



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

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

7 FEBRUARY 2008

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ORDINARY MEETING

7 FEBRUARY 2008

Mayor and Councillors

GENERAL MANAGER'S REPORT

30 2008/2011 MANAGEMENT PLAN - PROJECT SCHEDULE

Purpose:

To seek approval for a project schedule to develop Council's 2008/2011 Management Plan. This report recommends that a Draft Management Plan be scheduled for public exhibition in April 2008.

Description of Item:

Council's Management Plan contains performance targets, budgets, fees and charges and related policies for services.

This report outlines the recommended project schedule for community consultation and further development of Council's 2008/2011 Management Plan. This report also provides a timetable of meetings that require attendance by Councillors to help develop the Plan.

Sustainability Assessment:

- **Environment**

There are no environmental impacts associated with the adoption of a project schedule. The activities proposed in the project schedule may incur printing and energy costs. Consistent with Council policy, these costs will be kept to a minimum. Environmental issues relating to Council and the city are identified and addressed in a number of strategies encompassed by the Management Plan.

- **Social**

The adoption of the proposed project schedule will assist community participation in the Management Planning process. The Management Plan includes a number of strategies to enhance the social development of Coffs Harbour.

Cont'd

- **Economic**

Broader Economic Implications

There are no broad economic impacts associated with the adoption of a project schedule. The Management Plan includes a number of strategies to assist and contribute to the economic development of Coffs Harbour.

Management Plan Implications

Council's annual budget allows for the activities proposed in the project schedule. This expenditure is monitored through Council's monthly and quarterly budget reviews.

Consultation:

The development of Council's Management Plan is a consultative process involving Councillors, staff and the community. The adoption of the project schedule is the first step in this process.

The schedule proposes that a workshop be held on Wednesday, 13 February 2008 to allow Councillors to begin reviewing strategic directions and priority projects for the 2008/2011 Management Plan period. The information and directions arising from that session will form the basis for the preparation of programs and budgets by senior staff and managers.

It is recommended that a Draft Management Plan be presented to Council for consideration and adoption at Council's meeting on 3 April 2008.

The adopted Draft Plan will then be placed on public exhibition for a 28-day period from Monday, 7 April until close of business on Monday, 5 May 2008.

Public consultation during this period will include: meetings with management committees of council facilities; consultations with key community groups; public information displays, media releases and newspaper advertising.

Community submissions to the draft plan, a summary of recommended actions and responses to submissions, and a Final Draft Management Plan will be presented for consideration at the Council meeting on Thursday, 5 June 2008.

The final 2008/2011 Management Plan will be posted on Council's website by 30 June 2008. The document will be printed and distributed in July 2008.

Cont'd

Related Policy and / or Precedents:

This is to be Council's 15th Management Plan prepared under the 1993 Local Government Act.

Council has raised a number of issues during 2007/2008 to be considered during the preparation of the 2008/2011 Management Plan:

1. *Jetty Structure Refurbishment* – Resolution 166; 13 December 2007
 - Council allocates the difference between the available funds in the Community Facility Program (\$1,200,000) and the required amount as estimated at an upper limit of \$1,600,000 in the 2008/09 Management Plan.

2. *Woolgoolga CBD Improvements* – Recommendation EN20; 5 April 2007
 - Council prepare cost estimates for improvement to street lighting and landscape works in Beach Street Woolgoolga for consideration in the 2008/09 Management Plan.
 - Council prepare cost estimates for completion of streetscape works in River Street Woolgoolga for consideration in the 2008/09 Management Plan.
 - Council include Market Street streetscape works for consideration in the 2008/09 Management Plan.

3. *Nana Glen Sports and Equestrian Centre Improvements* – Rec. EN41; 5 July 2007
 - That, if (the grant application is) successful, Council consider matching the funding with an allocation of \$22,500 in the 2008/2009 Management Plan.

4. *Coffs Harbour Library and Information Service* – Rec. EN42; 5 July 2007
 - Considers, as part of the preparation of the 2008/2009 Management Plan, a rate variation which includes an annual percentage being allocated to library operations.

5. *Lighting – Rex Hardaker Oval/Rugby Park* – Rec. CB67; 19 July 2007
 - That if (the grant application is) successful, Council consider matching funding on a dollar for dollar basis up to a maximum of \$30,000 in the 2008/2009 Management Plan.

6. *Coramba Timber Bridge* – Rec. EN73, 1 November 2007
 - The bridge be demolished and consideration of funding of that budget in conjunction with the 2008/09 Management Plan.

