

The following document is the minutes of the Council and Committee meetings held on 14 December 2006. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 1 February 2007 and therefore subject to change. Please refer to minutes of 1 February 2007 for confirmation.



COFFS HARBOUR CITY COUNCIL

**ORDINARY MEETING
(LAND USE, HEALTH & DEVELOPMENT COMMITTEE)**

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

14 DECEMBER 2006

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(LAND USE, HEALTH & DEVELOPMENT COMMITTEE)

14 DECEMBER 2006

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

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

Leave of Absence: Cr WR Palmer

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

PUBLIC ADDRESS

Time	Speaker	Item
5.00pm	Richard Ennis (Team Legal)	Beach Glider
5.05pm	Brian Knight (President – Sawtell Chamber of Commerce)	LUHD43 – Development Application 138/07 – Demolition of existing buildings and development of a new building comprising a supermarket, ancillary offices and lower level car park – Lot 1 DP359683 and Lot 103 DP846196, 27-33 First Avenue, Sawtell.
5.10pm	Mark Hodgson (Sunpatch Surf Shop – Sawtell)	LUHD44 – Demolition of existing buildings and development of a new building comprising a ground floor retail shop and first floor offices with rear car parking, - Lot 16 DP18379, 26 – 30 First Avenue, Sawtell.
5.15pm	Mark Petersen (The Applicant)	LUHD43 – Development Application 138/07 – Demolition of existing buildings and development of a new building comprising a supermarket, ancillary offices and lower level car park – Lot 1 DP359683 and Lot 103 DP846196, 27-33 First Avenue, Sawtell.

CONFIRMATION AND ADOPTION OF MINUTES

- 160** **RESOLVED** (Joass/McKelvey) that the minutes of the Corporate Business Committee Meeting held on 16 November 2006 be confirmed as a true and correct record of proceedings.

LAND USE, HEALTH & DEVELOPMENT COMMITTEE

- 161** **RESOLVED** (Joass/Smithers) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Land Use, Health & Development Committee meeting, the time being 5.35pm.

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

LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORTS

LUHD43 DEVELOPMENT APPLICATION 138/07 – DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF A NEW BUILDING COMPRISING A SUPERMARKET, ANCILLARY OFFICES AND LOWER LEVEL CAR PARK – LOT 1 DP359683 AND LOT 103 DP 846196, 27-33 FIRST AVENUE, SAWTELL

To determine this Development Application for the demolition of the existing buildings and the development of a new building comprising a lower level car park, a ground floor supermarket and ancillary first floor offices at 27-33 First Avenue, Sawtell.

- T40** **RECOMMENDED** (Rhoades/Joass) that the matter be deferred for further consultation between Council and the applicant with respect to the setback / location of the 2nd floor and other operational and design concerns.

The **RECOMMENDATION** on being put to the meeting was declared **CARRIED**.

LUHD44 DEVELOPMENT APPLICATION 139/07 – DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF A NEW BUILDING COMPRISING A GROUND FLOOR RETAIL SHOP AND FIRST FLOOR OFFICES WITH REAR CAR PARKING,– LOT 16 DP18379, 26-30 FIRST AVENUE, SAWTELL

To determine this Development Application for the demolition of the existing buildings and the development of a two storey building comprising a ground floor retail shop and first floor offices, with two level car parking at 26 - 30 First Avenue, Sawtell.

T41 RECOMMENDED (Bonfield/McKelvey) that:

1. Development Application 139/07 for the demolition of existing buildings on site and development of a two storey shop and office building with a two level car park at the rear on Lot 16 DP18379, 26-30 First Avenue, Sawtell be approved subject to technical conditions (See Appendix B).
2. Those who lodged a submission on the Development Application be notified of Council's decision.
3. Whereupon approval is granted to this application, 26-30 First Avenue Sawtell be removed from Coffs Harbour LEP 2000 which lists this property as a Local Heritage Item.

LUHD45 REVIEW OF COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN (LEP) 2000 (AMENDMENT NO. 31) - HALLS ROAD

Cr Ovens declared an interest in the item, vacated the Chamber at 6.00pm and took no part in the discussion or voting, the reason being that Cr Ovens owns property in the area.

