



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
17 NOVEMBER 2005

Contents

ITEM	DESCRIPTION	PAGE
GENERAL MANAGER'S REPORTS		
22	DRAFT 2004-2005 ANNUAL REPORT AND DRAFT 2004-2005 SUPPLEMENTARY STATE OF THE ENVIRONMENT REPORT	3
23	QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 30 SEPTEMBER 2005	3
24	CONDUCT OF AUDITS - SECTION 355 FACILITY MANAGEMENT COMMITTEES	4
25	NETWORKING BREAKFAST AND WORKSHOP 27 SEPTEMBER 2005	4
PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS		
PED31	DEVELOPMENT APPLICATION 978/05, LOT 2 DP 136932, LOTS 244 AND 245 DP 218540, 1800 PACIFIC HIGHWAY AND 4 FIDDAMAN ROAD, EMERALD BEACH - SERVICED SELF-CARE HOUSING (AS DEFINED UNDER STATE ENVIRONMENTAL PLANNING POLICY SENIORS LIVING 2004)	5

ITEM	DESCRIPTION	PAGE
PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS (Cont.)		
PED32	DEVELOPMENT APPLICATION 1572/05 - TWO-STOREY RESIDENTIAL DEVELOPMENT (EIGHT UNITS) - LOT 101 DP 1044963, MEADOW STREET, COFFS HARBOUR	6
PED33	DEVELOPMENT APPLICATION NO. 971/05 - TREE REMOVAL - LOT 12 DP 835612, LOT 1 DP 789002 46 ARRAWARRA BEACH ROAD, ARRAWARRA	6
PED34	RURAL LANDS SETTLEMENT POLICY - PROJECT STATUS	7
PED35	RE-EXHIBITION OF DRAFT AMENDMENT NO 28 TO LOCAL ENVIRONMENTAL PLAN 2000 LANDS AT KORORA AND UPDATE LEP 2000; AMENDED KORORA DEVELOPMENT CONTROL PLAN AND SECTION 94 PLAN; AND ACQUISITION OF CROWN LAND IN THE KORORA BASIN	9



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)

17 NOVEMBER 2005

Present: Councillors I D Hogbin (Acting Mayor), J C Bonfield, W D Featherstone, C O Joass, R W McKelvey & W R Palmer.

Staff: General Manager (Acting), Director of Planning, Environment and Development, Director of City Business Units (Acting), Director of City Services (Acting), Director of Corporate Services, Manager Strategic Planning, Manager Building and Development, Manager Environmental Services & Executive Assistant

Leave of Absence: Councillors K D Rhoades (Mayor), I J Ovens & G R Smithers

The meeting commenced at 5.00p.m. with the Acting Mayor, Councillor I D Hogbin, in the chair.

Financial Reports – Year Ended 30 June 2005

Cr Hogbin tabled the Coffs Harbour City Council Financial Reports for the year ended 30 June 2005 prior to a report being submitted to the Council meeting of 15 December 2005.

Coffs Harbour Velodrome

The Coffs Harbour Cycle Club were acknowledged for their contribution of \$100,000 towards the construction costs of the new velodrome, and Council staff who participated in this project were congratulated on their efforts. Cr Hogbin indicated that the velodrome can become an important and well used community asset to further sports tourism in our great city.

Sydney Swans

Cr Hogbin presented the General Manager with a photo of the Sydney Swans for display in the Council building, following a promotional visit by the team during the week.

IT Conference

The 8th Annual IT Conference is currently being held at Pacific Bay with approximately 230 delegates from across the country in attendance. Council staff responsible for the success of this conference were acknowledged and congratulated.

PUBLIC ADDRESSES

Time	Speaker	Item
5.00pm	Mr John Doherty (representing URGE)	PED 31 – Development Application 978/05, Lot 2 DP136932, Lots 244 and 245 DP 218540, 1800 Pacific Highway and 4 Fiddaman Road, Emerald Beach – serviced self-care housing (as defined under State Environmental Planning Policy Seniors Living 2004).
5.05pm	Mr Anthony Cogle – (developer)	PED 31 – Development Application 978/05, Lot 2 DP136932, Lots 244 and 245 DP 218540, 1800 Pacific Highway and 4 Fiddaman Road, Emerald Beach – serviced self-care housing (as defined under State Environmental Planning Policy Seniors Living 2004).
5.10pm	Mr Ron Hughes, Hibbard Homes (developer)	PED 32 – Development Application 1572/05 – two-storey residential development (eight units) – Lot 101 DP 1044963, Meadow Street, Coffs Harbour.

