

The following document is the minutes of the Council and Committee Meetings held on Thursday 16 September 2004. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 7 October 2004 and therefore subject to change. Please refer to the minutes of the meeting of 7 October 2004 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
16 SEPTEMBER 2004

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)

16 SEPTEMBER 2004

Present: Councillors K D Rhoades (Mayor), I D Hogbin (Deputy Mayor), J C Bonfield, W D Featherstone, C O Joass, R W McKelvey, I J Ovens, G R Smithers.

Staff: General Manager, Acting Director of Planning (J Green), Environment and Development, Acting Director of City Business Units (C Spring), Director of City Services, Acting Director of Corporate Services (C Gregg), Manager Strategic Planning, Senior Strategic Planner, Executive Assistant

Leave of Absence: Cr W Palmer

The meeting commenced at 5.00 p.m. with the Mayor, Councillor K D Rhoades, in the chair.

PUBLIC ADDRESSES

Speaker	Subject
Tony Ferris	PED 34 Moonee DCP and DA 1174/04 (11 Woodhouse Road, Moonee Beach and restoration of original homestead)
Barry Lee	Notice of Motion – Proposed change to Council Meeting Schedule

MAYORAL MINUTE

6 WATERFRONT EXPO 2004 - "BEST PRACTICE - SHARED EXPERIENCE"

To seek Council's approval for the General Manager to attend the Global Forum for Waterfront Development, being held in Amsterdam, Holland, on 19-22 October 2004.

- 155 **RESOLVED** (Rhoades/Hogbin) that Council approve the attendance of the General Manager at the Waterfront Expo 2004 Exhibition and Conference in Amsterdam, Holland, from 19 to 22 October 2004.

CONFIRMATION AND ADOPTION OF MINUTES

- 156 **RESOLVED** (Hogbin/Joass) that the minutes of the City Business Units Committee meeting of 2 September 2004 be confirmed as a true and correct record of proceedings.
- 157 **RESOLVED** (Hogbin/Joass) that the minutes of the Corporate Services Committee meeting of 2 September 2004 be confirmed as a true and correct record of proceedings.

NOTICES OF MOTION

PROPOSAL TO ADD FLUORIDE TO WATER SUPPLY

NOTICE OF MOTION

Cr Rhoades advised that he was unable to accept this Notice of Motion at the meeting as it falls within the three month period as set down in the Local Government Act whereby matters that have been resolved by Council cannot be brought back within that time.

PROPOSED CHANGE TO COUNCIL MEETING SCHEDULE

MOVED (Smithers/Hogbin):

1. That Council have a six month trial of monthly meetings comprising all four committees.
2. That Special meetings be called when needed.
3. That business papers be circulated 10 days prior to meetings, where possible, and briefings be held seven days prior.

The **MOTION** on being put to the meeting resulted in a tied vote. The Mayor used his casting vote and the motion was declared **LOST**.

Cr Ovens presented plaque to Mayor from the Junior Surf Life Saving Titles.

The Mayor requested a motion to adjourn the Ordinary meeting and resolve into the Planning, Environment and Development Committee meeting.

PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE

- 159** **RESOLVED** (Bonville/Hogbin) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 5.38 p.m.

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

GENERAL MANAGER'S REPORTS

15 CONFERENCE "CRASH COURSE IN PLANNING" - REPORT BY CR MCKELVEY

To provide a report to Council by Cr R McKelvey on his attendance at the Councillor Professional Development Program.

- T32** **RECOMMENDED** (Smithers/McKelvey) that Council note the report and information provided by Cr R W McKelvey on his attendance at the Crash Course in Planning and Development.

16 CONFERENCE "PUBLIC SECTOR LEADERSHIP" - REPORT BY CR RHOADES

To provide a report to Council by the Mayor Cr Keith Rhoades on his attendance at the Public Sector Leadership Conference held in Melbourne from 15-18 August 2004.

- T33** **RECOMMENDED** (Rhoades/McKelvey):

1. That the report on attendance at the Public Sector Leadership Conference be noted.
2. That the Council accept ICLEI's offer of a workshop in Coffs Harbour as part of Council's response to the strategic alliance currently enjoyed.

PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS

PED32 POLICY S.68 LOCAL GOVERNMENT ACT - MOTOR VEHICLES FOR SALE ON ROAD RESERVE

To determine whether Council should permit these types of activities under a Local Approval Policy adopted by Council, or for Council to resolve to enforce Section 68 and stop the current illegal practice and allocate the necessary resources to do so as indicated by the report.

T35 RECOMMENDED (Ovens/Bonfield):

1. That Council take action to enforce the provisions of Section 68 of the Local Government Act to deter the practice of vehicles parked on the road reserve for the purpose of sale.
2. That a program including due notice, media campaign, education and legal penalty, be implemented.
3. Council support in principle the establishment of a weekend car market in a suitable location in the City.

PED33 REGIONAL WASTE PROCESSING PROJECT

This report seeks Council's approval to call open tenders for Regional Waste Collection Services and to vary the Tender Value Selection System, with respect to this project.

