

The following document is the minutes of the Council and Committee meeting held on 13 August 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 27 August 2009 and therefore subject to change. Please refer to minutes of 27 August 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
13 AUGUST 2009

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**COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
(LAND USE, HEALTH & DEVELOPMENT COMMITTEE)**

13 AUGUST 2009

Present: Councillors K Rhoades (Mayor), J Arkan, 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 and Executive Assistant.

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

DISCLOSURES OF INTEREST

There were no disclosures of interest tabled by Councillors.

APOLOGY

-
- 115 **RESOLVED** (Templeton/Knight) that an apology received from Councillors Arkan and Bonfield for unavoidable absence is received and leave is granted for the current meeting of Council.

CONFIRMATION AND ADOPTION OF MINUTES

-
- 116 **RESOLVED** (Hines/Palmer) that the minutes of the City Services Committee meeting held on 23 July 2009 be confirmed as a true and correct record of proceedings.

Cr Graham does not accept that the minutes of the City Services Committee meeting held on 23 July 2009 are a true and accurate recording of the proceedings and requests access to the tapes and the transcripts.

- 117 **RESOLVED** (Knight/Palmer) that the minutes of the Corporate Business Committee meeting held on 23 July 2009 be confirmed as a true and correct record of proceedings.

NOTICE OF MOTION

PETTINA PARK PET CARE CENTRE

Cr Rodney Degens has given notice of his intention to move:

Coffs Harbour City Council locate and find the required parcel of land needed for the relocation of Pettina Park into the Airport precinct and adjust the Airport Management plan accordingly.

Cr Degens requested that the Notice of Motion be withdrawn.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L22 DEVELOPMENT APPLICATION 162/09 - RECREATION FACILITY (CHALLENGE COURSE), LOT 87 DP 752818, 37 DANIELS ROAD, CORAMBA

This is a report on Development Application 162/09 for a Recreation Facility (Challenge Course) at 37 Daniels Road, Coramba.

The application was considered at the Land Use Health and Development Committee meeting on 9 July 2009.

At that meeting Council resolved that the application:

“be deferred with the object of having consultation with the proponent of the facility subject to an inspection of the site”.

Councillors inspected the site on 23 July 2009.

MOTION

MOVED (Templeton/Palmer) that:

1. Development Application 162/09 for a Recreation Facility (Challenge Course), Lot 87, DP752818, 37 Daniels Road, Coramba be approved subject to the conditions specified in Appendix B.
2. Individuals who made submissions on the Application be informed of Council's decision.

VOTED FOR

Templeton
Hines
Palmer

VOTED AGAINST

Knight
Rhoades
Degens
Graham

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

Cont'd

L22 Development Application 162/09 - Recreation Facility (Challenge Course), Lot 87 DP 752818, 37 Daniels Road, Coramba ...(Cont'd)

MOTION

- 118** **MOVED** (Rhoades/Graham) that the development be refused due to the impact of noise on the neighbouring properties.

VOTED FOR

Knight
Rhoades
Degens
Graham

VOTED AGAINST

Templeton
Hines
Palmer

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

L23 COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN (LEP) 2000 DRAFT AMENDMENT NO. 38 - THAKRAL LANDS ON WESTERN SIDE OF PACIFIC HIGHWAY, KORORA

The purpose of this report is to progress draft Amendment No. 38 to Coffs Harbour City LEP 2000 to public exhibition. Draft LEP Amendment No. 38 was endorsed by Council as a component of the North Coffs Release Area as identified in the 1996 Urban Development Strategy and draft Our Living City (OLC) Settlement Strategy at its meeting on 2 November 2006. The report recommends that Council exhibit the draft Plans, after seeking authority from the Department of Planning to proceed with the rezoning process.

