

The following document is the minutes of the Council and Committee meetings held on 1 November 2007. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 15 November 2007 and therefore subject to change. Please refer to minutes of 15 November 2007 for confirmation.



**COFFS HARBOUR CITY COUNCIL  
ORDINARY MEETING  
COUNCIL CHAMBERS  
COUNCIL ADMINISTRATION BUILDING  
COFF AND CASTLE STREETS, COFFS HARBOUR  
1 NOVEMBER 2007**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING

1 NOVEMBER 2007

**Present:** Councillors K D Rhoades (Mayor), R W McKelvey (Deputy Mayor), J C Bonfield, W D Featherstone, I D Hogbin, C O Joass and I J Ovens.

**Staff:** General Manager, Acting Director Corporate Business, Director Land Use, Health and Development, Director of City Services, Executive Manager Strategy and Sustainability, Acting Manager Land Use Planning, Executive Manager Business Units and Executive Assistant.

**Leave of Absence:** Councillor Palmer and Councillor Smithers

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

#### MAYORAL MINUTE

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#### 2 NAME OUR WHALE

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To update Council in relation to the naming of the whale.

137 **RESOLVED** (Rhoades) that:

Council note that a report will not be submitted to Council regarding the whale name, only the festival calendar.

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#### CONFIRMATION AND ADOPTION OF MINUTES

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138 **RESOLVED** (McKelvey/Joass) that the minutes of the Corporate Business Committee meeting held on 17 October 2007 be confirmed as a true and correct record of proceedings with the following change:

**“Minutes Corporate Business Meeting, 18 October 2007 (Page 8, Number 4)**

**Escalating Oil Prices**

*The General Manager to undertake a risk assessment of Coffs Harbour’s vulnerability to rising world oil prices, to identify/prioritise delivery of services in the face of expected escalating costs and reduced income. This would act as a feasibility study and help provide alternatives to some practices, activities or uses.”*

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## GENERAL MANAGER'S REPORT

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### 23 UPDATE ON CLIMATE CHANGE DEVELOPMENTS

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To update Council regarding climate change developments and to recommend that two Council representatives attend the United Nations Climate Change Conference in Indonesia in December 2007, at minimal cost to Council.

**139 RESOLVED** (Ovens/Featherstone) that:

1. Council's Executive Manager Strategy and Sustainability, Mr Jeff Green, and Council's Town Planning Officer, Mrs Lyn Green, represent Council and the City of Coffs Harbour at the Local Government Climate Change Sessions of the United Nations Climate Change Conference in Bali, Indonesia on 10-11 December 2007.
2. It be noted that the above officers have offered to personally meet all travel and accommodation expenses and that no registration fees are applicable.
3. Council elect to contribute financially to their attendance by way of two nights accommodation and associated living expenses, at an estimated total cost of \$500.00 and that paid leave of absence be granted to attend.
4. Council convey a letter of support to the Secretary General of ICLEI to wish ICLEI, and the United Nations a highly successful conference, and to voice Council's support for and commitment to climate change action.

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### 24 ARTS & CULTURAL COMMUNITY DEVELOPMENT SMALL GRANTS PROGRAM 2007/2008

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To advise Council on the distribution of funds from the Visual & Performing Arts Budget to the community through the Arts & Cultural Community Development Small Grants Program 2007/2008.

**140 RESOLVED** (Bonfield/Joass) that Council endorse the proposed distribution of funds in the Arts & Cultural Community Development Small Grants Program 2007/2008

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### LAND USE, HEALTH & DEVELOPMENT COMMITTEE

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**141 RESOLVED** (McKelvey/Joass) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Land Use, Health & Development Committee meeting, the time being 5.18pm.

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

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### **L36 DEVELOPMENT APPLICATION 333/08 - REDEVELOPMENT OF CAVANBAH HALL (DEMOLITION, BOUNDARY ADJUSTMENT AND ADDITIONAL CAR PARK), LOT 3, SECTION 4 DP 758258 (R.90985), NO. 191 HARBOUR DRIVE, COFFS HARBOUR AND LOT 102, DP 1058414, EARL STREET, COFFS HARBOUR**

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This is a report on Development Application 333/08 for redevelopment of Cavanbah Hall. The proposal involves demolition of the existing building, construction of a new building, minor boundary adjustment with the adjoining Community Village and construction of additional car parking. Conditional approval of the application is recommended.

- T37** **RECOMMENDED** (Rhoades/Joass) that Development Application 333/08 for redevelopment of Cavanbah Hall, Lot 3, Section 4, DP 758258 (R.90985), 191 Harbour Drive, Coffs Harbour & Lot 102, DP 1058414, Earl Street, Coffs Harbour be approved subject to Conditions as appended to this report (Appendix B).

