

The following document is the minutes of the Council and Committee meetings held on 6 September 2007. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 20 September 2007 and therefore subject to change. Please refer to minutes of 20 September 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**

**6 SEPTEMBER 2007**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

#### (LAND USE, HEALTH & DEVELOPMENT COMMITTEE) 6 SEPTEMBER 2007

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

**Staff:** General Manager, Assistant General Manager/Director Corporate Business, Director Land Use, Health & Development, Executive Manager Strategic, Acting Manager Land Use Planning and Executive Assistant.

**Leave of Absence:** Cr D Featherstone

It was noted that Cr I Ovens is an apology.

The meeting commenced at 5.00pm 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	Dick Bienefelt	LUHD 34 – Alcohol Prohibition (Jetty Foreshores Reserve, Wonga Park and Shepherds Park) and Alcohol Free Zone (Jordan Esplanade and Associated Carparks)

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#### CONFIRMATION AND ADOPTION OF MINUTES

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- 107** **RESOLVED** (McKelvey/Palmer) that the minutes of the Corporate Business Committee Meeting held on 16 August 2007 be confirmed as a true and correct record of proceedings.

## GENERAL MANAGER'S REPORT

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### 15 ELECTION OF DEPUTY MAYOR

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To seek Council's decision on the election of a Deputy Mayor for the next twelve months.

**108 RESOLVED** (Bonfield/Hogbin) that:

1. Council elect a Deputy Mayor for the period 17 September 2007 to 26 September 2008.
2. Nominations be called and the method of election now be determined.

The General Manager as Returning Officer advised that one nomination, being for Cr R McKelvey, was received for the position of Deputy Mayor, Cr McKelvey was declared elected as Deputy Mayor for the ensuing twelve months – effective 17 September 2007.

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### 16 REAPPOINTMENT OF STANDING COMMITTEES AND ELECTION OF CHAIRPERSONS

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To reappoint Council's Standing Committees, appoint Councillors to the position of chairpersons of those committees and determine meeting times for the duration of the Council term.

**109 RESOLVED** (Hogbin/Palmer) that:

1. The Standing Committee structure remain unaltered for the remaining term of this Council.
2. The following timetable for Council's Standing Committees continue for the remaining term of this Council:

**COMMITTEE**

**MEETING TIME**

Land Use Health and  
Development

First Thursday of the month at  
5.00pm

City Services

First Thursday of the month after the Land Use Health  
and Development Committee

Corporate Business

Third Thursday of the month at 5.00pm

3. The Standing Committee Chairpersons be determined.
4. Council not hold a meeting on the first Thursday of August 2008 due to the half day Public Holiday for the Coffs Cup Race meeting and all business be dealt with at the Ordinary meeting scheduled for the third Thursday in August.
5. Council appoint an alternate representative to the Coffs Harbour Technology Park Ltd.

The Mayor called for nominations for the Committee Chairpersons and Deputy Chairpersons.

**Cont'd**

## **CORPORATE BUSINESS**

### **Chairperson**

Nominations received for Cr Ovens and Cr Hogbin. The Mayor declared **Cr Hogbin** elected Chairperson of Corporate Business Committee by a show of hands.

### **Deputy Chairperson**

Nomination received for Cr Ovens. As there were no other nominations, the Mayor declared **Cr Ovens** Deputy Chairperson of the Corporate Business Committee.

### **Second Deputy Chairperson**

Nomination received for Cr Joass. As there were no other nominations, the Mayor declared **Cr Joass** second Deputy Chairperson of the Corporate Business Committee.

## **LAND USE, HEALTH AND DEVELOPMENT**

### **Chairperson**

Nominations received for Cr McKelvey and Cr Featherstone. The Mayor declared **Cr McKelvey** elected Chairperson of the Land Use, Health and Development Committee by a show of hands.

### **Deputy Chairperson**

Nominations received for Cr Featherstone. As there were no other nominations, the Mayor declared **Cr Featherstone** Deputy Chairperson of the Land Use, Health and Development Committee.

## **CITY SERVICES**

### **Chairperson**

Nominations received for Cr Palmer and Cr Smithers. The Mayor declared **Cr Palmer** elected Chairperson of the City Services Committee by a show of hands.

### **Deputy Chairperson**

Nomination received for Cr Smithers. As there were no other nominations, the Mayor declared **Cr Smithers** Deputy Chairperson of the City Services Committee.

### **Alternative representative to the Coffs Harbour Technology Park**

Nomination received for Cr McKelvey. As there were no other nominations, the Mayor declared **Cr McKelvey** alternative representative to the Coffs Harbour Technology Park

All positions were approved by the relevant Councillors.

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

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**110 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 5.21pm.

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

## LAND USE, HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### LUHD32 4WD ACCESS TO BEACHES

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At the Corporate Services meeting of 20 July 2006, Councillor Smithers requested that Council undertake a review of its current policy and procedures in relation to 4WD access to beaches within the Coffs Harbour Local Government Area (LGA).

