

The following document is the minutes of the Council and Committee meetings held on 18 November 2004. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 2 December 2004 and therefore subject to change. Please refer to those minutes for confirmation.



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

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)

18 NOVEMBER 2004

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

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

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

APOLOGY

- 192 RESOLVED** (Palmer/Hogbin) that the apology received from Councillors Joass and Bonfield, for absence be accepted and leave be granted for the current meeting of Council.

Cr McKelvey tabled two Awards which were presented at the National General Assembly of Local Government in Canberra on 8 November 2004: Milestone 5 in the Cities for Climate Protection™ Australia Program; and recognition for formal commitment in the International Council for Local Environmental Initiatives (ICLEI) and Australian Government "Water Campaign™ Australia".

PUBLIC ADDRESSES

Name	Subject
Mr Kerry Power (Applicant's Representative) and Mr Kevin Rubie (Applicant)	PED39 - Development Application 1783/04 Subdivision - Lot 301, DP 778576, No 351 Pacific Highway, North Coffs Harbour (Big Banana)

CONFIRMATION AND ADOPTION OF MINUTES

- 193** **RESOLVED** (Palmer/McKelvey) that the minutes of the City Business Units Committee meeting of 4 November 2004 be confirmed as a true and correct record of proceedings.
- 194** **RESOLVED** (Palmer/Smithers) that the minutes of the Corporate Services Committee meeting of 4 November 2004 be confirmed as a true and correct record of proceedings.

NOTICE OF MOTION

COFFS HARBOUR NURSING HOME - WATER AND WASTE WATER LEVY

MOVED (Featherstone/Smithers) that Council reconsider the water and waste water levy imposed on the Coffs Harbour Nursing Centre and reinstate the original levy of \$19,547.

The **MOTION** on being put to the meeting was **LOST**

GENERAL MANAGER'S REPORTS

19 QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 30TH SEPTEMBER 2004

To report on the achievement of customer service guarantees and performance targets for the July to September 2004 quarter.

195 RESOLVED (Hogbin/Ovens):

1. That Council notes the issues surrounding those measures that have not been achieved for the period ending 30 September 2004 as listed in the body of this report.
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 2004.
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 2004 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 2004 quarter.
5. That Council continues to monitor its performance with a view to improving service delivery.

20 DRAFT 2003/2004 ANNUAL REPORT

To provide Council with the Draft Annual Report for the 2003/2004 financial year. This report recommends that the Draft 2003/2004 Annual Report be adopted. A copy of the Annual Report is to be distributed to Councillors prior to the meeting. Council's appreciation to staff.

196 RESOLVED (Ovens/Hogbin) that Council adopts the 2003/2004 Annual Report.

21 STATE OF THE ENVIRONMENT REPORT 2004

The State of the Environment Report 2004 is presented for Council's approval and adoption.

197 RESOLVED (McKelvey/Smithers):

1. That Council resolve to adopt the State of the Environment Report 2004.
2. That the State of the Environment Report 2004 be presented to Department of Local Government as statutorily required.

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

198 RESOLVED (Smithers/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 5.25 p.m.

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

PLANNING, DEVELOPMENT AND ENVIRONMENT REPORTS

PED39 DEVELOPMENT APPLICATION 1783/04 - SUBDIVISION - LOT 301, DP 778576, NO 351 PACIFIC HIGHWAY, NORTH COFFS HARBOUR (BIG BANANA)

This application proposes the subdivision of Lot 301, DP 778576, the Big Banana site, into two lots. The report recommends rejection of the proposed subdivision layout and supports an alternative, more appropriate subdivision response for the site.

T46 MOVED (Hogbin/Smithers):

1. That consideration of DA 1783/04 for subdivision of Lot 301, DP 778576, No 351 Pacific Highway, North Coffs Harbour, be deferred and that the applicant be advised that favourable consideration will be given to an amended subdivision layout that complies with Plan 3 as presented at the meeting.
2. That the General Manager/Mayor be given delegated authority to approve an amended subdivision plan for this application where the plan of subdivision complies with Plan 3 as presented at the meeting.
3. That the applicant be advised that no support is given to the proposed plan of subdivision for this property as detailed on Plan 1 of this report.
4. That the lookout and covered walkway that connects the restaurant building to the lookout be demolished prior to the release of the Subdivision Certificate.

AMENDMENT

MOVED (Palmer/Featherstone) that Council adopt the proposed plan of subdivision for this property as detailed on Plan 1 of the report.

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

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

**PED40 DRAFT AMENDMENT NO 25 TO LOCAL ENVIRONMENTAL PLAN
2000: GENERAL REVIEW - VARIOUS LANDS**

The purpose of this report is to:

1. Provide comment on submissions received during exhibition of Draft Coffs Harbour City Local Environmental Plan 2000 (Amendment 25).
2. Comment on public addresses to Coffs Harbour City Council regarding this matter.
3. Present the Draft Local Environmental Plan (LEP) for Council's approval.

T47 RECOMMENDED (Hogbin/Smithers):

That Council:

1. In accordance with Section 68 of the Environmental Planning and Assessment Act, adopt the Local Environmental Plan 2000 (Amendment 25), as attached to PED35 and amended by the content of this report, and forward it to the Department of Infrastructure Planning and Natural Resources for gazettal.
2. Advise all parties that made submissions and the Public Forum address of Council's decision.

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 5.39 p.m.

OPEN COUNCIL

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

T48 RECOMMENDED (Rhoades/Hogbin) that the Committee now move into Open Council.

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

- 199** **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 5.40 p.m.

Confirmed: 2 December 2004

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K D Rhoades
Mayor