

The following document is the minutes of the Council and Committee Meetings held on Thursday, 8 October 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 22 October 2009 and therefore subject to change. Please refer to the minutes of the meeting of 22 October 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**  
**8 OCTOBER 2009**

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## COFFS HARBOUR CITY COUNCIL

### ORDINARY MEETING (LAND USE, HEALTH & DEVELOPMENT COMMITTEE)

8 OCTOBER 2009

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

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

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

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#### DISCLOSURE OF INTEREST

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There were no disclosures of interest tabled by Councillors.

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#### APOLOGY

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- 176 **RESOLVED** (Graham/Palmer) that an apology received from Cr Degens for absence be received and leave be granted for the current meeting of Council.

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#### CONFIRMATION OF MINUTES

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- 177 **RESOLVED** (Templeton/Arkan) that the minutes of the Ordinary meeting held on 24 September 2009 be confirmed as a true and correct record of proceedings.

## LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

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### L29 DEVELOPMENT APPLICATION 162/09 - RECREATION FACILITY (CHALLENGE COURSE), LOT 87 DP 752818, 37 DANIELS ROAD, CORAMBA - REQUEST FOR REVIEW OF DETERMINATION

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This report relates to a request that Council has received for a review of Council's determination of Development Application 162/09 for a Recreation Facility (Challenge Course) at 37 Daniels Road, Coramba.

**178 RESOLVED** (Arkan/Templeton):

1. That 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 C.
2. That individuals who made submissions on the application be informed of Council's decision.

**VOTED FOR**

Templeton

Hines

Knight

Bonfield

Palmer

Arkan

Graham

**VOTED AGAINST**

Rhoades

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**L30 DEVELOPMENT APPLICATION 1031/09 – SUBDIVISION (BOUNDARY ADJUSTMENT) – LOT 51 DP 1043356 AND LOT 200 DP 755536, NORTH BONVILLE ROAD, BONVILLE**

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This report describes Development Application 1031/09 for Subdivision (boundary adjustment).

The proposed development site is Lot 51 DP 1043356 and Lot 200 DP 755536, North Bonville Road, Bonville. A variation to planning development standards for the boundary alteration is recommended as is conditional approval of the application.

**179 RESOLVED** (Arkan/Templeton):

1. That the request for the variation to development standards, Clause 18 (4) (a) be supported in this particular case.
2. That Development Application 1031/09 for Subdivision (Boundary Adjustment) at Lot 51 DP 1043356 and Lot 200 DP 755536, North Bonville Road, Bonville be approved subject to conditions appended to this report (Appendix C).

**VOTED FOR**

Templeton  
Hines  
Rhoades  
Palmer  
Arkan  
Graham  
Bonfield  
Knight

**VOTED AGAINST**

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**L31 DRAFT COFFS HARBOUR CITY LOCAL ENVIRONMENTAL PLAN 2000  
(AMENDMENT NO. 45)**

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To report on the results of the exhibition of draft Local Environmental Plan (LEP) Amendment No. 45. Draft LEP (Amendment No. 45) incorporates a number of amendments to LEP 2000 as a result of a “housekeeping” style review. The aim of the review is to improve the overall efficiency of LEP 2000, prior to the eventual adoption of the Standard Instrument LEP.

The report also summarises the findings of a public hearing held into the proposed reclassification of Council owned land from a community classification to an operational classification.

The report recommends that Council adopt draft LEP (Amendment No. 45). The LEP amendment is attached to this report.

**180 RESOLVED** (Palmer/Hines):

1. That Council adopt Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 45).
2. In accordance with Section 68 of the Environmental Planning and Assessment Act 1979, Coffs Harbour City Local Environmental Plan 2000 (draft Amendment No. 45) (as attached to this report) be submitted to the Department of Planning for gazettal.
3. That parties who made a submission to Coffs Harbour City Local Environmental Plan 2000 (draft Amendment No. 45) be informed of Council’s decision.
4. That Council notes the findings of the public hearing into the reclassification of land under Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 45).
5. That the person who attended the public hearing and made representations on the land reclassifications proposed by Coffs Harbour City Local Environmental Plan 2000 (Amendment No. 45) be advised as per the relevant content of the above report.
6. That the information contained in this report regarding the public hearing into the reclassification of land be incorporated into the report to be submitted to the Department of Planning for the gazettal of Draft Local Environmental Plan 2000 (Amendment No. 45).

**VOTED FOR**

Templeton  
Hines  
Knight  
Bonfield  
Rhoades  
Palmer  
Arkan  
Degens

**VOTED AGAINST**

Graham

## CORPORATE BUSINESS DEPARTMENT REPORTS

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### C60 FINANCIAL REPORTS - 2008/2009

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Statements to be signed to meet legislative requirements in relation to the completion of the Annual Financial Reports for 2008/2009.

- 181** **RESOLVED** (Hines/Templeton) that the "General Purpose Financial Report - Statement by Councillors and Management" and "Special Purpose Financial Reports - Statement by Councillors and Management" forms for 2008/2009 be approved for completion by the designated signatories.

### CITY SERVICES DEPARTMENT REPORT

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#### S50 TENDER - KING STREET TO WEST HIGH STREET SEWER - CONTRACT 09/10-409-TO

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To report on tenders received for the construction of a gravity sewer and manholes from King Street to West High Street and to gain Council approval to accept a tender.

- 182** **RESOLVED** (Palmer/Arkan):
1. That Council accept the tender of The Trustee for the PR Trust and Ryan Earthmoving Pty Ltd and the Trustee for the Ryan Family Trust trading as Ryan's Earthmoving, ABN 340 403 184 88, for the lump sum amount of \$131,766.80, inclusive of GST on the basis that:
    - a) The tender is the most advantageous tender following the application of Council's Tender Value Selection System
    - b) The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory
    - c) The Tenderer's financial capacity is acceptable
  2. That the contract documents be executed under the Seal of Council

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### REQUESTS FOR LEAVE OF ABSENCE

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- 183** **RESOLVED** (Palmer/Templeton)) that Cr Bonfield be granted leave of absence from Council on 22 October 2009 and 12 November 2009.

This concluded the business and the meeting closed at 5.11 pm.

Confirmed: 22 October 2009.

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K D Rhoades, AFSM  
Mayor