

The following document is the minutes of the Council and Committee Meetings held on Thursday, 24 October 2013. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on 14 November 2013 and therefore subject to change. Please refer to the minutes of the meeting of 14 November 2013 for confirmation.



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
24 OCTOBER 2013

Contents

ITEM	DESCRIPTION	PAGE
CITY PLANNING REPORTS		3
CP13/37	DM 13/14 - APPLICATION TO MODIFY DEVELOPMENT CONSENT 1180/09 BONVILLE INTERNATIONAL GOLF RESORT SUBDIVISION - LOT 212 DP 597308, 124-124A NORTH BONVILLE ROAD, LOT 3 DP 532900, 212 PINE CREEK WAY AND LOT 101 & LOT 102 DP 881242, CASSIDYS ROAD, BONVILLE	3
CP13/36	JETTY4SHORES PROJECT CONCEPT PLAN	4
CORPORATE BUSINESS DEPARTMENT REPORTS		
CB13/65	BANK BALANCES AND INVESTMENT FOR AUGUST 2013	6
CB13/66	MANAGEMENT OF COFFS HARBOUR REGIONAL AIRPORT	7
COMMUNITY DEVELOPMENT DEPARTMENT REPORTS		7
CD13/4	EASTERN DORRIGO SHOWGROUND AND COMMUNITY HALL MANAGEMENT COMMITTEE MEMBERSHIP	7
CITY PLANNING DEPARTMENT REPORTS		8
CP13/38	DEVELOPMENT APPLICATION NO. 47/14 LOT 41, DP851022, NO. 75 MIDDLE BOAMBEE ROAD, BOAMBEE PROPOSED TWO LOT SUBDIVISION	8



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

24 OCTOBER 2013

Present: Councillors D Knight (Mayor), J Arkan, N Cowling, R Degens, G Innes, B Palmer, K Rhoades and S Townley.

Staff: General Manager, Acting Director Corporate Business, Director City Infrastructure Services, Director Planning, Acting Director Community Development, Jetty4Shores Project Manager and Executive Assistant.

Leave of Absence: Councillor M Sultana.

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

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 Mayor reminded the Chamber that the meeting was to be recorded, and that no other recordings of the meeting would be permitted.

DISCLOSURE OF INTEREST

The General Manager/Mayor read the following disclosures of interest to inform the meeting:

Councillor	Item	Type of Interest
Cr Palmer	CP13/36 -Jetty4shores Project Concept Plan	Non-Pecuniary - Less Than Significant Conflict.
Cr Degens	CP13/37 - DM13/14 - Application to Modify Development Consent 1180/09 - Bonville International Golf Resort Subdivision, Bonville	Pecuniary interest.

PUBLIC ADDRESS

Councillor Degens left the Chamber prior to Mr Montgomery's address, the time being 5.02pm and returned at the conclusion of his address, the time being 5.07pm.

Time	Speaker	Item
5.00pm	Peter Montgomery	CP13/37 - DM13/14 - Application to Modify Development Consent 1180/09 - Bonville International Golf Resort Subdivision, Bonville.
5.05pm	Stephen Pratt on behalf of Jetty Action Group	CP13/36 - Jetty4shores Project Concept Plan.
5.10pm	Gai Anderson	CP13/36 - Jetty4shores Project Concept Plan.
5.15pm	George Cecato on behalf of FLOT and Rotary Club Coffs Harbour City	CP13/36 - Jetty4shores Project Concept Plan.
5.20pm	Leonie Kennedy on behalf of Coffs Harbour Chamber of Commerce	CP13/36 - Jetty4shores Project Concept Plan.

CONFIRMATION OF MINUTES

- 264** **RESOLVED** (Arkan/Degens) that the minutes of the Ordinary meeting held on 10 October 2013 be confirmed as a true and correct record of proceedings.

CITY PLANNING DEPARTMENT REPORTS

Councillor Degens declared an interest in the following item, vacated the Chamber and took no part in the discussion or voting, the time being 5.32pm.

**CP13/37 DM 13/14 - APPLICATION TO MODIFY DEVELOPMENT CONSENT
1180/09 BONVILLE INTERNATIONAL GOLF RESORT
SUBDIVISION - LOT 212 DP 597308, 124-124A NORTH BONVILLE
ROAD, LOT 3 DP 532900, 212 PINE CREEK WAY AND LOT 101 &
LOT 102 DP 881242, CASSIDYS ROAD, BONVILLE**

This report considers an application under the provisions of Section 96 (1A) of the Environmental Planning and Assessment (EP&A) Act 1979, to modify the subdivision approval for the Bonville International Golf Resort.

The modification is seeking to substitute a condition which requires the banning of dogs and cats with alternative conditions, intended to minimise the potential for harmful interactions between domestic pets and native fauna.

