

The following document is the minutes of the Council and Committee meetings held on 16 December 2004. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 3 February 2005 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
16 DECEMBER 2004

Contents

ITEM	DESCRIPTION	PAGE
NOTICES OF MOTION		
	ASBESTOS CLEARANCE CERTIFICATES	3
	REVIEW PURCHASING FROM JAMES HARDIE INDUSTRIES	3
GENERAL MANAGER'S REPORT		
23	COFFS HARBOUR NURSING HOME - WATER AND WASTE WATER LEVY	4
24	COFFS HARBOUR HIGHWAY PLANNING STRATEGY	4
PLANNING, ENVIRONMENT AND DEVELOPMENT REPORTS		
PED41	DEVELOPMENT APPLICATION 1708/04 - SHOPPING CENTRE - LOTS 1 AND 2 DP 1063045, LOT 30 DP800261 AND LOT 3 DP 536819, MOONEE BEACH ROAD, MOONEE BEACH	6
PED42	DEVELOPMENT APPLICATION 455/05 - FOUR STOREY (26 UNITS) RESIDENTIAL DEVELOPMENT - LOT 2, DP 857663, 71-73 OCEAN PARADE, PARK BEACH	7

ITEM	DESCRIPTION	PAGE
PED43	DEVELOPMENT APPLICATION NO 1053/04 - MULTI-UNIT HOUSING DEVELOPMENT (156 DWELLINGS) AND COMMUNITY TITLE / STRATA TITLE SUBDIVISION - STAGED DEVELOPMENT - LOT 1, DP 119058, MASTRACOLAS ROAD, COFFS HARBOUR (THE SUMMIT)	7
PED44	PUBLIC EXHIBITION OF ENVIRONMENTAL IMPACT STATEMENT FOR COFFS COAST RESOURCE RECOVERY FACILITY	8
PED45	SURPLUS ROAD CORRIDOR AT MACAULEYS HEADLAND	9
 CITY SERVICES REPORT		
S71	MACCUES ROAD, MOONEE	9



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)

16 DECEMBER 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, Acting Director of City Business Units, Director of City Services, Director of Corporate Services, Acting Manager Strategic Planning, Manager Building and Development Services, Executive Assistant

Leave of Absence: Councillor Bonfield

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

John Charles Kerr and Mrs Trish Kerr, on behalf of the Town Criers Guild of Australia, presented a gift of a photographic collage and signed poster following the Australian Town Criers Championships which were held in Coffs Harbour in October 2004. The Mayor reciprocated by presenting a gift to Mr and Mrs Kerr on behalf of the City.

APOLOGY

214 RESOLVED (Palmer/Hogbin) that the apology received from Councillor Joass for absence be accepted and leave be granted for the current meeting of Council.

Cr Palmer gave a report on North Coast Water. The finding of the Strategic Review into the Regional Water Supply Strategy, which supports the triple bottom line assessment, concludes that the establishment of an off-stream storage at Shannon Creek was the correct one. The estimated cost of the preferred project is now \$136million. The Review Team found that there is a need for improvements to security of supply to the Clarence/Coffs Harbour region. It is also considered that the project team had undertaken a robust analysis of viable options and, based on available evidence, the decision to go with Shannon Creek was supported by the review team.

PUBLIC ADDRESSES

Time	Speaker	Item
5.00pm	Stephen & Diane Profke	23 - Coffs Harbour Nursing Home - Water and Waste Water Levy
5.05pm	David Woodbury (representative of the Moonee Action Group)	PED41 - Development Application 1708/04 - Shopping Centre - Lots 1 and 2 DP1063045, Lot 30 DP800261 and Lot 3 DP536819, Moonee Beach Road, Moonee Beach
5.10pm	Ross Warburton & Brian Jende (joint address) (Developers) (Powerpoint presentation)	PED41 - Development Application 1708/04 - Shopping Centre - Lots 1 and 2 DP1063045, Lot 30 DP800261 and Lot 3 DP536819, Moonee Beach Road, Moonee Beach
5.15pm	George & John Kasbarian (joint address) (Developers)	PED42 - Development Application 455/05 - Four Storey (26 units) Residential Development - Lot 2, DP857663, 71-73 Ocean Parade, Park Beach
5.20pm	Dr Charles Phipps	S71 - Maccues Road, Moonee
5.25pm	Bruce Scanlon (representing WAR group)	23 - Coffs Harbour Highway Planning Strategy

CONFIRMATION AND ADOPTION OF MINUTES

- 215** **RESOLVED** (Hogbin/Smithers) that the minutes of the City Business Units Committee meeting of 2 December 2004 be confirmed as a true and correct record of proceedings.
- 216** **RESOLVED** (Hogbin/Palmer) that the minutes of the Corporate Services Committee meeting of 2 December 2004 be confirmed as a true and correct record of proceedings.

