

**SC22/09 PLANNING PROPOSAL PP-2021-4831 - APPLICATION TO AMEND COFFS HARBOUR LEP 2013 TO REDUCE MINIMUM LOT SIZE - LOT 4 DP 1138855, NO. 101 FAVIELL DRIVE, BONVILLE - PRE-EXHIBITION**

**Author:** Planner/Urban Designer (e-Planning)  
**Authoriser:** Acting Director Sustainable Communities  
**MyCoffs:** C.1 Liveable neighbourhoods with a defined identity  
**Attachments:** ATT1 SC22/09 Planning Proposal to Reduce Minimum Lot Size at 101 Faviell Drive Bonville - Pre-Exhibition

**EXECUTIVE SUMMARY**

A proponent-initiated application has been received by Council to amend Coffs Harbour Local Environmental Plan (LEP) 2013 for Lot 4 DP 1138855, No. 101 Faviell Drive, Bonville to facilitate the subdivision of the land for large lot residential purposes. The application has been determined to have merit, as it accords with Council's Local Growth Management Strategy 2020.

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour LEP 2013 to reduce the minimum lot size for the subject land from one hectare to 5,000m<sup>2</sup> (Attachment 1).

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**RECOMMENDATION:****That Council:**

1. Initiate and forward a planning proposal to the NSW Department of Planning and Environment seeking a gateway determination to reduce the minimum lot size for Lot 4 DP 1138855, No. 101 Faviell Drive, Bonville (Attachment 1).
2. Request that the Secretary of NSW Department of Planning and Environment issue written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal.
3. Publicly exhibit the planning proposal and undertake government agency consultation based on the gateway determination issued by the NSW Department of Planning and Environment.
4. Note that a further report will be brought back to Council for consideration following public exhibition of planning proposal.
5. Inform the landowners of the subject land and their consultant of Council's decision.

**REPORT**

**Applicant:** Keiley Hunter Town Planning  
**Landowner:** D and H Butler  
**Land:** Lot 4 DP 1138855, No. 101 Faviell Drive, Bonville  
**Zone:** R5 Large Lot Residential

**Description of Item:**

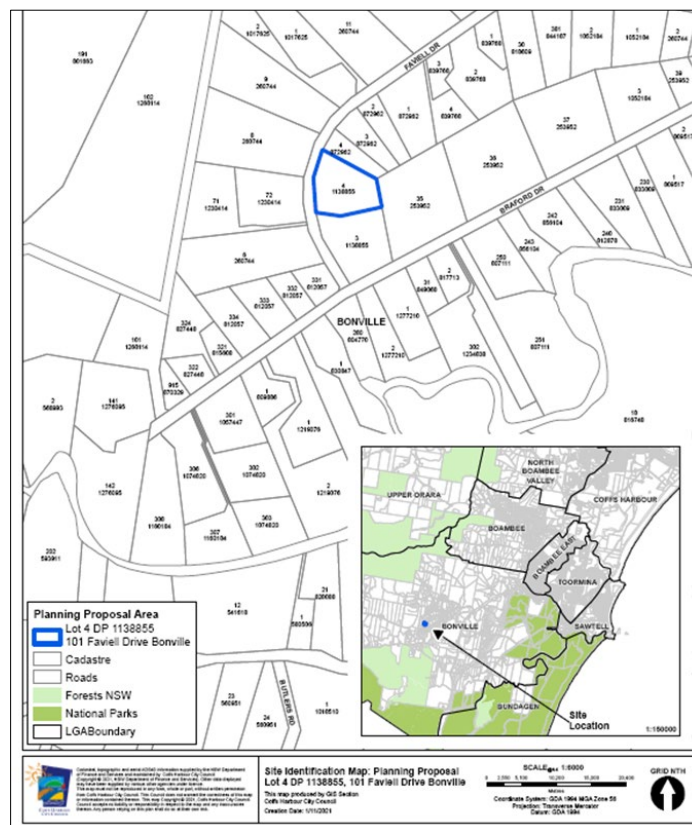
A proponent-initiated application has been received by Council to amend Coffs Harbour LEP 2013 to reduce the minimum lot size for No. 101 Faviell Drive, Bonville from one hectare to 5,000m<sup>2</sup> to facilitate subdivision of the land for large lot residential purposes.