T36 RECOMMENDED (Ovens/Bonfield):

That Council:

1. Call open tenders, jointly with Nambucca Shire Council and Bellingen Shire Council, for Regional Waste Services comprising mixed waste (domestic, commercial and industrial), organic waste (domestic, commercial and industrial) and bulky goods collection services, and to build, own, operate and transfer a Materials Recovery Facility at the Englands Road site.
2. Call open tenders for Coffs Harbour Waste Services, comprising waste transfer stations, litter bins and effluent and sludge collection services.
3. Waive the local business criterion and weighting in the Tender Value Selection System for the purpose of the Contracts for Regional Waste Services.

PED34 MOONEE DEVELOPMENT CONTROL PLAN AND CONTRIBUTIONS PLAN

To seek adoption of the Moonee Development Control Plan (DCP) 2004 and Moonee Contributions Plan 2004, repeal the existing Moonee DCP and Moonee Contributions Plan 1999, and to commence rezoning of land within the Moonee area to more accurately reflect future planning of the area.

MOTION

MOVED (Joass /Bonfield):

1. That Council adopt the Moonee Development Control Plan 2004 as circulated.
2. That Council adopt the Moonee Contributions Plan 2004 as circulated.
3. That pursuant to Section 54 of the Environmental Planning and Assessment Act, Council prepare a draft Local Environmental Plan for zone changes in the Moonee area (as circulated), and seek a Section 65 Certificate from the Department of Infrastructure, Planning and Natural Resources to allow exhibition of the Plan.
4. That Council investigate the use of Section 94 for the purchase of regionally significant conservation value land.
5. That the current Moonee Development Control Plan that came into force on 14 March 2001 be repealed from the date that Moonee Development Control Plan 2004 comes into effect.
6. That Moonee Release Area Contributions Plan 2003 be repealed from the date that Moonee Contributions Plan 2004 comes into effect.
7. That any development Applications currently pending be determined with due regard to the Moonee Development Control Plan and Developer Contributions Plan.
8. That persons making submissions be notified of Council's decision.
9. That Council request the Department of Environment and Conservation (National Parks and Wildlife Service) to accept land dedicated to Council through the Development Control Plan to enable extension to the Regional Park.
10. That, in the event that the Department of Environment and Conservation (National Parks and Wildlife Service) do not accept the land as an extension to the Regional Park, a further report be submitted to Council to determine Council's policy on the 100m buffer to Moonee Creek.

Ped34 Moonee Development Control Plan And Contributions Plan (cont'd)

AMENDMENT

T34 MOVED (Featherstone/Hogbin):

1. That Council adopt the Moonee Development Control Plan 2004 as circulated.
2. That Council adopt the Moonee Contributions Plan 2004 as circulated.
3. That pursuant to Section 54 of the Environmental Planning and Assessment Act, Council prepare a draft Local Environmental Plan for zone changes in the Moonee area (as circulated), and seek a Section 65 Certificate from the Department of Infrastructure, Planning and Natural Resources to allow exhibition of the Plan.
4. That Council negotiate with the owners of Lot 66 DP 551005 and Lot 122 DP 1052566 (designated as 'protected' lands in the Development Control Plan) regarding the potential dedication of land containing native vegetation in exchange for some clearing to allow housing development and, upon completion of these negotiations, a report be brought back to Council.
5. That the current Moonee Development Control Plan that came into force on 14 March 2001 be repealed from the date that Moonee Development Control Plan 2004 comes into effect.
6. That Moonee Release Area Contributions Plan 2003 be repealed from the date that Moonee Contributions Plan 2004 comes into effect.
7. That any development Applications currently pending be determined with due regard to the Moonee Development Control Plan and Developer Contributions Plan.
8. That persons making submissions be notified of Council's decision.
9. That Council request the Department of Environment and Conservation (National Parks and Wildlife Service) to accept land dedicated to Council through the Development Control Plan to enable extension to the Regional Park.
11. That, in the event that the Department of Environment and Conservation (National Parks and Wildlife Service) do not accept the land as an extension to the Regional Park, a further report be submitted to Council to determine Council's policy on the 100m buffer to Moonee Creek.

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION**.

Ped34 Moonee Development Control Plan And Contributions Plan (cont'd)

FORESHADOWED AMENDMENT

MOVED (Smithers/Featherstone):

1. That Council adopt the Moonee Development Control Plan 2004 as circulated.
2. That Council adopt the Moonee Contributions Plan 2004 as circulated.
3. That pursuant to Section 54 of the Environmental Planning and Assessment Act, Council prepare a draft Local Environmental Plan for zone changes in the Moonee area (as circulated), and seek a Section 65 Certificate from the Department of Infrastructure, Planning and Natural Resources to allow exhibition of the Plan.
4. That Council negotiate with the owners of Lot 66 DP 551005 and Lot 122 DP 1052566 (designated as 'protected' lands in the Development Control Plan) regarding the potential dedication of land containing native vegetation in exchange for some clearing to allow housing development and, upon completion of these negotiations, a report be brought back to Council.
5. That the current Moonee Development Control Plan that came into force on 14 March 2001 be repealed from the date that Moonee Development Control Plan 2004 comes into effect.
6. That Moonee Release Area Contributions Plan 2003 be repealed from the date that Moonee Contributions Plan 2004 comes into effect.
7. That any development Applications currently pending be determined with due regard to the Moonee Development Control Plan and Developer Contributions Plan.
8. That persons making submissions be notified of Council's decision.
9. That Council request the Department of Environment and Conservation (National Parks and Wildlife Service) to accept land dedicated to Council through the Development Control Plan to enable extension to the Regional Park.
10. That, in the event that the Department of Environment and Conservation (National Parks and Wildlife Service) do not accept the land as an extension to the Regional Park, a further report be submitted to Council to determine Council's policy on the 100m buffer to Moonee Creek.
11. That medium density zoning around the shopping centre be reduced to low density zoning.

