

The following document is the minutes of the Council and Committee meetings held on 5 June 2008. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 19 June 2008 and therefore subject to change. Please refer to minutes of 19 June 2008 for confirmation.



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

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

5 JUNE 2008

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

5 JUNE 2008

Present: Councillors K D Rhoades (Mayor), R W McKelvey (Deputy Mayor), J C Bonfield, W D Featherstone, I D Hogbin, I J Ovens, W R Palmer and G R Smithers.

Staff: General Manager, Director Corporate Business (Acting), Director Land Use, Health and Development, Director of City Services, Acting Manager Land Use Planning, Manager Land Use Management and Executive Assistant.

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

APOLOGY

- 64** **RESOLVED** (McKelvey/Palmer) that an apology received from Councillor Joass for unavoidable absence is received and leave be granted for the current meeting of Council.

Cr Rhoades thanked the Deputy Mayor for the role that he played as the Acting Mayor during his absence.

PUBLIC FORUM

Time	Speaker	Item
5.00pm	Col South (Museum Volunteers)	Museum
5.05pm	Tony Clarke (Executive Director – North Coast Academy of Sport)	Funding Request in Budget

PUBLIC ADDRESS

Time	Speaker	Item
5.10pm	George Cecato	L9 – Dual Occupancy Development and 2 Lot Subdivision, Lot 4 DP 877897, 24 Breakers Way, Korora
5.15pm	Paul Massey-Reid	L10 – Development Application 1011/08 - Meditation Centre (Educational Establishment), Lot 33 DP 862643, 26b Jaboh Close, Upper Orara
5.20pm	Mark Petersen	L10 – Development Application 1011/08 - Meditation Centre (Educational Establishment), Lot 33 DP 862643, 26b Jaboh Close, Upper Orara

CONFIRMATION AND ADOPTION OF MINUTES

- 65** **RESOLVED** (Ovens/Smithers) that the minutes of the Corporate Business Committee meeting held on 15 May 2008 be confirmed as a true and correct record of proceedings.
- 66** **RESOLVED** (McKelvey/Smithers) that the minutes of the Special Committee meeting held on 22 May 2008 be confirmed as a true and correct record of proceedings.

LAND USE, HEALTH & DEVELOPMENT COMMITTEE

- 67** **RESOLVED** (Palmer/McKelvey) that the Ordinary Meeting of Council be adjourned and Council now resolve into the Land Use, Health & Development Committee meeting, the time being 5.37 pm.

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

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L9 DEVELOPMENT APPLICATION 875/08 - DUAL OCCUPANCY DEVELOPMENT AND 2 LOT SUBDIVISION - LOT 4 DP 877897, 24 BREAKERS WAY, KORORA

To consider development application 875/08 for an attached dual occupancy and 2 lot subdivision at 24 Breakers Way, Korora.

MOTION

MOVED (Palmer/Featherstone) that:

1. Development Application 875/08 for a dual occupancy development and 2 lot subdivision at - Lot 4 DP 877897, No. 24 Breakers Way, Korora be approved subject to attached conditions (see Appendix C).
2. Those persons who made a submission on this application be informed of Council's determination.

The **MOTION** on being put to the meeting was **LOST**.

- T13 RECOMMENDED** (Bonfield/Smithers) that the application be refused as it does not meet the future desired character of the area due to impacts on amenity, aesthetics and neighbourhood character.

L10 DEVELOPMENT APPLICATION 1011/08 - MEDITATION CENTRE (EDUCATIONAL ESTABLISHMENT), LOT 33 DP 862643, 26B JABOH CLOSE, UPPER ORARA

This is a report on Development Application 1011/08 for a Meditation Centre (Educational Establishment) at 26B Jaboh Close, Upper Orara. Council has received twelve written objections to the proposal.

All of the matters that have been raised in submissions have been considered in assessment of the application. It is recommended that the application be approved subject to conditions.

- T14 RECOMMENDED** (Palmer/Rhoades) that this recommendation be deferred requesting further information to be addressed by technical staff and a further report be brought back to Council.

**L11 DEVELOPMENT APPLICATION 702/08, LOT 4 DP 6522, LOADERS LANE
COFFS HARBOUR – SENIORS LIVING DEVELOPMENT**

This is a report on Development Application 702/08 for a Seniors Living Development consisting of 95 individual living units at Loaders Lane, Coffs Harbour. A number of written objections to the proposal have been received. It is recommended that the application be approved subject to conditions.

T15 RECOMMENDED (Bonfield/Ovens) that:

1. Development Application Number 702/08 for a Seniors Living Development (95 individual Living units, community centre and associated facilities), Lot 4, DP 6522, Loaders Lane, Coffs Harbour, be approved subject to conditions as appended to this report (Appendix B) and the approval terms issued by NSW Rural Fire Service.
2. Those persons who made submissions on this Development Application be informed of Council's decision.

**L12 DRAFT COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN 2000
(AMENDMENT NO. 26) - LANDS ADJOINING COFFS HARBOUR HEALTH
CAMPUS**

To report on the results of the exhibition of a draft rezoning, applying to lands adjoining Coffs Harbour Health Campus. The report recommends that Council adopt Coffs Harbour City Local Environmental Plan (LEP) 2000 (Amendment No. 26) and forward it to the Department of Planning (DoP) for gazettal. The draft Amendment is attached to this report.

T16 RECOMMENDED (Palmer/Hogbin) that:

1. In accordance with Section 68 of the Environmental Planning and Assessment Act 1979, Coffs Harbour City Local Environmental Plan 2000 (draft Amendment No. 26) (as attached to this report) be submitted to the Department of Planning for gazettal.
2. Parties who made a submission to Coffs Harbour City Local Environmental Plan 2000 (draft Amendment No. 26) be informed of Council's decision.

L13 AMENDMENT TO BUSINESS LANDS DEVELOPMENT CONTROL PLAN

Cr Ovens declared a pecuniary interest in the following item, vacated the chamber at 6.24pm 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 seek Council's approval to exhibit an amendment to the Business Lands Development Control Plan (DCP) as a result of the recent gazettal (24 April 2008) of Coffs Harbour City Local Environmental Plan (LEP) 2000 – Amendment No. 31 (Halls Road). This Amendment applied to the following land parcels.

T17 RECOMMENDED (Rhoades/Palmer) that:

1. Council exhibit the Draft Business Lands Development Control Plan (provided as an attachment to this report) for at least 28 days in accordance with the provisions of Division 2, Clause 18 of the Environmental Planning and Assessment Regulations 2000.
2. If no submissions are received during the exhibition period that the amended Business Lands Development Control Plan come into force after completion of the exhibition period.

Cr Ovens returned to the meeting, the time being 6.25pm.

CONCLUSION OF MEETING

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

The Mayor resumed chairmanship of the meeting at 6.25 pm.

OPEN COUNCIL

The Mayor requested a motion to close the Committee meeting and move into Open Council.

T18 RECOMMENDED (Palmer/Hogbin) that the Committee now move into Open Council.

ADOPTION OF LAND USE, HEALTH & DEVELOPMENT COMMITTEE REPORT

- 68** **RESOLVED** (Smithers/Hogbin) 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 6.26 pm.

Confirmed: 19 June 2008

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Keith Rhoades AFSM
Mayor