

The following document is the minutes of the Council and Committee meetings held on 9 April 2009. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 23 April 2009 and therefore subject to change. Please refer to minutes of 23 April 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
9 APRIL 2009

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING (LAND USE, HEALTH & DEVELOPMENT COMMITTEE)

9 APRIL 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 Management and Executive Assistant.

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

DISCLOSURES OF INTEREST

There were no disclosures of interest tabled by Councillors.

PUBLIC FORUM

Time	Speaker	Item
5.00pm (10 mins)	Carol Hellmers – Conservatorium	Briefing Council - Update on the Future of the Conservatorium
5.10pm	Sue Seaton	Ongoing Issues with Odour Emission at the Coffs Coast Resource Recovery Park
5.15pm	Chris Graham	Issues regarding the new 'A' frame regulations in Coffs Council area.

PUBLIC ADDRESS

Time	Speaker	Item
5.20pm	Don Kaiser	L10 - Development Application 311/09 - Dual Occupancy Development Lot 310 DP 1074032, No. 7 Breakers Way, Korora
5.25pm	Wayne Bentley (applicant)	L10 - Development Application 311/09 - Dual Occupancy Development Lot 310 DP 1074032, No. 7 Breakers Way, Korora

CONFIRMATION AND ADOPTION OF MINUTES

- 38** **RESOLVED** (Palmer/Templeton) that the minutes of the City Services Committee meeting held on 26 March 2009 be confirmed as a true and correct record of proceedings.
- 39** **RESOLVED** (Templeton/Palmer) that the minutes of the Corporate Business Committee meeting held on 26 March 2009 be confirmed as a true and correct record of proceedings.

GENERAL MANAGER'S REPORT

GENERAL MANAGER - NOTATION

The General Manager received a notice of Motion from Cr Graham on 2 April 2009 and requested this be placed on the Council meeting agenda for the 9 April 2009 as a matter of urgency.

The request from Cr Graham has been considered in line with the adopted Council Code of Meeting Practice.

As the Notice of Motion was received within 14 days of the next Council meeting it must be assessed as an 'urgent' matter. (Refer 8.1.2 of Council's Code of Meeting Practice)

This matter was considered by the Mayor and General Manager and it was determined that the issues raised did not constitute 'urgent' business and therefore it has not been included on the Agenda of this meeting.

The Notice of Motion will be included on the 23 April 2009 Council Meeting Agenda.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORTS

L10 DEVELOPMENT APPLICATION 311/09 - DUAL OCCUPANCY DEVELOPMENT LOT 310 DP 1074032, 7 BREAKERS WAY, KORORA

To consider development application 311/09 for a detached dual occupancy development at 7 Breakers Way, Korora.

MOTION

MOVED (Palmer/Rhoades) that:

1. Development Application 311/09 for a detached dual occupancy development - Lot 310 DP 1074032, No. 7 Breakers Way, Korora, be approved subject to attached conditions (see Appendix B).
2. People who made submissions regarding the application be advised of Council's determination.

AMENDMENT

- 40** **MOVED** (Bonfield/Arkan) that the application be refused as it does not meet the future, desired character of the area due to impacts on amenity, aesthetics and neighbourhood character.

VOTED FOR

Templeton
Hines
Knight
Bonfield
Arkan
Degens
Graham

VOTED AGAINST

Rhoades
Palmer

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

VOTED FOR

Templeton
Hines
Knight
Bonfield
Arkan
Degens
Graham

VOTED AGAINST

Rhoades
Palmer

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

L11 DRAFT COFFS HARBOUR VERTEBRATE PEST MANAGEMENT STRATEGY

To seek Council's endorsement of the Draft Coffs Harbour Vertebrate Pest Management Strategy, for the purposes of public exhibition.

41 RESOLVED (Bonfield/Hines) that:

1. The Draft Coffs Harbour Vertebrate Pest Management Strategy be placed on public exhibition for twenty eight (28) days.
2. Following the exhibition period, if no significant objections are received or significant amendments are required, the Draft Strategy be adopted.
3. If after the exhibition period significant objections are received or significant amendments are required, the Draft Strategy be referred back to Council for further consideration.
4. Funding requirements for implementation of the Vertebrate Pest Management Strategy be considered when preparing Council's annual Management Plans.

MATTERS OF AN URGENT NATURE

1. Urgent Notice of Motion

Cr Graham advised he had lodged an urgent Notice Of Motion with the General Manager to place upon the business paper of today's meeting relating to the City Centre Master Plan, provided the General Manager with four reasons why it was an urgent motion, would like a list of what constitutes a matter of an urgent nature in accordance with Section 8.1 (1) Code of Meeting Practice of this Council.

The General Manager responded that the matter had been discussed with the Mayor and not to be considered urgent.

Cr Graham raised a point of order requesting what matters are considered to be of an urgent nature.

The General Manager advised that the matter would be reported to the meeting of 23 April 2009.

2. Overgrown Block

Cr Arkan previously notified staff through the General Manager of a block of land that needs clearing near a school, was contacted more recently that there are brown snakes now entering the school, St Francis Xavier.

The General Manager responded that the matter would be investigated.

3. Block to Rear of 7 Vincent Street - Drain Clearing

Cr Hines raised that at the rear of 7 Vincent Street that there is a block of land owned by Council, there is a huge drain there that is full of leaves and debris which has exacerbated the flooding situation, there prior to the natural disaster, causing continual problems with each downfall.

The General Manager responded that the matter would be investigated.

4. Drainage Report for the LGA

Cr Arkan requested that a report be brought back to Council on the storm event of 2009 and what actions had been taken since the storm event in 1996.

The General Manager advised a report would be submitted to Council on what actions had occurred since the 1996 event.

5. Collaborative Project - Catastrophes Responses

Cr Graham seeks the support of Council for involvement in a collaborative project between government, community and industry to develop responses to these kinds of catastrophes, responses that protect the interest and livelihoods of residents and municipal infrastructure.

The General Manager responded that Council has an Estuary Management Committee and Floodplain Management Committee to achieve this.

QUESTIONS WITHOUT NOTICE

1. Flood Mitigation Efforts

Cr Palmer raised that he had heard varying stories of how much worse the flood was in some places, but not as bad as 1996 in other places, as part of the report would like addressed what flood mitigation efforts have been undertaken and what difference has been made.

The General Manager responded that a comparison will be submitted to Council.

2. Response to Matters of an Urgent Nature (Question 5)

Cr Bonfield was dissatisfied with the response given to Cr Graham regarding Matters of an Urgent Nature (question 5), there was no resolution. Cr Bonfield would like to see if there is a way forward in managing our environment to be able to protect property and damage to the environment.

The General Manager advised that the above mentioned report would address these concerns.

3. Development Application 858/09 Industrial Subdivision - Airport

Cr Graham advised that a development application for 115 lot subdivision on Coffs airport land had been submitted; he advised he had concerns re probity matters and asked that Council delegate its rights of determination to an independent local government area.

The General Manager advised that it had been determined that this application would be assessed by an external consultant.

4. Coffs Coast Advocate

Cr Graham raised that the Coffs Coast Advocate is the major publication in our local media and would like to know why Council does not advertise with the Advocate.

The General Manager took the matter on notice.

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

Confirmed: 23 April 2009

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Keith Rhoades AFSM
Mayor