves the right to review the rental.
  - c) Noise emanating from the premises should not exceed 5dB(A) above background level up to 10.00pm, and shall not exceed background level after 10.00pm and before 8.00am.
  - d) No mechanical equipment shall be used after 10.00pm and before 8.00am.
  - e) Grounds to be available for hire by members of the community, including sporting clubs and organizations, at reasonable rates – rates to be approved by Council on an annual basis.
  - f) A sign to be displayed on the premises informing potential users of a contact for information and bookings.
  - g) Lessee to hold public liability insurance cover in a minimum amount of \$10 million (or such other amount as may be determined by Council from time to time), with such insurance policy to note Council as an interested party.
  - h) Lessee to hold contents insurance cover for its own equipment used and/or stored at the premises from time to time.
  - i) Lessee to hold Workers Compensation insurance cover for any employee, and personal accident cover for any volunteers, engaged in the Lessee's activities on the premises.
  - j) Lessee to ensure that regular users of the facility hold necessary insurances as determined by their governing bodies, as well as also holding appropriate public liability insurance cover.
  - k) Lessee to ensure compliance with all WorkCover and Occupational Health and Safety requirements in respect of its occupation and use of the premises.
  - l) Lessee to be responsible for cleaning of and maintenance and repairs to all buildings and other structures at the premises. Lawns and playing fields are to be maintained in a playable condition, to the relevant standards required for the various sporting users of the facility (as per standards advised by Council).
  - m) Lawns and playing fields to be kept free of noxious weeds and Parramatta Grass.
  - n) Lessee to keep the premises clean and tidy, and to remove all rubbish/waste on a regular weekly basis (or more often if required).
  - o) Lessee is to ensure its rules of membership make membership available to all persons of good repute resident within the Coffs Harbour Local Government area.
  - p) At termination/expiration of the Lease, all improvements made to the premises by the Lessee shall become the property of the Lessor (Council) without payment of compensation.
  - q) Grounds are to be available for use by schools.

**cont'd**

## **E75 Centennial Oval Woolgoolga - Lease To Woolgoolga Sports Council (cont'd)**

- r) Lessee to be a financial member of a duly recognized and constituted Sports Council in the Coffs Harbour Local Government area.
- s) All costs associated with the lease proposal (including those reasonable costs of Council's solicitors) are to be the responsibility of the Lessee. Note: Does not include cost of excluding the Skate Park from the lease area.
- t) Lease to include any additional terms and conditions as may be advised or required by Council's solicitors.

It is noted that Centennial Oval also includes a Skate Park facility constructed in the northeast corner of the land. It is considered inappropriate to include the Skate Park in the area to be leased to Woolgoolga Sports Council Incorporated and therefore action will be taken to subdivide out this site and place the Skate Park on its own, separate parcel of land.

It is proposed that the costs of this subdivision will be met from within existing budget allocations and should have a negligible impact on the Management Plan.

As the proposal is intended to give formal effect to an already operating management arrangement between Council and Woolgoolga Sports Council Incorporated, it is recommended that Council endorse the proposal. As previously indicated, in the event that any public objections are received following the required advertising and public notification procedures, then the matter will need to be brought back before Council for further consideration.

### **Implementation Date / Priority:**

It is proposed that action be implemented immediately following Council's decision in the matter.

### **Recommendation:**

1. That Council agree to advertise, in accordance with the provisions of Section 47 of the Local Government Act 1993, the proposed lease of Centennial Oval in Beach Street Woolgoolga (excluding Skate Park facility) to Woolgoolga Sports Council Incorporated.
2. That, subject to no submissions of objection to the proposal being received, Council agree to lease Centennial Oval Beach Street Woolgoolga (excluding Skate Park facility) to Woolgoolga Sports Council Incorporated on the terms and conditions as detailed in the body of the report.
3. That all necessary documents in respect of the proposed lease of Centennial Oval Beach Street Woolgoolga, including subdivision of the land, be executed under the Common Seal of Council.

