

The following document is the minutes of the Council and Committee meetings held on 10 May 2007. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 7 June 2007 and therefore subject to change. Please refer to minutes of 7 June 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**

**10 MAY 2007**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

#### (LAND USE, HEALTH & DEVELOPMENT COMMITTEE)

10 MAY 2007

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

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

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#### PUBLIC FORUM

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Time	Speaker	Item
5.00pm	Maryanne Wilson, Concerned Residents about Flying Foxes	CD Presentation Re: Flying Foxes
5.05pm	Desnee McCosker Jetty Action Group	Australian Surf Life Saving Championships 2010 - 2012

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#### PUBLIC ADDRESS

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Time	Speaker	Item
5.10pm	Donald Coleshill	LUHD16 – Review of Coffs Harbour City Local Environmental Plan (LEP) 2000 (Amendment No. 31) - Halls Road
5.15pm	Des Taylor Bellbowrie Motors	LUHD16 – Review of Coffs Harbour City Local Environmental Plan (LEP) 2000 (Amendment No. 31) - Halls Road
5.20pm	Greg Ray	LUHD 15 – Woolgoolga Business Lands Review
5.25pm	Jacqueline Connor Urbis JHD	LUHD 15 – Woolgoolga Business Lands Review

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## CONFIRMATION AND ADOPTION OF MINUTES

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- 50 **RESOLVED** (Ovens/Palmer) that the minutes of the Corporate Business Committee Meeting held on 19 April 2007 be confirmed as a true and correct record of proceedings.
- 51 **RESOLVED** (Ovens/Featherstone) that the minutes of the Special Meeting held on 24 April 2007 be confirmed as a true and correct record of proceedings.

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## NOTICE OF MOTION

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### OFF STREET CAR PARKING DCP

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

Council vary its Off-Street Car Parking DCP by the inclusion of the following:

That where an existing Commercially used building is proposed to be altered to a use also permitted within the zoning, then provided the exterior of the building is not altered in dimension or shape, and provided the available floor space for commercial use is not increased, then such change can be approved without the requirement to provide additional Car Parking spaces that may otherwise be required under the DCP.

### AMENDMENT

- 52 **RESOLVED** (Hogbin/Smithers) that Council receive for the meeting of 5 July 2007, instead of a review of the residential component of the Coffs Harbour City Council Off-Street Car Parking DCP, a complete review of the Coffs Harbour City Council Off-Street Car Parking DCP.

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**.

## NOTICE OF RESCISSION MOTION

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### AUSTRALIAN SURF LIFE SAVING CHAMPIONSHIPS 2010 - 2012

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**53 RESOLVED** (McKelvey/Ovens) that:

Councillors Keith Rhoades, Rod McKelvey and Ian Ovens have given notice of their intention to move:

That Resolution No. 49 of the Special Meeting held on 24 April 2007 and reading as follows, be rescinded:

- "1. That Council note the report on progress of the contract to hold the Australian Surf Life Saving Championships 2010 – 2012.*
- 2. That Park Beach be the preferred venue for the championships.*
- 3. That Council seek commitment from the Surf Life Saving Australia for this venue.*
- 4. That Council note funding for capital works (including sand nourishment) is currently under negotiation with the State and Federal Governments and that any financial commitments by Council be limited to one third of the total project cost for the works.*
- 5. That Council note a comprehensive Business Plan will be developed once agreement is reached on the funding formula with the State and Federal government and further reported to Council."*

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

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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**

Cr Featherstone  
Cr Bonfield  
Cr Ovens  
Cr Rhoades  
Cr Joass  
Cr McKelvey

**AGAINST**

Cr Hogbin  
Cr Smithers  
Cr Palmer

**54 RESOLVED** (McKelvey/Ovens) that:

If this rescission is successful we intend to move the following motion:

1. That Council note the report on progress of the contract to hold the Australian Surf Life Saving Championships 2010 – 2012.
2. That the current official venue of Park Beach be varied and that Council adopt the northern portion of Boambee Beach as the new site for the events.
3. That Council seek and agree to the variation of the contract to enable further advice and commitment from the Surf Life Saving Association of Australia.
4. That Council note funding for capital works is currently under negotiation with the State and Federal Governments and that any financial commitments by Council be limited to one third of the total project costs for capital works.
5. That Council note a comprehensive Business Plan will be developed once agreement is reached on the funding formula with the State and Federal government and further reported to Council.