The **FORESHADOWED AMENDMENT** on being put to the meeting was **LOST**.

The **MOTION** on being put to the meeting was declared **CARRIED**

PED35 DRAFT LOCAL ENVIRONMENTAL PLAN - REVIEW OF COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN 2000 (AMENDMENT NO 25)

The purpose of this report is to present a review of Coffs Harbour City Local Environmental Plan (LEP) 2000; the LEP is reviewed every two years and this is the second review.

The report presents a Draft LEP (Amendment No 25) for Council's approval, which incorporates a number of amendments to LEP 2000 as a result of this review.

T37 RECOMMENDED (Hogbin/Rhoades):

1. That Council, in accordance with Section 54 of the Environmental Planning and Assessment Act 1979, prepare a Draft Local Environmental Plan for the land described in Schedule 7 attached to this report and to rectify certain anomalies under Coffs Harbour City Local Environmental Plan 2000.
2. That Council's delegation to issue a Certificate under Section 65 of the Environmental Planning and Assessment Act 1979 be exercised to allow Draft Coffs Harbour City Environmental Plan (Amendment No 25), attached to this report, to be exhibited.
3. That Draft Coffs Harbour City Local Environmental Plan (Amendment No 25) be exhibited in accordance with Section 66 of the Environmental Planning and Assessment Act, 1979.

CORPORATE SERVICES DEPARTMENT REPORT

F46 FINANCIAL REPORTS - 2003/2004

Statements to be signed to meet legislative requirements in relation to the completion of the Annual Financial Reports for 2003/2004.

- T38 RECOMMENDED** (Rhoades/Hogbin) that the "Annual Financial Statements" and "Special Purpose Financial Statements" forms for 2003/2004 be approved for completion by the designated signatories.

CITY BUSINESS UNITS DEPARTMENT REPORTS

B28 APPOINTMENT OF COUNCILLOR TO NSW STATE PARKS ADVISORY BOARD

To appoint an elected member to represent Coffs Coast State Park on the NSW State Parks Trust Advisory Board.

T39 RECOMMENDED (Rhoades/Hogbin):

1. That Council appoint Cr Ian Ovens as the elected member to represent Coffs Coast State Park on the NSW State Parks Trust Advisory Board.
2. That Councillor Clive Joass be elected as an alternative delegate in the absence of Councillor Ovens.

B29 CARAVAN PARK TOURIST FEES

Recommending fees for the period commencing 1 February 2005.

T40 RECOMMENDED (Bonfield/Joass) that Council as Corporate Manager of the Trust, adopt the fees and charges outlined in the schedule attached to this report for Park Beach Holiday Park, Sawtell Beach Caravan Park, Woolgoolga Beach Caravan Park and Lakeside Caravan Park, effective from 1 February 2005.

B30 OFFICE ACCOMMODATION

To seek Council approval to commence preparation of plans and documentation for the proposed extension to the Administration Building.

MOTION

MOVED (Rhoades/Ovens):

1. That Council engage suitably qualified consultants to prepare plans up to tender documentation stage for the construction of an additional floor on the Council Administration Building and the review the layout of the building.
2. That funding for the work be from the Building Maintenance Reserve, which is to be repaid in 2005/2006 from the Budget allocation for this project.

B30 Office Accommodation (cont'd)

AMENDMENT

MOVED (Featherstone/Smithers) that Council be properly briefed as to whether the extension of the administration building is the best option of accommodating the present and future staff of Coffs Harbour City Council.

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION**.

FURTHER AMENDMENT

- T41** **MOVED** (Ovens/Hogbin) that Council, as a matter of urgency, be properly briefed on whether the extension of the administration building is the best option of accommodating the present and future staff of Coffs Harbour City Council prior to next meeting.

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

Councillor Joass left the meeting room at 7.02pm and returned 7.04pm.

CONCLUSION OF COMMITTEE MEETING

The Chairperson 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 7.29 p.m.

OPEN COUNCIL

The Mayor requested a motion to close the Committee meeting and move into Open Council.

- T42** **RECOMMENDED** (Rhoades/Smithers) that the Committee now move into Open Council.

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

- 159** **RESOLVED** (Hogbin/McKelvey) that the report of the Planning, Environment and Development Committee meeting be received and adopted.

This concluded the business and the meeting closed at 7.30 p.m.

Confirmed: 7 October 2004

.....
K D Rhoades
Mayor