

The following document is the minutes of the Council and Committee meetings held on 21 July 2005. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 18 August 2005 and therefore subject to change. Please refer to minutes of 18 August 2005 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE)

COUNCIL CHAMBERS

COUNCIL ADMINISTRATION BUILDING

COFF AND CASTLE STREETS, COFFS HARBOUR

21 JULY 2005

Contents

ITEM	DESCRIPTION	PAGE
	MAYORAL MINUTE	1
6	STAFF RESIGNATION - GENERAL MANAGER	2
7	RECRUITMENT OF GENERAL MANAGER	2
8	ROYAL AUSTRALIAN NAVY (RAN) - 805 SQUADRON	3
10	COFFS HARBOUR SEWERAGE STRATEGY - FUNDING	
	PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE	
PED18	DEVELOPMENT APPLICATION 1569/05 - TWO ADVERTISING SIGNS - LOT 1 DP1063045, NO. 2 MOONEE BEACH ROAD MOONEE BEACH	4
PED19	DEVELOPMENT APPLICATION NO. 482/05 - CONVERT EXISTING MOTEL TO A DWELLING AND CHANGE OF USE TO A GROUP HOME - LOT 11, DP 1009914, 1579 PACIFIC HIGHWAY MOONEE BEACH	4
PED20	DEVELOPMENT APPLICATION 1276/05 - RESTAURANT LOT 65 SP73861- 65/22 ORLANDO STREET, COFFS HARBOUR (OCEAN GEM)	5
PED22	PROPOSED TRIAL DOG LEASH FREE AREA - POLICY DEVELOPMENT AND ENFORCEMENT	6



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE)
21 JULY 2005

Present: Councillors K Rhoades (Mayor), J Bonfield, D Featherstone, C Joass, R McKelvey, W Palmer, and G Smithers.

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

Leave of Absence: Councillor I Hogbin.

The meeting commenced at 5.00pm with the Mayor, Cr K Rhoades in the chair.

APOLOGY

100 **RESOLVED** (Palmer/Smithers) that an apology received from Cr I Ovens for absence be received and leave be granted for the current meeting of Council.

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

PUBLIC ADDRESSES

Mr Kerry Power and Mr Tony Perkins addressed the meeting in relation to item PED19 DEVELOPMENT APPLICATION NO. 482/05 - CONVERT EXISTING MOTEL TO A DWELLING AND CHANGE OF USE TO A GROUP HOME - LOT 11, DP 1009914, 1579 PACIFIC HIGHWAY MOONEE BEACH.

CONFIRMATION AND ADOPTION OF MINUTES

- 101** **RESOLVED** (McKelvey/Palmer) that the minutes of the City Business Units Committee Meeting held on 7 July 2005 be confirmed as a true and correct record of proceedings.
- 102** **RESOLVED** (Smithers/Palmer) that the minutes of Corporate Services Committee Meeting held on 7 July 2005 be confirmed as a true and accurate record of proceedings.

MAYORAL MINUTES

6 STAFF RESIGNATION - GENERAL MANAGER

To formally advise Council of the resignation of the General Manager, Mark Ferguson.

- 104** **MOVED** (Rhoades)
1. That the General Manager's resignation be accepted with regret and he be wished every success in his new position of General Manager of Pittwater Council.
 2. That Council record its appreciation of Mark Ferguson's efforts and contribution during his period of employment with Coffs Harbour City Council.

7 RECRUITMENT OF GENERAL MANAGER

For Council to formally adopt a process to recruit a replacement General Manager.

- 105** **MOVED** (Rhoades)
1. That Council invite up to six (6) recruiting firms to bid for the recruitment of a General Manager.
 2. That the Mayor be delegated authority to forward briefing materials (associated with the recruitment of a General Manager) to recruiting firms.
 3. That a committee, comprising the Mayor and Council Committee Chairpersons, consider the bids and select the recruiting firm to be engaged to advertise the position and prepare a shortlist of candidates.

Recruitment of General Manager (Cont'd)

4. That a short list of up to eight (8) candidates be interviewed and considered by the full Council in determining the appointment of a replacement General Manager.