The subject land has a total area of one hectare and is contained within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013. The proposed amendment would enable subdivision of the land into two large lot residential allotments.

The application has been subject to a peer review and has been determined to have merit, as it accords with Council's Local Growth Management Strategy 2020 and the land is relatively unconstrained. In this regard, a planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* ('the Act') to initiate an amendment to Coffs Harbour LEP 2013 (Attachment 1).

- The Subject Land:**

The application to amend Coffs Harbour LEP 2013 affects land at No. 101 Faviell Drive, Bonville (Lot 4 DP 1138855) as shown in Figure 1. The subject land is located within Bonville amongst lots developed for large lot residential purposes and which are within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013. The one-hectare site slopes gently from its rear to Faviell Drive (east to west) and currently contains a dwelling.



**Figure 1 – Subject Land**

A minimum lot size of one hectare currently applies to the subject land. The application to amend Coffs Harbour LEP 2013 proposes to reduce the minimum lot size to 5,000m<sup>2</sup>. Existing and proposed minimum lot size provisions are shown in Figure 2.



- **Minimum Lot Size**

The size of lots within Zone R5 Large Lot Residential in Bonville are varied. A minimum lot size of 4,000m<sup>2</sup> is in proximity to the subject land, reflecting historic planning controls. A one-hectare minimum lot size was applied to the subject land concurrently with the land being zoned R5 Large Lot Residential under Coffs Harbour LEP 2013 largely to address the ability of large lot residential lots to satisfactorily treat wastewater on-site.

The Wastewater Capability Assessment included with the planning proposal (Appendices 3 and 5 of Attachment 1) demonstrates that 5,000m<sup>2</sup> lots on the subject land can be adequately serviced by onsite sewage management systems in accordance with Council's On-Site Sewage Management Strategy 2015.

- **Local Growth Management Strategy 2020**

Chapter 6 – Large Lot Residential of the Coffs Harbour Local Growth Management Strategy 2020 addresses minimum lot size within Zone R5 Large Lot Residential and notes that a reduced minimum lot size may be supported where sufficiently justified. Section 6.7 within Chapter 6 – Large Lot Residential states the following:

*'It is also reasonable that if undeveloped land within zone R5 can justify a reduced lot size, then it should be considered through an applicant-initiated planning proposal. This would allow a merit case for a revised minimum lot size LEP amendment request to be submitted to Council, bearing in mind the underlying reasons for the standard in the first place and the objectives of zone R5.'*

It is considered that the planning proposal (Attachment 1) has sufficiently justified a reduced minimum lot size for the subject land. The resulting outcome would facilitate large lot residential development on the land that is in keeping within the objectives of Zone R5 Large Lot Residential zone under Coffs Harbour LEP 2013.

**Options:**

Council has a number of options available in relation to this matter. They include:

1. Resolve to adopt the recommendations of this report.
2. Resolve to undertake an alternative approach.

Option 1 is recommended as the suitable course of action.

**Sustainability Assessment:**

- **Environment**

Environmental sustainability issues are summarised in the planning proposal (Attachment 1). Environmental sustainability issues are also required to be addressed as part of any future development application should the planning proposal be initiated.

- **Social**

Social sustainability issues are addressed in the planning proposal (Attachment 1). The provision of an additional large lot residential property will result in positive social impacts within the Coffs Harbour LGA, and will not place unreasonable demands on existing social services in the immediate area.

- **Civic Leadership**

The planning proposal is consistent with the 'MyCoffs Community Strategic Plan', in particular: C1.2 – undertaking development that is environmentally, socially and economically responsible.

- **Economic – Broader Economic Implications**

In terms of capital investment, additional land for large lot residential purposes has the potential to generate additional income and employment for the local economy.

- **Economic - Delivery Program/Operational Plan Implications**

The recommendations contained within this report are unlikely to impact on Council's Delivery Program or Operational Plan given that the LEP amendment process is being undertaken as a business as usual process, funded through a proponent-initiated planning proposal.

**Risk Analysis:**

The planning proposal has justified a reduced minimum lot size in accordance with the Coffs Harbour Local Growth Management Strategy 2020 – Chapter 6 Large Lot Residential Lands, through an in-depth wastewater land capability assessment. In addition, the subject land is largely unconstrained and does not pose any land-use conflict risks. As such, the planning proposal is considered to be of low risk to Council. This is sufficient to allow Council to support the application and initiate the planning proposal to the next stage (Gateway Determination).