**Geoff Firkin**  
**Acting Director City Business Units**

## PLANNING ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

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### PED93 DEVELOPMENT APPLICATION NO. 1800/03 - MULTI UNIT HOUSING (18 DWELLINGS) - LOTS A, B AND C, DP 364007, 7 EDGAR STREET, COFFS HARBOUR

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#### **Purpose:**

The purpose of this report is to address Council's resolution of the 20 November 2003, made at its Planning, Environment and Development Committee meeting, in relation to this application. The report recommends that Development Application No. 1800/03 be approved.



#### **Description of Item:**

The development was described in the report previously put to Council, which is included in Appendix 1.

#### **Sustainability Assessment:**

This assessment is included in the report previously put to Council, which is included in Appendix 1.

#### **Statutory Requirements:**

Section 79C of the Environmental Planning and Assessment Act 1979 sets out the matters to be considered in the determination of a development application. The consideration of matters is limited in so far as they must be of relevance to the development being considered. A report setting out consideration of the development in terms of section 79C is attached to Development Application No. 1800/03 and will be tabled at the Council meeting; as well, this report has been provided in the Councillors' room. The development does propose the variation of the density and setback controls under the Medium-High Density Housing Development Control Plan (DCP), and these variations are outlined in the report previously put to Council, which is included in Appendix 1.

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**Ped93 Development Application No. 1800/03 - Multi Unit Housing (18 Dwellings) - Lots A, B And C, Dp 364007, 7 Edgar Street, Coffs Harbour (cont'd)**

**Issues:**

Council on the 20 November 2003 at its Planning, Environment and Development Committee meeting deferred determination of the application pending two matters, the first of which was the:

1. *"provision of architectural drawings of the development"*.

Plans of the development are included in Appendix 2, and are available for view in the Councillors' room.

The second part of Council's 20 November 2003 resolution was:

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)"*.

The previous report detailed the development's non-compliance with the Medium-High Density Housing Development Control Plan (DCP), and the implications of these discrepancies; it is included in Appendix 1 of this report. To elaborate on the information provided in the report in Appendix 1, elevations are included in Appendix 2, which clearly show those parts of the building, which encroach the setbacks of the Medium-High Density Housing DCP. These plans are available for view in the Councillors' room.

The development provides car parking in a basement car park. Council's Off Street Car Parking DCP provides that one car space is required for those dwellings less than 100 m<sup>2</sup> in floor area, while two spaces are required for those greater than 100 m<sup>2</sup> in floor area. Four of the dwellings within the development are less than 100 m<sup>2</sup> in floor area; two of these are to be provided with one car space each, while the other two are to have two spaces each. All other dwellings within the development are to have two car spaces. **The development therefore exceeds Council's car parking requirements**, providing two of the smaller dwellings with additional car spaces.

For background purposes, the following history of the site is provided:

- On 9 October 2000 Council refused Development Application No. 604/00, which was for 30 dwellings and three offices. The development was four storeys in height and proposed to provide some car parking in the road reserve. The road reserve car parking was required in response to the three offices. The grounds of refusal were based on the development being an overdevelopment of the site, its inappropriate (Jetty) appearance, and excessive height and bulk.
- On 12 July 2001 Council approved Development Application No. 538/01, which was for 17 dwellings and a business premises and restaurant. The building was three storeys in height, and proposed to provide some car parking in the road reserve. Again, provision of car parking in the road reserve was required in response to the business premises and restaurant.

**Conclusion:**

The development is considered an appropriate development for the site. While it involves variations to the setback and density controls of Council's Medium-High Density Housing DCP, these variations are considered acceptable given that:

**cont'd**

**Ped93 Development Application No. 1800/03 - Multi Unit Housing (18 Dwellings) - Lots A, B And C, Dp 364007, 7 Edgar Street, Coffs Harbour (cont'd)**

- the road reserves for both Collingwood and Edgar Street are particularly wide, ensuring that front boundary encroachments of the development do not result in the crowding of the street(s).
- there is no established streetscape which sets a particular setback;
- the encroachments mostly involve balconies, which are open structures;
- the development in these locations still displays an element of stepping back from the property boundaries as they increase in height, fulfilling the aim of the setback requirements;
- the proximity of the building to the corner of Collingwood and Edgar Street provides for the better definition of this corner;
- the increased density does not involve any reduction in the amenity afforded to dwellings within the development, i.e. adequate private open space and car parking is provided to each dwelling;
- collectively, the increased number of dwellings does not result in any adverse impacts off site;
- the increased density provides for urban consolidation in a location, which is close to all manner of services and facilities; and
- no submissions were received in response to the notification of the development.