- 119** **RESOLVED** (Palmer/Templeton) that:

1. Council seek authority from the Section 54 Planning Review Panel to permit issue, under delegation of a certificate under Section 65 of the Environmental Planning and Assessment Act 1979 to allow the draft Local Environmental Plan 38 for Lot 1, DP592173; Lot 2 DP 226560; Lot 3 DP 820652; Lot 4 DP 820652; Lot 5 DP 820652 and Lot 23 DP 716144 to be exhibited.
2. The draft Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 38) be exhibited in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations.
3. The draft Development Guidelines be exhibited in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations relating to Development Control Plans.

VOTED FOR

Templeton
Hines
Knight
Rhoades
Palmer
Degens
Graham

VOTED AGAINST

nil

CORPORATE BUSINESS DEPARTMENT REPORTS

C45 DEVELOPER CONTRIBUTIONS PLANS REVIEW - WEST WOOLGOOLGA RELEASE AREA

To present to Council a draft revised Development Control Plan and Draft Section 94 Developer Contributions Plans for the West Woolgoolga Release Area. This report recommends that the Plans be placed on public exhibition for 28 days and submissions be invited. Copies of the Draft West Woolgoolga Development Control Plan and the Draft West Woolgoolga Developer Contributions Plan are available for viewing in the Councillors room.

- 120** **RESOLVED** (Hines/Palmer) that in accordance with clauses 18 & 26(4) of the Environmental Planning and Assessment and Regulation 2000, the Draft West Woolgoolga Development Control Plan the and Draft West Woolgoolga Developer Contributions Plan be placed on public exhibition for a period of 28 days and submissions be invited.

VOTED FOR

Templeton
Hines
Knight
Rhoades
Palmer
Degens
Graham

VOTED AGAINST

nil

C46 ACQUISITION OF LAND FOR CONSTRUCTION OF BAKERS ROAD DETENTION BASIN - PART LOT 61 DP 1122285 - WILLIAM SHARP DRIVE COFFS HARBOUR

Report seeking Council approval for the acquisition of land required for the construction of the Bakers Road detention basin at William Sharp Drive Coffs Harbour.

- 121** **RESOLVED** (Templeton/Knight) that:
1. Council proceed to acquire that area of land shown on the attached plan, being part of Lot 61 DP 1122285 at Coffs Harbour.
 2. Council purchase the land on the terms and conditions as detailed in this report.
 3. Council compensate Prestige Properties Australia Pty Limited or its agent for Lot 69 DP 1104413 and Lot 121 DP 1067024 which have been transferred to Council at the amounts detailed in this report.
 4. All necessary documents associated with the acquisition of the land be executed under the common seal of Council.
 5. The land being acquired by Council being part of Lot 61 DP 1122285 be classified as operational land under the provisions of the Local Government Act 1993.

CITY SERVICES DEPARTMENT REPORTS

S35 FLOODWATER EROSION REPAIRS - 1 GREEN LEA CRESCENT, COFFS HARBOUR

To seek Council's approval to fund 50% of the restoration costs of the eroded creek bank at the rear of 1 Green Lea Crescent, Coffs Harbour.

- 122 **RESOLVED** (Palmer/Hines) that subject to the property owner's contribution, Council allocate \$12,580 gst incl from the 2009/10 Stormwater Management Levy to the rectification of creek bank erosion at 1 Green Lea Crescent, Coffs Harbour.
-

S36 SAWTELL ROCK POOL

To report on the current status of the Sawtell Rock Pool and associated safety issues. The report recommends Council seek alternative funding for urgently required upgrading works to minimise litigation exposure.

- 123 **RESOLVED** (Hines/Knight) that arrangements be made to provide appropriate funding from unallocated funds for the upgrade of the Sawtell Rock Pool before the commencement of the holiday season
-

S37 INFRASTRUCTURE GRANT PROGRAM

To report to Council on a revised schedule of projects for submission to future State and Federal infrastructure grant funding programs.

