

The following document is the minutes of the Council and Committee meetings held on 22 January 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 12 February 2009 and therefore subject to change. Please refer to minutes of 12 February 2009 for confirmation.



**COFFS HARBOUR CITY COUNCIL**  
**EXTRAORDINARY MEETING**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**22 JANUARY 2009**

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## COFFS HARBOUR CITY COUNCIL

### EXTRAORDINARY MEETING

22 JANUARY 2009

Present: Councillors K Rhoades (Mayor), J Arkan, J Bonfield, R Degens, M Graham, K Hines, D Knight, W Palmer and P Templeton.

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

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

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#### DISCLOSURES OF INTEREST

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There were no disclosures of interest tabled by Councillors.

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#### PUBLIC ADDRESS

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Time	Speaker	Item
5.00pm	John Coady, John Coady Consulting	L2 Development Application 1314/07 - proposed demoliton of motel, construction of tavern, dwelling units and basement car park - Lots 5 & 6, DP 17296, No. 78 Beach Street, Woolgoolga
5.05pm	Ben Kelsall, Intermountain Holdings Pty Ltd & Beach Street Properties Pty Ltd	L2 Development Application 1314/07 - proposed demoliton of motel, construction of tavern, dwelling units and basement car park - Lots 5 & 6, DP 17296, No. 78 Beach Street, Woolgoolga

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

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### L1 CONTROL OF OPEN BURNING

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The Department of Environment and Climate Change (DECC) are currently remaking the Protection of the Environment Operations (POEO) (Clean Air) Regulation 2002 and are seeking confirmation from Council of the nomination listing on Schedule 8 by the 13 February, 2009.

This report recommends that Council remains listed under Schedule 8, Parts 2 and 3 of the POEO (Control of Burning) Regulation, which prohibits the open air burning of domestic waste and burning of vegetation waste and that the restriction on specific areas within the Coffs Harbour local government area (LGA) be continued.

**1 RESOLVED** (Palmer/Arkan) that:

1. Council confirm listing in Parts 2 and 3 of Schedule 8 of the Protection of the Environment Operations (Clean Air) Regulation.
2. Council grant general approval for burning on land other than land zoned:
  - Residential: 2A, 2B, 2C, 2D, 2E;
  - Business: 3A 3B, 3C, 3D, 3E 3F, 3G;
  - Industrial: 4A.

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### L2 DEVELOPMENT APPLICATION 1314/07 - PROPOSED DEMOLITION OF MOTEL, CONSTRUCTION OF TAVERN, DWELLING UNITS AND BASEMENT CAR PARK - LOTS 5 & 6, DP 17296, NO. 78 BEACH STREET, WOOLGOOLGA

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This report describes Development Application 1314/07 for demolition of the existing motel and the construction of a new tavern, eight dwelling units and basement car park. The proposed development site is Lots 5 and 6, DP 17296, No. 78 Beach Street, Woolgoolga. Conditional approval of the application is recommended.

#### MOTION

**2 MOVED** (Bonfield/Palmer) that:

1. Development Application 1314/07 for a demolition of motel, construction of tavern, dwelling units and basement car park on Lots 5 and 6, DP 17296, No. 78 Beach Street, Woolgoolga be approved subject to Conditions as appended to this report (Appendix B).
2. Those persons who made submissions on the application be advised of Council's determination.
3. The maximum number of tavern patrons is limited to 250 people at any time.
4. Younger Lane being reconstructed to full-width asphaltic seal with kerb and gutter from the existing reinforced concrete section to the bend where the lane turns to the north. Plans and specifications complying with Council's Development Design and Construction Specifications are to be submitted to Council for approval prior to the commencement of work.

**Cont'd**

**L2 Development Application 1314/07 - Proposed Demolition of Motel, Construction of Tavern, Dwelling Units and Basement Car Park - Lots 5 & 6, DP 17296, No. 78 Beach Street, Woolgoolga...(Cont'd)**

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**AMENDMENT**

**MOVED** (Arkan/Degens) that:

the approval be deferred until the applicant has applied for and passed the new liquor licensing laws, in particular a new Community Impact Statement.

