

The following document is the minutes of the Council and Committee meetings held on 17 August 2006. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 7 September 2006 and therefore subject to change. Please refer to minutes of 7 September 2006 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(LAND USE, HEALTH & DEVELOPMENT COMMITTEE)**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**17 AUGUST 2006**

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**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(LAND USE, HEALTH & DEVELOPMENT COMMITTEE)**

**17 AUGUST 2006**

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

**Staff:** General Manager, Assistant General Manager/Director Corporate Business/Acting Director Land Use, Health & Development, Director of City Services (Acting), Project Manager Resource Recovery (Acting), Manager Land Use Planning, Manager Land Use Assessment (Acting) and Executive Assistant.

The meeting commenced at 6.02pm with the Mayor, Cr K D Rhoades in the chair.

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**APOLOGY**

- 114** **RESOLVED** (Joass/Ovens) that an apology received from Cr J Bonfield for unavoidable absence be received and leave be granted for the current meeting of Council.

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**GENERAL MANAGER'S REPORT**

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**8** **QUARTERLY PERFORMANCE REPORTING FOR THE QUARTER ENDED 30 JUNE 2006**

To report on the achievement of customer service guarantees and performance targets for the April to June 2006 quarter.

- 115** **RECOMMENDED** (Joass/McKelvey) that:
1. Council adopt the revised strategies and performance indicators in the 2005-2008 Management Plan as outlined in the Issues section of this report.
  2. Council note the issues surrounding those measures that have not been achieved for the period ending 30 June 2006, as listed in the body of this report.
  3. Council note the achievements of customer service guarantees, as outlined in Attachment 1 of the General Manager's Report for the April to June 2006 quarter.
  4. Council note the organisation's significant achievements, as outlined in Attachment 2 of the General Manager's Report for the April to June 2006 quarter.

5. Council note the achievement of performance targets, as outlined in a separate booklet which is available in the Councillors' Room for the April to June 2006.
6. Council continues to monitor its performance with a view to improving service delivery.

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## LAND USE, HEALTH & DEVELOPMENT COMMITTEE

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- 116** **RESOLVED** (Palmer/Hogbin) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Land Use, Health & Development Committee meeting, the time being 6.03pm.

The Mayor invited Councillor McKelvey to chair the Land Use, Health & Development Committee.

## LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### **LUHD26 DEVELOPMENT APPLICATION NO. 31/06 – LOTS 660 AND 662, DP 1096558, LAKES DRIVE, NORTH BOAMBEE VALLEY - SELF CONTAINED DWELLINGS (AS DEFINED UNDER STATE ENVIRONMENTAL PLANNING POLICY SENIORS LIVING 2004)**

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This report describes Development Application No. 31/06 for a “group of self contained dwellings” as defined under State Environmental Planning Policy (SEPP) Seniors Living 2004. The development will be staged. The project will comprise 92 self contained dwellings, a community centre and recreation facilities – tennis court, lawn bowls and a swimming pool.

- T22** **RECOMMENDED** (Palmer/Hogbin) that:

1. Development Application No. 31/06 for a Seniors Living Development – self contained dwellings – under State Environmental Planning Policy (SEPP) Seniors Living 2004 be approved subject to conditions as appended to this report (Appendix B), except that Condition 8 is substituted to read as follows:

***Community Bus***

8. *A community bus capable of carrying at least 12 passengers, is to be provided to the residents of the development:*
  - (a) *that will drop off and pick up passengers at the Coffs Harbour City Centre that provides residents with access to the following:*
    - (i) *shops, banks and other retail and commercial services that residents may reasonably require,*
    - (ii) *community services and recreation facilities,*
    - (iii) *the practice of a general medical practitioner, and*
  - (b) *that is available both to and from the proposed development to the Coffs Harbour City Centre at least twice between 8.00am and 6.00pm between each Monday to Sunday.*
2. Those persons who made a submission to the development application be advised of Council's decision.

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**LUHD27 DRAFT COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN  
2000 (AMENDMENT NO. 21) : SURPLUS LAND AT CITY HILL, COFFS  
HARBOUR**

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To report on the rezoning of Council land at City Hill. The report recommends adopting Coffs Harbour City Local Environmental Plan (LEP) 2000 (Amendment No. 21) and submitting it to the Department of Planning (DoP) to proceed with its gazettal. The draft LEP proposes to rezone the subject land from 5A (Special Uses) to part 2C Residential (Medium-High Density) and part 7A Environmental Protection (Habitat and Catchment). The land is shown on the map below.

**T23 RECOMMENDED** (Rhoades/Joass) that:

1. In accordance with Section 68 of the Environmental Planning and Assessment Act, 1979 Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 21) (as attached to this report) be submitted to the Department of Planning for gazettal.
2. All parties that made a submission to Draft Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 21) be informed of Council's decision.
3. Whilst the rezoning takes place Council staff finalise consideration of the issues associated with Community Facilities in the City Centre.

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**DIVISION**

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

FOR	AGAINST
Cr Palmer	Cr Smithers
Cr Joass	Cr Featherstone
Cr Rhoades	Cr Hogbin
Cr Ovens	
Cr McKelvey	

**SUPPLEMENTARY MOTION**

**T24 RECOMMENDED** (Ovens/Rhoades) that:

Council staff review the 2006/07 Management Plan with respect to asset sales and identify alternate asset sales (particularly in light of the current rate rise) and that a report be brought back to Council prior to the sale of the land the subject of this report.

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**LUHD28 LAND USE PLANNING PROGRAM 2006-2007**

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To advise Council on the status of the current Land Use Planning projects and seek endorsement for this year's planning program.