MOTION

MOVED (Graham/Degens) that the following list of infrastructure projects (in order of priority) be endorsed by Council for consideration in future State and Federal government grant funding programs:

1. Solitary Islands Coastal Walk
2. Coffs Harbour War Memorial Olympic Pool
3. Commuter bike paths
4. Upgrade of lighting at BCU International Stadium
5. Sportz Central improvements
6. Upgrade to sport field amenities across the LGA
7. Bruxner Park Ecotourism Site
8. Local passenger rail (or projects) as developed by the newly formed Rail Committee in CHCC be added as a potential Infrastructure Project (for 2011)
9. Heritage photo catalogue
10. Surf Life Saving Championships at Boambee Beach

Cont'd

S37 Infrastructure Grant Program ...(Cont'd)

AMENDMENT

124 **MOVED** (Palmer/Knight) that the following list of infrastructure projects (in order of priority) be endorsed by Council for consideration in future State and Federal government grant funding programs:

1. Upgrade of lighting at BCU International Stadium
2. Sportz Central improvements
3. Coffs Harbour War Memorial Olympic Pool
4. Upgrade to sport field amenities across the LGA
5. Commuter bike paths (Coffs Creek track)
6. Solitary Islands Coastal Walk
7. Bruxner Park Ecotourism Site
8. Local passenger rail (or projects) as developed by the newly formed Rail Committee in CHCC be added as a potential Infrastructure Project (for 2011)
9. Heritage photo catalogue
10. Surf Life Saving Championships at Boambee Beach

The **AMENDMENT** on being put to the meeting was **CARRIED**. It then became the **MOTION** and on being put to the meeting was declared **CARRIED**.

S38 PROGRESS ON BRELSFORD PARK ADVENTURE PLAYGROUND DESIGN

This report is to provide Council with an update on the progress of the Brelsford Park redevelopment and approve design plans for the Adventure Playground component of the project.

125 **RESOLVED** (Templeton/Hines) that:

1. Council proceed with construction of the Brelsford Park Adventure Playground in accordance with approved design plans.
2. Council proceed with design and construction of temporary car park and new amenities building adjacent the Brelsford Park Adventure Playground.

QUESTIONS WITHOUT NOTICE

1. North Wall Beach Access

Cr Palmer questioned whether there are plans to repair the damage to the North Wall Beach access.

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

2. Lot 1 DP 1128964 Mullaway Drive and Lot 2 DP 1128964 Darkum Road, Mullaway

Cr Graham has been informed that Council is in receipt of correspondence from the Department of Planning (DoP) regarding a Site Compatibility Certificate for the development of 38 dwellings and 120 rooms for a senior's facility, is that site flagged for development within Our Living City Settlement Strategy or the Mid North Coast Regional Strategy?

The Director of Land Use Health and Development responded the blocks of land are zoned rural and not recognised for development in either the Our Living City Settlement Strategy or the Mid North Coast Regional Strategy. Notwithstanding that, if the DoP issues a certificate that does allow the development on rural land.

Cr Graham further questioned regarding the Site Compatibility Certificate, please outline the process that Council will follow for providing feedback to the DoP on the Site Compatibility Certificate in accordance with Clause 25 of the SEPP for Seniors Living. Seeking an outline of Council's timeframe to be delivering the response to the DoP as well as other associated matters such as consultation with affected residents and other stakeholders and what particular corporate information such as the mapping and native vegetation would form part of Council's response to DoP.

The Director of Land Use Health and Development responded that a working group will be formed of internal staff to look at the environmental considerations, servicing of the block, etc. Council has 21 days to respond to the DoP mandate. The working party will draft a response to the DoP for Executive Team's consideration.

3. Grant - Richardson Park

Cr Knight has been contacted by Pam Worland of the Historical Society, approximately 2 years ago there was a grant allocated toward a playground at Richardson Park for approximately \$100,000, the Historical Society would like assistance in tracking down the grant.

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

This concluded the business and the meeting closed at 5.43 pm.

Confirmed: 27 August 2009

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Keith Rhoades AFSM
Mayor