8 ROYAL AUSTRALIAN NAVY (RAN) - 805 SQUADRON

To seek Council's support for the City of Coffs Harbour to adopt the 805 Squadron RAN.

- 106** **MOVED** (Rhoades) that Council approve the proposal to adopt the 805 Squadron Royal Australian Navy.

10 COFFS HARBOUR SEWERAGE STRATEGY - FUNDING

- 107** **MOVED** (Rhoades)

1. That the Mayor and General Manager seek an appointment with Mr Frank Sartor, Minister for Energy and Utilities to discuss the potential ramifications of the Minister's decision with respect to the Coffs Harbour Sewerage Strategy funding.
2. That the Mayor and General Manager be authorised to take whatever action, if necessary, to ensure the NSW Government honours its previous commitments.

PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE

- 103** **RESOLVED** (Palmer/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 5.16pm.

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

**PED18 DEVELOPMENT APPLICATION 1569/05 - TWO ADVERTISING SIGNS -
LOT 1 DP1063045, NO. 2 MOONEE BEACH ROAD MOONEE BEACH**

This report describes Development Application (DA) 1569/05 for the erection of two advertising signs on the corner of the Pacific Highway and Moonee Beach Road, Moonee Beach. Conditional approval of the application is recommended.

MOVED (Rhoades/Palmer) that

1. Development Application 1569/05 for the erection of two (2) pylon signs on Lot 1 DP1063045, No. 2 Moonee Beach Road Moonee Beach be approved subject to conditions as appended to this report (Appendix B).
2. Persons who made submissions on the application be advised of Council's determination.

AMENDMENT

T22 MOVED (Bonfield/Joass) that the Development Application 1569/05 for the erection of two (2) pylon signs on Lot 1 DP1063045, No. 2 Moonee Beach Road Moonee Beach be deferred for one month and the developer be asked

- a) to put up posts to the height of the proposed signs and frame them
- b) to provide a profile of the wall of the building indicating where badges of shops will be located;

prior to Council making a determination.

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

**PED19 DEVELOPMENT APPLICATION NO. 482/05 - CONVERT EXISTING
MOTEL TO A DWELLING AND CHANGE OF USE TO A GROUP HOME
- LOT 11, DP 1009914, 1579 PACIFIC HIGHWAY MOONEE BEACH**

The purpose of this report is to advise Council on an application to convert an existing building which has previously been used as a motel to a dwelling, and to change the use of the dwelling to a permanent group home (as defined in *State Environmental Planning Policy No. 9 – Group Homes*). The site is located at 1579 Pacific Highway Moonee Beach. The report recommends conditional approval of the application.

Ped 19 Development Application No. 482/05 - Convert Existing Motel to a Dwelling and Change of Use to a Group Home, Lott 11, DP1009914, 1579 Pacific Highway, Moonee Beach (Cont'd)

T23 **RECOMMENDED** (Bonfield/Palmer) that Development Application No. 482/05 for a Change of Use from an Existing Motel to a Dwelling, and the Use of that Dwelling as a Permanent Group Home (for Socially Disadvantaged Aboriginal Elders) on Lot 11, DP 1009914, 1579 Pacific Highway, Moonee Beach be approved subject to standard and special conditions as appended to the report (Appendix B).

Councillor Bonfield left the Chamber and took no part in the discussion or voting of the following item.

PED20 DEVELOPMENT APPLICATION 1276/05 - RESTAURANT LOT 65 SP73861- 65/22 ORLANDO STREET, COFFS HARBOUR (OCEAN GEM)

This report describes Development Application 1276/05 being for the use of one of the two vacant ground floor commercial tenancies at the far southern end of the Ocean Gem building for the purposes of a 50 seat restaurant.

The report recommends that the Development Application be refused on the basis that the application does not comply with Council's DCP in respect of parking provision. In addition the report recommends that Council prepare a Section 94 Contributions Plan for parking in the jetty precinct incorporating the reconfiguration of on-street parking in appropriate streets.