CONFIRMATION AND ADOPTION OF MINUTES

- 212** **RESOLVED** (Palmer/ Bonfield) that the minutes of the City Business Units Committee meeting of 3 November 2005 be confirmed as a true and correct record of proceedings.
- 213** **RESOLVED** (Palmer/ McKelvey) that the minutes of the City Services Committee meeting of 3 November 2005 be confirmed as a true and correct record of proceedings.

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

GENERAL MANAGER'S REPORTS

22 DRAFT 2004-2005 ANNUAL REPORT AND DRAFT 2004-2005 SUPPLEMENTARY STATE OF THE ENVIRONMENT REPORT

To provide Council with the Draft Annual Report and Draft Supplementary State of the Environment Report for the 2004-2005 financial year. This report recommends that the Draft 2004-2005 Annual Report and Draft 2004-2005 Supplementary State of the Environment Report be adopted.

- 214 RECOMMENDED** (McKelvey/Palmer) that Council adopts the Draft 2004-2005 Annual Report and Draft 2004-2005 Supplementary State of the Environment Report as the 2004-2005 Annual Report and 2004-2005 Supplementary State of the Environment Report.
-

23 QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 30 SEPTEMBER 2005

To report on the achievement of customer service guarantees and performance targets for the July to September 2005 quarter.

- 215 RECOMMENDED** (Joass/Palmer):

1. That Council adopt the revised strategies and performance indicators in the 2005-2008 Management Plan as outlined in the Issues section of this report.
2. That Council note the issues surrounding those measures that have not been achieved for the period ending 30th September 2005, as listed in the body of this report.
3. 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 2005 quarter.
4. That Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the July to September 2005 quarter.
5. 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 2005 quarter.
6. That Council continues to monitor its performance with a view to improving service delivery.

24 CONDUCT OF AUDITS - SECTION 355 FACILITY MANAGEMENT COMMITTEES

To provide Council with details of the audit of the financial records of Council's Section 355 facility management committees for the year ended 30 June 2005.

- 216 RECOMMENDED** (Joass/Palmer) that the report on the audit of the Section 355 facility management committees be noted.

25 NETWORKING BREAKFAST AND WORKSHOP 27 SEPTEMBER 2005

To report to Council on the Networking Breakfast and Workshop organised by the Economic Development Unit.

- 217 RECOMMENDED** (Palmer/Bonfield) that Council consider the continuation of the Business Development Program beyond the life of the Department of State and Regional Development's grant and that in conjunction with the development of the 2006/07 Management Plan, consider provision of a vote of \$10,000 within the Economic Development Unit.

Following discussion relating to the Chamber of Commerce Cr Hogbin declared a non-pecuniary interest in this matter as he is the first vice president of the Coffs Harbour & District Chamber of Commerce. Cr Hogbin chose to remain in the chamber but refrain from voting.

PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE

- 218 RESOLVED** (McKelvey /Palmer) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment and Development Committee meeting, the time being 5.30p.m.

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

PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS

PED31 DEVELOPMENT APPLICATION 978/05, LOT 2 DP 136932, LOTS 244 AND 245 DP 218540, 1800 PACIFIC HIGHWAY AND 4 FIDDAMAN ROAD, EMERALD BEACH - SERVICED SELF-CARE HOUSING (AS DEFINED UNDER STATE ENVIRONMENTAL PLANNING POLICY SENIORS LIVING 2004)

This report describes Development Application 978/05 for a serviced self-care housing development, as defined under State Environment Planning Policy (SEPP) Seniors Living 2004. The development will be staged. The project will comprise 173 seniors living dwelling houses and associated infrastructure, to include a village centre.

Conditional approval of the application is recommended.

Cr Bonfield declared a pecuniary interest in this item and vacated the chamber at 5.32pm due to the business relationship between the principal proponent and the company who currently employs Cr Bonfield.

T30 RECOMMENDED (Hogbin/Palmer):

1. That Development Application 978/05 for the development of serviced self care housing (as defined under State Environmental Planning Policy Seniors Living 2004) comprising 173 dwellings and village centre at Lot 2 DP 136932, Lots 244 and 245 DP 218540, 1800 Pacific Highway and 4 Fiddaman Road Emerald Beach, be approved subject to conditions as appended to this report (amended appendix B).
2. That those persons who lodged submissions on this Development Application be informed of Council's decision.
3. That the developer be invited to make a further submission to council in relation to the feasibility of condition 38 with respect to this development in relation to the responsibility of the full cost of the Fiddaman Road upgrade.
4. That council request the RTA that the minimum design standard for the access to the Pacific Highway be to the standard of a protected seagull crossing.