It is important to note that the application was initially lodged with Council in early June of this year. Concerns with the design of the development prompted Council to engage the Urban Design Advisory Service (UDAS), the design arm of the Department of Infrastructure, Planning and Natural Resources, to review the design of the development and to attend a workshop involving the applicant, to discuss redesign options. A number of design principles were established at the workshop and these have been incorporated into the amended design now being considered; this included the setback encroachments.

It is of further note that Council, at its Planning, Environment and Development Committee meeting on 20 November 2003, in acknowledging the Medium-High Density Housing DCP as a set of generic controls which do not always acknowledge the circumstances of a site, endorsed the commencement of a project, involving UDAS, for the preparation of a Masterplan and DCP for the residential and business precincts of the Jetty area. This Masterplan and DCP will result in site-specific controls, which will replace the generic controls of the Medium-High Density Housing DCP for the Jetty area.

There are no further issues of note associated with the development.

**Recommendation:**

**That Development Application No. 1800/03 for multi unit housing (18 dwellings) on Lots A, B and C, DP 364007, 7 Edgar Street, Coffs Harbour be approved subject to standard technical conditions as attached to Development Application No. 1800/03 file and tabled at the Council meeting.**

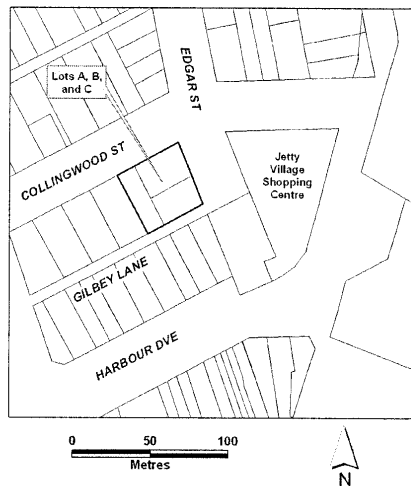
**Mark Salter**  
**Acting Director Planning, Environment and Development**

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

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

**Purpose:**

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.



**Description of Item:**

The site is located immediately to the west of the Jetty Village shopping centre, and is bounded by Collingwood and Edgar Streets and Gilbey Lane.

The development is a residential flat building three storeys in height, with a basement car park, and is essentially comprised of two wings, one of which faces Edgar Street and the other Collingwood Street. Two lifts are included within the wing fronting Collingwood Street, and a glassed corridor connects the two wings so as to provide lift access to a number of the dwellings in the Edgar Street wing.

Access to the site is via a driveway located in the north western corner of the site.

A large common landscaped area, which includes a drying yard and barbecue, is to be provided in the south western corner of the development, and a small-enclosed building is proposed to Gilbey Lane for storage of a bulk waste container.

The building is to be constructed of brick, and has gable end roofs (corrugated iron) with other flat sections scattered throughout.

The cost of construction of the development is estimated at \$3.6 million.

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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 (cont'd)**

**Sustainability Assessment:**

- **Environment**

The site is located within an urban area and therefore will have little impact upon the natural environment. In terms of the built environment, the building is considered of an appropriate size and design for its location, and will provide an appropriate transition from the Jetty Village shopping centre to residential development along Collingwood Street.

- **Social**

The development will provide additional housing within the area and, importantly, maximises densities. It will have no adverse social impacts, and will increase safety within the neighbourhood simply by providing for more persons to be resident in it.

- **Economic**

The development may provide short-term employment within the area for local trades during construction, with the possibility of ongoing employment through such activities as cleaning and landscaping maintenance.

**Statutory Requirements:**

- **Section 79C Evaluation**

Section 79C of the Environmental Planning and Assessment Act 1979 sets out the matters to be considered in the determination of a development application (DA). The consideration of matters is limited in so far as they must be of relevance to the development being considered. A report setting out the consideration of the development in terms of section 79C is attached to DA No. 1800/03, and will be tabled at the Council meeting. The development does propose the variation of a number of controls under the Medium-High Density Housing Development Control Plan (DCP), and these are detailed below.

