

The following document is the minutes of the Council and Committee meetings held on 29 January 2004. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 19 February 2004 and therefore subject to change. Please refer to minutes of 19 February 2004 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

29 JANUARY 2004

Contents

ITEM	DESCRIPTION	PAGE
	NOTICE OF MOTION	
1	HARBOUR PLAN - EXHIBITION PERIOD	2
2	NOTICE OF RESCISSION MOTION	
2	DEVELOPMENT POTENTIAL: LOT 1 AND LOT 2, DP 840016, PACIFIC HIGHWAY, EMERALD BEACH	3
	CITY BUSINESS UNITS DEPARTMENT REPORT	
	ACQUISITION OF DRAINAGE EASEMENT - LOT 645 DP 227302, 36 TURPENTINE AVENUE SANDY BEACH	3
B1	CAMPING AT EASTERN DORRIGO SHOWGROUND, ULONG - REVISION TO PLAN OF MANAGEMENT	4
B2	FIRE MANAGEMENT BEACON HILL RESERVE, COFFS HARBOUR	4
	CORPORATE SERVICES DEPARTMENT REPORTS	
F1	BANK BALANCES AND INVESTMENTS AS AT 30 NOVEMBER 2003	4
F2	APPLICATION FOR ASSISTANCE - ENTERPRISE INCENTIVE SCHEME	4
F3	INQUIRY INTO LOCAL GOVERNMENT AND COST SHIFTING - FEDERAL STANDING COMMITTEE ON ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION	5
F4	FOOTWAY ACTIVITIES LICENSING POLICY GUIDELINES	5
F5	LOCAL GOVERNMENT BOUNDARIES COMMISSION - EXAMINATION & REPORT INTO PROPOSAL FOR THE CREATION OF A NEW LOCAL GOVERNMENT AREA IN THE CLARENCE VALLEY	5
	PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS	
PED1	DEVELOPMENT APPLICATION NO. 1483/03 - ANIMAL ESTABLISHMENT (BOARDING CATTERY) - LOT 9, DP 860190, 179 HERITAGE DRIVE, MOONEE BEACH	2

ITEM	DESCRIPTION	PAGE
PED2	ESTABLISHMENT OF A MANAGEMENT COMMITTEE FOR THE ORARA RIVER RESTORATION - UPPER NORTH COAST CATCHMENT MANAGEMENT BOARD PROJECT	6
PED3	DRAFT WOOLGOOLGA TOWN CENTRE CAR PARKING DEVELOPER CONTRIBUTIONS PLAN	6
	CITY SERVICES DEPARTMENT REPORT	
S1	COASTAL ESTUARY MANAGEMENT ADVISORY COMMITTEE	7
	MATTERS OF AN URGENT NATURE	
	Offer by Yamaha Australia to enable purchase Surf Club Equipment	7
	QUESTIONS WITHOUT NOTICE	
1	Drainage Problems - North Side Shopping Centre and Park Beach Plaza	8
2	Maintaining Drainage Eastments throughout the City	8
3	Paint Ball Laser Field Development, Herdegen Road, Bonville	8
4	Council's commitment to Sporting Facilities and attracting Sporting Events to the City	8
5	Recent Vandalism at Coffs Harbour Swimming Pool	9
6	Vandalism to Fence along the Pacific Highway	9
7	Variations to Speed Limit on some City Roads	9
8	Sale of Private Cars along the Pacific Highway adjacent to Wentworth Ave, Coffs Harbour	10
9	Unique Apron Exhibition	10
	GENERAL BUSINESS	
1	Restoration of Upper Orara Hall	10
2	Maintenance on Water Pipeline from the Nymboida River	11
3	Area adjacent to Bellbowie Motors in Coffs Harbour	11
4	St Peters Church at Nana Glen	11
5	Problem of Camphor Laurel Trees	11



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

29 JANUARY 2004

Present: Councillors J C Bonfield (Mayor), P J Howe, C M McKimm, I J Ovens, W R Palmer, K D Rhoades, J Strom (Deputy Mayor), A D Williams and W A Wood.

Staff: General Manager, Director of City Business Units, Director of Planning, Environment & Development, Acting Director of Corporate Services (D C Allen), Director of City Services, Administration Manager and Executive Assistant.

