

The following document is the minutes of the Council and Committee meetings held on 7 June 2007. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 21 June 2007 and therefore subject to change. Please refer to minutes of 21 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**

**7 JUNE 2007**

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## **COFFS HARBOUR CITY COUNCIL**

### **ORDINARY MEETING**

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

**7 JUNE 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, Executive Manager Land Use, Health & Development, Manager Land Use Planning and Executive Assistant.

The meeting commenced at 5.01pm with the Mayor, Cr K D Rhoades in the chair.

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#### **PUBLIC ADDRESS**

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Time	Speaker	Item
5.00pm	Stan Dasey Coffs Harbour Chamber of Commerce	LUHD20 – Rural Lands Settlement Policy – Public Exhibition Submissions
5.05pm	Barry Lee Rates, Levies & Development Association Inc	LUHD20 – Rural Lands Settlement Policy – Public Exhibition Submissions
5.10pm	David Dodd	LUHD22 – DA 281/07 – Development (4 Multi-Unit Dwellings) and Community Title Subdivision – Lot 2, DP1045219 Pacific Highway, Sapphire Beach
5.15pm	Rod Wilson	LUHD22 – DA 281/07 – Development (4 Multi-Unit Dwellings) and Community Title Subdivision – Lot 2, DP1045219 Pacific Highway, Sapphire Beach
5.20pm	Isobel Murphy	General Manager's Report 11 – Proposed Investigation into Cavanbah Hall Site

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## CONFIRMATION AND ADOPTION OF MINUTES

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- 65** **RESOLVED** (Palmer/McKelvey) that the minutes of the Land Use, Health & Development Committee Meeting held on 10 May 2007 be confirmed as a true and correct record of proceedings.
- 66** **RESOLVED** (McKelvey/Palmer) that the minutes of the City Services Committee Meeting held on 10 May 2007 be confirmed as a true and correct record of proceedings.
- 67** **RESOLVED** (Joass/Palmer) that the minutes of the Corporate Business Committee Meeting held on 17 May 2007 be confirmed as a true and correct record of proceedings.

Cr Palmer advised of Coffs Harbour City Council being recipients of an award from United Nations Association of Australia for Excellence in Overall Environmental Management, the presentation of the award was attended by himself and Mark Salter.

## GENERAL MANAGER'S REPORT

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### PROPOSED INVESTIGATION INTO CAVANBAH HALL SITE

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To make recommendations to Council in relation to future facility development on the Cavanbah Hall site within the City Centre.

- 68** **RECOMMENDED** (Palmer/Joass) that:
1. Council endorse the concept plan for the redevelopment of Cavanbah Hall to replace the concept of a Multi-Purpose Centre at Brelsford Park.
  2. A Development Application be prepared with detailed working drawings for the development of a community facility for Crown Reserve 90985, also known as the Cavanbah Hall site, resulting in concept plans and drawings for public exhibition, with an upper limit on the overall project of \$2.4 million.
  3. A report be prepared for Council outlining final proposals for the site and including the outcomes of the investigations and the exhibition period of the Development Application with concept plans and working drawings.
  4. Council's preferred option is option 3.
  5. Report back to Council within three months.

## NOTICE OF MOTION

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### REVIEW OF COFFS HARBOUR CITY COUNCIL LOCAL ENVIRONMENTAL PLAN 2000 WITH REGARD TO BUSINESS 3D TOURIST SERVICE CENTRE ZONE

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Councillor David Featherstone has given notice of his intention to move:

“That the permitted uses, ‘Only with Development Consent’ be amended to include ‘shops’ in the Business 3D Tourist Service Centre Zone as soon as practicable.”

**Cr Featherstone withdrew the Notice of Motion**

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## LAND USE, HEALTH & DEVELOPMENT COMMITTEE

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- 69** **RESOLVED** (Joass/Ovens) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Land Use, Health & Development Committee meeting, the time being 5.53pm.