- **Medium-High Density Housing DCP**

- **Density**

The development proposes 18 dwellings, which, by virtue of their size, require a total of 1980 m<sup>2</sup>. The site is only 1804.6 m<sup>2</sup> in area.

cont'd

**Ped81 Development Application No. 1800/03 - Multi Unit Housing (18 Dwellings) - Lots A, B And C, Dp 364007, Edgar Street, Coffs Harbour (cont'd)**

The DCP controls the density of development according to the size of proposed dwellings. Generally speaking, a site will accommodate a greater number of small dwellings than a development proposing very large dwellings. The DCP provides four categories for classifying a dwelling in terms of size. The dwellings proposed range in size from approximately 91 m<sup>2</sup> to 121 m<sup>2</sup>, with an average size of 106 m<sup>2</sup>. The DCP provides that a site area of 110 m<sup>2</sup> is required for dwellings with sizes between 85-125 m<sup>2</sup>, and this is how the required 1980 m<sup>2</sup> is calculated. These provisions are broad in nature, as the development could, for instance, provide the same number of dwellings but with an average size of 124 m<sup>2</sup>, and so still be included within the 85-125 m<sup>2</sup> dwelling size category. Given that there will be no adverse impacts as a result of the development exceeding the density provision, and that the objectives of the DCP will be met, the variation is considered acceptable.

**- Setbacks**

The application of setbacks to the site are complicated by its unusual location; it fronts three roads. In practice, the site has two front setbacks (Collingwood and Edgar Streets), a side boundary to the western neighbour, and a rear boundary to Gilbey Lane.

The development encroaches into the front setbacks set by the DCP for the ground, first and second storey. The encroachments to Collingwood Street involve the balconies of the ground and first storey, while the balconies and building at the second storey encroach into the setback. To the Edgar Street frontage, it is the balcony and roof, which encroach.

The front boundary encroachments are considered acceptable given that the road reserves for both these streets are particularly wide, and the encroachments mostly involve balconies, which are open structures. The development in these locations still displays an element of stepping back from the property boundaries as they increase in height, fulfilling the aim of the setback requirements; and, the proximity of the building to the corner of Collingwood and Edgar Street provides for the better definition of this corner.

Along the side (western) boundary, a portion of the second storey encroaches, while all floors along the rear (Gilbey Lane) setback are encroached. These encroachments are considered acceptable, given that the length of building provided to these boundaries is small in length, leaving the south western portion of the site undeveloped. This provides the adjoining property with a view corridor to the south east, across the site.

**cont'd**



**Ped81 Development Application No. 1800/03 - Multi Unit Housing (18 Dwellings) - Lots A, B And C, Dp 364007, Edgar Street, Coffs Harbour (cont'd)**

The table below summarises the setback encroachments.

	<b>DCP required setback</b>	<b>Developments setback</b>
<b>Front boundary (Collingwood Street)</b>	3.5 m ground floor	Balcony encroaches
	5 m first floor	Balcony and central portion of building encroaches
	All successive storeys within 30 degree plane	Balcony and second floor encroaches
<b>Front boundary (Edgar Street)</b>	3.5 m ground floor	Complies
	5 m first floor	Complies
	All successive storeys within 30 degree plane	Roof and portion of balcony encroaches
<b>Side boundary (west)</b>	3 m for first 6 m in height	Complies
	6 m thereafter	Corner of building encroaches
<b>Rear setback (Gilbey Lane)</b>	3 m for first 6 m in height	Ground and first floor and bulk waste building encroach
	6 m thereafter	Second floor encroaches

**Issues:**

The application was initially lodged with Council in early June of this year. Concerns with the design of the development prompted Council to engage the Urban Design Advisory Service (UDAS), the design arm of the Department of Infrastructure, Planning and Natural Resources, to review the design of the development and to attend a workshop involving the applicant, to discuss redesign options. A number of design principles were established at the workshop and these have been incorporated into the amended design now being considered.

