

The following document is the minutes of the Council and Committee meeting held on 11 June 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 25 June 2009 and therefore subject to change. Please refer to minutes of 25 June 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
11 JUNE 2009

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING (LAND USE, HEALTH & DEVELOPMENT COMMITTEE)

11 JUNE 2009

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

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

Leave of Absence: Councillor J Arkan

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

DISCLOSURES OF INTEREST

Disclosures of interest were tabled by Councillors concerning the following items of business:

Councillor	Item	Type of Interest
Director of Corporate Services	L15 - Development Application 1153/06 – Staged Subdivision (Stage 1: Lots 1 to 19) – Lot 5 DP 1068129, Bluff Road, Emerald Beach	Non-Pecuniary - Significant Conflict Owns land in Beacon Crescent.
Cr Rhoades	L16 - Review of Coffs Harbour's Rural Residential Strategy	Non-Pecuniary - Significant Conflict Own 1A rural lands in the local government area.
Cr Hines	L16 - Review of Coffs Harbour's Rural Residential Strategy	Non-Pecuniary - Significant Conflict Rural residential land holder in the local government area (Boambee).
Cr Degens	L16 - Review of Coffs Harbour's Rural Residential Strategy	Pecuniary - Rural residential land holder in the local government area (Bonville).
General Manager	L16 - Review of Coffs Harbour's Rural Residential Strategy	Non-Pecuniary - Significant Conflict Owns land in the rural residential area.

PUBLIC FORUM

Time	Speaker	Item
5.00pm	Rev Samuel Marsden – St John’s Anglican Church	The Interfaith Network which is a group organisation established to represent the major faiths present in Coffs Harbour

PUBLIC ADDRESS

Time	Speaker	Item
5.05pm	Graeme Folkard	L16 - Review of Coffs Harbour's Rural Residential Strategy
5.10pm	Don Kaiser	L14 - Development Application 822/09 - Dual Occupancy Development and 2 Lot Subdivision - Lot 4 DP 877897, No. 24 Breakers Way, Korora
5.15pm	Rick Bennell	L14 - Development Application 822/09 - Dual Occupancy Development and 2 Lot Subdivision - Lot 4 DP 877897, No. 24 Breakers Way, Korora

CONFIRMATION AND ADOPTION OF MINUTES

- 68** **RESOLVED** (Templeton/Palmer) that the minutes of the City Services Committee meeting held on 28 May 2009 be confirmed as a true and correct record of proceedings.
- 69** **RESOLVED** (Templeton/Hines) that the minutes of the Corporate Business Committee meeting held on 28 May 2009 be confirmed as a true and correct record of proceedings.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L14 DEVELOPMENT APPLICATION 822/09 - DUAL OCCUPANCY DEVELOPMENT AND 2 LOT SUBDIVISION - LOT 4 DP 877897, NO. 24 BREAKERS WAY, KORORA

To consider Development Application 822/09 for an attached dual occupancy and 2 lot subdivision at 24 Breakers Way, Korora.

70 RESOLVED (Palmer/Templeton) that:

Development Application 822/09 for an attached dual occupancy and two lot subdivision development at 24 Breakers Way, Korora, be approved in accordance with the following recommendation as put forward by Blueprint Consulting Pty Ltd:

1. That Development Application 822/09 for an attached dual occupancy and two lot subdivision development at 24 Breakers Way, Korora, be approved subject to attached conditions (see Attachment 2) and the following special conditions:
 - a) Submission of a sediment and erosion control plan with the construction certificate, and such plan to be approved prior to commencement of site works. The approved plan to be effectively implemented and facilities maintained throughout the construction period.
 - b) Submission of a stormwater management plan to treat stormwater prior to discharge from the site to ensure achievement of downstream water quality standards.
2. That people who made submissions be advised that:
 - Council regrets that landowners within the estate were given an expectation that single dwelling houses only were permitted, however, such a restriction on title does not override Council's planning controls for the land, and
 - Council is required to assess the application according to the planning controls adopted by Council.

VOTED FOR

Templeton
Hines
Rhoades
Palmer
Degens

VOTED AGAINST

Knight
Bonfield
Graham

**L15 DEVELOPMENT APPLICATION 1153/06 – STAGED SUBDIVISION
(STAGE 1: LOTS 1 TO 19) – LOT 5 DP 1068129, BLUFF ROAD, EMERALD
BEACH**

This report describes Development Application 1153/06 for Staged Subdivision (Stage 1: Lots 1 – 19, including Stage 1A: Lots 1 to 5 and Stage 1B: Lots 6 to 19 and residue lot) under the provisions of Section 83B of the Environmental Planning and Assessment Act 1979. A separate development application is required for the second stage of the proposal comprising Lots 20 to 25.

MOTION

71 MOVED (Bonfield/Palmer) that:

1. Development Application 1153/06 for Stage Subdivision (Lots 1 to 19) at Lot 5 DP 1068129, Bluff Road, Emerald Beach be approved subject to conditions appended to this report (Appendix C)
2. The concept plan for Stage 2 of the development, comprising Lots 20 to 25, shown on plan no. 94317-C22 (Appendix) prepared by de Groot & Benson Pty Ltd, 2006 be endorsed by Council.
3. Those who lodged submissions on this Development Application be informed of Council's decision.
4. To look at the current budget for footpaths in Emerald Beach and to be linked to the Bluff Road development.