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

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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**

Cr Featherstone  
Cr Bonfield  
Cr Ovens  
Cr Rhoades  
Cr Joass  
Cr McKelvey  
Cr Palmer

**AGAINST**

Cr Hogbin  
Cr Smithers

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## LAND USE, HEALTH & DEVELOPMENT COMMITTEE

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- 55** **RESOLVED** (Ovens/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Land Use, Health & Development Committee meeting, the time being 6.34pm.

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

## LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### **LUHD14 DEVELOPMENT APPLICATION 664/07 - TECHNOLOGY & INNOVATION CENTRE - LOT 20, DP 875817 (PROPOSED LOT 41), NO. 353 HOGBIN DRIVE, COFFS HARBOUR - COFFS HARBOUR TECHNOLOGY PARK / COFFS HARBOUR EDUCATION CAMPUS**

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**Cr Ovens declared a non-pecuniary interest in the following item, vacated the chamber at 7.14pm and took no part in the discussion or voting, the reason being that he represents the Council on the Technology Park Board.**

**Cr Hogbin declared a pecuniary interest in the following item, vacated the chamber at 7.14pm and took no part in the discussion or voting, the reason being he does consultancy work for the Technology Park.**

This report recommends conditional approval of Development Application (DA) 664/07 for the development of a technology and innovation centre plus basement carparking at Lot 20, DP 875817 (proposed lease Lot 41) Coffs Harbour Education Campus, No. 353 Hogbin Drive, Coffs Harbour.

- T15** **RECOMMENDED** (Rhoades/Palmer) that:

1. Council note the report and recommendation of the independent planning assessment prepared by Blueprint Planning Consultants dated April 2007.
2. Development Application 664/07 for technology and innovation centre at Lot 20, DP 875817 (proposed Lease Lot 41), No. 353 Hogbin Drive, Coffs Harbour be approved subject to conditions as appended to this report (Appendix B).

**Cr Hogbin & Cr Ovens returned to the meeting, the time being 7.18pm.**

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## LUHD15 WOOLGOOLGA BUSINESS LANDS REVIEW

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**Cr Featherstone declared a pecuniary interest in the following item, vacated the chamber at 6.35pm and took no part in the discussion or voting, the reason being that he owns property in the area. Cr Featherstone requested that Cr Smithers be chair until he returned to the chamber.**

**Cr Rhoades declared a non-pecuniary interest in the following item, remain in the chamber for discussion and will leave for the voting.**

This report summarises the submissions received during the public exhibition of the Woolgoolga Business Lands Review (WBLR). The review considers options for amending the Coffs Harbour Local Environmental Plan 2000 and makes suggestions regarding appropriate future zones under the standard LEP template review. This report recommends Council engage the RTA and Department of Planning in seeking resolution to the timing of the Woolgoolga bypass and planning for lands adjacent to the current highway, with a view to commencing a rezoning of part of the 3D zoned lands at the corner of Clarence and Pullen Streets, Woolgoolga.

**T16 RECOMMENDED** (Bonfield/McKelvey) that:

1. Council note the findings of the Review of Woolgoolga Business Lands, as well as the submissions received as a result of public exhibition of the review.
2. Council actively engage the Roads and Traffic Authority and the Department of Planning in relation to the timing of the Woolgoolga bypass and planning for lands adjacent to the current Pacific Highway.
3. Make no amendments to the current LEP and consider review of zones as part of the Standard LEP review. This outcome would enable the Woolgoolga Business Lands Review to inform changes to all business zones and would meet the future timing of the bypass in accordance with the requirements of the Department of Planning to progress minor amendments to the LEP in a strategic manner.