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

## LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### LUHD20 RURAL LANDS SETTLEMENT POLICY - PUBLIC EXHIBITION SUBMISSIONS

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**Cr Palmer declared a perceived pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 5.55pm.**

This report comments on the community consultation strategy employed and the 28 submissions received from the public exhibition of the draft Rural Lands Settlement Policy (‘RLSP’) and reviews the draft policy in light of recent Ministerial Direction No.30 and the draft Mid North Coast Regional Strategy (‘MNC Regional Strategy’).

- T21** **RECOMMENDED** (Rhoades/Smithers) that:

1. Council note the matters raised in the public submissions received in response to the public exhibition of the Draft Rural Lands Settlement Policy.
2. Council endorse the Rural Lands Settlement Policy.
3. Council commence the formal processing of the draft Coffs Harbour City Local Environmental Plan (Amendment No. 42), consult with government agencies and seek delegation to exhibit the plan from the LEP Review Panel.
4. Council progress a strategic review of the Rural Residential Strategy 1999 to incorporate closer settlement within 2kms of Coramba, Nana Glen and Corindi Beach.
5. Council review the criteria for the mapping of horticultural lands and incorporate this process into the standard LEP Review.

## **LUHD20 Rural Lands Settlement Policy – Public Exhibition Submissions ...(Cont'd)**

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6. The moratorium on subdivision of land zoned Rural 1A be lifted effective upon the finalisation of the Draft Coffs Harbour City Local Environmental Plan 2000 (Amendment No.32) to ensure consistency and equity for all landowners of property zoned Rural 1A at that date.
7. Council continue to be involved in the inter-agency project to identify coastal frost-free horticultural lands with a view to replacing the banana mapped lands with areas identified through this process (incorporating the banana mapped lands), while reserving the option of including such a review as part of the Standard LEP template process based on timeliness of completion.
8. Council review related Development Control Plans (Coramba, Karangi and Upper Orara; Nana Glen and Bucca; Rural Lands and the Coastal Hinterland) to ensure consistency with the adopted policy and place these on public exhibition in accordance with the requirements of the Environment Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000.

**Cr Palmer returned to the meeting, the time being 6.16pm.**

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## **LUHD21 FLYING-FOX MANAGEMENT AT WEST COFFS**

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Council, at its meeting of 15 February 2007 considered the Draft Management Strategy for the Coffs Creek Flying-fox Camp, and resolved that the Draft Strategy be placed on public exhibition. This report describes the input received, and recommends that the Draft Strategy be adopted with some modifications. The report also makes several other recommendations to address concerns expressed in the community consultation process.

**T22 RECOMMENDED** (McKelvey/Joass) that:

1. The revised Draft Strategy for the Coffs Creek Flying-fox Camp be adopted.
2. Council, in its application to the NSW Department of Environment and Climate Change (DECC) and the Department of Environment and Water Resources (DEWR), to modify camp habitat, seek to limit flying-fox numbers and impacts on surrounding residents.
3. Council write to the DECC, DEWR, and to the Chair of the Threatened Species Scientific Committee, to request that audits of flying-fox numbers be conducted at local camp sites and throughout NSW and Australia to verify numbers and review the protected status of flying-foxes.
4. An on site meeting be held with affected residents to show works proposed under the Strategy and Vegetation Management Plan.
5. A further public information session be held to outline the way forward and to address health concerns expressed by the community.
6. The NSW Department of Health be requested to conduct more detailed investigations and surveys, and provide advice concerning issues raised by the community about the public health impacts of flying-foxes.

## LUHD21 Flying-Fox Management at West Coffs ...(Cont'd)

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7. The NSW Department of Health be asked to attend and address the public information session nominated in Recommendation 5, regarding community health concerns.
8. A Flying-fox forum be convened with other councils, agencies, and interested parties, concerning the management of flying-foxes and their impacts on local communities.
9. Council maintain liaison with affected West Coffs residents by way of the existing West Coffs Flying-fox Working Group.
10. The West Coffs Flying-fox Working Group have input into the site Vegetation Management Plan and the licence application/s for habitat modification works.
11. Council write to the Local State and Federal members requesting that they make representations on behalf of Council and the community in respect to the above recommendations.

