

The following document is the minutes of the Council and Committee meetings held on 17 March 2005  
These minutes are subject to confirmation as to their accuracy at the next meeting to be held on  
6 April 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**

**17 MARCH 2005**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

#### (PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)

17 MARCH 2005

Present: Councillors K D Rhoades (Mayor), I D Hogbin (Deputy Mayor), J C Bonfield, 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 Building and Development, Manager Strategic Planning, Executive Assistant

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

Cr Palmer gave a report on his attendance at the North Coast Institute of TAFE (Nursing) Graduation Ceremony for the Certificate IV Enrolled Nursing Graduands; noting that they had topped the State in their examinations.

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#### APOLOGY

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

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## PUBLIC ADDRESSES

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Time	Speaker	Item
5.00pm	Luke Tomovski Owner	PED Development Application 437/05 - Four and Six Storey Multi Unit Housing Development Lot 1, DP 1052471 122-126 Park Beach Road, Coffs Harbour

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## CONFIRMATION AND ADOPTION OF MINUTES

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- 26** **RESOLVED** (Smithers/Hogbin) that the minutes of the City Business Units Committee meeting of 3 February 2005 be confirmed as a true and correct record of proceedings.
- 27** **RESOLVED** (Palmer/Hogbin) that the minutes of the Corporate Services Committee meeting of 3 February 2005 be confirmed as a true and correct record of proceedings.

## NOTICE OF MOTION

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## REVEGETATION OF RETIRED BANANA LANDS AND THE CONTROL OF ENVIRONMENTAL AND NOXIOUS WEEDS

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### MOTION

**MOVED** (Bonfield/ Palmer): that Council form a Sunset Committee comprising representatives of landholders, Department of Infrastructure Planning and Natural Resources (DIPNR), Department of Primary Industries (DPI), Northern Rivers Catchment Management Authority (CMA), Coffs Harbour Regional Landcare Incorporated, Councillors, and Council Staff to assist in the development and implementation of the Noxious and Environmental Weeds Strategy.

cont'd

## Revegetation Of Retired Banana Lands And The Control Of Environmental And Noxious Weeds (cont'd)

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### AMENDMENT

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**MOVED** (Featherstone/Ovens) that a local advisory committee be formed to advise Council on the education, control and removal of noxious weeds. This committee, to be called "Coffs Harbour City Council Weeds Advisory Committee", shall consist of two Council staff, two Councillors, two members of Landcare/Rivercare Groups or other environmental groups, one nurseryman prepared to help promote the bushland-friendly nursery scheme and one other member of the public representing the rural community.

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

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### FURTHER AMENDMENT

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**28** **MOVED** (Smithers/McKelvey):

1. That Councillors and appropriate staff meet with the existing Steep Lands Project Committee to discuss issues of steep land management and future committee structure, objectives and membership.
2. That the "Noxious and Environmental Weeds Strategy" is to be the basis for a program to raise awareness of the impact of weeds and sources of funding to address the issues.
3. That Council, in conjunction with Northern Rivers Catchment Management Authority, make representation to the Minister for Primary Industries for a review of the funding guidelines that disadvantage areas with a declining agricultural production.

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**.

## GENERAL MANAGER'S REPORTS

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### 3 ORGANISATIONAL STRUCTURE

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To advise the current structure and have this adopted by Council.

- 29 RESOLVED** (Ovens/Hogbin) that the matter be deferred, with a Report back to Council as soon as possible pending a meeting of the Governance and Organisation Review Committee.

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### 4 REPORT ON DELEGATION TO TOWNSVILLE, 27 FEBRUARY TO 2 MARCH 2005

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To brief the Council on the outcomes of the delegation to Townsville.

- 30 RECOMMENDED** (Hogbin/Ovens) that the report be noted.

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

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## PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE

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- 31 RESOLVED** (Hogbin/Palmer) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 5.55 p.m.

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

## PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS

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### **PED5 DEVELOPMENT APPLICATION NO. 437/05 - FOUR AND SIX STOREY MULTI UNIT HOUSING DEVELOPMENT - LOT 1, DP 1052471, 122-126 PARK BEACH ROAD, COFFS HARBOUR**

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Development Application No 437/05 is a multi unit housing development proposal consisting of 46 residential apartments. The development is four and six storeys in height.

- T1 RECOMMENDED** (Hogbin/Ovens) that Development Application No. 437/05 for a four and six storey multi unit housing development - Lot 1, DP 1052471, 122-126 Park Beach Road, Coffs Harbour be approved subject to technical conditions as appended to the report (Appendix D), with the addition of Condition 30: "Council liaise with the developer to establish an acceptable construction parking plan for the project prior to issue of a Construction Certificate".

Carried unanimously.

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### **PED6 DRAFT AMENDMENTS TO LOCAL ENVIRONMENTAL PLAN 2000 AND KORORA RURAL RESIDENTIAL LANDS DEVELOPMENT CONTROL PLAN**

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To present to Council:

1. A Draft Local Environmental Plan (LEP) (Amendment No. 28) for Council's approval, which incorporates a number of amendments to LEP 2000 as a result of requests for review.
2. Amendments sought to the adopted Korora Rural Residential Lands Development Control Plan (DCP).