Cr Bonfield returned to the chamber at 6.03pm.

PED32 DEVELOPMENT APPLICATION 1572/05 - TWO-STOREY RESIDENTIAL DEVELOPMENT (EIGHT UNITS) - LOT 101 DP 1044963, MEADOW STREET, COFFS HARBOUR

The Development Application (DA) proposes a two-storey townhouse development of eight units. The report recommends approval of the Development Application subject to conditions.

T31 RECOMMENDED (Joass/Palmer):

1. That Development Application 1572/05 for an eight unit development on Lot 101 DP 1044963, Meadow Street, Coffs Harbour be approved, subject to technical conditions (see Attachment B).
2. That those persons who made a submission to the Development Application be notified of Council's decision.
3. That the current review of Local Environmental Plan 2000 incorporate this site, with a view to rezoning it to 2C Medium-High Density zoning.

PED33 DEVELOPMENT APPLICATION NO. 971/05 - TREE REMOVAL - LOT 12 DP 835612, LOT 1 DP 789002 46 ARRAWARRA BEACH ROAD, ARRAWARRA

Development application 971/05 is a development proposal for the removal of 44 trees within the tent camping area of the Arrawarra Beach Caravan Park. Conditional approval of the application is recommended.

Cr McKelvey declared a non pecuniary interest in this item as he is a member of the small community of Arrawarra which will be affected by Council's decision. However Cr McKelvey chose to remain in the chamber, participate in the discussion and vote on this item.

MOTION

RECOMMENDED (Joass/Palmer) that Development Application No. 971/05 for tree removal on Lot 12 DP 835612, Lot 1 DP 789002, 46 Arrawarra Beach Road, Arrawarra be supported subject to technical conditions as appended to the report (amended appendix B).

AMENDMENT

T32 RECOMMENDED (McKelvey/ Hogbin):

1. That Development Application No. 971/05 for tree removal on Lot 12 DP 835612, Lot 1 DP 789002, 46 Arrawarra Beach Road, Arrawarra be supported subject to technical conditions as appended to the report (amended appendix B).

Ped33 Development Application No. 971/05 - Tree Removal - Lot 12 Dp 835612, Lot 1 Dp 789002 46 Arrawarra Beach Road, Arrawarra ... (Cont'd)

2. If the root balls are to be removed the developer consult with the Land Council with respect to indigenous artifacts in that regard.

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

DIVISION

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

FOR

Cr Bonfield
Cr Featherstone
Cr Palmer
Cr Hogbin
Cr McKelvey

AGAINST

Cr Joass

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

DIVISION

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

FOR

Cr Bonfield
Cr Featherstone
Cr Palmer
Cr Hogbin

AGAINST

Cr Joass
Cr McKelvey

PED34 RURAL LANDS SETTLEMENT POLICY - PROJECT STATUS

This is a status report on the progress of development of a draft Rural Lands Settlement Policy for Rural 1A zoned lands.

A brief has been issued seeking Expressions of Interest from suitably qualified consultants to undertake a review of submissions to the *Rural Lands Strategic Plan*, review the findings of the Commissioners of Inquiry into that Plan and draft a Settlement Policy for lands zoned Rural 1A.

Ped34 Rural Lands Settlement Policy - Project Status ...(Cont'd)

The report recommends that Council endorse an integrated approach to the development of a *Rural Lands Settlement Policy* by incorporating:

- current Strategic Planning Projects including outcomes from the draft Settlement Strategy;
- an assessment of certain rural zoned lands which will address part of a future Local Environmental Plan (LEP) amendment for the Red Rock and Corindi localities; and
- amendments to the current LEP and/or a future revision of the LEP in line with the standard template.

Four Expressions of Interest from suitably qualified consultants have been received and assessed. This report advises of the likely cost and recommends revised timeframes in accordance with the proposal submitted by the preferred consultants.

This report does not affect the current moratorium on subdivision of any 1A-zoned lands. It recommends that the moratorium continue until after the review and policy is finalised. Subdivisions in accordance with the findings of the policy will be able to be assessed after the exhibition and gazettal of either an amendment to the Coffs Harbour City LEP 2000 or the reviewed LEP.