The purpose of this report is to present to Council:

1. A Draft Local Environmental Plan (LEP) (Amendment No. 31) for Council's approval, which incorporates an amendment to LEP 2000 as a result of approaches from landowners in the Halls Road area and in accordance with the findings of the Council endorsed Coffs Harbour Gateway Strategy.
2. The findings of the Traffic Study prepared for the Halls Road area as required by the Roads and Traffic Authority (RTA) in order to progress the matter.

T42 RECOMMENDED (Rhoades/Bonfield) that:

1. Council seek authority from the Department of Planning's Planning Review Panel to permit Coffs Harbour City Council 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.
2. Council, upon receiving the Written Authority from the Department of Planning, exhibit Draft Local Environmental Plan (Amendment No. 31) attached to this report, for 28 days.

3. Draft Coffs Harbour City Local Environmental Plan (Amendment No. 31) be exhibited in accordance with Section 66 of the Environmental Planning and Assessment Act 1979.
4. All persons directly affected by the Draft Plan be advised of Council's decision.
5. Council endorse the findings of the Draft Traffic Study for the Halls Road area and exhibit it with Draft Local Environmental Plan (Amendment No. 31).

Cr Ovens returned to the meeting, the time being 6.01pm.

LUHD46 DRAFT COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN 2000 (AMENDMENT NO. 36): HOSPITAL FACILITIES AND KOALA CORRIDOR, COFFS HARBOUR HEALTH CAMPUS

To report on the rezoning of land, owned by the Department of Health and Council, at Coffs Harbour Health Campus. The Draft LEP proposes to rezone land for the establishment of hospital facilities and a koala habitat corridor. The report recommends that Council adopt Coffs Harbour City Local Environmental Plan (LEP) 2000 (Amendment No. 36) and forward it to the Department of Planning (DoP) for gazettal.

T43 RECOMMENDED (Rhoades/Ovens) that:

1. In accordance with Section 68 of the Environmental Planning and Assessment Act 1979, Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 36) (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 (Amendment No. 36) be informed of Council's decision.

LUHD47 GREENPOWER COMMUNITY AWARENESS PARTNERSHIP PROGRAM BETWEEN COUNCIL AND DEUS

This report seeks Council approval for a proposed partnership between Coffs Harbour City Council and the Department of Energy, Utilities and Resources (DEUS) that will encourage the use of GreenPower throughout the Coffs Harbour Local Government Area.

The report also requests that matching funding for the project be approved from current EL vote.

T44 RECOMMENDED (Smithers/McKelvey) that:

1. Council approve the proposed partnership program between Coffs Harbour City Council and DEUS to promote the uptake of GreenPower, and reduce greenhouse gas emissions.
2. Council support the use of existing EL funds (source: unused funds from Water Sensitive Urban Design (WSUD) Technical Program EL project). If required, funds be reimbursed to WSUD program from 07/08 EL Matching Grants funding.
3. Council support the further investigation into purchasing GreenPower for Council owned buildings and infrastructure.

LUHD48 CAR PARKING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT

To review Council's controls for off-street parking and, in particular, to provide an analysis on the feasibility of Council requiring all residential development less than 100m² Gross Floor Area (GFA) to provide two car parking spaces.

- T45 RECOMMENDED** (Ovens/Rhoades) that Council maintain the status quo with respect to off-street car parking requirements for residential developments.

The **RECOMMENDATION** on being put to the meeting was **REFUSED**.

- T46 RECOMMENDED** (Bonfield/Hogbin) that a report be brought back to Council taking into consideration the concerns raised in the meeting and the concerns addressed in more detail by July 2007.

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

LUHD49 OPTIONS FOR INCREASING CENTRAL BUSINESS DISTRICT CAR PARKING

To provide an update on options for increasing car parking within the Coffs Harbour Central Business District (CBD).