The Medium-High Density DCP is a generic set of controls, which applies to a range of areas within the City. The controls therefore do not always acknowledge the circumstances of a particular site and, in this instance, their strict application is not considered appropriate. Further to this, it is of note that a separate report within the Business Paper seeks the endorsement of Council for the commencement of a project, involving UDAS, for the preparation of a Masterplan and DCP for the residential and business precincts of the Jetty area. This Masterplan and DCP will result in site-specific controls, which will replace the generic controls of the Medium-High Density DCP for the Jetty area.

No submissions were received in the advertising and notification of this application.

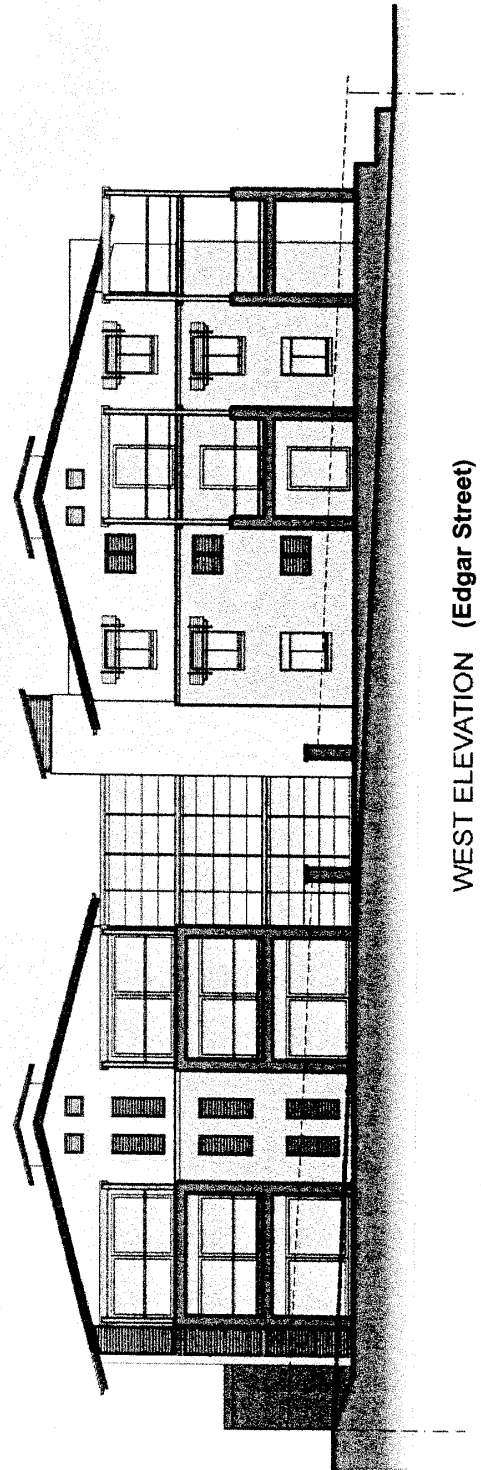
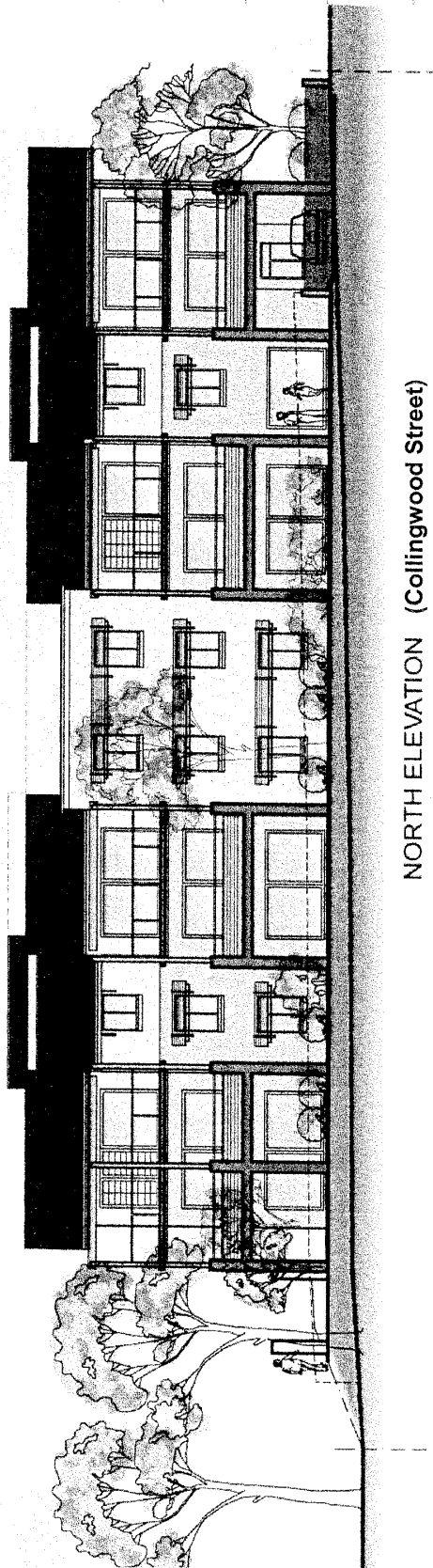
There are no further issues of note associated with the development.