NOTICES OF MOTION

ASBESTOS CLEARANCE CERTIFICATES

- 217** **RESOLVED** (Smithers/Hogbin):
1. That representations be made to NSW Government to introduce regulations for the management of asbestos during building works and that a certificate be provided to the purchaser of any building constructed prior to 1987 advising on the status of asbestos in the building.
 2. That staff report to Council on progress at State level after six months.

REVIEW PURCHASING FROM JAMES HARDIE INDUSTRIES

- 218** **RESOLVED** (Smithers/Hogbin):
- That Coffs Harbour City Council, when purchasing, review product availability from competitors of James Hardie Industries and to include as part of its criteria of choice:
- a) the respective corporate reputation of those suppliers; and
 - b) the relative acceptance of those suppliers in delivering secure occupational and health outcomes for victims of industrial injury.

GENERAL MANAGER'S REPORTS

23 COFFS HARBOUR NURSING HOME - WATER AND WASTE WATER LEVY

To advise Council of an inadvertent procedural error.

- 219 **RESOLVED** (Hogbin/McKelvey) that the charges as levied under Council's Water and Sewer Developer Services Plans as adopted by Council on 17 July 2003, be confirmed.

24 COFFS HARBOUR HIGHWAY PLANNING STRATEGY

To report on the Roads and Traffic Authority's announcement of its preferred routes for the Coffs Harbour Highway Planning Strategy.

- 220 **RESOLVED** (Hogbin/Palmer):

That Council:

1. Express strong dissatisfaction with the Preferred Route Options announced by the Roads and Traffic Authority for the Coffs Harbour Pacific Highway Planning Strategy and that Council seek a commitment from the State Government for a future far Western Bypass of the Coffs Harbour area in the long term.
2. Lodge a formal objection to the Minister for Roads and the Minister for Infrastructure Planning on the process followed by the Roads and Traffic Authority following the recommendations of the Coffs Harbour Highway Planning Strategy Value Management workshop.
3. As a matter of extreme importance, having regard to the unintended consequence of the Chinderah bypass and for the safety and amenity of Coffs Harbour and all North Coast residents, the Roads and Traffic Authority forthwith give:
 - a) A commitment from the Minister for Roads to immediate funding for completion of the Hogbin Drive Extension as a result of the Pacific Highway route announcement.
 - b). A commitment from the Minister for Roads for consideration of a fuel rebate or subsidy system or any other measures, including rail, to encourage heavy vehicle operators to use the New England Highway.
4. Should the Roads and Traffic Authority continue with its preferred option as a short term solution to Pacific Highway traffic management in order to meet the road safety and amenity needs of the existing community, and to allow the City to grow in accordance with the Coffs Harbour Urban Development Strategy, then it should only be subject to satisfactory resolution of the following issues:

cont'd

24 Coffs Harbour Highway Planning Strategy (cont'd)

- i. A commitment from the Minister for Roads to abandonment of the IS1 option in favour of the IS2 option.
- ii. A commitment from the Minister for Roads for commencement of the Pacific Highway Coffs Harbour deviation works within a five year timeline.
- iii. A commitment from the Minister for Roads to further negotiation with the Roads and Traffic Authority on property impacts of Option E.
- iv. A commitment from the Minister for Roads to inclusion of grade separated interchanges on the IS2 and IN2 route options at North Boambee Road and at Mastracolas Road respectively.
- v. A commitment from the Minister for Roads to a program which offers acquisition of land effected by the preferred Pacific Highway route immediately upon rezoning of the land.
- vi. A commitment from the Minister for Roads to a program of works on the Pacific Highway north of Coffs Harbour which addresses existing safety issues and provides improvements to the existing Highway pending completion of the Highway upgrade.
- vii. A commitment from the Minister for Roads to provision of a local road/service road parallel to the Pacific Highway where possible in the Korora to Hearne's Lake Road section of proposed upgrade.
- viii. A commitment from the Minister for Roads to funding for completion of the Northern Beaches Cycleway project as part of the Pacific Highway upgrade program.
- ix. A commitment from the Minister for Roads to funding for the re-planning of North Boambee Valley and the West Coffs future investigation area.
- x. A commitment from the Minister for Roads to inclusion in costing for the preferred options, funding for upgrade of North Boambee Road, Mastracolas Road and Coramba Road.
- xi. A review of the need and location of proposed water reservoirs in West Coffs and South Woolgoolga.
- xii. Detail design for the IN2 option to include consideration of the proposed West Coffs detention basins.
- xiii. A commitment from the Minister for Roads to a higher standard of noise impact assessment for reconstruction of the Pacific Highway in the existing Highway corridor and all feeder roads.
- xiv. A commitment from the Minister for Roads to a detailed urban design review of the Coffs Harbour Regional Waste Facility area taking into account visual impacts from the Highway Deviation to the facility and compensation for impact upon the facility.
- xv. A commitment from the Minister for Roads to funding for the implementation of urban design measures along the Highway in the Coffs Harbour and Woolgoolga City Centres and at deviation points from the existing Highway.

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

- 221** **RESOLVED** (Hogbin/Plamer) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 6.44 p.m.

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

PLANNING, ENVIRONMENT AND DEVELOPMENT REPORTS

PED41 DEVELOPMENT APPLICATION 1708/04 - SHOPPING CENTRE - LOTS 1 AND 2 DP 1063045, LOT 30 DP800261 AND LOT 3 DP 536819, MOONEE BEACH ROAD, MOONEE BEACH

This report describes Development Application 1708/04 for the construction of a retail shopping centre at Lots 1 and 2 DP 1063045, Lot 30 DP 80026 and Lot 3 DP 536819, Moonee Beach Road, Moonee Beach. Conditional approval of the application is recommended.

- T49** **RECOMMENDED** (McKelvey/Hogbin):

1. That Development Application 1708/04 for a shopping centre on Lots 1 and 2 DP 1063045, Lot 30 DP 80026 and Lot 3 DP 536819, Moonee Beach Road, Moonee Beach be approved subject to Conditions as appended to this report (Appendix B).
2. That Council staff investigate the preparation of a Developer Contributions Plan for the Pacific Highway/Moonee Beach Road intersection upgrading works, with a further report on this Plan being submitted to Council for consideration.
3. That persons who made submissions on the application be advised of Council's determination.
4. The following two items be included in Condition 38 of the Schedule of Conditions:
 - That the 7B area (also known as the bio-retention zone) include a more representative variety of endemic native species grown from seeds collected locally started now in readiness for the landscaping phase of the development.
 - That in the built landscape 45 litre super advanced species brushbox and three veined laurel be used specified as a well-formed tree, 2.5 metres tall, with a 1 metre clean trunk before branching, with a trunk caliper of 75mm.

**PED42 DEVELOPMENT APPLICATION 455/05 - FOUR STOREY (26 UNITS)
RESIDENTIAL DEVELOPMENT - LOT 2, DP 857663, 71-73 OCEAN PARADE,
PARK BEACH**

The application proposes a four storey, (26 unit) development for residential accommodation with basement car parking and lap pool. The report recommends approval of the development subject to conditions.

T50 RECOMMENDED (Hogbin/Ovens):

1. That Development Application 455/05 for a 26-unit development (four stories with a basement carpark) be approved, subject to technical conditions (see Attachment B).
2. That all those who made submissions on this Development Application be notified of Council's decision.

**PED43 DEVELOPMENT APPLICATION NO 1053/04 - MULTI-UNIT HOUSING
DEVELOPMENT (156 DWELLINGS) AND COMMUNITY TITLE / STRATA TITLE
SUBDIVISION - STAGED DEVELOPMENT - LOT 1, DP 119058, MASTRACOLAS
ROAD, COFFS HARBOUR (THE SUMMIT)**

This application is for the staged construction and subdivision of a multi-unit housing development on Lot 1, DP 119058, Mastracolas Road, Coffs Harbour. Conditional approval of the application is recommended.