- T2 RECOMMENDED** (Palmer/Ovens):

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 this report.
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 Local Environmental Plan (Amendment No. 28), attached to this report, to be exhibited.

cont'd

## **Ped6 Draft Amendments To Local Environmental Plan 2000 And Korora Rural Residential Lands Development Control Plan (cont'd)**

3. That Draft Coffs Harbour City Local Environmental Plan (Amendment No. 28) be exhibited in accordance with Section 66 of the Environmental Planning and Assessment Act 1979.
4. That Council, in relation to Lot 373, DP44806; Lot 374, DP44806; Lot 1, DP397708 and Lot 31, DP870970:
  - Adopt the modification to the Korora Rural Residential Development Control Plan, as circulated to Councillors for exhibition
5. That Council, in relation to Lot 41, DP588348:
  - Not modify the prevailing Korora Rural Residential Development Control Plan.
6. That Council, in accordance with the provisions of the Environmental Planning and Assessment Act and Regulation, place the amendment as described in Point 4 above, to the Development Control Plan on exhibition for 28 days.
7. That a report be prepared and presented to Council following receipt of submissions received during the exhibition of the draft Local Environmental Plan and amended Development Control Plan.
8. That the Department of Infrastructure, Planning and Natural Resources be advised of Council's decision to issue a Section 65 Certificate under delegated authority.

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## **PED7 CULTURAL PRECINCT CONCEPT PLAN - REPORT ON SUBMISSIONS**

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To present to Council a summary of the submissions received on the Draft Concept Plan for a new Cultural Precinct on Brelsford Park.

### **T3 RECOMMENDED (Hogbin/Rhoades):**

1. That Council endorse the Concept Plan for the development of a Cultural Precinct incorporating a Senior Citizens/Multi-Purpose Centre, Art Gallery, Library, Performance Centre and City Park on Brelsford Park.
2. That Council proceed with the preparation of a design brief and tendering process for the construction of the Senior Citizens/Multi-Purpose Centre.
3. That Council note the submissions made.
4. That those who made submissions be informed in writing of Council's decision.

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**PED8 LOCAL GOVERNMENT BUY RECYCLED ALLIANCE**

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The Local Government Buy Recycled Alliance (LGBR Alliance) is a joint undertaking of the Local Government Association of NSW and Shires Association of NSW, together with the Department of Environment and Conservation (NSW). The Alliance aims to encourage and assist local government with the purchase of products containing recycled material.

This report outlines the benefits of membership and the commitment required from Council to implement the program.

**T4 RECOMMENDED (Palmer/Smithers):**

1. That Council resolve to commit to the Local Government Buy Recycled Alliance Initiative in its continuing pursuit of sustainability.
2. That the General Manager be authorised to sign the Memorandum of Understanding.



## CORPORATE SERVICES DEPARTMENT REPORTS

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### F15 REVIEW OF COUNCIL'S COMMITTEE STRUCTURE

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To report on the review of the delegations, objectives and composition of Committees and to recommend a Council committee structure that compliments strategies identified by Council and embodied in the management plan and to call for nominations from the community to fill any vacancy that may arise.

#### T5 RECOMMENDED (Ovens/Palmer):

1. That Council adopt the committee structure and purpose defined in the report of:
  - Standing Committees
  - Facilities Management Committees
  - Strategic Advisory Committees
  - Working Groups
2. That the delegations of Committees through the General Manager included as attachment B be adopted, and further, the General Manager be delegated the responsibility of appointing delegates to fill vacancies and to extend committee membership when appropriate.
3. That Council again reviews its committee structure within 12 months of the next General Election and membership of committees cease from that date.
4. That Council seek confirmation from all the existing community members of their preparedness to continue the work of the committee and if so, the General Manager confirm their appointment.
5. That all community positions of the Environmental Working Group be declared vacant from 30 June 2005 and nominations be invited for four community representatives.
6. That any vacancies that arise be addressed by the General Manager and the committee involved.
7. That Council record its appreciation for those community members of committees who do not seek to continue, for the time an effort they have given and a suitable function be coordinated for this purpose.
8. That the following amendments be made to the attachments:
  - Page 78 Pacific Highway/Bray Street Traffic Management Working Party proposed timeline to read "Report to April 2005 Council Meeting".
  - Page 89 The Bunker Cartoon Gallery Inc and The Historical Museum to be included in the list of Outside Committees/Organisations where Council is represented.

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**F16 REVIEW OF DELEGATIONS**

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To report on the review of Council's delegations and to recommend changes and adoption.

**T6 RECOMMENDED** (Hogbin/Palmer):

1. That the delegations of Council to the Mayor included as attachment B, be adopted.
2. That the delegations of Council to the General Manager included as attachment C, be adopted.
3. That Council delegate to its representatives (delegates) appointed to external committees, including working parties or other incorporated bodies, its function to represent Council within the limit of the Local Government Act 1993 and Regulations and Council's policies for the purpose of the work of the external committee, working party or incorporated body.
4. The Council delegate the following functions to Coffs Harbour City Sport and Recreation Incorporate (COFFSAC Inc) but excluding those facilities otherwise leased:
  - subject to the overriding notification of the General Manager or his nominee, to close or open Council sporting fields.
  - to promote harmony amongst sporting groups and to arbitrate in cases of conflict over sporting ground allocations and to make appropriate recommendations to Council.
  - to impose cleaning and repair fees in accordance with adopted fees and charges where grounds and facilities have been left in an unsatisfactory condition.
  - advise Council on ground maintenance requirements.
  - act as a conduit between sport and recreation groups and the Council.

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**CONCLUSION OF COMMITTEE MEETING**

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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 6.33 p.m.

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**OPEN COUNCIL**

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

- T7** **RECOMMENDED** (Hogbin/Ovens) that the Committee now move into Open Council.

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

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- 32** **RESOLVED** (Ovens/Palmer) that the report of the Planning, Environment and Development Committee meeting be received and adopted.

This concluded the business and the meeting closed at 6.34 p.m.

Confirmed: 7 April 2005

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K D Rhoades  
Mayor