

Author: Planner/Urban Designer (e-Planning)

Authoriser: Director City Planning & Communities

MyCoffs: C.1 Liveable neighbourhoods with a defined identity

Attachments: ATT1 CPC24/10 Planning Proposal to Reduce Minimum Lot Size at 198 Ayrshire Park Drive, Boambee - Pre-Exhibition [↓](#)
ATT2 CPC24/10 Link to Proposed LEP Minimum Lot Size Map Amendment [↓](#)

EXECUTIVE SUMMARY

An application has been received by the City of Coffs Harbour to amend Coffs Harbour Local Environmental Plan 2013 for Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee to facilitate the subdivision of the land for large lot residential purposes. The application has been determined to have merit as it accords with the City of Coffs Harbour'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 Local Environmental Plan 2013 to reduce the minimum lot size applying to the subject land from one hectare to 4,500m² (Attachment 1).

RECOMMENDATION:

That Council:

1. Initiate and forward a planning proposal to the NSW Department of Planning, Housing and Infrastructure seeking gateway determination to reduce the minimum lot size for Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee (Attachment 1).
2. Request that the Secretary of the NSW Department of Planning, Housing and Infrastructure 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 in accordance with the gateway determination issued by the NSW Department of Planning, Housing and Infrastructure.
4. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal.
5. Inform the owners of the subject land and their consultant of Council's decision.

REPORT

Applicant: Keiley Hunter Town Planning
Landowner: G Russell & K Russell
Land: Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee
Zone: R5 Large Lot Residential

Description of Item:

A proponent-initiated application has been received by the City of Coffs Harbour (City) to amend Coffs Harbour Local Environmental Plan (LEP) 2013 for Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee to facilitate the subdivision of the land for large lot residential purposes.

The subject land has a total area of 1.001 hectares and is contained within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013. The proposed amendment to reduce the minimum lot size to 4,500m² would enable a development application to be made for subdivision of the land into two large lot residential allotments. No other changes to Coffs Harbour LEP 2013 are proposed or required.

The application has been subject to a peer review and has been determined to have merit, as it accords with the City's Local Growth Management Strategy 2020 (LGMS) 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 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 Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee, as shown in Figure 1. The subject land is located within Boambee amongst lots developed for large lot residential purposes within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013. The one-hectare site has a gentle slope from the northern portion of the site to the southeastern boundary and is predominantly cleared of vegetation.

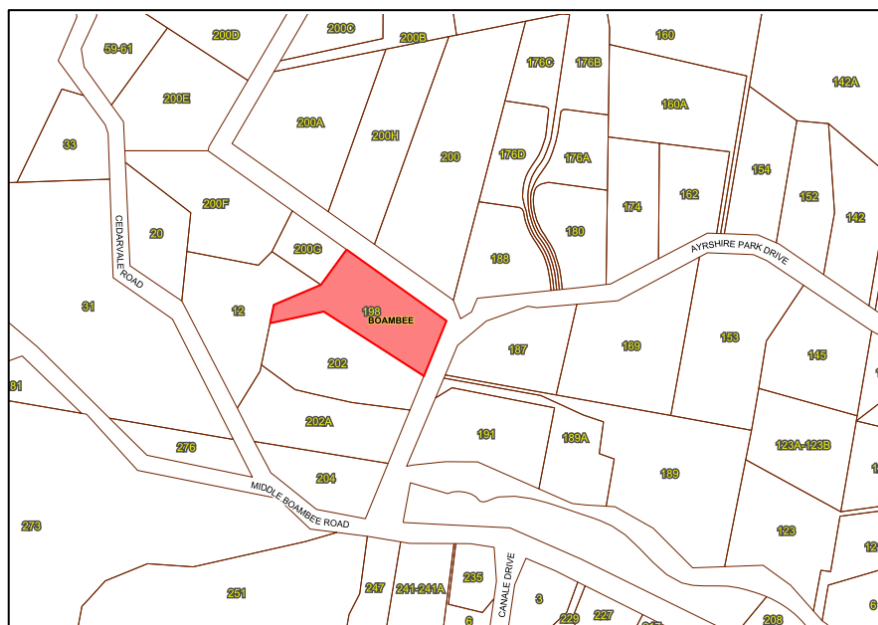


Figure 1 – Subject Land

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 from one hectare to 4,500m². Existing and proposed minimum lot size provisions are shown in Figure 2 below and can also be viewed using the link in Attachment 2 of this report.