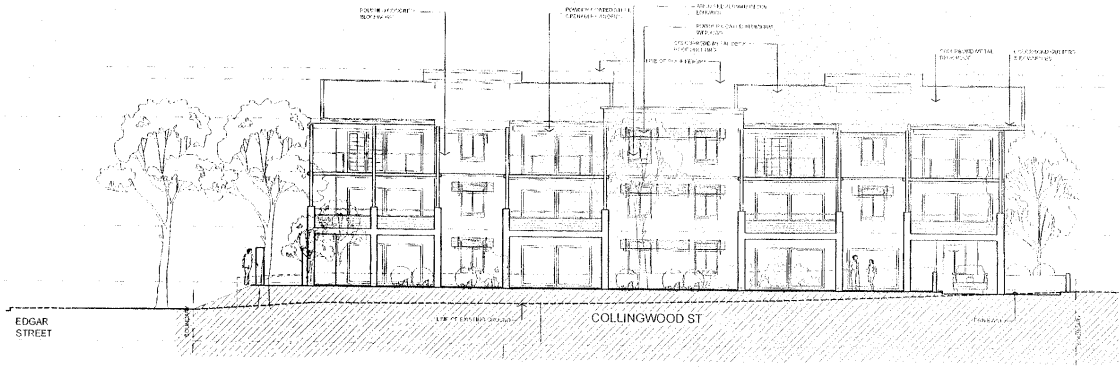
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**Ped81 Development Application No. 1800/03 - Multi Unit Housing (18 Dwellings) - Lots A, B And C, Dp 364007, Edgar Street, Coffs Harbour (cont'd)**

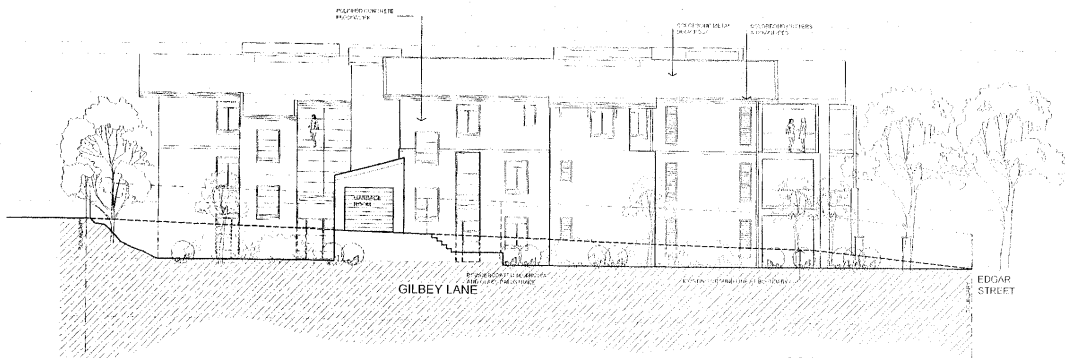
**Recommendation:**

**That Development Application No. 1800/03 for multi unit housing (18 dwellings) on Lots A, B and C, DP 364007, 7 Edgar Street, Coffs Harbour be approved subject to standard technical conditions as attached to Development Application No. 1800/03 file and tabled at the Council meeting.**

