

The following document is the minutes of the Council and Committee meetings held on 20 April 2006. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 4 May 2006 and therefore subject to change. Please refer to minutes of 4 May 2006 for confirmation.



**COFFS HARBOUR CITY COUNCIL**

**ORDINARY MEETING  
(PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE)**

**COUNCIL CHAMBERS  
COUNCIL ADMINISTRATION BUILDING  
COFF AND CASTLE STREETS, COFFS HARBOUR**

**20 APRIL 2006**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

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

20 APRIL 2006

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

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

The meeting commenced at 5:02 pm with the Mayor, Cr K D Rhoades in the chair.

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#### PUBLIC ADDRESSES

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Time	Speaker	Item
5.00pm	Rob Burgess (The Applicant)	D/A 540/06 – Two Storey Residential Development (6 Units) – Lot F, DP398358 No. 5 Carrington Street, and Lot G, DP398358 No. 20A Pollack Esplanade, Woolgoolga.

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#### CONFIRMATION AND ADOPTION OF MINUTES

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- 49 **RESOLVED** (Palmer/Ovens) that the minutes of the City Business Units Committee Meeting held on 6 April 2006 be confirmed as a true and correct record of proceedings.
- 50 **RESOLVED** (Joass/Smithers) that the minutes of the City Services Committee Meeting held on 6 April 2006 be confirmed as a true and correct record of proceedings.

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## GENERAL MANAGER'S REPORT

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### 4 DRAFT 2006/2009 MANAGEMENT PLAN - COMMUNITY CONSULTATION

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To present Council with a summary of Community Submissions to the Draft 2006/2009 Management Plan. This report recommends that Council proceed with its application for a 9.56% special variation to general income. It also recommends that Council withdraw its proposal to seek the consent of the Minister for Local Government for an extension of the term of the City Centre Business Rate by three years.

**51 RESOLVED** (Hogbin/Ovens) that:

1. Council note the Community Submissions to the Draft 2006/2009 Management Plan.
2. Based on the response demonstrated by the Community Submissions, Council reaffirm its decision to seek a special rate variation of 9.56% in 2006/2007 to support the Community Facilities Program
3. Council note the results of its survey of City Centre property owners in relation to its proposal to extend the term of the City Centre Business Rate by three years.
4. Council withdraw its proposal to seek the consent of the Minister for Local Government for an extension of the term of the City Centre Business Rate.
5. Following the adoption of the 2006/2009 Management Plan, Council write to all those who lodged submissions or survey forms to thank them for their participation in the Management Plan process and to advise them of the outcome relating to their correspondence.

**This recommendation was passed unanimously**

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### PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE

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**52 RESOLVED** (Hogbin/Palmer) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Planning, Environment & Development Committee meeting, the time being 5.21 pm.

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

## PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS

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### PED12 SAWTELL - REVIEW OF MASTERPLAN, DRAFT LOCAL ENVIRONMENTAL PLAN AMENDMENT NO. 19 AND DRAFT DEVELOPMENT CONTROL PLAN

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At its meeting held on 3 November 2005, Council considered Development Application (DA) 11/06 for an 18 residential unit and five retail shop development with associated car parking on Lots 7 and 8, DP857331, 59-67 First Avenue Sawtell and resolved that the Development Application be deferred, pending completion of the following:

- a) a review and re-exhibition of the Sawtell Masterplan, as it applies to the land zoned 3C Business Town Centre bounded by First Avenue and Second Avenue (as shown in hatching on the following plan;
- b) a review and re-exhibition of Local Environmental Plan Amendment No. 19 to Coffs Harbour City Local Environmental Plan (LEP) 2000, as it applies to the land zoned 3C Business Town Centre bounded by First Avenue and Second Avenue; and
- c) a review and re-exhibition of the Sawtell Town Centre Development Control Plan (DCP) as it applies to the land zoned 3C Business Town Centre bounded by First Avenue and Second Avenue.

**T8 RECOMMENDED** (Palmer/Rhoades) that:

1. Council repeals the Sawtell Information Sheet.
2. Council adopts the Sawtell Town Centre Development Control Plan (amended) as provided separately.
3. Council notify the adoption of the Sawtell Town Centre Development Control Plan in accordance with the provisions of the Environmental Planning and Assessment Act (1979) and Section 21 Environmental Planning and Assessment Regulations (2000).
4. In accordance with the Environmental Planning and Assessment Act (1979), Council pursue the gazettal of Local Environment Plan Amendment No. 19 to Coffs Harbour City Local Environmental Plan 2000.
5. Those who lodged submissions on this matter be notified of Council's decision.
6. The following alterations under the indicated headings be included in Sawtell Town Centre Development Control Plan:
  - (a) Preamble:
    - Reference to Page 2 be changed to Page 1.
  - (b) Design Principles:
    - Suggested colours are pastels of blues, yellows, pinks, oranges and greens.
  - (c) Heritage:
    - Note: Council will not consider demolition of any building within the heritage conservation area without the submission of a comprehensive statement of heritage impact from a qualified heritage architect/consultant.

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**PED13 DEVELOPMENT APPLICATION 540/06 - TWO STOREY RESIDENTIAL DEVELOPMENT (6 UNITS) - LOT F, DP398358 No. 5 CARRINGTON STREET, AND LOT G, DP 398358 No. 20A POLLACK ESPLANADE, WOOLGOOLGA**

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The application proposes a predominantly two storey townhouse development of 6 units.