Figure 2 – Existing and Proposed Minimum Lot Size

Issues:

• Minimum Lot Size

A range of minimum lot sizes currently apply to land within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013, reflecting historic planning controls and site-specific land constraints (i.e. on-site sewerage management). Historically, minimum lot size requirements were reflected in the City's development control plans and were able to be varied based on merit. Minimum lot size provisions are now a development standard within Coffs Harbour LEP 2013, with the introduction of the Standard Instrument LEP across New South Wales (NSW). The Capability Assessment included with the application to amend Coffs Harbour LEP 2013 (Appendix 3 of Attachment 1) demonstrates that 4,500m² lots on the subject land can be adequately serviced by on-site sewerage management systems in accordance with the City's On-site Sewerage Management Strategy 2015.

• Local Growth Management Strategy 2020

Chapter 6 - Large Lot Residential of the Coffs Harbour LGMS 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 the City, 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 with the objectives of Zone R5 Large Lot Residential 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.

Sustainability Assessment:

- **Environment**

Environmental sustainability issues have been considered and are addressed in Part 3 of the planning proposal (Attachment 1).

- **Social**

Social sustainability issues have been considered and are addressed in Part 3 of the planning proposal (Attachment 1).

- **Civic Leadership**

The planning proposal accords with the 'MyCoffs Community Strategic Plan' by undertaking development that is environmentally, socially and economically responsible.

- **Economic – Broader Economic Implications**

The proposal will facilitate the subdivision and creation of a singular additional allotment that is in keeping with the existing large lot residential character of the area.

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

The recommendations contained within this report are unlikely to impact on the City'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 request to amend Coffs Harbour LEP 2013 accords with the Coffs Harbour LGMS – Chapter 6 Large Lot Residential Lands, which states that proponent-initiated planning proposals may be lodged where a reduced minimum lot size can be justified on existing land within Zone R5 Large Lot Residential. As such, the planning proposal is considered to be of low risk to the City. The public exhibition and consultation process that is required to be undertaken for the proposed LEP amendment will also assist in reducing the City's risk.

Consultation:

Should Council resolve to initiate the planning proposal and a gateway determination is subsequently issued by NSW Department of Planning, Housing and Infrastructure, the planning 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 the City's Community Participation and Engagement Plan.

Related Policy, Precedents and / or Statutory Requirements:

The planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021. 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, Housing and Infrastructure for gateway determination. The timeframe for the completion of this planning proposal is governed by the relevant planning legislation and NSW Department of Planning, Housing and Infrastructure.

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 of No. 198 Ayrshire Park Drive, Boambee from one hectare to 4,500m². The proposed amendment to Coffs Harbour LEP 2013 will facilitate the consequential subdivision of the site, creating a single additional lot.

The proposal accords with the North Coast Regional Plan 2041 and Coffs Harbour LGMS. Sufficient planning merit for the amendment to Coffs Harbour LEP 2013 is provided within the planning proposal (Attachment 1).

**MINUTES**

**CITY OF COFFS HARBOUR
ORDINARY COUNCIL MEETING
RIVER OAK ROOM, LEVEL 3, YARRILA PLACE,
27 GORDON STREET, COFFS HARBOUR
ON THURSDAY, 9 MAY 2024 AT 5.23PM**

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: General Manager, Director City Infrastructure, Director City Planning & Communities, Director Business Services and Executive Assistant

LEAVE OF ABSENCE Nil

OPENING OF ORDINARY MEETING

The meeting commenced at 5.23pm 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 MEETING PRACTICE

The Mayor reminded the Chamber that the meeting was being recorded, live audio streamed and publicly available on Council's website. All persons attending the meeting should refrain from making any defamatory statements. No other recordings are permitted without Council authorisation.