**Consultation:**

Should Council resolve to initiate the planning proposal and a gateway determination is subsequently issued by NSW Department of Planning and Environment, the proposal is required to be exhibited in accordance with the gateway determination and relevant planning legislation. Consultation with government agencies and other stakeholders may also be required if specified within the gateway determination. Consultation will be undertaken in accordance with Council's Community Participation and Engagement Plan 2019, as follows:

<b>Project Stage</b>	<b>Inform</b>	<b>Consult</b>	<b>Involve</b>	<b>Collaborate</b>
Pre-lodgement Discussions	x	x	x	
Initiate Planning Proposal	x			
Public Exhibition	x	x		
Post Exhibition Report to Council	x			
Post Endorsement Notification	x			

**Place Score:**

In early 2019, Council undertook extensive community consultation using the Place Score placemaking tool to understand community priorities and values. The Coffs Harbour LGA received a Place Score of 65, which is below the NSW average of 72. The top most ranked strength for the Coffs Harbour LGA in this study is "Elements of the Natural Environment". Despite this strength, the community identified "Protection of the Natural Environment" in its top five priorities. The proposal will not result in any notable impacts on the natural environment, given the subject land is unconstrained and already developed for large lot residential purposes (containing an existing dwelling house).

**Related Policy, Precedents and / or Statutory Requirements:**

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and associated regulation. A number of other relevant policies and statutory documents have been considered in the preparation of the planning proposal.

**Implementation Date / Priority:**

Should Council resolve to initiate the planning proposal, it will be progressed to NSW Department of Planning and Environment, requesting gateway determination. The timeframe for the completion of this planning proposal is governed by relevant planning legislation and NSW Department of Planning and Environment. The anticipated timeframe for the LEP amendment process is summarised within the planning proposal (Attachment 1).

**Conclusion:**

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour LEP 2013 to reduce the minimum lot size as it applies to No. 101 Faviell Drive, Bonville from one hectare to 5,000m<sup>2</sup>. The proposed amendment to Coffs Harbour LEP 2013 will provide the potential for the subject land to be subdivided into two lots. The proposal accords with the North Coast Regional Plan 2036 and Council's adopted Local Growth Management Strategy 2020. Sufficient planning merit for the amendment to Coffs Harbour LEP 2013 is provided within the planning proposal (Attachment 1).

**MINUTES****COFFS HARBOUR CITY COUNCIL  
ORDINARY COUNCIL MEETING  
COUNCIL ADMINISTRATION BUILDING****CNR COFF AND CASTLE STREETS, COFFS HARBOUR  
ON THURSDAY, 10 MARCH 2022 AT 5.00PM**

**PRESENT:** Cr Paul Amos, Cr Jonathan Cassell, Cr George Cecato, Cr Tony Judge, Cr Rodger Pryce, Cr Julie Sechi, Cr Tegan Swan, Cr Sally Townley, Cr Scott Wolgamot

**STAFF:** Acting General Manager, Director Sustainable Infrastructure, Acting Director Sustainable Communities and Executive Assistant

**LEAVE OF ABSENCE** Nil

**OPENING OF ORDINARY MEETING**

The meeting commenced at 5.00pm with the Mayor, Cr Paul Amos in the chair.

**ACKNOWLEDGEMENT OF COUNTRY**

We respectfully acknowledge the traditional custodians of the land on which we meet, the Gumbaynggirr people, who have cared for this land since time immemorial. We pay our respects to their Elders, past, present and emerging, and commit ourselves to a future with reconciliation and renewal at its heart.

**STATEMENT IN RELATION TO RECORDING OF MEETINGS**

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

**PUBLIC FORUM COMMENCED AT 5.00PM**

Speaker	Item
Garth Shipperlee	Against - NOM22/01 Property Valuation - Australian Rail Track Corporation Land
Bruce Weir	For - NOM22/01 Property Valuation - Australian Rail Track Corporation Land
Heather McKinnon	For - SC22/11 Levels of Service - Options - Cultural Facilities Within Yarrila Place

**DISCLOSURE OF INTEREST**

No disclosure of interest.

**APOLOGIES**

No apologies.