**T9 RECOMMENDED** (Palmer/McKelvey) that:

1. Development Application 540/06 for the demolition of the existing dwellings and development of 6 multi unit dwellings be approved, subject to technical conditions (see Attachment B).
2. Those who made a submission on this Development Application be notified of Council's decision.

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**PED14 CONTROLS ON OPEN BURNING**

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This report recommends that Council becomes Scheduled under Schedule 1, Parts 2 & 3 of the Protection of the Environment Operations (Control of Burning) Regulation 2000, which prohibits the open air burning of domestic waste and burning of vegetation waste in specific areas throughout the Coffs Harbour local government area (LGA).

**MOTION**

**MOVED** (Smithers/Hogbin) that:

Council seeks listing in Parts 2 and 3 of the schedule of the regulation on control of burning.

Upon implementation of the above, Council grant general approval for burning on land other than land zoned:

- Rural: 1B;
- Residential: 2A, 2B, 2C, 2D, 2E;
- Business: 3A 3B, 3C, 3D, 3E 3F, 3G;
- Industrial: 4A.

Providing that burning not take place within 400 metres of residential premises.

Council reconsider the prohibition of burning in 1B zones, 12 months after the adoption of this policy.

**AMENDMENT**

**T10 RECOMMENDED** (Rhoades/Palmer) that:

Report be deferred and come back to Council at first opportunity for consideration/investigate distance from rural/residential premises and affect that it will have on rural/residential zoning (does it include or exclude).

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**.

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**PED15 DRAFT AMENDMENT NO. 33 TO LOCAL ENVIRONMENTAL PLAN 2000 - MINOR DRAFTING ANOMALY TO LANDS AT KORORA AND MINOR AMENDMENT TO KORORA RURAL RESIDENTIAL DEVELOPMENT CONTROL PLAN**

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The purpose of this report is to present to Council:

1. A Draft Local Environmental Plan (LEP) (Amendment No. 33) for Council's approval as attached to this report, which proposes to rectify a minor drafting anomaly by rezoning land from Rural 1A Agriculture to Rural 1B Living.
2. A minor amendment to the recently adopted Korora Rural Residential Development Control Plan (DCP).

**T11 RECOMMENDED** (Featherstone/Hogbin) that

1. That Council, in accordance with Section 54 of the Environmental Planning and Assessment Act, 1979 prepare a Draft Local Environmental Plan for Lots 373 and 374, DP44806, Bruxner Park Road, Korora.
2. That Council seek authority from the Section 54 Planning Review Panel to permit the General Manager or his delegate to issue a Section 65 certificate under the Environmental Planning and Assessment Act 1979, to allow the Draft Local Environmental Plan to be exhibited.
3. That Draft Coffs Harbour City Local Environmental Plan (Amendment No. 33) be exhibited in accordance with Section 66 of the Environmental Planning and Assessment Act, 1979.
4. That all persons directly affected by the Draft Plan be advised of Council's decision.
5. That Lot 41 DP 588348 32 Lovetts Road be included in the 1 hectare area of the Korora Rural Residential DCP.

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**PED16 COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN 2000 - AMENDMENT TO PROGRESS REZONING OF LANDS IN THE WEST KORORA AND MASTRACOLAS ROAD AREA (NORTH COFFS)**

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The purpose of this report is to formally commence the preparation of an amendment to the Coffs Harbour Local Environmental Plan (LEP) 2000 for the North Coffs area, 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 processes including Local Environmental Study preparation, notification and consultation.

**T12 RECOMMENDED** (Hogbin/Ovens) that

1. 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 identified as investigation areas North Coffs on Attachment 1 as an amendment to Coffs Harbour City Local Environmental Plan 2000.

**Ped16 Coffs Harbour City Local Environmental Plan 2000 - Amendment To Progress Rezoning Of Lands In The West Korora And Mastracolas Road Area (North Coffs) (cont'd)**

2. The Department of Planning be advised that Council considers that a Local Environmental Study is necessary.
3. Council seek authority from the s.54 Planning Review Panel to permit 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. The Draft Local Environmental Plan 2000 (Amendment No. 34) be exhibited in accordance with the provisions of the Act and Regulations.
5. All persons directly affected by the Draft Plan be advised of Council's decision.

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**PED17 WASTE MANAGEMENT DEVELOPMENT CONTROL PLAN**

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To recommend the adoption of the Development Control Plan (DCP) for Waste Management.

**T13 RECOMMENDED** (Palmer/Smithers) that

1. Council adopt the Draft Waste Management Development Control Plan.
2. Consultation be undertaken forthwith to inform the building/development community of the new requirements.
3. Council give notice of its decision to adopt the Draft Waste Management Development Control Plan in the local newspaper pursuant to Clause 21 of the Environmental Planning and Assessment Regulation 2000.
4. The commencement date to be specified in the notice be 1 June 2006.

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**CONCLUSION OF PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE**

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The Chairman advised that the business of the Planning, Environment & Development 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.

**T14 RECOMMENDED** (Hogbin/Palmer) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 5.50 pm.

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

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- 53 RESOLVED** (Hogbin/Smithers) that the recommendations of the Planning, Environment & Development Committee meeting be received and adopted.

This concluded the business and the meeting closed at 5.51pm.

Confirmed: 4 May 2006

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K D Rhoades AFSM  
Mayor