DISCLOSURE OF INTEREST

| Councillor | Items | Type of Interest |
|-------------------|--|--|
| Cr Paul Amos | MM24/05 Council to Conduct a Poll at the Upcoming Local Government Elections | Non-Pecuniary - Less Than Significant Conflict as he lives in the Jetty area |
| Cr Tegan Swan | BS24/09 Coffs Harbour Laboratory | Non-Pecuniary - Less Than Significant Conflict as she has a relative who works in the City of Coffs Harbour Laboratory |

| Councillor | Items | Type of Interest |
|------------------|--|--|
| Cr George Cecato | BS24/10 National Cartoon Gallery | Non-Pecuniary - Less Than Significant Conflict as he is a member of the Coffs City Rotary Club. He is not on the on the Board of the Rotary Club or the National Cartoon Gallery |
| Cr Tegan Swan | CPC24/11 Development Application No. 0780/23 - Alterations and Additions to the Park Beach Holiday Park - Lot 1 DP 1035109, Lot 236 DP 752817, Lot 237 DP 752817, Lot 238 DP 752817, Lot 7052 DP 1051435, PT Park Beach Caravan Park (West), No. 1 Ocean Parade, Coffs Harbour | Non-Pecuniary - Less Than Significant Conflict as she has a relative who works in the Holiday Parks |

APOLOGIES

No apologies

LEAVE OF ABSENCE

No requests for leave of absence.

ATTEND MEETING BY AUDIO-VISUAL LINK

No requests to attend meeting by audio-visual link.

MAYORAL MINUTE

MM24/04 MOONEE BEACH FOOTBRIDGE

2024/67 RESOLVED (Cr Paul Amos)

That Council:

1. Write to the NSW State Government's Minister for Lands and Property NSW, The Hon. Steve Kamper MP, requesting the urgent lodgement of a development application, other regulatory approvals and provision of the full funding required for both the demolition and replacement of the Moonee Beach Footbridge.
2. Provide its formal support to the Coffs Coast Regional Park Trust Board to also continue to advocate on this matter.

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

CARRIED

MM24/05 COUNCIL TO CONDUCT A POLL AT THE UPCOMING LOCAL GOVERNMENT ELECTIONS**2024/68 RESOLVED (Cr Paul Amos)**

That Council:

1. Apply to the Electoral Commission of NSW to run a poll in conjunction with the Coffs Harbour local government elections on 14 September 2024. This poll would seek community opinion concerning the amended PDNSW plan for rezoning of public land that will accommodate private residential developments in the foreshores precinct.
2. Note that the estimated cost of \$70,000 for this poll will be funded from the Local Government Election draft budget 2024/25.
3. Report the outcome of the question back to Council before progressing the development of the poll.

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

Against: Cr Pryce

CARRIED

CONFIRMATION OF MINUTES**2024/69 RESOLVED (Cr Julie Sechi / Cr Tony Judge)**

That the minutes of the Ordinary Meeting held on 11 April 2024 be confirmed.

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

CARRIED

BS24/10 NATIONAL CARTOON GALLERY**EXECUTIVE SUMMARY**

At its meeting of 11 April 2024, a Matter of an Urgent Nature was raised to Council in relation to the status of the Bunker Cartoon Gallery Inc. and their ability to meet their financial obligations. Evidence had been provided to the City that indicated that the Bunker Cartoon Gallery Inc. had become insolvent on 2 March 2024, and the Board had determined that they must cease trading until a solution to the immediate financial issue was identified.

Two Councillors undertook to meet with representatives of Bunker Cartoon Gallery Inc. to discuss their financial position.