The meeting commenced at 5.16pm with the Mayor in the chair.

PUBLIC ADDRESSES

Time	Speaker	Subject
5.00 pm	Frank Taylor (resident)	PED1 - Development Application No. 1483/03 - Animal Establishment (Boarding Cattery) - Lot 9, DP 860190, 179 Heritage Drive, Moonee Beach
5.05 pm	Ian Taylor (applicant/owner)	PED1 - Development Application No. 1483/03 - Animal Establishment (Boarding Cattery) - Lot 9, DP 860190, 179 Heritage Drive, Moonee Beach

CONFIRMATION AND ADOPTION OF MINUTES

- 1 **RESOLVED** (Palmer/Howe) that the minutes of the Planning Environment and Development Committee Meeting of 18 December 2003 be confirmed as a true and correct record of proceedings.

- 2 **RESOLVED** (Palmer/McKimm) that the minutes of the City Services Committee Meeting of 18 December 2003 be confirmed as a true and correct record of proceedings.

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

PED1 DEVELOPMENT APPLICATION NO. 1483/03 - ANIMAL ESTABLISHMENT (BOARDING CATTERY) - LOT 9, DP 860190, 179 HERITAGE DRIVE, MOONEE BEACH

To advise Council on an application for a boarding cattery incorporating 24 pens in Heritage Drive, Moonee.

- 3 **MOVED** (Wood/McKimm) that the Development Application be refused on the grounds that it is environmentally unacceptable, will have a detrimental impact on the environment and that any proposed ongoing conditions of consent would not be sufficiently enforceable to protect the environmental and other concerns.

The motion on being put to the meeting was carried.

NOTICE OF MOTION

- 1 **HARBOUR PLAN - EXHIBITION PERIOD**

Cr Strom declared a conflict of interest as a property owner in the area

The General Manager informed the meeting that the motion is a procedural issue associated with the extension or otherwise of the exhibition of the Plan. Legal opinion has been sought and the advice given was that whilst Council is debating only the procedural issue Cr Strom would not have a pecuniary interest and would not be required to vacate the Chamber.

- 4 **RESOLVED** (Rhoades/McKimm) that the exhibition period of The Harbour Plan" be extended to 29 February 2004.

RESCISSION MOTION

2 DEVELOPMENT POTENTIAL: LOT 1 AND LOT 2, DP 840016, PACIFIC HIGHWAY, EMERALD BEACH

MOVED (Williams/McKimm) that Resolution 247 of the Ordinary Meeting of 18 December 2003 only in respect to Recommendation No. T92 of the Planning, Environment and Development Committee, and reading as follows,

- "1. That Council use the development application process to test the extent of constraints that exist across the site and to examine the merit of any development concepts proposed for the site; and*
- 2. That prior to Council making a decision on the development potential of Lot 1 and Lot 2, DP 840016, Pacific Highway, Emerald Beach, a preliminary urban land capability assessment be undertaken on land within the City (especially land in the Northern Beaches) and a report be brought back to Council within three months."*

be rescinded and be replaced with:

1. That a preliminary urban land capability assessment be undertaken on land within the City (especially land in the Northern Beaches) and a report be brought back to Council within three months.
2. That Council request the State Government to consider acquisition of this property to protect our coastal heritage.

The motion on being put to the meeting was lost.

CITY BUSINESS UNIT DEPARTMENT REPORTS

B1 ACQUISITION OF DRAINAGE EASEMENT - LOT 645 DP 227302, 36 TURPENTINE AVENUE SANDY BEACH

Seeking Council's approval for the acquisition of a drainage easement over Lot 645 DP 227302, 36 Turpentine Avenue, Sandy Beach.

5 RESOLVED (Williams/Howe):

1. That Council pay compensation of \$2,000 for the acquisition of an easement 10 metres wide in the location shown on the plan attached to this report over Lot 645 DP 227302, known as 36 Turpentine Avenue, Sandy Beach.
2. That Council be responsible for all costs in relation to the matter.
3. That any necessary documents be executed under the Common Seal of Council.

**B2 CAMPING AT EASTERN DORRIGO SHOWGROUND, ULONG -
REVISION TO PLAN OF MANAGEMENT**

To seek Council approval to advertise proposed amendments to the Sportsground Plan of Management, to enable primitive camping at the Eastern Dorrigo Showground, Ulong.

