

The following document is the minutes of the Council and Committee Meetings held on Thursday, 6 April 2006. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 20 April 2006 and therefore subject to change. Please refer to the minutes of the meeting of 20 April 2006 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(CITY BUSINESS UNITS COMMITTEE)**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**6 APRIL 2006**

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**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(CITY BUSINESS UNITS COMMITTEE)**  
**Thursday 6 April 2006**

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

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

The meeting commenced at 5.02pm with the Mayor, Cr K D Rhoades in the chair.

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**APOLOGY**

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- 41** **RESOLVED** (Hogbin/McKelvey) that an apology received from Councillor Bonfield for unavoidable absence be received and leave be granted for the current meeting of Council.

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**CONFIRMATION AND ADOPTION OF MINUTES**

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- 42** **RESOLVED** (McKelvey/Palmer) that the minutes of the Planning Environment & Development Committee Meeting held on 16<sup>th</sup> March 2006 be confirmed as a true and correct record of proceedings.
- 43** **RESOLVED** (Palmer/Joass) that the minutes of the Corporate Services Committee Meeting held on 16<sup>th</sup> March 2006 be confirmed as a true and correct record of proceedings.

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**CITY BUSINESS UNITS COMMITTEE**

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- 44** **RESOLVED** (Joass/Smithers) that the Ordinary Meeting of Council be adjourned and Council now resolve into the City Business Units Committee meeting, the time being 5.05pm.

The Mayor invited Councillor Ovens to chair the City Business Units Committee.

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**CITY BUSINESS UNITS DEPARTMENT REPORTS**

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**B6      TRANSFER OF LANDS TO THE COFFS COAST STATE PARK**

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To obtain Council consent to the transfer of Lots 216, 223 and 224 DP 755536 at Boambee to the Coffs Coast State Park through the Department of Lands.

- B11** **RECOMMENDED** (Palmer/Joass)

1. That Council, as the owner of the land described as Lots 216, 223 and 224 DP 755536 situated at Boambee, formally gifts the land to the Crown at no cost to the Department of Lands, on the understanding that the subject lots be declared Crown land for incorporation into the Coffs Coast State Park.
2. That Council, as Manager of the Coffs Coast State Park Trust, formally concurs to the addition of the subject lands to the State Park (Reserve 1002970).

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**B7      SALE OF COUNCIL LAND - PUBLIC RESERVE WALKWAY, WOMBAT PLACE, BOAMBEE EAST**

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To obtain Council approval for the sale of a public walkway at Wombat Place, Boambee East which has become surplus to requirements.

- B12** **RECOMMENDED** (Palmer/Joass)

1. That Council dispose of Lot 521 DP 807140 in two equal portions to the adjoining owners on the terms contained within this report.
2. That the sale and disposal of Lot 521 DP 807140 be subject to the land being reclassified as operational under the provision of the Local Government Act, 1993.

3. That Council execute under seal any required documents to process the sale of the land.
4. That the nett proceeds from the disposal of the land be used for a purpose to be decided by the Council, at the time the funds are actually received.

### **SUPPLEMENTARY RECOMMENDATION**

#### Procedural Policy

Council at its meeting held on 17/11/2005 adopted the following policy for distribution of proceeds from the sale of surplus property:

2. That Council's policy, in respect of the distribution of proceeds from the sale of surplus property, be amended so that the use of funds is considered by Council in a report for each sale, unless previously determined in conjunction with the Management Plan.

However on the 16/12/2006, Council reaffirmed all of its policies following our extensive review. Inadvertently the change adopted in November had not been amended in the December documents. Council is requested to procedurally formalise its intention to the change of Policy in November by again adopting the following Recommendation

#### **B13 RECOMMENDED (Hogbin/Joass)**

2. That council's policy, in respect of the distribution of proceeds from the sale of surplus property, be amended so that the use of funds is considered by Council in a report for each sale, unless previously determined in conjunction with the Management Plan.

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#### **B8 PROPOSED ROAD CLOSURE OF PART EUNGELLA STREET, TOORMINA**

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Report seeking Council's consent to the closure of a public Council road.

#### **B14 RECOMMENDED (McKelvey/Hogbin)**

1. That Council apply to the Department of Lands to close that section of road identified on the plan attached to this report.
2. That following approval of the road closure by the Department of Lands, the land be sold to Mary, Help of Christians Parish or nominee on the terms contained within this report.
3. That Council enter into a Deed of Agreement with the Parish on the terms stated within this report.

4. That the land created from the closure be classified as Operational Land under the Local Government Act, 1993.
5. That any necessary documents be executed under the Common Seal of Council.
6. That the nett proceeds from the disposal of the land be used for a purpose to be decided by the Council, at the time the funds are actually received.

## **PLANNING ENVIRONMENT AND DEVELOPMENT REPORTS**

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### **PED11 COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN 2000 - AMENDMENT TO CONSOLIDATE FORMER PRISTINE WATERS (RED ROCK AND CORINDI) LOCALITIES**

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The purpose to this report is to formally commence the preparation of an amendment to the Coffs Harbour City Local Environmental Plan (LEP) 2000 to incorporate planning provisions for the amalgamated lands, comprising the former area of Pristine Waters Local Government Area (LGA), in accordance with Department of Planning (DoP) requirements.

The report recommends that Council formally resolve to undertake preparation of this plan to enable the commencement of statutory notification and consultation processes for the land shown on the map below.

#### **B15 RECOMMENDED (McKelvey/Joass)**

1. That Council, in accordance with Section 54 of the Environmental Planning and Assessment Act, 1979 prepare a Draft Local Environmental Plan to provide for planning provisions over the lands formerly part of Pristine Waters Council as an amendment to Coffs Harbour City Local Environmental Plan 2000.
2. That the Department of Planning be advised that Council considers that a Local Environmental Study is necessary.
3. That Council seek authority from the s.54 Planning Review Panel to permit the Director of Planning, Environment and Development to issue, under delegation, a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979 to allow the Draft Local Environmental Plan to be exhibited.
4. That the Draft Local Environmental Plan 2000 (Amendment No. 32) be exhibited in accordance with the 'Best Practice Guidelines for LEPs and Council Land' prepared by Planning NSW 1997.

5. That all persons directly affected by the Draft Plan be advised of Council's decision.
6. That a public forum with interested parties be held during the exhibition period in respect of the proposed zoning changes.

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### **CONCLUSION OF CITY BUSINESS UNITS COMMITTEE MEETING**

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The Chairman advised that the business of the City Business Units Committee was concluded and invited the Mayor to resume the chair.

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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.

- B16** **RECOMMENDED** (Hogbin/Palmer) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 5.11pm.

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### **ADOPTION OF CITY BUSINESS UNITS COMMITTEE REPORT**

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- 45** **RESOLVED** (Hogbin/Palmer) that the recommendations of the City Business Units Committee meeting be received and adopted.

This concluded the business and the meeting closed at 5.11pm.

Confirmed:

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K D Rhoades AFSM  
Mayor