MOTION (Cr George Cecato / Cr Scott Wolgamot)

That Council:

1. Note that the Bunker Cartoon Gallery Inc. has received over \$1.206M in annual subsidies (\$0.821M) and operational and capital contributions (\$0.385M) over the past 9 years from the City of Coffs Harbour.
2. Note that financial records provided by the Bunker Cartoon Gallery Inc. to the City of Coffs Harbour on 11 March 2024, show that the Gallery had become insolvent on 2 March 2024.
3. Note the City of Coffs Harbour does not own the cartoon gallery collection.
4. Note that the lease agreement provided by the City of Coffs Harbour to the Bunker Cartoon Gallery Inc. in 2019 still remains unsigned.

5. Note that despite requests from the City of Coffs Harbour, it is unclear who are the formally appointed Board Members of the Bunker Cartoon Gallery Inc.
6. Continue the tenure to Bunker Cartoon Gallery Inc. for the Bunker Gallery, John Champion Way, Coffs Harbour.
7. Authorise the General Manager under delegated authority to execute all necessary documents to lease Lot 21 DP 867844 to the Bunker Cartoon Gallery Incorporated for a term of 20 years commencing 1 July 2020.

AMENDMENT

(Cr Sally Townley / Cr Tony Judge)

That Council:

1. Note that the Bunker Cartoon Gallery Inc. has received over \$1.206M in annual subsidies (\$0.821M) and operational and capital contributions (\$0.385M) over the past 9 years from the City of Coffs Harbour.
2. Note that financial records provided by the Bunker Cartoon Gallery Inc. to the City of Coffs Harbour on 11 March 2024, show that the Gallery had become insolvent on 2 March 2024.
3. Note the request for an additional \$410,000 for operational subsidy over the next 26 months.
4. Note that even after this requested additional subsidy, the Bunker Cartoon Gallery Inc. is projected to be trading at a loss at the end of the 2025/26 financial year.
5. Note the City of Coffs Harbour has budgeted the provision of a subsidy of \$60,000 to the Bunker Cartoon Gallery Inc. for 2024/25.
6. Note that the projected General Fund surplus for 2024/25 is \$28,000, so any request for an operational subsidy above this amount will require a service level reduction in another area of the City of Coffs Harbour in order to balance the budget.
7. Note the City of Coffs Harbour does not own the cartoon gallery collection.
8. Note that the lease agreement provided by the City of Coffs Harbour to the Bunker Cartoon Gallery Inc. in 2019 still remains unsigned.
9. Note that despite requests from the City of Coffs Harbour, it is unclear who are the formally appointed Board Members of the Bunker Cartoon Gallery Inc.
10. Note that as of 3 May 2024, \$4,125 had been raised of the \$25,000 target by Bunker Cartoon Inc. in their GoFundMe campaign.
11. Collaborate with and support the owner of the cartoon collection in negotiating with the National Museum or like organisation to rehome the collection to maximise nation-wide exposure and patronage.
12. Terminate the tenure to Bunker Cartoon Gallery Inc. for the Bunker Gallery, John Champion Way, Coffs Harbour.
13. Waive outstanding rent, totalling \$2,039.88, owed to the City of Coffs Harbour, by the Bunker Cartoon Gallery Inc.
14. Note that all other outstanding debts remain the responsibility of the Bunker Cartoon Gallery Inc.
15. Receive a fresh lease application from the Bunker Cartoon Gallery Inc.

The Amendment was retired and ruled out of order as the "implementation would be unlawful".

MOTION**2024/70 RESOLVED (Cr George Cecato / Cr Scott Wolgamot)**

That Council:

1. Note that the Bunker Cartoon Gallery Inc. has received over \$1.206M in annual subsidies (\$0.821M) and operational and capital contributions (\$0.385M) over the past 9 years from the City of Coffs Harbour.
2. Note that financial records provided by the Bunker Cartoon Gallery Inc. to the City of Coffs Harbour on 11 March 2024, show that the Gallery had become insolvent on 2 March 2024.
3. Note the City of Coffs Harbour does not own the cartoon gallery collection.
4. Note that the lease agreement provided by the City of Coffs Harbour to the Bunker Cartoon Gallery Inc. in 2019 still remains unsigned.
5. Note that despite requests from the City of Coffs Harbour, it is unclear who are the formally appointed Board Members of the Bunker Cartoon Gallery Inc.
6. Continue the tenure to Bunker Cartoon Gallery Inc. for the Bunker Gallery, John Champion Way, Coffs Harbour.
7. Authorise the General Manager under delegated authority to execute all necessary documents to lease Lot 21 DP 867844 to the Bunker Cartoon Gallery Incorporated for a term of 20 years commencing 1 July 2020.

