

The following document is the minutes of the Council and Committee meeting held on 10 November 2011. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 24 November 2011 and therefore subject to change. Please refer to minutes of 24 November 2011 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
10 NOVEMBER 2011

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

10 NOVEMBER 2011

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

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

Leave of Absence: Councillor Knight

We respectfully acknowledge the Gumbayngirr Country and the Gumbayngirr Aboriginal peoples who are traditional custodians of the land on which we meet and their Elders both past and present

The meeting commenced at 5.00 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
General Manager	MM11/6 - General Manager's Performance Review	Pecuniary

MAYORAL MINUTE

MM11/6 GENERAL MANAGER'S PERFORMANCE REVIEW

The General Manager declared a pecuniary interest in the following item, vacated the chamber and took no part in the discussion, the time being 5.03pm.

To advise Council of the outcome of the General Manager's Performance Review, which was conducted on 14 October 2011.

- 243 RESOLVED** (Rhoades) that the outcome of the General Managers Performance Review be noted, including the awarding of a discretionary increase, in accordance with Clause 8.3 of the Standard Contract of employment for General Managers of Local Councils in New South Wales, the increase being 1.5%.

DIVISION

A division was duly demanded, and those members voting for and against the motion were recorded:

FOR

Cr Bonfield
Cr Templeton
Cr Rhoades
Cr Palmer
Cr Arkan

AGAINST

Cr Degens
Cr Graham

The General Manager returned to the meeting, the time being 5.07 pm.

CONFIRMATION AND ADOPTION OF MINUTES

- 244 RESOLVED** (Templeton/Palmer) that the minutes of the Ordinary meeting held on 27 October 2011 be confirmed as a true and correct record of proceedings.

Cr Hines arrived at this point, the time being 5.08pm

NOTICE OF MOTION

NOM11/22 REGIONAL TRANSPORT PLAN - RAIL FEASABILITY STUDY

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

245 RESOLVED (Degens/Graham) that:

1. Council send a letter to the NSW Department of Transport requesting that a study regarding the feasibility of local rail for the Coffs Harbour region be included as part of the preparation of the Regional Transport Plan and seeking a response prior to 1 December 2011.
2. A report be brought back to Council in December outlining the response from the Department for consideration by Council.

LAND USE HEALTH & DEVELOPMENT DEPARTMENT REPORT

L11/27 NORTHERN RIVERS CATCHMENT MANAGEMENT AUTHORITY - MEMORANDUM OF UNDERSTANDING

The purpose of this report is to gain approval to renew a Memorandum of Understanding between the Northern Rivers Catchment Management Authority and Coffs Harbour City Council.

246 RESOLVED (Templeton/Hines) that Council endorse and enter into a renewed Memorandum of Understanding between the Northern Rivers Catchment Management Authority and Coffs Harbour City Council for a further three year period.

**L11/28 DEVELOPMENT APPLICATION 17/12 – SUBDIVISION (13 LOTS)
– LOTS 3 AND 4 DP 825629, CAVANAGHS ROAD, LOWANNA**

This report describes Development Application 17/12 for Subdivision to create 11 residential lots and 2 rural agriculture lots.

The proposed development site is Lots 3 and 4 DP 825629 Cavanaghs Road, Lowanna. A variation to planning development standards for the subdivision is recommended as is conditional approval of the application.

247 MOVED (Palmer/Arkan) that:

1. The objections under SEPP No. 1 - Development Standards for the variation to the minimum allotment size under Clause 18(4) of Coffs Harbour Local Environmental Plan 2000 be supported in this particular case.
2. Development Application 17/12 for Subdivision (13 Lots) of Lots 3 and 4 DP 825629, Cavanaghs Road, Lowanna be approved subject to conditions appended to this report (Appendix C).

AMENDMENT

MOVED (Graham/Degens) that:

1. The matter be deferred until guarantees of site remediation in writing are reported to Council.
2. Responsibility for future fencing costs along the rail corridor are to be borne by the developer.

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

VOTED FOR

Cr Templeton
Cr Degens
Cr Graham

VOTED AGAINST

Cr Hines
Cr Bonfield
Cr Rhoades
Cr Palmer
Cr Arkan

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

VOTED FOR

Cr Templeton
Cr Hines
Cr Bonfield
Cr Rhoades
Cr Palmer
Cr Arkan
Cr Degens

VOTED AGAINST

Cr Graham

L11/29 DEVELOPMENT APPLICATION 163/12 – SUBDIVISION (STRATUM - 3 LOTS AND STRATA - 15 LOTS) – LOT 1 DP 1143121, NO. 343 PACIFIC HIGHWAY, SOUTH COFFS HARBOUR

This report describes Development Application 163/12 for subdivision of an approved medical centre. The medical centre is currently under construction and is located opposite the ambulance station at the Coffs Harbour Health Campus.

The proposed development site is Lot 1 DP 1143121, Number 343 Pacific Highway, South Coffs Harbour.

248 RESOLVED (Palmer/Arkan) that:

1. The objections under SEPP No. 1 - Development Standards for the variation to the minimum allotment size under Clause 18 (2) of Coffs Harbour Local Environmental Plan 2000 be supported in this particular case.
2. Development Application 163/12 for Subdivision (Stratum – 3 Lots and Strata – 15 Lots) be approved subject to the conditions appended to this report (Appendix C).

VOTED FOR

Cr Templeton
Cr Hines
Cr Bonfield
Cr Rhoades
Cr Palmer
Cr Arkan
Cr Degens
Cr Graham

VOTED AGAINST

Nil

CITY SERVICES DEPARTMENT REPORTS

CS11/43 COASTAL ESTUARY MANAGEMENT ADVISORY COMMITTEE

To report minutes of the Coastal Estuary Management Advisory Committee Meeting held on 26 July 2011.

249 RESOLVED (Palmer/Arkan) that Council note the minutes of the Coastal Estuary Management Advisory Committee held 26 July 2011.

CS11/44 2011/12 COASTAL & ESTUARY MANAGEMENT PROGRAM

To report on grant offers from the Office of Environment and Heritage (OEH) for the 2011/12 Coastal and Estuary Management Program.

250 RESOLVED (Palmer/Arkan) that:

1. Council accept grants from the Office of Environment and Heritage (OEH) through its 2011/12 Estuary Management Program for the following projects.
 - Pipe Clay Lake: Stormwater Community Education Program. \$10,500
 - Coffs Creek Infilling and Hydraulic Capacity. \$30,000
 - Coffs Creek Estuary Management Plan. \$50,000
2. Council allocate \$34,396 from the Campbell's Beach Project within the 2011/12 Coastal and Estuary Management Program to the Coffs Creek Estuary Management Plan project.

REQUESTS FOR LEAVE OF ABSENCE

251 RESOLVED (Templeton/Palmer) that Cr Bonfield be granted leave of absence from Council from 24 November 2011.

The Mayor raised as information for Council that the Local Government and Shires Associations of NSW had expressed their dissatisfaction and concern to the NSW Government regarding the amendment to the Protection of the Environment Operations Act 1997, which in part has resulted in the Local Government sector no longer being represented on the Environment Protection Authority Board.

This concluded the business and the meeting closed at 5.50 pm.

Confirmed: 24 November 2011

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Keith Rhoades AFSM
Mayor