The report recommends that Council vote an amount of \$80,000 to enable the preferred consultants to undertake the project in the proposed project timeframe of 5-6 months. This budget adjustment has also been incorporated in the budget review report also submitted to this meeting. The budget review report recognises that this additional cost can be partially offset by savings in Planning Environment and Development salaries from extended staff vacancies. The expected net impact on Council's budget will be \$27,000 as reported.

This report also recommends that any rural lands policy be forwarded to the Department of Planning (DoP) for consideration in the forthcoming development of the *Mid North Coast Regional Strategy* and be used where appropriate in the revision of the Coffs Harbour City LEP 2000.

T33 RECOMMENDED (Hogbin/Joass):

1. That Council endorse the expansion of the proposed Rural Lands Settlement Policy to include assessment of the lands associated with the Local Environmental Plan Amendment for Red Rock and Corindi Beach amalgamated localities.
2. That Council endorse the amended timeframe to enable commissioning of the preferred consultants to prepare a Draft Rural Lands Settlement Policy and note that a budget adjustment of \$27,000 has been incorporated in Council's September 2005 Quarterly Budget Review for this project.
3. That the Department of Planning be advised that Council considers this project to be of strategic importance, that it will comprise a key component of the review of the Coffs Harbour Local Environmental Plan and that the outcomes be considered in the development of the Mid North Coast Regional Strategy.

PED35 RE-EXHIBITION OF DRAFT AMENDMENT NO 28 TO LOCAL ENVIRONMENTAL PLAN 2000 LANDS AT KORORA AND UPDATE LEP 2000; AMENDED KORORA DEVELOPMENT CONTROL PLAN AND SECTION 94 PLAN; AND ACQUISITION OF CROWN LAND IN THE KORORA BASIN

The purpose of this report is to:

1. Provide comment on submissions received during the exhibition of Draft Coffs Harbour City Local Environmental Plan 2000 (Amendment No 28) (to rezone 1A land to 1B land) and Amended Korora Rural Residential Lands Development Control Plan (DCP).
2. Present a revised Draft Local Environmental Plan (LEP) (to change Clause 18 of LEP 2000 in accordance with recent legal advice) and the revised Korora Rural Residential Lands DCP for Council's approval to re-exhibit.
3. Present an amended Developer Contributions Plan (i.e. Section 94 Plan) for the Korora Rural Residential Release Area for exhibition.
4. Approve the acquisition of Crown land defined as "Windbreaks" and the transfer of Crown Roads to facilitate legal access and orderly development within the Korora Rural Residential Release Area.

T34 RECOMMENDED (Hogbin/ Joass):

1. That Council use its delegation to issue a Section 65 Certificate and re-exhibit Draft Coffs Harbour City Local Environmental Plan (Amendment No 28), attached to this report.
2. That, in accordance with Clause 18 of the Environmental Planning and Assessment Regulations, Council re-exhibit the Amended Korora Rural Residential Development Control Plan for 28 days, as circulated to Councillors.
3. That, in accordance with Clause 26 (4) of the Environmental Planning and Assessment Regulations, Council place on exhibition the Amended Section 94 Plan for the Korora Rural Residential Release Area for 28 days, as circulated to Councillors.
4. That Council proceed with the acquisition, dedication and transfer as public road, of all lands shown in the plan attached to this report on the terms contained within this report.
5. That Council make the necessary application to the Minister for Local Government to gain the approval of both the Minister and the Governor to the acquisition of the lands referred to in this report using the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991.

Ped35 Re-Exhibition Of Draft Amendment No 28 To Local Environmental Plan 2000 Lands At Korora And Update Lep 2000; Amended Korora Development Control Plan And Section 94 Plan; And Acquisition Of Crown Land In The Korora Basin ...(Cont'd)

6. That existing roads in Korora Basin which are not presently maintained by Council, and come under Council's ownership and control by the carrying out of this resolution, be added to the unmaintained roads register.
 7. The Council execute under Seal all required documents in conjunction with this matter.
 8. That costs be forward funded from restricted reserves.
-

CONCLUSION OF COMMITTEE MEETING

The Chairperson advised that the business of the Committee was concluded and invited the Acting Mayor to resume the chair.

The Acting Mayor resumed chairmanship of the meeting at 6.48p.m.

OPEN COUNCIL

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

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

ADOPTION OF PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE REPORT

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

This concluded the business and the meeting closed at 6.52p.m.

Confirmed: 1 December 2005

.....
I D Hogbin
Acting Mayor
