

The following document is the minutes of the Council and Committee meeting held on 10 September 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 24 September 2009 and therefore subject to change. Please refer to minutes of 24 September 2009 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(LAND USE, HEALTH & DEVELOPMENT COMMITTEE)
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
10 SEPTEMBER 2009

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING (LAND USE, HEALTH & DEVELOPMENT COMMITTEE)

10 SEPTEMBER 2009

Present: Councillors J Arkan, J Bonfield, R Degens, M Graham, K Hines and D Knight.

Staff: General Manager, Director Corporate Business, Director City Services, Director Land Use, Health & Development, Manager Land Use Management and Executive Assistant.

Leave of Absence: Councillor Templeton

The General Manager called for nominations for a Chairperson for this meeting, Cr Knight nominated Cr Arkan, Cr Bonfield seconded the nomination, as there were no other nominations Cr Arkan acted as the Chairperson.

The meeting commenced at 5.02 pm with Cr Arkan in the chair.

DISCLOSURES OF INTEREST

There were no disclosures of interest tabled by Councillors.

APOLOGY

- 135** **RESOLVED** (Hines/Knight) that an apology received from Councillors Rhoades and Palmer for unavoidable absence be received and leave be granted for the current meeting of Council.

CONFIRMATION AND ADOPTION OF MINUTES

- 136 **RESOLVED** (Hines/Degens) that the minutes of the City Services Committee meeting held on 27 August 2009 be confirmed as a true and correct record of proceedings.
- 137 **RESOLVED** (Hines/Degens) that the minutes of the Corporate Business Committee meeting held on 27 August 2009 be confirmed as a true and correct record of proceedings.

Cr Graham advised that his report to Council regarding the Affordable Housing Information Session requires amendments due to inaccuracies and lacks some detail.

The tape recording of the Council meeting confirmed that the Affordable Housing Item was recorded incorrectly in the minutes and will be amended accordingly with the addition of "Cr Graham expressed grave concerns over what the housing development is presenting".

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L24 DEVELOPMENT APPLICATION 311/09 - DUAL OCCUPANCY DEVELOPMENT LOT 310 DP 1074032, 7 BREAKERS WAY, KORORA

To consider the request for a review of determination of Development Application 311/09 for a detached dual occupancy at 7 Breakers Way, Korora.

- 138 **MOVED** (Graham/Degens) that Council refuse the development on the basis of impacts upon Koala Habitat and the character and amenity of the neighbourhood.

VOTED FOR

Arkan
Degens
Graham

VOTED AGAINST

Hines
Knight
Bonfield

The **MOTION** on being put to the meeting resulted in a tied vote. The Chairperson used his casting vote in favour of the motion which was declared **CARRIED**.

L25 DEVELOPMENT APPLICATION NO. 140/09 – MULTI UNIT HOUSING (7 UNITS) AND DEMOLITION (PART EXISTING BUILDING, POOL AND GAZEBO) – LOT 5, DP 252782 AND LOT 6, SECTION 49, DP 758258, NO. 22 CAMPERDOWN STREET, COFFS HARBOUR

The purpose of this report is to present Development Application 140/09 for Council's consideration, which is an application for a multi unit housing development consisting of seven units and demolition (part of the existing building, pergola and pool). The report recommends conditional approval of the application.

139 RESOLVED (Knight/Hines) that:

1. Development Application No. 140/09 for a seven Unit Multi Unit Housing development on Lot 5, DP 252782 and Lot 6 Section 49 DP 758258, Number 22 Camperdown Street Coffs Harbour, be approved subject to technical conditions as appended to the report (Appendix C).
2. The person(s) who made submissions in relation to the Development Application No. 140/09 be notified of the determination.

VOTED FOR

Hines
Knight
Bonfield
Arkan
Degens
Graham

VOTED AGAINST

Nil

CITY SERVICES DEPARTMENT REPORT

S46 TENDER: SUPPLY OF DUCTILE PIPE & WATER SERVICE FITTINGS (RTA WATERMAIN RELOCATIONS SAPPHIRE TO WOOLGOOLGA PROJECT STAGE 1)

To report on tenders received for the supply of Ductile Pipe and various Water Service Fittings and to gain Council approval to accept one (1) tender for the supply and delivery of all relevant categories.

140 RESOLVED (Degens/Knight) that:

1. Council accept the tender offer of Tyco Water Pty Ltd in respect of Contract No- 09/10-405-TO for the supply and delivery of Ductile Pipe and Water Service Fittings, " Subject to RTA approval and guaranteed funding" and on the basis that:
 - a) The tender offer is the most suitable and advantageous tender following the application of Council's Tender Value Selection System.
 - b) Tyco Water Pty Ltd has the necessary experience in similar works and is a previous and proven supplier to Council.
2. The contract documents be executed under Council's Seal.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L26 COMPANION ANIMALS IMPOUNDING AGREEMENT

The purpose of this report is to advise Council of a proposed contract and associated increase in fees to the Royal Society for the Prevention of Cruelty to Animals (RSPCA) Companion Animals Pound Agreement. This report recommends that Council by resolution accept a contract as negotiated with the RSPCA.

141 RESOLVED (Knight/Hines) that:

1. Council, in recognition of the unavailability of competitive services to meet Council's impound facility requirements proceed to enter into a contract for Companion Animals Pound Agreement with the Royal Society for the Prevention of Cruelty to Animals.
2. A revenue budget adjustment increase of \$28,132 be made to the 2009/2010 budget for Royal Society for the Prevention of Cruelty to Animals Impound Expenses. A further increase of \$27,130 be factored in to the 2010/11 budget.
3. Investigations be undertaken into the opportunities available to construct and operate a Council owned pound facility.