7. *Multicultural Reference Group* – Rec. EN79; 13 December 2007
 - Consider voting an amount of \$4,000 in its 2008/2009 budget for ongoing multicultural initiatives.

Statutory Requirements:

Section 402-407 of the 1993 Local Government Act describes what needs to be included in Council's Management Plan. Additional requirements are set out in Local Government (General) Regulation 2005 – Part 9, Division 2 (Draft Management Plans) and Division 3 (Management Plans and budgeting by councils).

Cont'd

Council is required, among other things, to adopt a Management Plan by 30 June each year. The Draft Plan must be placed on public exhibition for a period of 28 days. Council must consider submissions received on the draft Plan before adopting the final Plan.

Issues:

Community Consultation

Council is committed to maximizing community awareness and participation in the 2008/2011 Management Planning process. As in previous years, the community consultation strategy will include meetings with focus groups and interested individuals, displays at public centres, media releases and advertising.

The public exhibition of the Draft Plan will be advertised in local newspapers. The Draft Plan will be displayed on the Council Website, at the Library's three branches and in the foyer of the Council Administration Building in Castle Street. All exhibition material will promote the opportunity for the community to make submissions about the Draft Management Plan.

Environmental Levy

Council has previously resolved to include the determination of projects to be funded from the Environmental Levy in the Management Planning process.

Submissions for the 2008/2009 Environmental Levy closed on 14 December 2007. The Environmental Working Group will shortly consider submissions on 12 February 2008 and prepare a recommended list of projects for consideration and adoption by Council. These projects will then be incorporated into the Draft 2008/2011 Management Plan.

Options

Council is required by law to prepare and exhibit a Draft Management Plan and to adopt a Management Plan on an annual basis. The process takes a number of months, involves the entire Council organization, and requires community engagement. The adoption of a project schedule is sound practice in initiating a project of this scale.

Implementation Date / Priority:

Subject to Council approval, development of Council's 2008/2011 Management Plan will continue as a high priority project according to the adopted schedule.

Cont'd

Recommendation:

1. The following project schedule for developing Council's 2008/2011 Management Plan be adopted.

Meeting/Activity	Date	Councillor Participation
Senior Staff/Managers consultations	From 8 Feb 2008	N/A
Councillor workshop #1 on strategic priorities/ budgets	13 Feb 2008	Yes
Councillor workshop #2	27 Feb 2008	Yes
Consider Draft Plan for adoption for public exhibition	3 Apr 2008	Yes
Public exhibition period (includes information sessions, displays, media activities, etc)	7 April to 5 May 2008	As required
Consideration of Submissions / Review of Draft Plan	From 5 May 2008	As required
Consider final Management Plan for Adoption	5 June 2008	Yes
Lodge Management Plan with Department of Local Government	By 30 June 2008	N/A

2. Councillors note their participation is requested at the meetings, as outlined in the schedule contained within this report, to develop Council's 2008/2011 Management Plan.
3. The Environmental Working Group's recommended list of projects (to be funded from the 2008/2009 Environmental Levy) be submitted for inclusion in the Draft Management Plan for consideration by Council.