**LEAVE OF ABSENCE**

No requests for leave of absence.

**CONFIRMATION OF MINUTES****MOTION (Cr Sally Townley / Cr Julie Sechi)**

That the minutes of the Ordinary Meeting held on 24 February 2022 be confirmed.

**The Motion on being put to the meeting was carried unanimously.**

**NOTICES OF MOTION – BUSINESS SERVICES****NOM22/01    PROPERTY VALUATION - AUSTRALIAN RAIL TRACK CORPORATION LAND****2022/32    RESOLVED (Cr Sally Townley / Cr Tony Judge)**

"Council seek a property valuation on the land area known as ARTC land located between Jordan Esplanade and the North Coast Railway Line."

**For:**        Crs Amos, Cassell, Judge, Sechi, Swan, Townley and Wolgamot

**Against:** Crs Cecato and Pryce

**CARRIED**

The meeting adjourned for a short recess, the time being 6.20pm and reconvened at 6.27pm.

**SUSTAINABLE COMMUNITIES REPORT****SC22/11        LEVELS OF SERVICE - OPTIONS - CULTURAL FACILITIES WITHIN YARRILA PLACE****EXECUTIVE SUMMARY**

The new cultural facilities within Yarrila Place include the Harry Bailey Memorial Library, and Yarrila Arts & Museum (YAM). These facilities will significantly extend current services to the community and visitors alike, most notably providing additional interactive youth and community spaces, education and leading-edge technologies, as well as cultural spaces supporting local artists, writers and creative industries. The new library and YAM will support the liveability of



the Coffs Harbour region by nurturing cultural diversity, community engagement, and equitable access to learning and cultural experiences.

This report presents Council with three levels of service options for these cultural facilities, each offering a range of outcomes and strategic alignment with the adopted Cultural and Civic Space concept business case and Library, Museum and Gallery (LMG) Strategy 2020-2023.

### **MOTION (Cr Tegan Swan / Cr Sally Townley)**

That Council:

1. Confirm the partial increase of level of service (option B) for the cultural facilities within Yarrila Place, which allows for all library spaces to be open, with limited operation of special program spaces within the library and YAM. This is a partial increase from current facilities for both services and hours of operation.
2. Make the necessary adjustments to the 2022/23 draft budgets and the long term financial plan, being an operational expenditure saving of \$50,000 in 2022/23 and an ongoing additional annual operational cost of \$310,000 from 2023/24.
3. Support the principle of transition to a full level of service of operation within Yarrila Arts and Museum (YAM) and Library.
4. Receive a report after twelve months of operation of Yarrila Arts and Museum (YAM) and the new Library detailing visitation rates, participation rates, and any other relevant metrics and including a suggested transition plan to reach full service.
5. Publish any other additional foreseeable operational costs that the project team both internal and external are aware of.

### **AMENDMENT**

#### **2022/33 (Cr Scott Wolgamot / Cr George Cecato)**

That Council:

1. Confirm the partial increase of level of service (option B) for the cultural facilities within Yarrila Place, which allows for all library spaces to be open, with limited operation of special program spaces within the library and YAM. This is a partial increase from current facilities for both services and hours of operation.
2. Make the necessary adjustments to the 2022/23 draft budgets and the long term financial plan, being an operational expenditure saving of \$50,000 in 2022/23 and an ongoing additional annual operational cost of \$310,000 from 2023/24.
3. Support the principle of transition to a full level of service of operation within Yarrila Arts and Museum (YAM) and Library.

**For:** Crs Amos, Cecato, Judge, Sechi, Townley and Wolgamot

**Against:** Crs Cassell, Pryce and Swan

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

**For:** Crs Amos, Cassell, Cecato, Judge, Sechi, Townley and Wolgamot

**Against:** Crs Pryce and Swan

**CARRIED**

**MAYORAL MINUTE****MM22/01 GENERAL MANAGER RECRUITMENT AND SELECTION SUB-COMMITTEE****MOTION (Cr Paul Amos)**

That Council:

1. Establish a General Manager Recruitment and Selection Sub-Committee.
2. Note that all Councillors will be provided with an opportunity to meet the final shortlisted candidate/s and provide feedback before a recommended candidate for the General Manager position is brought to Council for consideration and determination.
3. Note that an independent consultant will participate in the recruitment process and ensure the merit based process requirements are met.
4. Appoint the Mayor, Deputy Mayor and Councillor Wolgamot to the General Manager Recruitment and Selection sub-committee.