T51 RECOMMENDED (Rhoades/Hogbin) that Development Application 1053/04 for the staged development of a multi unit-housing project comprising 156 dwellings, village centre and manager's residence, to be subdivided under a Community/Strata title arrangement, at Lot 1 DP 119058 Mastracolas Road Coffs Harbour be approved subject to conditions as appended to this report (Appendix B).

**PED44 PUBLIC EXHIBITION OF ENVIRONMENTAL IMPACT STATEMENT FOR COFFS
COAST RESOURCE RECOVERY FACILITY**

Authority be delegated to the Mayor and General Manager to adopt the Environmental Impact Statement (EIS) for the Coffs Coast Resource Recovery Facility (CCRRF) for the purposes of public exhibition. The EIS will be placed on public exhibition for a period of not less than 30 days, with a further report being put to Council at the conclusion of the exhibition period.

T52 RECOMMENDED (Palmer/Smithers):

1. That Council delegate authority to the General Manager and Mayor, pursuant to Section 377 of the Local Government Act 1993, to adopt the Environmental Impact Statement (EIS) for the Coffs Coast Resource Recovery Facility (CCRRF), when completed, for the purposes of public exhibition in accordance with the requirements of S. 113 of the Environmental Planning and Assessment Act 1979.
2. That four (4) copies of the adopted EIS be forwarded to the Director-General, Department of Planning and Natural Resources as required by s. 112(2) and s. 112(3) of the Environmental Planning and Assessment Act 1979.
3. That, after the copies of the adopted Environmental Impact Statement have been forwarded to the Director-General, Department of Planning and Natural Resources, notice be given in accordance with the provisions of s. 113(1) of the Environmental Planning and Assessment Act 1979 and clause 233 and 234 of the Environmental Planning and Assessment Regulation 2000.
4. That in accordance with clause 235 of the Environmental Planning and Assessment Regulation 2000 the adopted Environmental Impact Statement be made available for inspection at Council's Office, Department of Planning and Natural Resources (Sydney and Grafton Offices), Government Information Service of New South Wales (Sydney Office), the Sydney Office of Environment Centre (New South Wales) Pty Ltd and at the Coffs Harbour, Toormina and Woolgoolga Public Libraries during normal business hours at those places.
5. That the period of exhibition be 30 days such period to begin on:
 - a. the date on which the notice required by the Act and Regulation is first published in the daily newspaper circulating generally throughout the State,
 - or
 - b. the date on which the notice is first published in the local newspaper,whichever is the later.
6. That copies of the Environmental Impact Statement be sold to the public at Council's Office for \$25.00 per hardcopy and that soft copies be freely available through Council's website.

PED45 SURPLUS ROAD CORRIDOR AT MACAULEYS HEADLAND

To seek Council's endorsement for the exhibition of a revised Draft Local Environmental Plan (LEP), Amendment No. 10 Macauleys Headland.

T53 RECOMMENDED (Hogbin/Palmer):

1. That pursuant to Section 54 of the Environmental Planning and Assessment Act, Council adopt the amended draft Local Environmental Plan for zoning changes to the surplus road corridor land on Macauleys Headland (as attached), and seek a Section 65 Certificate from the Department of Infrastructure Planning and Natural Resources to allow the exhibition of the Plan.
2. That Council in accordance with Clause II of the Coffs Harbour City Council Local Environmental Plan 2000 amend the Tree Preservation Order made at its meeting of September 2003 by extending it to apply to land within Residential Zone 2C Medium to High Density, where the lot has an area greater than 2,000m².

CITY SERVICES REPORT

S71 MACCUES ROAD, MOONEE

To advise Council of available options regarding access from the State Forest onto the western end of MacCues Road.

T54 RECOMMENDED (Rhoades/Palmer):

1. That consideration of the report be deferred until the Ordinary Council meeting of 3 February 2005, due to current legal advice.
2. That the current access arrangements remain in place until the meeting of 3 February 2005.

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 7.18 p.m.

OPEN COUNCIL

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

T55 **RECOMMENDED** (Hogbin/Palmer) that the Committee now move into Open Council.

ADOPTION OF PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE REPORT

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

This concluded the business and the meeting closed at 7.19 p.m.

Confirmed: 3 February 2005

.....
K D Rhoades
Mayor