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

CARRIED

The meeting adjourned for a short recess, the time being 6.56pm and reconvened at 7.03pm.

NOTICES OF MOTION – GENERAL**NOM24/04 SEWER FUND LOAN TO AIRPORT LEASE RESERVE****MOTION (Cr Rodger Pryce / Cr George Cecato)**

That Council repay the loan of \$10.5 million to the Airport Lease Reserve from the Sewer Fund, of restricted funds requiring Ministerial consent to transfer, prior to the transfer of any amount from the Airport Lease Reserve, for any use, unrelated to the original purpose of the loan.

For: Crs Cecato and Pryce

Against: Crs Amos, Cassell, Judge, Sechi, Swan, Townley and Wolgamot

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

GENERAL MANAGER'S REPORTS**GM24/21 MONTHLY FINANCIAL PERFORMANCE REPORT FOR THE MONTH ENDED
31 MARCH 2024****EXECUTIVE SUMMARY**

This report presents the Monthly Financial Performance for the month ended 31 March 2024. The report provides information on the actual budget position at the financial statement level and capital expenditure reports for the current financial year.

As at 31 March 2024, the actual Consolidated year-to-date result before capital revenue is a surplus of \$13.81M against a budgeted surplus of \$7.94M. This result is largely due to investment income performing better than projected due to higher interest rates and the amount of funds available to be invested. The actual Consolidated year-to-date result after capital revenue is a surplus of \$37.10M against a budgeted surplus of \$28.78M.

As at 31 March 2024, the actual General Fund year-to-date result before capital revenue is a surplus of \$4.81M against a budgeted deficit of \$1.21M. In addition to investment income greater than budget expectations, Holiday Parks, Jetty Memorial Theatre, swimming pools and the waste facilities are all performing better than anticipated. The actual General Fund year-to-date result after capital revenue is a surplus of \$21.57M against a budgeted year-to-date surplus of \$15.19M.

Further explanation of year-to-date variances is contained within the Income Statement commentary under Variance Comments for variances greater than 10%. There are individual operational income sources with variances, but overall operational income is above expectations, with the operational expenditure on track.

The capital expenditure target for the current financial year is \$68.66M with \$33.18M expended to the end of March 2024.

2024/71 RESOLVED (Cr Tony Judge / Cr Tegan Swan)

That Council:

1. Note the Monthly Financial Performance Report for 31 March 2024.
2. Adopt the proposed budget changes in Attachment 1.

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

CARRIED

GM24/22 CONTRACT NO. CON00418 SUPPLY ONE ASPHALT MAINTENANCE TRUCK WITH FRONT MOUNT BOOM**EXECUTIVE SUMMARY**

The City of Coffs Harbour recently conducted a tender for the supply of a replacement Asphalt Maintenance Truck with Front Mount Boom as the City of Coffs Harbour's existing plant asset is due for replacement.

The purpose of this report is to seek Council's endorsement of the recommendation in the confidential attachment.

2024/72 RESOLVED (Cr George Cecato / Cr Tony Judge)

That Council:

1. Accepts the tender received for Contract No. CON00418 Supply of One Asphalt Maintenance Truck with Front Mount Boom from Ausroad Manufacturing Pty Ltd ABN 90 602 766 530 for the tendered price of \$661,233.18 excluding GST in accordance with Clause 178(1)(a) of the Local Government (General) Regulations, on the basis that the tender submission:
 - 1.1. Demonstrates the operation and mechanical design of the asphalt maintenance truck is fit for purpose.
 - 1.2. Demonstrates the supplier possesses the capability and experience to supply the asphalt maintenance truck.
2. Authorise the General Manager under delegated authority to execute the contract document.