**AMENDMENT****2022/34 MOVED (Cr Jonathan Cassell / Cr Scott Wolgamot)**

That Council:

1. Establish a General Manager Recruitment and Selection Sub-Committee.
2. Note that all Councillors will be provided with an opportunity to meet the final shortlisted candidate/s and provide feedback before a recommended candidate for the General Manager position is brought to Council for consideration and determination.
3. Note that an independent consultant will participate in the recruitment process and ensure the merit based process requirements are met.
4. Appoint the Mayor, Deputy Mayor, Councillor Wolgamot and Councillor Judge to the General Manager Recruitment and Selection sub-committee.

**For:** Crs Cassell, Cecato, Judge, Sechi, Swan, Townley and Wolgamot

**Against:** Crs Amos and Pryce

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

**For:** Crs Amos, Cassell, Cecato, Judge, Sechi, Swan, Townley and Wolgamot

**Against:** Cr Pryce

**CARRIED**

**DIRECTORATE REPORTS - BUSINESS SERVICES****BS22/09 BANK AND INVESTMENT BALANCES FOR JANUARY 2022****EXECUTIVE SUMMARY**

Council's Bank Balances and Investments as at 31 January totalled \$284,799,617.19. Council receives independent advice and invests surplus funds in accordance with Council's Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Delivery Program and associated Operational Plans.

**2022/35 RESOLVED (Cr Tony Judge / Cr Sally Townley)**

That Council note the bank balances and investments totalling \$284,799,617.19 (including from loans, Developer Contributions and other avenues that form the restricted accounts and are committed for future works) as at 31 January 2022.

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

**BS22/10 LEASE OF COUNCIL OWNED OPERATIONAL LAND BETWEEN ELEVENTH AND CIRCULAR AVENUES, SAWTELL****EXECUTIVE SUMMARY**

This report seeks Council endorsement for the lease of Lot 50 Section 2 DP 21528 between Eleventh and Circular Avenues, Sawtell to the adjoining landowners.

The neighbours of Council land between Eleventh and Circular Avenues, Sawtell have approached Council seeking assistance to address anti-social behaviour occurring within the Council owned property. Council at its meeting of 28 October 2021 considered the request, which included potential sale of the land because the property is considered surplus to public requirements. The resolution made by Council was to offer the property for sale to the adjoining landowners and call for any public submissions to the proposal, with a further report to be placed back before Council for consideration. The adjoining landowners have now advised that they are not wishing to proceed with purchasing the property at this time, but are still seeking to lease the land.

**2022/36 RESOLVED (Cr Sally Townley / Cr Rodger Pryce)**

That Council lease Lot 50 Section 2 DP 21528 to the owners of 23 Eleventh Avenue and 17 Circular Avenue, Sawtell for a term of one year, with an ongoing annual holding over provision until terminated by either party.

Cr Rodger Pryce left the meeting, the time being 7:27 pm.

**For:** Crs Amos, Cassell, Cecato, Judge, Sechi, Swan and Townley

**Against:** Cr Wolgamot.

**CARRIED**

Cr Rodger Pryce returned to the meeting, the time being 7:30 pm

**BS22/11 RELEASE OF SURPLUS COUNCIL EASEMENTS OVER LOT 40 DP 245407 LOCATED AT 14 CORAMBARA CRESCENT TOORMINA****EXECUTIVE SUMMARY**

Seeking Council approval to release two easements affecting 14 Corambara Crescent Toormina which are deemed surplus to Council requirements.

**2022/37 RESOLVED (Cr George Cecato / Cr Sally Townley)**

That Council:

1. Agree to release the following Council easements affecting Lot 40 DP 245407:

- 1.1. Right of Carriageway 3 wide as shown in registered dealing R527168; and
- 1.2. Easement for sewage pump station 4.97 wide as shown in registered dealing R527168.
2. Authorise the execution under seal of the required legal documents to facilitate this matter.
3. Agree that all costs associated with this matter be borne by the owner of Lot 40 DP 245407.