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## LUHD22 DEVELOPMENT APPLICATION 281/07 – DEVELOPMENT (4 MULTI UNIT DWELLINGS) AND COMMUNITY TITLE SUBDIVISION – LOT 2, DP 1045219 PACIFIC HIGHWAY, SAPPHIRE BEACH

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To report back to Council on the outcome of the mediation session between the Developer, Applicant, neighbouring objectors and Council staff – following Council's directive at the March 2007 Meeting of Council. Namely:

*"The application be deferred pending mediation between the applicant, Council staff and the adjoining owners."*

The report recommends approval of the development application subject to conditions.

### **T23 RECOMMENDED** (Featherstone/Joass) that:

1. Development Application 281/07 for the development of 4 multi unit dwellings and Community Title subdivision be approved, subject to technical conditions (see Attachment B of previous Report – attached).
2. Those who made a submission on this Development Application be notified of Council's decision.

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## LUHD23 PUBLIC HEARING INTO THE RECLASSIFICATION OF COUNCIL OWNED LAND

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To report on the results of a Public Hearing into the reclassification of various Council owned properties from community land, and unclassified land to operational land. The reclassifications are being processed under Draft Coffs Harbour City Local Environmental Plan (LEP) 2000 (Amendment No. 30) and this report recommends that the Section 69 Report to the Department of Planning which recommends the Draft LEP for gazettal incorporate the information from the public hearing.

**T24 RECOMMENDED** (Palmer/McKelvey) that:

1. Council note the findings of the public hearing into the reclassification of land under Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 30).
2. The information contained in this report be incorporated into the Section 69 report to be submitted to the Department of Planning for the gazettal of Draft Local Environmental Plan 2000 (Amendment No. 30).
3. With regard to 564 Sherwood Road, Upper Corindi Lot 3 DP 571626 (Taylors Gravel Pit), and Council staff review the management of the quarry in consultation with the adjacent landowners.
4. Council's property section investigate the alignment of Sherwood Creek Road and the placement of the quarry, and if appropriate consider purchasing land where necessary.
5. With regard to 49 Kangaroo Trail Road, Corindi Beach Lot 4, DP 806515 (Corindi Sewage Treatment Plant), Council inform adjacent landowners that while the two villas located at 49 Kangaroo Trail Road, Corindi Beach are currently rented by members of the public, there is no immediate intention to subdivide the villas from the rest of the property.
6. Council staff investigate property maintenance issues relating to 49 Kangaroo Trail Road, Corindi Beach, with a view to slashing the site.
7. All persons who attended the public hearing and made representations on the land reclassifications proposed by Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 30) be advised of Council's decision.
8. Council make public the report of the public hearing held on Tuesday, 17 April 2007 by placing an advertisement in the local newspaper, and making copies available for view or purchase.

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**LUHD24 JETTY AREA DEVELOPMENT CONTROL PLAN (DCP) AND JETTY AREA CONTRIBUTIONS PLAN**

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**Cr Ovens declared he may have a non-pecuniary interest in the following item, vacated the chamber and took no part in the discussion or voting, the time being 7.04pm.**

To report to Council on revised parking requirements which apply to Council's Jetty Area DCP. The report recommends that Council place on exhibition the revised Jetty Area DCP and Jetty Area Car Parking Contributions Plan. Both documents are provided as separate attachments to this report.

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

1. Council exhibit the Draft Jetty Area Development Control Plan and the Draft Coffs Harbour Jetty Area Car Parking Developer Contributions Plan for at least 28 days in accordance with the provisions of Division 2, Clause 18 of the Environmental Planning and Assessment Act Regulations 2000.
2. Further report be submitted to Council for consideration on completion of the exhibition period.

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

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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.

**T26 RECOMMENDED** (Joass/Smithers) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 7.14pm.



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

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- 70** **RESOLVED** (McKelvey/Smithers) 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 7.14pm.

Confirmed: 21 June 2007

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K D Rhoades AFSM  
Mayor