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

Against: Cr Wolgamot

CARRIED

GM24/23 CONTRACT NO. CON00431 ELECTRICAL MAINTENANCE AND REPAIR SERVICES PANEL SUPPLY**EXECUTIVE SUMMARY**

The City of Coffs Harbour recently conducted a tender for Contract No. CON00431 Electrical Maintenance and Repair Services Panel Supply that closed on 27 March 2024.

The tender was advertised as a contract for a 2 year period with a 1 year option exercisable at the sole discretion of the City of Coffs Harbour based on satisfactory supplier performance and business requirements. Proponents were advised that the tender would be awarded as a non-exclusive panel supply.

The purpose of this report is to seek Council's endorsement of the recommendation in the confidential attachment.

2024/73 RESOLVED (Cr George Cecato / Cr Julie Sechi)

That Council:

1. In accordance with clause 178 (1)(a) of the Local Government (General) Regulation 2021, accepts the Contract No. CON00431 Electrical Maintenance and Repair Services Panel Supply for an initial term of 2 years, with the 5 proponents as follows:
 - BCF Electrical Pty Ltd T/A Grant Franklin Electrical 2
 - BR & WA Smith Pty Ltd T/A Ray Smith Electrical
 - Reg Latter Electrical Pty Ltd T/A Reg Latter Electrical & Energy
 - SMADA Electrical Services Pty Ltd
 - Wardman Electrical and Data

On the basis that:

- 1.1 Approving a panel of 5 proponents will provide flexibility and cost competitiveness across all locations and services where the City operates; and
- 1.2 The selected proponents have the necessary experience in similar works and their ability and performance are assessed as exceeding minimum tender requirements.
2. Approve provision for a single 1 year contract term extension, based on business requirements and satisfactory panel performance, which may take the contract through to 2027.
3. Authorise the General Manager under delegated authority to execute the contract documents.

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

CARRIED

GM24/24 CITY COMMITTEES - APPOINTMENT OF MEMBERS**EXECUTIVE SUMMARY**

Nominees to join the City of Coffs Harbour's Committees require appointment by Council. This report is seeking the appointment of community members to the following committees:

- Australia Day Committee
- Eastern Dorrigo Community Hall & Showground Facility Management Committee

2024/74 RESOLVED (Cr Tegan Swan / Cr Scott Wolgamot)

That Council appoint:

1. Bill Van Ryswyk to the Australia Day Committee.
2. Debra Brook to the Eastern Dorrigo Community Hall & Showground Facility Management Committee.

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

CARRIED

BS24/09 COFFS HARBOUR LABORATORY**EXECUTIVE SUMMARY**

The Coffs Harbour Laboratory is a commercial business of the City of Coffs Harbour which provides internal environmental services to other sections of the City plus external environmental testing services to a wide range of clients. The report recommends the development of a new, purpose-built laboratory to enable continued growth in revenue and expansion of services, on the City of Coffs Harbour owned operational land on Christmas Bells Rd.

2024/75 RESOLVED (Cr Rodger Pryce / Cr Julie Sechi)

That Council:

1. Approve the development of a new Coffs Harbour Laboratory on the preferred site on Christmas Bells Rd, subject to:
 - 1.1. Adoption of the new laboratory budget allocation contained within the 2022-26 Delivery Program and 2024/25 Operational Plan.
 - 1.2. Development Consent.
2. Note that the current Laboratory site will be leased for a short to medium term, with the long-term future use of the site being the subject of a further report to Council.

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

CARRIED

NOTICES OF MOTION – CITY PLANNING & COMMUNITIES**NOM24/05 PROTECTION OF POINCIANAS IN WOOLGOOLGA TOWN CENTRE****2024/76 RESOLVED (Cr Tony Judge / Cr Tegan Swan)**

"That Council:

1. Notes the strong community sentiment favouring retention of the poinciana trees in Nightingale St, Woolgoolga that are currently identified for replacement in the Woolgoolga Movement and Place Plan.
2. Resolves to preserve those trees unless there is an imminent risk to public safety or significant damage to public infrastructure.
3. Amends the Woolgoolga Movement and Place Plan accordingly.
4. Resolves that any future proposal to remove those trees, for reasons other than an imminent threat to public safety, is referred to Council for decision."