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

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### **L37 UPDATE ON DRAFT LOCAL ENVIRONMENTAL PLAN (LEP) AMENDMENT NO. 31 - HALLS ROAD**

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**Cr Ovens declared a pecuniary interest in the following item, vacated the Chamber at 5.24pm and took no part in the discussion or voting, the reason being that he owns property in the area.**

The purpose of this report is to provide an update on the current status of Draft LEP Amendment No. 31 – Halls Road. The subject Draft LEP proposes to rezone Lot 10, DP1076396, Halls Road and Lot 300, DP867096, Pacific Highway, North Boambee Valley from Residential 2E Tourist zone to the Business 3B City Support zone.

- T38** **RECOMMENDED** (Rhoades/Bonfield) that:

1. Council note that staff are liaising with the Roads and Traffic Authority, the Department of Planning and the landowners' planning consultant to assist in the gazettal of Draft Local Environmental Plan No. 31 – Halls Road as expeditiously as possible.
2. Council endorse, in principle, the use of a Developer Principles Plan and modification of the Business Lands Development Control Plan upon gazettal of the subject lands.

**Cr Ovens returned to the meeting, the time being 5.28pm.**

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## **L38 COFFS HARBOUR CITY CENTRE DEVELOPMENT CONTROL PLAN REVIEW**

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**Cr Hogbin declared a pecuniary interest in the following item as he owns property in the area, stayed in the Chamber and took no part in the voting.**

This report outlines the review of the City Centre Development Control Plan (DCP) covering business zoned land in Coffs Harbour Central Business District (CBD) and the area covered by the special business rate. The review considers options for amending the City Centre DCP, and the Coffs Harbour City Centre Car Parking Developer Contributions Plan.

*Note: No change is required to the current Business Lands DCP.*

**T39 RECOMMENDED** (Rhoades/Bonfield) that:

1. Council note the findings of the Review of the Coffs Harbour City Centre Development Control Plan.
2. Council adopt the draft Coffs Harbour City Centre Development Control Plan and the draft Coffs Harbour City Centre Car Parking Developer Contributions Plan 2007.
3. Council, in accordance with the Environmental Planning and Assessment Act 1979, publicly exhibit the draft Coffs Harbour City Centre Development Control Plan and draft Coffs Harbour City Centre Car Parking Developer Contributions Plan 2007 for a period of 28 days.
4. Whilst the draft Plans are on public exhibition, CHCC staff liaise with landowners, the NSW Department of Planning, Coffs Harbour Chamber of Commerce and the UDIA.
5. Council note the proposed Contributions Plan is dependent upon the sale of 218 Harbour Drive and that \$900,000 from that sale be allocated to the proposed works in the Developer Contributions Plan.
6. The exhibition shall also include a history of the investigation into City Centre parking that will impart the vision relative to the short, medium and long term possibilities.

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### **DIVISION**

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

**FOR**

Cr Ovens  
Cr Joass  
Cr Rhoades  
Cr McKelvey  
Cr Bonfield

**AGAINST**

Cr Featherstone

**Cr Hogbin took no part in the voting.**

## CORPORATE BUSINESS DEPARTMENT REPORT

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### C78 TOORMINA SHOPPING CENTRE REDEVELOPMENT - GRANT OF EASEMENT

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To seek Council approval for the grant of an easement over Part of Lot 1001 DP 711984 Minorie Drive, Toormina.

**T40** **RECOMMENDED** (Ovens/Featherstone) that:

1. Council grant an easement (subject to survey and final design of the retention basin and the terms and conditions contained in this report) over that part of Lot 1001 DP 711984 as indicated on the plan attached to the report.
2. Council acknowledge that the easement is for the purpose of carrying out development in accordance with DA 1213/06 (as amended) and is to be granted to the owners of the adjoining land, CPT Custodian Pty Limited ACN 077 870 243 (Centro) subject to the payment to Council of \$400,000 (exclusive of GST) and other costs as identified in this report.
3. Any necessary documents be executed under the common seal of Council.
4. The allocation of the nett proceeds from the grant of the easement be determined by Council at the budget review following receipt of the funds.
5. Following an exchange of letters between the parties, Council grant access, via a licence agreement, to Centro to the subject land for the purposes of carrying out works in accordance with the approved development. The licence agreement is to be conditional upon the signing, within one month of Council's resolution, of the Deed of Agreement, as described in the report, by Centro.

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### CONCLUSION OF MEETING

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

The Mayor resumed chairmanship of the meeting at 6.00pm.

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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.

**T41** **RECOMMENDED** (Ovens/Featherstone) that the Committee now move into Open Council.

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

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- 142 RESOLVED** (Featherstone/Ovens) 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 6.00 pm.

Confirmed: 15 November 2007

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Keith Rhoades AFSM  
Mayor