Stephen Sawtell
General Manager

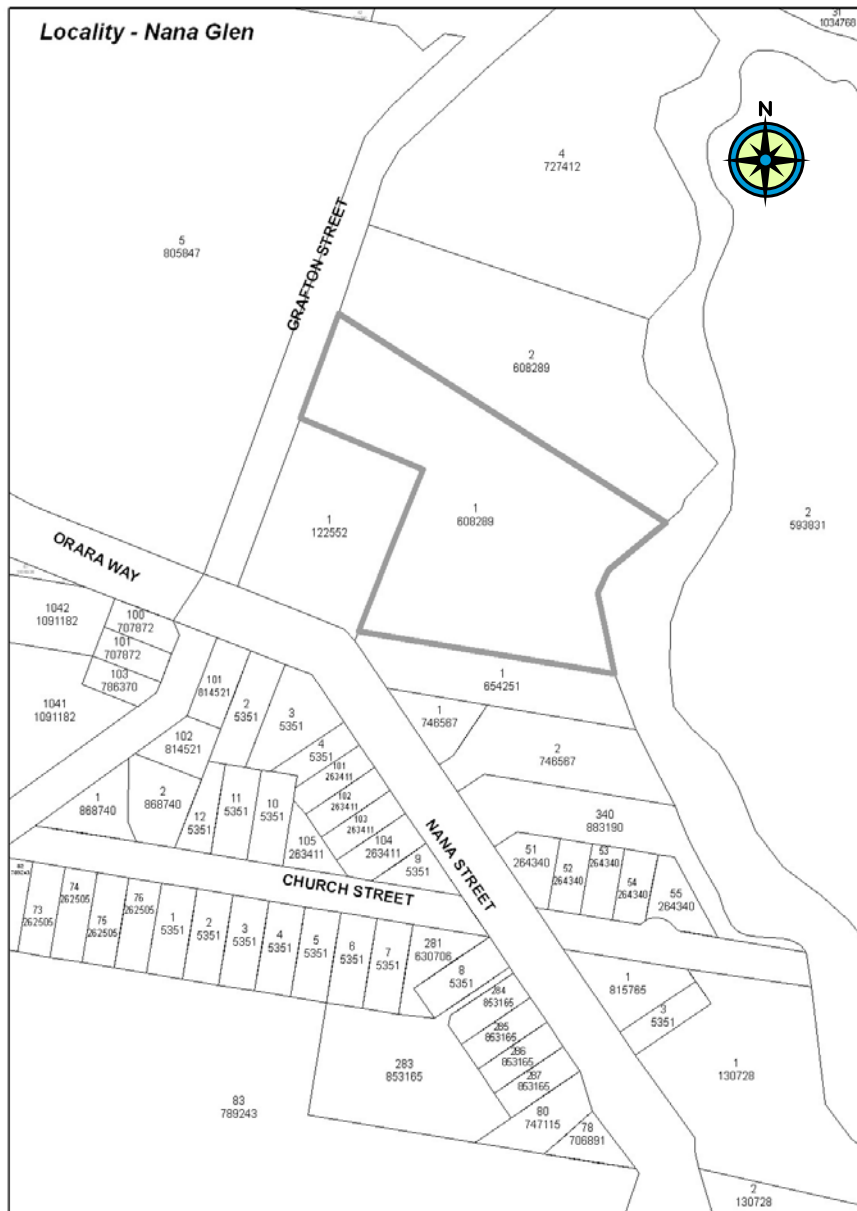
LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L45 APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT 612/06 FOR A PUBLIC SWIMMING POOL AND AMENITIES AT LOT 1 DP 608289, ORARA WAY, NANA GLEN

AMENDED AS OF 5 FEBRUARY 2008

Purpose:

To consider an Application to Modify Development Consent 612/06 for a public swimming pool and amenities. The report recommends that the Application to Modify Development Consent be approved.



Locality Map

Cont'd

L45 Application for Modification of Development Consent 612/06 for a Public Swimming Pool and Amenities at Lot 1 DP 608289, Orara Way, Nana Glen ...(Cont'd)

Description of Item:

- **Proposal**

The proposal is to modify condition 9 of Development Consent 612/06 in relation to the operating hours of the recently completed swimming pool facility.

Condition 9 currently reads as follows:

“9. The swimming pool is only to operate from September to April during the following hours:

<i>Monday – Friday</i>	<i>7.00am – 6.00pm</i>
<i>Saturday</i>	<i>8.00am – 3.00pm</i>
<i>Sunday</i>	<i>10.00am – 3.00pm”</i>

It is proposed that the condition be modified to allow for the swimming pool to operate from September to April (inclusive) during the following hours:

<i>Monday to Friday</i>	<i>7.00am to 6.00pm*</i>
<i>Saturday</i>	<i>8.00am to 6.00pm*</i>
<i>Sunday</i>	<i>10.00am to 6.00pm*</i>

**Discretion to extend to 8.00pm as required.*

- **Site and Locality**

The site is owned by the Department of Education and is located on the corner of Nana and Grafton Streets within the village of Nana Glen. Rural land adjoins the site to the north with the Orara River to the east. The Nana Glen Public School buildings are positioned to the south with Grafton Street and rural land to the west (Appendix B).

Sustainability Assessment:

- **Environment**

Noise mitigation measures include an acoustic barrier and the enclosure of mechanical equipment; these have now been completed.

- **Social**

The extension of the hours to 6:00pm on Saturday and Sunday will allow the community to maximize the use of the facility during the hot summer months. Discretion to extend to 8.00pm as required will also allow Orara Valley community groups (for example, Nana Glen Heart Start, Fire Brigade, School P&C and various sporting groups) to hold special fund raising events.

The initial development application attracted one objection from a nearby resident concerned about possible noise and amenity issues. Noise mitigation and screening measures have been put in place as part of the development. It is considered that these measures effectively address these issues and will continue to do so with the proposed extension of operating hours.