- 6 **RESOLVED** (Howe/Strom) that Council approve the advertisement of the proposed amendments attached to the report as Appendix A.

B3 FIRE MANAGEMENT BEACON HILL RESERVE, COFFS HARBOUR

To advise Council of issues pertaining to fire management at Beacon Hill Reserve, and outline to Council the proposed Fire Management Strategy prepared for the reserve, in line with the Beacon Hill Plan of Management.

- 7 **RESOLVED** (Howe/Palmer) that Council note the Fire Management Strategy proposed for Beacon Hill Reserve, in line with the adopted Plan of Management.

CORPORATE SERVICES DEPARTMENT REPORTS

F1 BANK BALANCES AND INVESTMENTS AS AT 30 NOVEMBER 2003

To list Council's Bank Balances and Investments as at 30 November 2003.

- 8 **RESOLVED** (Strom/McKimm) that at the Bank Balances and Investments totalling one hundred and seventeen million, two hundred and thirty eight thousand, five hundred and sixty three dollars (\$117,238,563) as at 30 November 2003 be noted.

**F2 APPLICATION FOR ASSISTANCE - ENTERPRISE INCENTIVE
SCHEME**

Report seeking approval for financial assistance towards expansion of a local business.

- 9 **RESOLVED** (Ovens/Howe) that under Council's Enterprise Incentive Scheme, that Council approve funding of \$8,000 to Trackwood Pty Ltd, payable upon inspection of the expansion.

F3 INQUIRY INTO LOCAL GOVERNMENT AND COST SHIFTING - FEDERAL STANDING COMMITTEE ON ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION

To provide Council with the findings of the final report into the Cost Shifting Inquiry.

- 10 RESOLVED** (Wood/Howe) that the report be adopted and a letter of support for the recommendations be forwarded to the Local Government and Shires Associations, the Australian Local Government Association and the Chair of the Committee.

F4 FOOTWAY ACTIVITIES LICENSING POLICY GUIDELINES

To advise Council of the submissions made as a result of advertising the draft policy guidelines.

- 11 RESOLVED** (Wood/Strom) that Council adopt the Footway Activities Licensing Policy Guidelines and associated fee structure.

F5 LOCAL GOVERNMENT BOUNDARIES COMMISSION - EXAMINATION & REPORT INTO PROPOSAL FOR THE CREATION OF A NEW LOCAL GOVERNMENT AREA IN THE CLARENCE VALLEY

To advise Council of the invitation advertised by the Local Government Boundaries Commission to make a submission on a proposal to form a single Council for the Clarence Valley including a boundary adjustment to transfer an area including the villages of Red Rock and Corindi to Coffs Harbour City Council.

- 12 RESOLVED** (Palmer/Wood) that Council note and confirm the submission forwarded to the Local Government Boundaries Commission on 27 January 2004.

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

Item PED1 was considered earlier in the meeting. Please see page 2.

PED2 ESTABLISHMENT OF A MANAGEMENT COMMITTEE FOR THE ORARA RIVER RESTORATION - UPPER NORTH COAST CATCHMENT MANAGEMENT BOARD PROJECT

To establish a Management Committee for administration of the Upper North Coast Catchment Management Board River Health Project RH 2 - Orara River Restoration.

13 RESOLVED (Howe/Strom):

1. That the Orara River Restoration Project Management Committee (Section 377) be established comprising one Councillor, six community members, one representative of the Department of Infrastructure, Planning and Natural Resources and the General Manager, or his nominee.
2. That the current community members of the Combined Orara Rivercare Groups' Management Committee (Garry Dew, Guy Gilmour, Doug Hoschke, Rod McKelvey, John Ross and Ron Smith) be the community members nominated in
3. That Councillor Howe be the Councillor on the Committee.
4. That the existing committee members be duly acknowledged for their outstanding achievements to date.

PED3 DRAFT WOOLGOOLGA TOWN CENTRE CAR PARKING DEVELOPER CONTRIBUTIONS PLAN

The purpose of this report is to present to Council the Draft Woolgoolga Town Centre Car Parking Developer Contributions Plan. The report recommends that this plan be placed on public exhibition. A copy of the draft plan is attached to this report.