AMENDMENT

MOVED (Graham/Degens) that Council refuse the development because of unacceptable water quality impacts, impact upon threatened species and endangered ecological communities, the traffic generated by the development, the over development of a heavily constrained site and the lack of services in the community of Emerald Beach.

VOTED FOR

Knight
Degens
Graham

VOTED AGAINST

Templeton
Hines
Bonfield
Rhoades
Palmer

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

Cont'd

L15 Development Application 1153/06 – Staged Subdivision (Stage 1: Lots 1 to 19) – Lot 5 DP 1068129, Bluff Road, Emerald Beach ...(Cont'd)

FORESHADOWED AMENDMENT

MOVED (Degens/Graham) that Lots 15, 16, 17, 18 and 19 be deferred subject to further investigation.

VOTED FOR

Knight
Degens
Graham

VOTED AGAINST

Templeton
Hines
Bonfield
Rhoades
Palmer

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

VOTING ON THE MOTION

VOTED FOR

Templeton
Hines
Bonfield
Rhoades
Palmer

VOTED AGAINST

Knight
Degens
Graham

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

L16 REVIEW OF COFFS HARBOUR'S RURAL RESIDENTIAL STRATEGY

Cr Degens declared a pecuniary interest in the following item, vacated the chamber at 6.26pm and took no part in the discussion or voting.

Cr Rhoades and Cr Hines declared a non pecuniary interest in the following item, vacated the chamber at 6.26pm and took no part in the discussion or voting.

Councillor Palmer assumed the Chair.

The purpose of this report is to provide Council with feedback from the exhibition of the draft Rural Residential Strategy.

The Strategy has been revised after assessment of the submissions received.

72 **MOVED** (Bonfield/Knight) that Council defer the Coffs Harbour Rural Residential Strategy 2009 and that it be presented at the next Land Use, Health and Development meeting.

VOTED FOR

Knight
Bonfield
Graham

VOTED AGAINST

Templeton
Palmer

Cr Rhoades, Cr Degens and Cr Hines returned to the meeting, the time being 6.39pm.

The Mayor resumed the Chair.

REQUESTS FOR LEAVE OF ABSENCE

- 73** **RESOLVED** (Palmer/Templeton) that Cr Palmer be granted leave of absence from Council on 25 June 2009.

QUESTIONS WITHOUT NOTICE

1. Attendance at Conferences or Events

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

Cr Palmer reported that he attended the Challenge Foundation to inspect their operation, one of the products the Foundation are producing is Eco Cover by collecting waste office stationery, shredding it, sandwiching it and then producing the Eco Cover. The manager would welcome any Councillors who would like to view the operations.

Cr Knight reported that she and Cr Hines attended the Sawtell Heritage walk on Sunday 7 June with 100 other people, she would like to thank Pam Worland from the Heritage Society, Marten Bouma and Robin Hedditch and highly recommends people to attend the next walk which will be the reserve at Sawtell.

Cr Graham attended the local Food Network's inaugural film evening on Sunday 7 June after which there was a discussion panel regarding the future of the agricultural industry across the Coffs coast, of great concern from the floor was the proposal of Coffs Council to develop Bonville given its exceptionally valuable agricultural lands status.

2. Floodplain Management & Implementation of Strategies Approved Since 2006

Cr Degens questioned how many houses that have been approved since 2006 have included the 500mm freeboard height? Has the issuing of flood certificates, the establishment of flood markers, the preparation and distribution of flood information sheets and a SES flood awareness brochures occurred?

The General Manager advised that the appropriate staff will respond.

3. Council Minutes

Cr Graham made a formal request at the previous meeting for the tapes of Council meetings; he has not had any communication regarding this formal request, please give an indicative timeframe. Cr Graham requested a copy of the policy and an outline of what sections indicate the timeframe of delivery or otherwise of the tapes for the meetings. Cr Graham made another formal request that the tapes be provided to him as a matter of urgency.

The General Manager responded that it will be in accordance with the proper policy on the matter and will be provided over the next month but there is no timeframe attached to Questions Without Notice.

4. Boulwood Street

Cr Degens enquired about Boulwood Street, there has been some landscaping or earthworks occurring at western end of Boulwood Street, there has been a considerable amount of vegetation removed, what is the purpose?

The General Manager advised that the appropriate staff will respond.

5. Boulwood Street - Landcare Group

Cr Degens requested that a Landcare group be established for Boulwood Street area as local residents are keen to take part in the land regeneration.

The General Manager advised that Council does not form the Landcare groups; they should apply to Landcare however the appropriate staff will respond with contact details.

6. Natural Disaster Coordinator

Cr Bonfield questioned who the coordinator is in a natural disaster of information regarding road closures and openings and does this Council feel that in the last natural disaster that it was done to the very best technical ability?

The General Manager responded that for local roads, Council is the coordinator, Council have now set up a protocol with a designated person to update the website daily.

Cr Bonfield further outlined that her question included inter agencies, about the coordination of the SES, the Police and also further up, out of our LGA, making our systems better to be able to coordinate all those regional and local roads, so that there is peak body that will be able to answer questions and there won't be that downtime.

The General Manager advised that the appropriate staff will respond.

7. Fishing Licenses - Monies Collected

Cr Degens is seeking information regarding the management of the Fisheries; to what purpose is the monies that is collected for the fishing licenses over past years being put to?

The General Manager responded that it is out of Council's jurisdiction but will provide information of who to contact.

This concluded the business and the meeting closed at 7.01 pm.

Confirmed: 25 June 2009

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Keith Rhoades AFSM
Mayor