**Cr Rhoades left the meeting prior to voting the time being 7.00pm.**

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

**Cr Featherstone and Cr Rhoades returned to the meeting, the time being 7.01pm.**

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**LUHD16 REVIEW OF COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN (LEP) 2000 (AMENDMENT NO. 31) - HALLS ROAD**

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**Cr Ovens declared a pecuniary interest in the following item, vacated the chamber at 7.03pm and took no part in the discussion or voting, the reason being he owns property in the area.**

The purpose of this report is to:

1. Provide comment on submissions received during the exhibition of Draft Coffs Harbour City Local environmental Plan (LEP) 2000 (Amendment No. 31) – Halls Road.
2. Recommend that Council adopt the subject Draft LEP which proposes to rezone Lot 10, DP 1076396, Halls Road and Lot 300, DP 867096, Pacific Highway, North Boambee Valley from a Residential 2E Tourist zone to the Business 3B City Support zone.

**T18 RECOMMENDED** (Rhoades/McKelvey) that:

1. In accordance with Section 68 of the Environmental Planning and Assessment Act, 1979, Council adopt the Coffs Harbour City Local Environmental Plan (Amendment No. 31), as attached to this report and forward it to the Department of Planning for gazettal.
2. Where appropriate, the recommendations of the Halls Road Traffic Study be incorporated as conditions of consent at the development application stage.
3. All persons directly affected by the Draft Plan and who made a submission on the proposed LEP amendment be advised of Council's decision.

**Cr Ovens returned to the meeting, the time being 7.13pm.**

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**LUHD17 RURAL LANDS SETTLEMENT POLICY - PUBLIC EXHIBITION SUBMISSIONS**

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This report comments on the 28 submissions received from the public exhibition of the draft Rural Lands Settlement Policy ('RLSP') and to review the draft policy in light of recent Ministerial Direction No.30 and the draft Mid North Coast Regional Strategy ('MNC Regional Strategy').

**This item was withdrawn**



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## LUHD18 DRAFT MID NORTH COAST REGIONAL STRATEGY

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This report outlines a review of the Department of Planning's recently exhibited Draft Mid North Coast Regional Strategy and recommends matters for inclusion in Council's submission to the Department of Planning.

**T19 RECOMMENDED** (McKelvey/Palmer) that:

A submission to the Department of Planning be prepared advising:

1. That the draft Strategy is broadly supported as a regional plan to guide the growth of the Mid North Coast.
2. That the requirement for completion of local growth management strategies by mid-2007 is unrealistic and unreasonable because:
  - a) Councils have limited resources and cannot comply with this target in addition to other directions from the Government to commence a major LEP review and commitment to other planning tasks in its Land Use Planning Program.
  - b) Council has already prepared a comprehensive urban release strategy (Draft 'Our Living City' Settlement Strategy) for guiding future urban rezoning to 2031 for Council's and the Department of Planning's forthcoming consideration;
  - c) Council has also prepared a Draft Rural Settlement Policy, is in the process of preparing an Industrial Lands Strategy, DCP review for North Boambee Valley and is involved with various state government departments in resolving the future planning direction for the Jetty (Harbourside Masterplan); and
  - d) Council will be commencing a review of its Rural Residential Strategy 1999 after the completion of the Our Living City Settlement Strategy.
3. The final regional strategy needs additional flexibility to incorporate the outcomes from detailed local strategies as they are subsequently approved.

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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.

**T20 RECOMMENDED** (Smithers/Ovens) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 7.20pm.

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

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

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

Confirmed: 7 June 2007

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K D Rhoades AFSM  
Mayor