265 RESOLVED (Arkan/Innes):

1. That the application to modify Development Consent 1180/09 under the provisions of Section 96(1A) of the Environmental Planning and Assessment Act 1979 be approved by substituting Condition 45A with the following condition:

45A The Community Management Statement is to incorporate the following conditions on the keeping of dogs and cats, noting that the conditions apply for the life of the development and the Community Association is responsible for any compliance and enforcement action resulting from the conditions:

- a) *To ensure the protection of native fauna in the locality, cats must be kept completely within the dwelling or in an enclosure within the curtilage of the dwelling at all times (day and night).*
- b) *To ensure the protection of native fauna in the locality, the keeping of dogs on the property shall be subject to the following conditions:*
 - i. *A maximum of 2 dogs shall be permitted on any dwelling site at any time.*
 - ii. *Within the dwelling curtilage dogs shall be restrained at all times by secure perimeter fencing, caging enclosures, leashing or physical restraint.*
 - iii. *Dogs shall not be permitted to leave any dwelling site or enter areas of indigenous vegetation on the property unless adequately restrained.*

FOR

Cr Rhoades
Cr Innes
Cr Arkan
Cr Knight

AGAINST

Cr Townley
Cr Palmer
Cr Cowling

Cr Degens returned to the Chamber, the time being 5.45pm.

To present Council with the Jetty4Shores Project Concept Plan for adoption and to make recommendations in relation to its implementation.

266 MOVED (Rhoades/Arkan) that the Motion be put to the meeting.

267 RESOLVED (Arkan/Palmer):

1. That Council adopt the Jetty4Shores Concept Plan, implementation plan and preliminary budget estimates (Attachment 5).
2. That Council make application for an interest subsidy under Round 3 of the Local Infrastructure Renewal Scheme (LIRS).
3. That Council use the initial allocation of \$300,000 in its 2013/2014 Operational Plan to commence detailed design and environmental assessments, with the balance, and the corresponding annual allocation in the Long Term Financial Plan for the Jetty4Shores Project, to secure loan funds, repayable over 10 years.
4. That Council progress the Jetty4Shores Project Concept Plan by undertaking a detailed design of Stage 1 - Jetty Walkway (including environmental assessment) and proceeding to construction, subject to the granting of a lease across the ARTC land and securing loan funds.
5. That Council undertake detailed design and all necessary environmental assessments of Stage 2 - Kiosk Area (steps and paving), Stage 3 - Market/Picnic Area and Stage 4 – Boardwalk (north of jetty pier), including the engagement of a coastal engineering consultant.
6. That a report be brought back to Council on completion of the detailed design and environmental assessments of Stages 2-4, which also includes options for further funding of the Jetty4Shores Concept Plan.
7. That Council continue to consult with relevant stakeholders during the detailed design phase of each stage of the Jetty4Shores Project.
8. That Council continue to analyse community feedback at the detailed design phase of the Jetty4Shores Project, for opportunities to include appropriate design elements into the design.
9. That Council commence a Planning Proposal to amend Coffs Harbour LEP 2013, to address the inconsistency between the Jetty4Shores Concept Plan (which provides for public domain improvements) and the existing LEP provisions (which provides for residential built form) for the RE1 Public Recreation Zone within the study area.
10. That a Project Plan for a Precinct Planning exercise (incorporating a community participation plan) for the wider Jetty and Foreshores area be brought back to Council in 2014, aimed at developing a long term community vision for future landuses and associated planning provisions in the locality.
11. That Council thank the Jetty4Shores Community Reference Group for their involvement in the project.

CP13/36 - Jetty4Shores Project Concept Plan (Cont'd)

AMENDMENT

MOVED (Cowling/Townley):

1. That Council adopt in principle the Jetty4Shores Concept Plan, implementation plan and preliminary budget estimates (Attachment 5).
2. That Council make application for an interest subsidy under Round 3 of the Local Infrastructure Renewal Scheme (LIRS).
3. That Council use the initial allocation of \$300,000 in its 2013/2014 Operational Plan to commence detailed design and environmental assessments, with the balance, and the corresponding annual allocation in the Long Term Financial Plan for the Jetty4Shores Project, to secure loan funds, repayable over 10 years.
4. That Council progress the Jetty4Shores Project Concept Plan by undertaking a detailed design of Stage 1 - Jetty Walkway (including environmental assessment) and proceeding to construction, subject to the granting of a lease across the ARTC land and securing loan funds.
5. That Council undertake detailed design and all necessary environmental assessments of Stage 2 - Kiosk Area (steps and paving), Stage 3 - Market/Picnic Area and Stage 4 – Boardwalk (north of jetty pier), including the engagement of a coastal engineering consultant.
6. That a report be brought back to Council on completion of the detailed design and environmental assessments of Stages 2-4, which also includes options for further funding of the Jetty4Shores Concept Plan.
7. That Council continue to consult with relevant stakeholders during the detailed design phase of each stage of the Jetty4Shores Project.
8. That Council continue to analyse community feedback at the detailed design phase of the Jetty4Shores Project, for opportunities to include appropriate design elements into the design.
9. That Council commence a Planning Proposal to amend Coffs Harbour LEP 2013, to address the inconsistency between the Jetty4Shores Concept Plan (which provides for public domain improvements) and the existing LEP provisions (which provides for residential built form) for the RE1 Public Recreation Zone within the study area.
10. That a Project Plan for a Precinct Planning exercise (incorporating a community participation plan) for the wider Jetty and Foreshores area be brought back to Council in 2014, aimed at developing a long term community vision for future landuses and associated planning provisions in the locality.
11. That Council thank the Jetty4Shores Community Reference Group for their involvement in the project.