REQUESTS FOR LEAVE OF ABSENCE

142 RESOLVED (Bonfield/Hines) that Cr Knight be granted leave of absence from Council from 24 September 2009.

MATTERS OF AN URGENT NATURE

1. Development of the Jetty and Harbour

Cr Graham raised that information had been in the local newspaper regarding Department of Lands and public statements at Chamber of Commerce breakfast regarding the Jetty and Harbour development, he requests an urgent briefing from staff and representatives of the Department of Lands to provide Councillors with an up to date report upon what is occurring.

The General Manager responded that a workshop will be arranged for the Councillors with Council staff and Department of Lands.

QUESTIONS WITHOUT NOTICE

1. Attendance at Conferences or Events

Cr Graham requested if any Councillors had anything to report to Council regarding attendance at conferences or events in the City since the last meeting.

Cr Knight attended the Picture Coffs Harbour launch at the Coffs Harbour Regional Gallery with the Mayor, Cr Knight would like to thank the staff of the library, the museum and the art gallery who assisted. It was to establish an online picture library with the aim to digitally preserve and improve access to historical pictures and significant events in the region of Coffs Harbour.

Cr Degens attended the celebration of the completion of the rebuilding of the Lowanna Station, he recommends that people view the station, the intention is for it to be turned into a museum.

Cr Graham is attending the NSW Landcare Management Forum at present in Port Macquarie, the Deputy Mayor is also attending. Cr Graham was very disturbed to listen to the speech by Phillip Toyne who was the founder of Landcare, Mr Toyne has been working in the Himalayas on behalf of communities who rely upon glaciers, he showed very disturbing imagery of the loss of glaciers across the Himalayas and by 2035 it is likely that there won't be any glaciers remaining due to carbon emissions, Cr Graham feels that the community and fellow Councillors need to take note of these stories.

2. Removal of Railway Carts at Lowanna Rail Station

Cr Arkan inquired if Council can issue an order to remove railway carts, etc from the immediate area in front of the newly renovated Lowanna Station due to safety concerns.

The General Manager responded that Council are probably unable to serve an order as the owner of the stock is in a neighbouring shire however staff will look at the issue.

3. Footpaths on Bluff Road, Emerald Beach

Cr Arkan asked if there are any current plans for footpaths to be constructed on Bluff Road, Emerald Beach. If so, how are the following being funded:

- Section 94
- Community (other land owners in the street)
- Council.

The General Manager advised the matter will be taken on notice and the appropriate staff will respond.

4. Sandy Beach Risks of High Speed Traffic

Cr Knight raised the issue regarding the despair of the residents of Sandy Beach, particularly Diamond Head Drive and the overpass over the Pacific Highway, she questioned what Council can do to solve this problem for our fellow Coffs Harbourites.

The General Manager advised the matter will be taken on notice and the appropriate staff will respond.

Cr Degens added that the media has been discussing traffic studies, when were the subject traffic studies done. If Council has the results of the studies can they be viewed by residents. What can be done to minimise risks for high speed traffic in that area.

The General Manager advised the matter will be taken on notice and the appropriate staff will respond.

5. Sawtell Bridge

Cr Knight questioned whether there will be an official naming of the bridge at Sawtell that has been called Chinamans Bridge.

The General Manager advised the matter will be taken on notice and the appropriate staff will respond.

6. Jetty Carnival

Cr Knight raised that with Christmas rapidly approaching it will be time for the Jetty Carnival to start up. Are there strict rules and guidelines in regard to noise levels, rubbish collection, unleashed dog and general hygiene for the owners? If not is it Council's intention to establish guidelines, also could it be investigated to hold the Carnival at the Showground.

The General Manager advised the matter will be taken on notice and the appropriate staff will respond.

7. Rail Corporation Land at end of Jetty Strip

Cr Graham noted that there are proposals to sell that land at the end of the Jetty Strip owned by the Rail Corporation and that Cr Palmer had made some public statements regarding its future. Cr Graham feels strongly that such an area of open land in close proximity to the Jetty retail strip and right on the north coast rail line has great potential for use, he asked that the General Manager write to the Rail Corporation requesting that they not sell this parcel of valuable land because of its value to the people of Coffs Harbour and their sustainable future.

The General Manager responded that this can be done, has occurred previously and was taken off the market when requested at that time, a letter will be written.

8. Rezoning at the Jetty

Cr Graham asked what discussions have occurred between Council and the Department of Lands regarding the rezoning of the Jetty, how many meetings have been held, who attended those meetings, what the Department of Lands has requested of Council and what responses Council has given to the Department of Lands requests.

The General Manager responded that a summary will be given.

9. City Plan

Cr Graham questioned whether the Jetty Precinct within the thick black line that defined the study area is included in the resolution of the current Council regarding the City Plan.

The Director of Land Use, Health and Development responded to the best of his knowledge the Jetty area is included in the study area.

10. Liquid Fuel Consumption Response

Cr Degens questioned when a response will be given regarding Council's process for the liquid fuel consumption, Question Without Notice of meeting of 27 August 2009.

The General Manager responded that a report will be brought back as soon as practicable, hopefully by the end of the year.

11. Rezoning of Pelican Beach Land

Cr Bonfield asked for the status of the rezoning of the land at Pelican Beach.

The Director of Land Use, Health and Development advised there is no application to rezone the land, however there is an application with the Department of Planning for demolition of the existing building and subdivision of the land.

Cr Graham questioned whether the Department of Planning had given any indication as to when the application will be determined.

The Director of Land Use, Health and Development responded that the Department of Planning does not give an indication to when applications will be determined.

This concluded the business and the meeting closed at 5.40pm.

Confirmed: 24 September 2009

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John Arkan
Councillor