**VOTED FOR**

Arkan  
Degens  
Graham

**VOTED AGAINST**

Templeton  
Hines  
Knight  
Bonfield  
Rhoades  
Palmer

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

**VOTING ON THE MOTION**

**VOTED FOR**

Templeton  
Hines  
Knight  
Bonfield  
Rhoades  
Palmer  
Graham

**VOTED AGAINST**

Arkan  
Degens

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

**SUPPLEMENTARY MOTION**

**3 MOVED** (Bonfield/Hines) that:

1. The traffic movements of Younger Lane, Woolgoolga be referred to the Traffic Committee for review of directions and pedestrian safety improvements.
2. All monies collected under Section 94 contributions for parking by the development of 78 Beach Street be directed to works covered by the Off Street Car Parking Developer Contributions Plan (Woolgoolga area).

**VOTED FOR**

Templeton  
Hines  
Knight  
Bonfield  
Rhoades  
Palmer  
Arkan  
Degens  
Graham

**VOTED AGAINST**

Nil

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**L3 EXTENSION TO EXHIBITION PERIOD OF THE COFFS HARBOUR RURAL RESIDENTIAL STRATEGY**

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The purpose of this report is to seek Council's approval to extend the exhibition period of the draft Rural Residential Strategy Review until the end of February 2009.

**4 RESOLVED** (Templeton/Arkan) that:

The draft Rural Residential Strategy Review be further exhibited until the end of February 2009.

**VOTED FOR**

Templeton  
Hines  
Knight  
Bonfield  
Rhoades  
Palmer  
Arkan  
Degens  
Graham

**VOTED AGAINST**

Nil

**CITY SERVICES DEPARTMENT REPORTS**

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**S1 NSW SPORT & RECREATION CAPITAL ASSISTANCE PROGRAM GRANT APPLICATION 2008/2009 - EASTERN DORRIGO SHOWGROUND & COMMUNITY HALL**

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To seek approval from Council to commit to a financial contribution following an application for Capital Assistance made to the NSW Sport and Recreation Department to enable upgrades to the Eastern Dorrigo Showground and Community Hall.

**5 RESOLVED** (Palmer/Templeton) that if the application for funding to the NSW Sport and Recreation Department Capital Assistance Program for upgrade works to the Eastern Dorrigo Showground and Community Hall is successful, Council consider the contribution of \$25,200 matching funds in the 2009/2010 Management Plan.

## CORPORATE BUSINESS DEPARTMENT REPORTS

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### **C1 REQUEST FROM WOOLGOOLGA SLSC FOR FUNDING TO HOST NSW COUNTRY SURF LIFE SAVING CHAMPIONSHIPS 2010 - 2012**

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This report outlines the viability of Coffs Harbour City Council investing \$25,000 per year for 3 years toward a hosting fee for the NSW Country Surf Life Saving Championships from 2010 – 2012.

**6 RESOLVED** (Palmer/Bonfield) that:

1. Coffs Harbour Sports Unit, Coffs Coast Marketing and EDU, along with Woolgoolga SLSC, continue to lobby local Chambers of Commerce and Tourism Association to seek financial support of this event from their members.
2. Coffs Coast Marketing negotiate with Woolgoolga SLSC and Surf Life Saving NSW to secure an accommodation booking system similar to that used by OZTAG as part of the event. That 50% of the commission proceeds be provided to the Woolgoolga SLSC as Council's contribution to the event.
3. Woolgoolga SLSC be encouraged to utilize the profits from food and beverage sales at the event to increase their contribution to the event in subsequent years.
4. That Council underwrite the application to a total of value of \$10,000 in addition to the funds already committed should these Council funds be needed to secure the event. That these funds be drawn from the Events Seed Funding project if needed.

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### **C2 BANK BALANCES AND INVESTMENTS FOR DECEMBER 2008**

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To list Council's Bank Balances and Investments as at 31 December 2008.

**7 RESOLVED** (Bonfield/Hines) that the bank balances and investments totaling one hundred and ninety two million, six hundred and ninety six thousand, six hundred and eighteen dollars (\$192,711,160) as at 31 December 2008 be noted.

This concluded the business and the meeting closed at 6.23pm.

Confirmed: 12 February 2009

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Keith Rhoades AFSM  
Mayor