CP13/36 - Jetty4Shores Project Concept Plan (Cont'd)

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

FOR

Cr Cowling
Cr Townley

AGAINST

Cr Rhoades
Cr Innes
Cr Degens
Cr Knight
Cr Palmer
Cr Arkan

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

The General Manager left the meeting, the time being 6.16pm. The Director, City Planning assumed the role of General Manager.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB13/65 BANK BALANCES AND INVESTMENT FOR AUGUST 2013

To list Council's Bank Balances and Investments as at 31 August 2013.

268 RESOLVED (Palmer/Innes):

1. That the bank balances and investments totalling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and sixty two million, eight hundred and forty one thousand, six hundred and three dollars (\$162,841,603) as at 31 August 2013 be noted.
2. That the general fund unrestricted cash and investments totalling two hundred and forty two thousand, nine hundred and thirty one dollars (\$242,931) as at 31 August 2013 be noted.

The General Manager returned to the meeting, the time being 6.17pm.

CB13/66 MANAGEMENT OF COFFS HARBOUR REGIONAL AIRPORT

To obtain approval to call for tenders for the management of the Coffs Harbour Regional Airport as a Council Business Unit.

269 RESOLVED (Arkan/Palmer):

1. That Council continues to operate the Coffs Harbour Regional Airport as a Council Business Unit.
2. That tenders be called for the management of the Coffs Harbour Regional Airport as a Council Business Unit for a period of five years, on a contract that allows for the immediate provision of management services, and the future provision of other Airport administration staff at the discretion of the Council.
3. Following the appointment of a Manager the staff structure be reviewed.

COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

**CD13/4 EASTERN DORRIGO SHOWGROUND AND COMMUNITY HALL
MANAGEMENT COMMITTEE MEMBERSHIP**

To recommend to Council appointment of a community member to the Eastern Dorrigo Showground and Community Hall Management Committee.

270 RESOLVED (Arkan/Cowling) that Ms Angie Hunter be appointed to the Eastern Dorrigo Showground and Community Hall Management Committee.

CITY PLANNING DEPARTMENT REPORTS

CP13/38 DEVELOPMENT APPLICATION NO. 47/14 LOT 41, DP851022, NO. 75 MIDDLE BOAMBEE ROAD, BOAMBEE PROPOSED TWO LOT SUBDIVISION

The purpose of this report is to present Development Application No. 47/14 for Council's consideration. The proposed development involves the two lot subdivision of an existing lot at 75 Middle Boambee Road, Boambee.

At its meeting of 15 December 2005, Council resolved:

1. *That development applications for approval involving substantial aspects of the following elements be referred to Council for determination:*
 - *Significant public interest and community input;*
 - *Substantial non-compliance with relevant strategic controls;*
 - *Significant land use;*
 - *Major environmental issue(s)*

In accordance with this resolution, the application is reported to Council for determination, given that the proposed development involves a substantial departure from the relevant strategic controls, being the minimum lot sizes required for both proposed lots.

The Development Application is recommended for conditional approval.

271 RESOLVED (Arkan/Innes):

1. That the written objection made pursuant to Clause 6 *State Environmental Planning Policy No. 1 - Development Standards* for the variation to the minimum allotment size under Clause 18(2) and 18(4) of Coffs Harbour Local Environment Plan 2000 be supported in this particular case.
2. That Development Application No. 47/14 for the Two Lot Subdivision and Landform Modification at Lot 41, DP 851022, No. 75 Middle Boambee Road, Boambee be approved subject to conditions appended to this report (Attachment 3).

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

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

QUESTIONS ON NOTICE

No questions on notice.

This concluded the business and the meeting closed at 6.22 pm.

Confirmed: 14 November 2013.

.....
Denise Knight
Mayor