The purpose of this report is to advise Council of the various issues in relation to beach access and to recommend an appropriate outcome, i.e. undertaking a review.

#### **T33 RECOMMENDED** (McKelvey/Joass) that:

1. Council initially undertake a partial review of its Coastal Reserves Plan of Management to explore an interim seasonal closure of Hearnese Lake Beach to protect nesting sites for the endangered Little Tern.
2. Council undertake the full review of 4WD beach access in conjunction with the development of the Coffs Coast State Park Strategic Plan and the National Parks and Wildlife Service review of the Regional Park Plan of Management.
3. Prior to the full review, Council implement a range of measures including improving / upgrading existing signage on beaches where 4WDs are permitted; initiating a public awareness campaign regarding responsible 4WD behaviour on beaches; increasing Ranger patrols on beaches; and investigating the suitability of lowering the speed limit on beaches.

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### LUHD33 DRAFT COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN (LEP) 2000 (AMENDMENT NO. 26) LANDS ADJOINING COFFS HARBOUR HEALTH CAMPUS

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The purpose of this report is to present a draft Amendment to Coffs Harbour City LEP 2000 for Council's consideration. The draft Amendment, which is attached to this report, proposes rezoning of lands situated in the vicinity of Coffs Harbour Health Campus. The proposed rezoning will enable a wider range of community-based land uses for the part of the land owned by Council and provide environmental protection areas for existing threatened species habitat.

#### **T34 RECOMMENDED** (Palmer/Bonfield) that:

1. Council 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. The draft Coffs Harbour City Local Environmental Plan (Amendment No. 26) be exhibited in accordance with the "Best Practice Guidelines for Local Environmental Plans and Council land".
3. A further report be submitted to Council following the exhibition of draft Coffs Harbour City Local Environmental Plan (Amendment No. 26).

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**LUHD34 ALCOHOL PROHIBITION (JETTY FORESHORES RESERVE, WONGA PARK AND SHEPHERDS PARK) AND ALCOHOL FREE ZONE (JORDAN ESPLANADE AND ASSOCIATED CARPARKS)**

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To:

- Recommend the creation of an alcohol free zone over Jordan Esplanade and car park areas associated with the Foreshore Reserve.
- Recommend notices be placed to control the taking of and/or consumption of alcohol in the following locations:
  - Jetty Foreshore Reserve R140102 (including the Jetty structure)
    - an alcohol prohibition 9.00pm – 9.00am
  - Shepherds Park, corner Meadow Street and Azalea Avenue (Lot 102, DP1044963 and Lots 13-18, DP21113)
    - an alcohol prohibition 9.00pm – 9.00am
  - Wonga Park, corner 3<sup>rd</sup> Avenue and 1<sup>st</sup> Avenue, Sawtell, (Lot 8, DP14800 and Lot 14, DP850152)
    - an alcohol prohibition from 9.00pm – 9.00am.
- Recommend amending the existing 8.00pm and 10.00am prohibition to a 9.00pm – 9.00am prohibition within the reserve area to the north of the Jetty in order to create consistency within the whole Jetty Foreshore Reserve area and consistency with similar coastal recreation reserves.

**T35 RECOMMENDED** (Palmer/McKelvey) that:

1. Council use the powers granted by Section 632(1)(e) of the Local Government Act 1993 to prohibit the taking of and/or consumption of alcohol as follows:
  - within the Jetty Foreshore Reserve R140102, including the Jetty structure, between 9.00pm and 9.00am, as identified on the map attached to this report;
  - within Shepherds Park (Lot 102, DP1044963 and Lots 13-18, DP21113);
  - between 9.00pm and 9.00am as identified on the map attached to this report;
  - within Wonga Park (Lot 8, DP14800 and Lot 14, DP850152) between 9.00pm and 9.00am, as identified on the map attached to this report.
2. Council amend the existing 8.00pm – 10.00am prohibition north of the Jetty to a 9.00pm – 9.00am prohibition as identified on the map attached to this report.
3. Notices, to effect the above, be installed in the location of Jetty Foreshore Reserve, Shepherds Park, Coffs Harbour and Wonga Park, Sawtell.
4. Council engage in consultation as per Section 644A of the Local Government Act, on the creation of Alcohol Free Zone in the area of Jordan Esplanade and car parks identified on the map attached to this report.
5. Provided that no substantial objections be received, the General Manager be delegated authority to implement the Alcohol Free Zone, a 24 hours/seven days per week Alcohol Free Zones in Jordan Esplanade and car parks, using the powers granted by Sections 644, 644A, 644B, 644C, 645, 646 of the Local Government Act 1993 from 1 October 2007 to 30 September 2010.

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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.

**T36** **RECOMMENDED** (McKelvey/Palmer) that the Committee now move into Open Council.

The Mayor resumed chairmanship of the meeting at 5.50pm.

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

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**111** **RESOLVED** (Hogbin/Joass) 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 5.51pm.

Confirmed: 20 September 2007

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K D Rhoades AFSM  
Mayor