- T47 RECOMMENDED** (Rhoades/Hogbin) that:

1. Council note the findings of the feasibility report into the cost/benefit analysis of car parking options for the Coffs Harbour Central Business District and that Council endorse the Car Parking Steering Committee's recommendation to develop multi-deck car parking stations on the outer perimeter of the CBD as a preferred strategy for the future.
2. A report be brought back to Council in July 2007 following a comprehensive review of all alternative funding scenarios to improve the provision for car parking in the Coffs Harbour Central Business District.
3. The comprehensive review include any necessary amendments to the City Centre Car Parking Development Control Plan and City Centre Developer Contributions Plan.
4. Council note the Minutes of the CBD Parking Committee Meeting of 1 December 2006 including the recommendations to:
 - i) Stage the installation of security cameras in the Castle Street car park with Stage 1 to commence in March 2007.
 - ii) Carry out a review of the recent changes to off-street parking restrictions in the Coffs Harbour CBD in March 2007.

LUHD50 DRAFT LOCAL ENVIRONMENTAL PLAN AMENDMENT NO. 17 - SOUTH COFFS URBAN RELEASE AREA - DEFERRED AREA

Cr Ovens declared an interest in the item, vacated the Chamber at 6.25pm and took no part in the discussion or voting, the reason being that Cr Ovens owns property in the area.

Cr Bonfield declared an interest in the item, vacated the chamber at 6.25pm and took no part in the discussion or voting, the reason being that Cr Bonfield is an advocate for certain landowners in the area through her employment.

To report to Council on the outcome of public exhibition undertaken.

This report seeks Council's endorsement/adoption of the draft LEP Amendment 17 – South Coffs.

This report also seeks Council's resolution to forward the LEP to the Department of Planning to gazette the plan.

T48 RECOMMENDED (Rhoades/McKelvey) that:

1. Adopt Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 17) as attached to the report for the South Coffs Deferred area and forward it to the Department of Planning for gazettal.
2. Progress the preparation of a detailed Development Control Plan, Developer Contributions Plan, for the South Coffs Deferred Release Area.
3. Advise all landowners in the South Coffs Deferred Release Area of Council's decision.

Cr Bonfield and Cr Ovens returned to the meeting, the time being 6.27pm.

LUHD51 AMENDMENT TO COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN (LEP) 2000; DRAFT LEP 40 - BOAMBEE EAST - ENABLING CLAUSE

The purpose of this report is to seek Council's endorsement of a draft Local Environmental Plan (LEP) to apply an enabling clause to Lot 529, DP807140, corner of Bruce King Drive and Linden Avenue, Boambee East to allow the use of the land for car parking purposes.

T49 RECOMMENDED (Rhoades/Smithers) that:

1. Pursuant to Section 54 of the Environmental Planning and Assessment Act 1979, Council prepare a draft Local Environmental Plan for an enabling clause for Lot 529, DP807140, Boambee East (as identified in attachment 1).
2. Council request the Director General of the Department of Planning to issue a Certificate under Section 65 of the Environmental Planning and Assessment Act 1979 to allow Draft Coffs Harbour City draft Local Environmental Plan (Amendment No. 40), attached to this report to be exhibited in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations.

LUHD52 ARRAWARRA BEACH ACCESS OPTIONS - PROGRESS REPORT

The purpose of this report is to advise Council of the progress of the matter surrounding public access to Corindi Beach from Arrawarra.

- T50 RECOMMENDED** (Rhoades/McKelvey) that Council note the matter is progressing with Council representatives being involved in the Human Rights and Equal Opportunity Commission conference.

CONCLUSION OF LAND USE, HEALTH & DEVELOPMENT COMMITTEE MEETING

The Chairman advised that the business of the Land Use, Health & Development Committee was concluded and invited the Mayor to resume the chair.

OPEN COUNCIL

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

- T51 RECOMMENDED** (Ovens/McKelvey) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 6.29pm.

ADOPTION OF LAND USE, HEALTH AND DEVELOPMENT COMMITTEE REPORT

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

OPEN MEETING

The Mayor requested an appropriate motion to enable the meeting to resolve into Open Meeting.

This concluded the business and the meeting closed at 6.30pm.

Confirmed: 14 December 2006

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K D Rhoades AFSM
Mayor