Cont'd

L45 Application for Modification of Development Consent 612/06 for a Public Swimming Pool and Amenities at Lot 1 DP 608289, Orara Way, Nana Glen ...(Cont'd)

- **Economic**

The extended hours may result in additional admissions fees; however this may be offset by the additional running costs depending on patronage.

- **Broader Economic Implications**

The successful operation of the pool - as a community facility and a local attraction – will reinforce the contribution it can make as a new economic driver for the Orara Valley. Local community groups will benefit financially from the availability of the venue for fund raising events.

- **Management Plan Implications**

Additional operating costs may result if the pool hours are extended.

Consultation:

The Application to Modify the Development Consent has been advertised and notified in accordance with the Notification Development Control Plan (DCP). One submission has been received from an adjoining property owner to the north of the site.

An on-site meeting was held with the owners of this property on 5 December 2007, prior to the submission being made. The following issues were raised in the submission in relation to the proposed hours of operation:

- the impact of noise from the site; and
- the impact of privacy from the site.

These are addressed in the Issues section of this report.

Statutory Requirements:

Section 79C of the Environmental Planning and Assessment (EP&A) Act 1979 specifies the matters which a consent authority must consider when determining a Development Application and an application to modify a Development Consent. The consideration of matters is limited insofar as they must be of relevance to the particular application being examined. The Section 79C Evaluation is appended to this report (Appendix A) and provides a detailed assessment of the application.

Issues:

The relevant concerns contained in the submission from the affected property owner in relation to the proposed operating hours are responded to as follows:

- **Noise**

A noise impact report was prepared by a Noise Control and Acoustic Consultant and submitted with the Development Application previously approved by Council. The consultant's report considered the impact of noise on the nearest residence which is positioned approximately 32 metres from the pool enclosure and 44 metres to the pool edge.

Cont'd

L45 Application for Modification of Development Consent 612/06 for a Public Swimming Pool and Amenities at Lot 1 DP 608289, Orara Way, Nana Glen ...(Cont'd)

The report predicted that patrons' voices would have the potential to exceed the day and evening Project Specific Noise Levels (PSNL) at the nearest residence and that the predicted noise levels could be significantly reduced with the provision of a noise barrier, providing the barrier was of sufficient length to prevent flanking transmissions. Accordingly, a 34 metre long noise barrier was installed within the swimming pool grounds to mitigate any such impact.

A further noise impact report dated 10 January 2008 was submitted in response to condition 2 of the development consent and the proposed extension of hours. The report included noise level readings recorded during and after operating hours. The maximum number of patrons at the swimming pool during operating hours was 40.

The consultant's report concludes that the existing operation of the pool does not result in receiver noise levels at the nearest residence - resulting from patrons' voices within the pool site - that are the basis for justifiable noise complaints. It is also the consultant's opinion that extending the operating hours up to 8.00pm will not result in receiver noise levels at the nearest residence that would justify noise complaints.

- **Privacy**

The impact on loss of privacy at the adjoining residence has been minimised by screening provided by the acoustic barrier. This will be enhanced when landscape plantings - within the swimming pool grounds and along the eastern boundary - mature to create further screening.

Recommendation:

1. That the application to Modify Development Consent 612/06 (Condition 9) for the extension of operating hours of the public swimming pool at Lot 1 DP 608289, Orara Way, Nana Glen be approved.
2. That Condition 9 be amended to read:

The swimming pool is only to operate from September to April (inclusive) during the following hours:

Monday – Friday	7.00am – 6.00pm*
Saturday	8.00am – 6.00pm*
Sunday	10.00am – 6.00pm*

*Discretion to extend to 8.00pm as required.

3. That those who lodged a submission to this development application be notified of Council's decision.

Mark Salter
Director
Land Use, Health and Development

79C Evaluation

Application to Modify Development Consent 612/06

1. Matters for consideration general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

a. the provisions of:

i. any environmental planning instrument, and

- **Local Environmental Plan 2000**

The site is zoned 1A Rural Agriculture. The proposed development constitutes a “recreation area” which is permissible in the zoning with development consent.