14 RESOLVED (Wood/McKimm):

1. That Council repeal the "Section 94 Contribution Plan for Off Street Public Car Parking, Coffs Harbour Town and Woolgoolga Business Centre".
2. That, in accordance with Clause 26(4) of the Environmental Planning and Assessment Regulations, Council exhibit the Draft Woolgoolga Town Centre Car Parking Developer Contributions Plan.

CITY SERVICES DEPARTMENT REPORTS

S1 COASTAL ESTUARY MANAGEMENT ADVISORY COMMITTEE

To report minutes of the Coastal Estuary Management Advisory Committee Meeting held on 29 October 2003.

15 RESOLVED (Williams/McKimm) that:

1. Council note the minutes of the Coastal Estuary Management Committee Meeting of 29 October 2003.
2. That the Arrawarra Creek Interim Entrance Management Strategy be adopted.

REQUESTS FOR LEAVE OF ABSENCE

16 RESOLVED (Strom/Howe) that Cr McKimm be granted leave of absence for Council meetings on 5 February 2004 as she will be out of the city.

MATTERS OF AN URGENT NATURE

Offer by Yamaha Australia to enable purchase of Surf Club Equipment

Cr Rhoades informed the meeting that one of the city's surf clubs has advised Council that Yamaha Australia is offering selected surf clubs quad bikes at a reduced cost. The surf club has enquired if Council would be willing to commit 50% of the purchase price to obtain the bike. Cr Rhoades requested that Council approach Coffs Harbour, Sawtell and Woolgoolga Surf Clubs to ascertain their interest and submit an application. The surf clubs should be informed that they will be required to half share the funding.

The General Manager to follow the matter up.

QUESTIONS WITHOUT NOTICE

1. Drainage Problems - North Side Shopping Centre and Park Beach Plaza

Cr Palmer enquired if a suitable closed drain could be constructed to replace the open drain between North Side Shopping Centre and Park Beach Plaza to alleviate the problem of stagnant water as it is a health hazard.

The Director of City Services will investigate and provide Cr Palmer with details.

2. Maintaining Drainage Easements throughout the City

Cr Palmer also enquired what level of funding is presently allocated towards maintaining drainage easements throughout the city.

The Director of City Services advised that the cost is great but the easements are necessary as Council has considerable ongoing problems with drainage without easements. Cr Palmer will be provided with current funding allocation.

3. Paint Ball Laser Field Development, Herdegen Road, Bonville

Cr Williams referred to a letter regarding the Paint Ball Laser Field and enquired if the report being prepared by staff will be completed before the end of the term of the present Council.

The Administration Manager advised the report will be completed within two months, bearing in mind other commitments and the forthcoming local government election.

Cr Williams requested that the complainants be reimbursed all legal costs on this issue.

The Director of Planning Environment and Development advised that, as an outcome of the legal action those who lodged the appeal are reimbursed as determined by the Court, ie, Council to pay the applicant's costs of the proceedings on a party /party basis as agreed or assessed.

Questions without Notice (cont'd)

4. Council's commitment to Sporting Facilities and attracting Sporting Events to the City

Cr Strom referred to an article in the Advocate Newspaper on 28 January where Councillors' commitment to economic development of sporting facilities and activities was questioned and requested the Director of City Business Units provide an estimate of funds expended on sporting facilities during the present term of Council.

The Director of City Business Units advised that one of Council's strategic directions and key economic drivers is sport. During the term of the present Council the Sports Unit was formed and a sports marketing company engaged to attract events to city. Capital expenditure in 2003 on West Marshalls Sports field and other areas amounted to around \$600,000. The average capital expenditure over the last three or four years was \$300,000 to \$400,000 each year. The impact of sport on the city's economy has been immense with the Wallabies, the Accenture Triathlon, the University Games and other events. Council has acquired land next to the Equestrian Centre at Nana Glen and the Rugby Park on Hogbin Drive. No fields have been mothballed and maintenance has increased. A media release prepared to inform the community.

5. Recent Vandalism at Coffs Harbour Swimming Pool

Cr Strom raised the ongoing issue of mindless damage to this valuable community asset and the huge cost to the community and to the lessee. Cr Strom enquired as to what action will be taken to address the long term security of the pool and if the two other pools in the city have similar problems.