**T25 RECOMMENDED** (Hogbin/Smithers) that:

Council endorse the attached 2006-2007 Land Use Planning Program.

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**LUHD29 EXPRESSION OF INTEREST FOR LANDFILL GAS EXTRACTION AND UTILISATION AT COFFS HARBOUR CITY COUNCIL'S ENGLANDS ROAD WASTE MANAGEMENT FACILITY CONTRACT NO. 05/06-257-EOI**

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To consider expressions of interest received in respect to the Coffs Harbour Landfill Gas Extraction and Utilisation project.

**T26 RECOMMENDED** (Palmer/Smithers) that:

1. Council send invitations in writing to the following applicants, to tender for the landfill gas extraction and utilisation project at Coffs Harbour City Council's Englands road waste management facility:

- Waste Management Pacific Pty Ltd
  - AGL Energy Services Pty Ltd
  - Landfill Management Services Pty Ltd
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**LUHD30 TENDER: ENGLANDS ROAD WASTE MANAGEMENT FACILITY - CONSTRUCTION OF ENGLANDS ROAD WMF ACCESS ROAD ROUNDABOUT - CONTRACT NO. 06/07-266-TO**

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To report on Tenders received for the Englands Road Waste Management Facility - Construction of Englands Road WMF Access Road Roundabout: Contract No. 06/07-266-TO and to gain Council approval to accept a conforming Tender.

**T27 RECOMMENDED** (Ovens/Smithers) that:

1. Council accept the Tender of F.J.E & J. FARLOW ABN 64 294 493 233 for the Englands Road Waste Management Facility - Construction of Englands Road WMF Access Roads Roundabout - Contract No. 06/07-266-TO in the amount of \$220,643.11 including GST, on the basis that:
    - a) The Tender is conforming and is the only tender received.
    - b) The tendered amount is considered reasonable and in line with current market prices.
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- c) The Tenderer has the necessary experience in similar works and his referees have confirmed his ability and satisfactory performance.
  - d) The Tenderer's financial references are satisfactory.
2. That the contract documents be completed under Seal of Council.

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## **CONCLUSION OF LAND USE, HEALTH & DEVELOPMENT COMMITTEE MEETING**

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The Chairman advised that the business of the Land Use, Health & 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.

- T28** **RECOMMENDED** (Joass/Palmer) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 7.05pm.

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## **ADOPTION OF LAND USE, HEALTH AND DEVELOPMENT COMMITTEE REPORT**

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- 117** **RESOLVED** (Hogbin/Joass) that the recommendations of the Land Use, Health and Development Committee meeting be received and adopted.

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## **QUESTIONS WITHOUT NOTICE**

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### **1. Hogbin Drive / Aviation Drive (Safety Issues)**

Cr Ovens asked what the start date is for the construction of the roundabout at this intersection and will the speed of the road be reduced.

*The Mayor indicated that in the Draft Schedule of Works the roundabout is to be completed by December 2006 with reduced speed limits during construction and the intent of reducing the speed limit to 80km per hour at completion.*

## **2. Pacific Highway Taskforce Executive Committee**

Cr McKelvey asked is Council still represented on the Task Force Committee.

*The Mayor indicated that he was asked to stand down from the Executive Committee of the Taskforce as members of the Executive Committee deemed that it was inappropriate for the Mayor to be a member whilst contesting the seat of Coffs Harbour at the State Election, however Council is still represented as the committee includes General Managers and Mayors of member councils and therefore Council is still represented.*

## **3. Opera at Sportz Central**

Cr Palmer advised that approximately 600 attended the opera at Sportz Central and only used half of the hall, he put forward that a feasibility study occur to upgrade Sportz Central to an interim entertainment facility.

*The General Manager indicated that Council has been committed to create a change to the use of the Sportz Central over the past two years, and have committed to pursue funding applications to the Area Consultative Committee.*

## **4. Banking Services Tender for Banking with Council**

Cr Ovens asked when the Banking Services tender is scheduled for banking with Council.

*The Director for Corporate Business indicated that Council is running a tender at present for agency collection services and legal services and about to run a tender for audit services. The tender for banking services is scheduled for later in the year.*

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## **GENERAL BUSINESS**

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### **1. Bendigo Bank Community Initiatives**

Cr Ovens requested that Council invite Ray Chapel ex Minister for State and Regional Development, now employed by Bendigo Bank to address Council on community initiatives by the Bendigo Bank.

*The General manager will check probity issue and community initiative also.*



## **2. Woolgoolga Senior Citizens AGM**

Cr Joass reported that he attended the Woolgoolga Senior Citizens AGM, they have now taken over the building officially and are making a good profit, there are 513 members, it operates 5 days per week – a real success and they thank Council for their efforts. Council needs to make Coffs Harbour Senior Citizens Centre it's No.1 priority.

## **3. Compliance on DA's, Improving Systems**

Cr Smithers enquired how far Council had advanced in compliance of tracking of DA's and improving our system as he had heard of funding available via Commonwealth Regulation Reduction Incentive Fund from the Department of Industry, Tourism & Resources.

*General Manager indicated that Council is part way through the process, any input to complete will assist.*

## **4. Pacific Highway**

Cr Smithers attended the protest meeting occurring at 4.30pm in the park opposite Council Chambers and reported that the protesters were asking Council to support the Western bypass & upgrade and would like the Settlement Strategy to be amended to not include the deviations.

## **5. Advocate Highway Overlay Error – Wednesday 26 July 2006**

The Mayor reported that the error on the front page picture was caused by a printing error of applying overlay.

This concluded the business and the meeting closed at 7.21pm.

Confirmed: 7 September 2006

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K D Rhoades AFSM  
Mayor