- **North Coast Regional Environmental Plan**

The above REP does not contain any controls in relation to hours of operation.

ii. any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and

There are no draft environmental planning instruments of relevance to this application.

iii. any development control plan, and

Nana Glen-Bucca DCP
Off-Street Parking DCP

The above DCPs do not contain any controls in relation to hours of operation.

iv. the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

There are no matters prescribed by the regulations that are of relevance to this application.

b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The extension of operating hours will allow the community to maximise the use of the swimming pool for general physical activity and social interaction, and will provide an opportunity for community groups to use the facility for fund raising events.

c. the suitability of the site for the development,

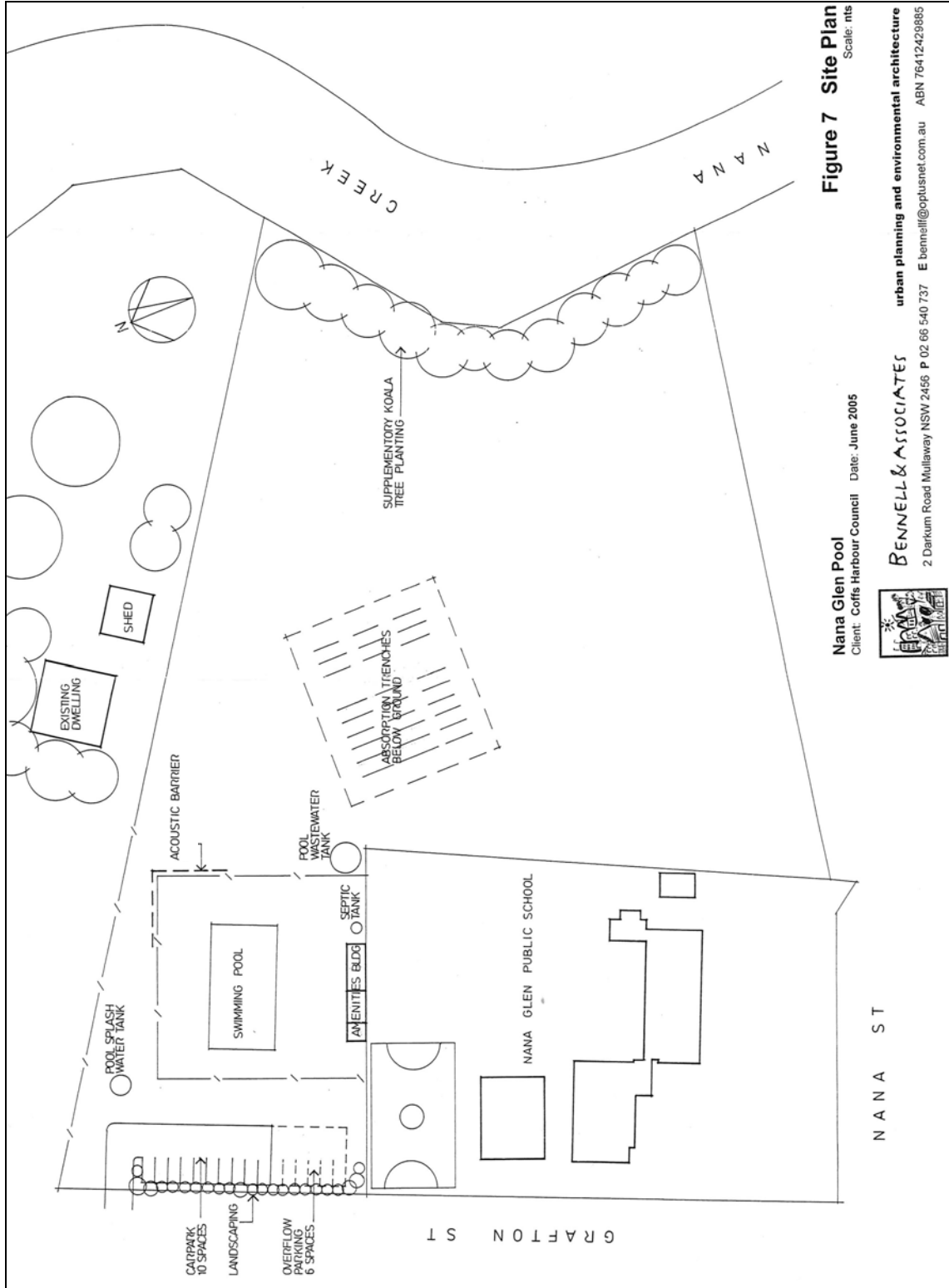
The swimming pool is an existing facility that has been operating for 2 months. The application is for the extension of operating hours of the facility only.

d. any submissions made in accordance with this Act or the regulations,

The application was advertised and notified in accordance with Council's Notification DCP. One submission was received from the owner of an adjoining property. The issues raised have been considered in the assessment of this application and are outlined in the report.

e. the public interest,

The application is considered to be within the public interest. The extension to operating hours will provide valuable social and recreational benefits to the local and outlying community.



Site Plan

Figure 7 Site Plan
Scale: n/s

Nana Glen Pool
Client: Coffs Harbour Council Date: June 2005



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