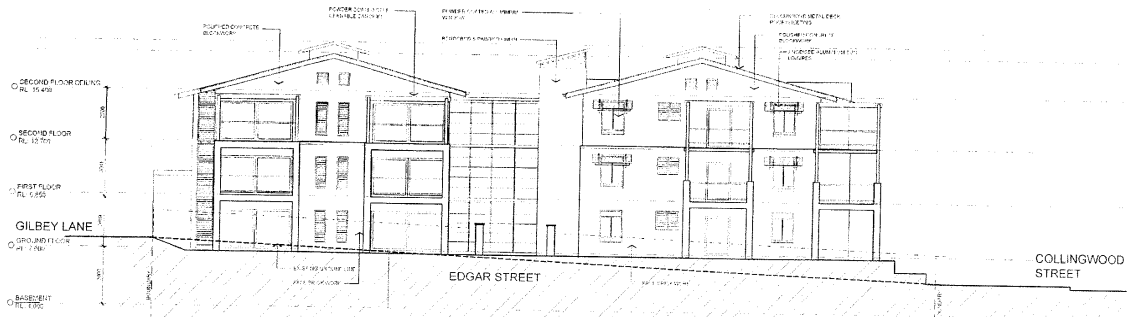




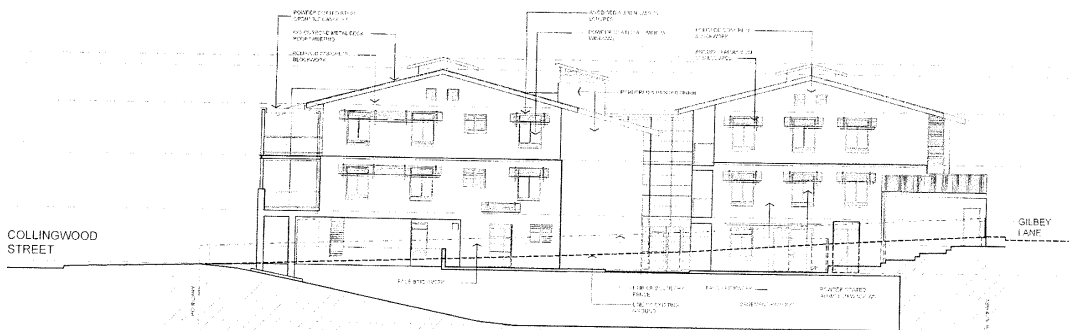
**NORTH ELEVATION (Collingwood Street)**  
SCALE 1/80



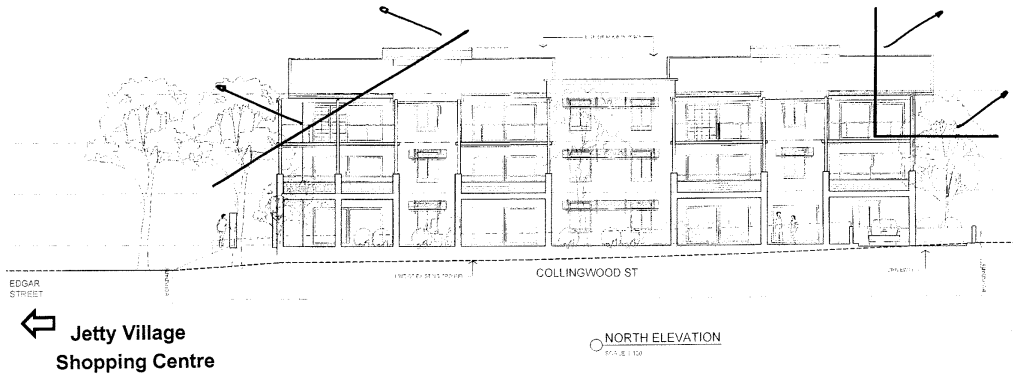
**SOUTH ELEVATION (Gilbey Lane)**  
SCALE 1/80