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

## **DIRECTORATE REPORTS - SUSTAINABLE COMMUNITIES**

### **SC22/08 DEVELOPMENT APPLICATION NO. 0059/22 – NEW DWELLING CREATING DETACHED DUAL OCCUPANCY – LOT 222 DP 1147782, 24C JABOH CLOSE, UPPER ORARA**

#### **EXECUTIVE SUMMARY**

This report provides an assessment of Development Application No. 0059/22 for a new dwelling creating a detached dual occupancy at Lot 222 DP 1147782, 24C Jaboh Close, Upper Orara.

At its meeting of 12 October 2017, Council adopted the 'Development Applications - Consideration by Council Policy', which outlined:

*That development applications for approval involving substantial aspects of the following elements be referred to Council for determination:*

- *Significant public interest and community input;*
- *A proposed variation to the Local Environmental Plan that varies from the development standard by more than 10%;*
- *Significant land use; and*
- *Major environmental issues.*

The development application is reported to Council for determination because it proposes to vary a development standard in the Local Environmental Plan by more than 10%.

### **2022/38 RESOLVED (Cr George Cecato / Cr Sally Townley)**

That Council:

1. Support the request to vary a development standard made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the minimum separation distance between dwellings under Clause 4.2E(2)(c) of Coffs Harbour Local Environmental Plan 2013 in this particular case.
2. Approve Development Application No. 0059/22 for a new dwelling creating a detached dual occupancy at Lot 222 DP 1147782, 24C Jaboh Close, Upper Orara subject to the conditions provided in Attachment 3.

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

**SC22/09 PLANNING PROPOSAL PP-2021-4831 - APPLICATION TO AMEND COFFS HARBOUR LEP 2013 TO REDUCE MINIMUM LOT SIZE - LOT 4 DP 1138855, NO. 101 FAVIELL DRIVE, BONVILLE - PRE-EXHIBITION**

**EXECUTIVE SUMMARY**

A proponent-initiated application has been received by Council to amend Coffs Harbour Local Environmental Plan (LEP) 2013 for Lot 4 DP 1138855, No. 101 Faviell Drive, Bonville to facilitate the subdivision of the land for large lot residential purposes. The application has been determined to have merit, as it accords with Council's Local Growth Management Strategy 2020.

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour LEP 2013 to reduce the minimum lot size for the subject land from one hectare to 5,000m<sup>2</sup> (Attachment 1).

**2022/39 RESOLVED (Cr George Cecato / Cr Rodger Pryce)**

That Council:

1. Initiate and forward a planning proposal to the NSW Department of Planning and Environment seeking a gateway determination to reduce the minimum lot size for Lot 4 DP 1138855, No. 101 Faviell Drive, Bonville (Attachment 1).
2. Request that the Secretary of NSW Department of Planning and Environment issue written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal.
3. Publicly exhibit the planning proposal and undertake government agency consultation based on the gateway determination issued by the NSW Department of Planning and Environment.
4. Note that a further report will be brought back to Council for consideration following public exhibition of planning proposal.
5. Inform the landowners of the subject land and their consultant of Council's decision.

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

**SC22/10 PLANNING PROPOSAL PP-2021-7194 - APPLICATION TO AMEND COFFS HARBOUR LEP 2013 FOR AN ADDITIONAL PERMITTED USE (PUB) - LOTS 3 & 4, DP 825181, NO. 4/4A BRAY STREET, COFFS HARBOUR - PRE-EXHIBITION**

**EXECUTIVE SUMMARY**

A proponent-led application has been received by Council to amend Coffs Harbour Local Environmental Plan (LEP) 2013 for Lots 3 and 4 DP 825181, No. 4/4A Bray Street, Coffs Harbour to allow alterations to an existing pub on Lot 4 and the utilisation of a vacant restaurant building on Lot 3 as a drive-through bottle shop.

The purpose of this report is to seek Council's endorsement to initiate a planning proposal (PP-2021-7194) to amend Schedule 1 Additional Permitted Uses of Coffs Harbour LEP 2013 for Lots 3 and 4, DP 825181, 4/4A Bray Street, Coffs Harbour to allow a 'pub' to be permitted with development consent on the subject land (Attachment 1).