The Director of City Business Units advised he was unaware of any vandalism at the Sawtell and Woolgoolga Swimming Pools. Council has inspected the area at the Coffs Harbour pool and discussed the problem with the Police, the lessee and the other parties involved. Quotations are being obtained to improve the perimeter fencing. Patrols will also be increased and other areas made more secure.

6. Vandalism to Fence along the Pacific Highway

Cr Ovens advised that the fence adjacent to the old Channel Ten site on the Pacific Highway had been kicked in again and enquired if Council can do more to have offenders or the parents of the underage youths pay for the damage.

The General Manager advised that Council does not have the power to charge the parents.

Questions without Notice (cont'd)

7. Variations to Speed Limits on some City Roads

Cr Ovens requested the Traffic Committee review the situation where on some city roads the speed limit changes several times over the length of the road and suggested colour coding on the road surface to indicate different speed limit zones.

The Director of City Services advised that colour coding would be expensive, difficult to maintain and Council is required to comply with the Australian Standards. The Traffic Committee will be requested to consider, at its next meeting, making the majority of Harbour Drive, Coffs Harbour a 50kph road.

8. Sale of Private Cars along the Pacific Highway adjacent to Wentworth Ave, Coffs Harbour

Cr Ovens enquired if a 2 hour parking zone could be introduced in areas where vehicles are left by private citizens for sale.

The Director of City Services responded that the area available for parking on the Pacific Highway North has been reduced and a 2 hour parking limit will be considered at the next Traffic Committee meeting.

9. Unique Apron Exhibition

Cr Bonfield advised the meeting that Gordon Council had forwarded to every council in Australia an apron supplied by the Unique Apron Trust, with a request that, by 1 March, a theme depicting Coffs Harbour be painted on the apron and returned to the Trust to be placed on display.

GENERAL BUSINESS

1. Restoration of Upper Orara Hall

Cr Rhoades advised that the residents of Upper Orara are eager to see the project proceed and enquired what is the position.

The Director of City Business Units advised that the property is in private ownership, and is not maintained by Council. A request has been received to waive development application fees

The General Manager will provide a report to Council on how assistance can be provided.

General Business (cont'd)

2. Maintenance Work on Water Pipeline from the Nymboida River

Cr Rhoades advised he was disturbed to learn that due to maintenance work on pumps on the Nymboida end of the pipeline, Council was unable to pump water from the Nymboida River for some days recently and enquired why maintenance work was carried out during the wettest part of the year and not during a dry period.

The Director of City Services advised that the Authority was attempting to fill the Grafton Reservoir during the time Cr Rhoades mentioned. As part of the agreement Council is required to assist the Authority in their needs. Council has been receiving some water through the pipeline, pumping 60 megalitres a day, thereby increasing the volume of the dam by 1% a day. Karangie Dam is now 80% full.

3. Area adjacent to Bellbowie Motors in Coffs Harbour

Cr Bonfield advised that a section in the original development application approved for Bellbowie Motors set aside for staff parking now is being used as a Used Car Yard and employees are parking on the street. Cr Bonfield enquired what can be done about the situation.

The Director of Planning Environment and Development advised that Bellbowie Motors have lodged a new development application to use the area originally set aside with staff parking for a Used Car Yard and Council is waiting on responses from the surrounding residents.

4. St Peters Church at Nana Glen

Cr Howe enquired if St Peters Church at Nana Glen is Heritage listed.

The Director of Planning Environment and Development will look into the matter and advise Cr Howe.

5. Problem of Camphor Laurel Trees

Cr Howe advised that she was disappointed to learn that camphor laurel was refused to be registered as a "key threatening process" by the scientific committee. Cr Howe expressed concern that the committee used data from 1994 and are taking such a short view. Can information be provided on how this affects Council as a body trying to control environmental weeds.

The General Manager took the matter on notice and will report to Cr Howe on this important issue.

6. Beach Valley Ball Competition and Accenture Triathlon

Cr Palmer requested that, in view of the recent successful Beach Volley Ball competition and the Accenture Triathlon, could Council write and congratulate the organizers of both events and implore them to return to Coffs Harbour in the future to hold these valuable events.

The General Manager agreed to do so.

This concluded the business and the meeting closed at 7.27pm.

Confirmed: 19 February 2004

.....
Cr J C Bonfield
Mayor