MOTION

RECOMMENDED Featherstone/Joass

1. That Development Application 1276/05 being for the use of one of the two vacant ground floor commercial tenancies at the far southern end of the Ocean Gem building for the purposes of a 50 seat restaurant be approved subject to the following condition:
 - That all other standard conditions for an approval of a restaurant be complied with.
2. That a multi-disciplinary team proceed to prepare a Section 94 Contribution Plan for the provision of parking within the jetty precinct, such plan being based on the reconfiguration of appropriate roads and road reserves in the locality to provide the additional spaces.

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

**Ped20 Development Application 1276/05 - Restaurant Lot 65 SP73861
- 65/22 Orlando Street, Coffs Harbour (OCEAN GEM) (Cont'd)**

T24 RECOMMENDED (Rhoades/Palmer)

1. That Development Application 1276/05 being for the use of one of the two vacant ground floor commercial tenancies at the far southern end of the Ocean Gem building for the purposes of a 50 seat restaurant be refused on the following grounds:
 - The proposed 50 seat restaurant does not comply with Council's DCP for Off-Street Car Parking in that it cannot provide the required 18 parking spaces.
 - The inadequate car parking provision proposed would exacerbate existing parking and congestion problems in the jetty precinct.
 - Inadequate servicing facilities for the loading/unloading of goods have been proposed for the proposed restaurant use.
2. That a multi-disciplinary team proceed to prepare a Section 94 Contribution Plan for the provision of parking within the jetty precinct, such plan being based on the reconfiguration of appropriate roads and road reserves in the locality to provide the additional spaces.

DIVISION

A division was duly demanded, and those member voting for and against the motion were recorded:

FOR

Palmer
Rhoades
Smithers
McKelvey

AGAINST

Joass
Featherstone

Councillor Bonfield returned to the chamber at the conclusion of voting.

PED22 PROPOSED TRIAL DOG LEASH FREE AREA - POLICY DEVELOPMENT AND ENFORCEMENT

To consider the merits of expanding Council's Dog Leash Free Areas within the City from six to seven.

The report recommends that Council establish a Dog Leash Free Area for a trial period on Park Beach South being that part of the beach commencing from the northern beach walkway access point approximately 30 metres south of Coffs Creek and extending south to the breakwater.

Ped22 Proposed Trial Dog Leash Free Area - Policy Development and Enforcement (Cont'd)

T25 RECOMMENDED (Bonfield/Joass)

1. That Council resolve to establish a Dog Leash Free Area for a trial period on Park Beach South being that part of the beach commencing from the northern beach walkway access point approximately 30 metres south of Coffs Creek and extending south to the breakwater.
2. That the trial be for a period of six months commencing on a date which will see the period include the Christmas and New Year holiday period for 2005/06, and commence not later than 1st September 2005.
3. That upon completion of the trial period the proposal be placed on public exhibition for 30 days to ascertain community reaction to the trial; following this the matter be reported back to Council.

B23 RECREATION AND TOURISM OPPORTUNITIES AT JETTY OVAL

Report on possible future uses of Jetty Oval.

T26 RECOMMENDED (Rhoades/Bonfield)

1. That Council advise the Pet Porpoise Pool that the expansion of their facility, as put forward in their proposal, onto the adjoining Jetty Oval would, subject to the normal approval processes and consultation, be the type of integrated tourist facility that Council would encourage.
2. That Council thank the Coffs Harbour Zoo for their proposal and encourage and assist them to investigate other suitable alternate sites for the re-establishment of the Aquajet and Zoo.

CONCLUSION OF MEETING

The Chairman advised that the business of the Planning, Environment and Development Committee was concluded and invited the Mayor to resume the chair.

The Mayor resumed chairmanship of the meeting at 6.16pm.

OPEN COUNCIL

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

Open Council (Cont'd)

- T22** **RECOMMENDED** (Smithers/Palmer) that the Committee now move into Open Council.

ADOPTION OF PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE REPORT

- 108** **RESOLVED** (Palmer/Bonfield) that the recommendations of the Planning Environment and Development Committee meeting be received and adopted.

This concluded the business and the meeting closed at 6.17 pm.

Confirmed: 18 August 2005

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K Rhoades AFSM
Mayor