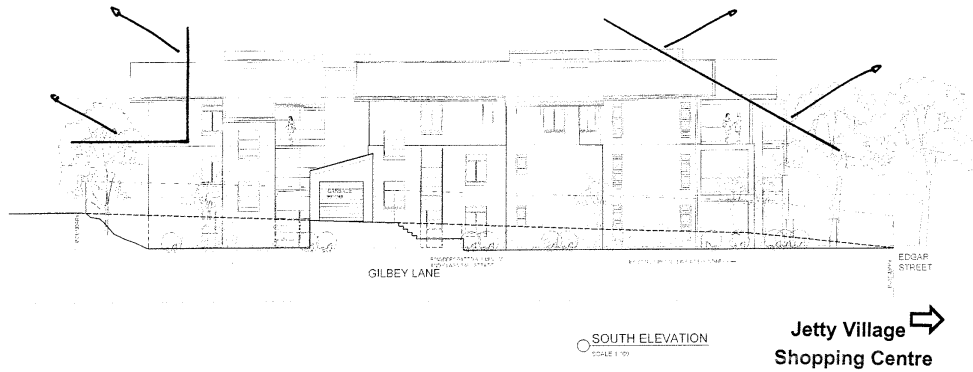
**EAST ELEVATION (Edgar Street)**  
SCALE 1/80



**WEST ELEVATION**  
SCALE 1/80

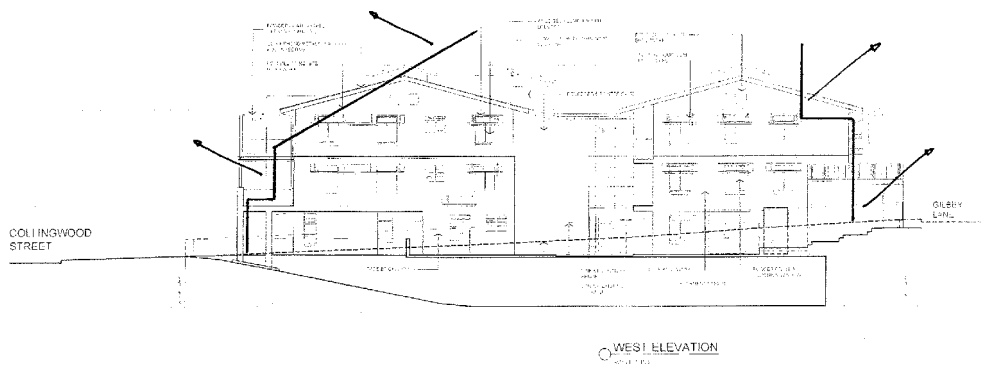
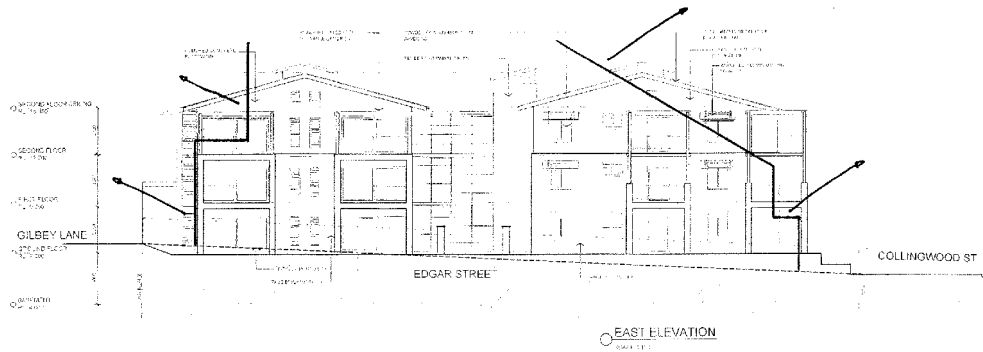


← Jetty Village Shopping Centre



Jetty Village → Shopping Centre

**Setbacks (Encroachments)  
Development Application No. 1800/03**



**Setbacks (Encroachments)  
Development Application No. 1800/03**