**2022/40 RESOLVED (Cr Tony Judge / Cr Sally Townley)**

That Council:

1. Include the statement "Council does not support the suggested increase to the gaming area" in the Planning Proposal PP-2021-7194.
2. Initiate and forward Planning Proposal PP-2021-7194 to amend Schedule 1 Additional Permitted Uses of Coffs Harbour Local Environmental Plan 2013 for Lots 3 and 4, DP 825181, No. 4/4A Bray Street, Coffs Harbour to the NSW Department of Planning and Environment seeking a gateway determination (Attachment 1).
3. Request that the Secretary of NSW Department of Planning and Environment issue a written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal.
4. Publicly exhibit the planning proposal and undertake government agency consultation based on the gateway determination issued by the NSW Department of Planning and Environment.
5. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal.
6. Inform the landowners of the subject land and their consultant of Council's decision.

Cr Scott Wolgamot left the meeting, the time being 7:33 pm.

Cr Scott Wolgamot returned to the meeting, the time being 7:36 pm.

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

**NOTICES OF MOTION – SUSTAINABLE INFRASTRUCTURE****NOM22/02 INVESTIGATE OPTIONS FOR SOLAR PANEL COLLECTION AND TRANSFER AT ENGLANDS ROAD****2022/41 RESOLVED (Cr Sally Townley / Cr Jonathan Cassell)**

"Council investigate options for storage of used solar panels at Englands Road"

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

**DIRECTORATE REPORTS - SUSTAINABLE INFRASTRUCTURE****SI22/04 BRELSFORD PARK CONCEPT DESIGN AND COMMUNITY ENGAGEMENT****EXECUTIVE SUMMARY**

Council's existing strategy is to upgrade the amenity of Brelsford Park. At the meeting on 24 June 2021, Council endorsed the Brelsford Park Precinct Analysis and Masterplan (which is a component of the City Centre Masterplan 2031) to be placed on public exhibition for 28 days (Resolution No. 2021/141).

The Brelsford Park Precinct Analysis and Masterplan was updated to include more detail regarding the envisaged future upgrades of the Park, and particularly the mix of elements which could be incorporated into the future Park.

Post that resolution, but prior to the consultation period beginning, Council was advised it had been successful in obtaining a grant of \$4,997,620 from the Australian and NSW Governments' Bushfire Local Economic Recovery program. The Grant funding is for the purpose of procuring and installing upgrade elements into Brelsford Park.

Given the timing of the grant announcement and in order to expedite the delivery process to meet the Grant timelines, which were unknown at the time of Council June 2021 meeting, the reviewed Masterplan was then placed on exhibition from 8 October 2021 to 4 November 2021 using a variety of Council's standard engagement techniques. The community was also particularly asked to comment on the selection and installation of the envisaged elements of the project which could be delivered within the Grant funding.

The elements which have been selected following that consultation, and which are consequently recommended here to be funded by the Grant, are referred to in this report as "Stage One".

There are further future enhancements which are envisaged for Brelsford Park but they are beyond the capacity of this Grant to fund at this stage.

The attached Brelsford Park Engagement and Findings Report provides details of the engagement undertaken, including the methods used, objectives, detailed community responses, Council's responses to the community input, and next recommended steps.

Council is therefore requested to endorse the reviewed Brelsford Park Precinct Analysis and Masterplan post exhibition, and to approve the Stage One works to be funded by the Bushfire Local Economic Recovery program in the sum of \$4,997,620 which will be utilised to deliver the Stage One upgrade elements.

**2022/42 RESOLVED (Cr George Cecato / Cr Scott Wolgamot)**

That Council:

1. Endorse the reviewed Brelsford Park Precinct Analysis and Masterplan as an annex to the City Centre Masterplan 2031.
2. Note the receipt of a \$4,997,620 grant from the Australian and NSW Governments' Bushfire Local Economic Recovery Program for the purposes of constructing elements of the Brelsford Park Masterplan.
3. Note the Community Consultation which has been undertaken regarding the reviewed Brelsford Park Masterplan and the enhancement elements which are to be funded by the grant.

**The Motion on being put to the meeting was carried unanimously.**

**CARRIED**

**QUESTIONS ON NOTICE**

No questions on notice.

**MATTERS OF AN URGENT NATURE**

No matters of an urgent nature.

**CLOSE OF MEETING**

The Meeting closed at 7.51pm.

Confirmed: 24 March 2022

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Paul Amos  
Mayor