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

CARRIED

DIRECTORATE REPORTS - CITY PLANNING & COMMUNITIES**CPC24/09 PLANNING PROPOSAL TO REZONE LAND - LOTS 1 & 2 DP 1093448, NO. 218 EAST BANK ROAD, CORAMBA - PRE-EXHIBITION****EXECUTIVE SUMMARY**

The City of Coffs Harbour has received an application to amend Coffs Harbour Local Environmental Plan 2013 to apply planning controls to facilitate the subdivision of Lots 1 & 2 DP 1093448, No. 218 East Bank Road, Coramba for large lot residential development.

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour Local Environmental Plan 2013 to rezone the subject land from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential and Zone C2 Environmental Conservation and apply a minimum lot size of 8,000m² to the proposed R5 Large Lot Residential zoned land (Attachment 1). Council's endorsement is also sought to carry out public exhibition of a draft amendment to Coffs Harbour Development Control Plan 2015 which is required to align controls in the Development Control Plan with the zoning that is intended to apply to the land (Attachment 2).

2024/77 RESOLVED (Cr George Cecato / Cr Julie Sechi)

That Council:

1. Initiate a planning proposal to rezone land at Lots 1 & 2 DP 1093448, No. 218 East Bank Road, Coramba (Attachment 1) and forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure seeking a gateway determination.
2. Request that the Secretary of the NSW Department of Planning, Housing and Infrastructure 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.
3. Publicly exhibit the planning proposal and undertake government agency consultation in accordance with the gateway determination issued by the NSW Department of Planning, Housing and Infrastructure.
4. Publicly exhibit draft Coffs Harbour Development Control Plan 2015 - Amendment No. 36 (218 East Bank Road, Coramba) (Attachment 2) concurrently with the associated planning proposal.
5. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal and draft Coffs Harbour Development Control Plan 2015 – Amendment No. 36 (218 East Bank Road, Coramba).
6. Inform the owners of the subject land and their consultant of Council's decision.

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

CARRIED

CPC24/10 PLANNING PROPOSAL TO REDUCE MINIMUM LOT SIZE - LOT 411 DP 1276302, NO. 198 AYRSHIRE PARK DRIVE, BOAMBEE - PRE-EXHIBITION**EXECUTIVE SUMMARY**

An application has been received by the City of Coffs Harbour to amend Coffs Harbour Local Environmental Plan 2013 for Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee to facilitate the subdivision of the land for large lot residential purposes. The application has been determined to have merit as it accords with the City of Coffs Harbour'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 Local Environmental Plan 2013 to reduce the minimum lot size applying to the subject land from one hectare to 4,500m² (Attachment 1).

2024/78 RESOLVED (Cr Rodger Pryce / Cr George Cecato)

That Council:

1. Initiate and forward a planning proposal to the NSW Department of Planning, Housing and Infrastructure seeking gateway determination to reduce the minimum lot size for Lot 411 DP 1276302, No. 198 Ayrshire Park Drive, Boambee (Attachment 1).
2. Request that the Secretary of the NSW Department of Planning, Housing and Infrastructure 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 in accordance with the gateway determination issued by the NSW Department of Planning, Housing and Infrastructure.
4. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal.
5. Inform the owners of the subject land and their consultant of Council's decision.

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

CARRIED

CPC24/11 DEVELOPMENT APPLICATION NO. 0780/23 - ALTERATIONS AND ADDITIONS TO THE PARK BEACH HOLIDAY PARK - LOT 1 DP 1035109, LOT 236 DP 752817, LOT 237 DP 752817, LOT 238 DP 752817, LOT 7052 DP 1051435, PT PARK BEACH CARAVAN PARK (WEST), NO. 1 OCEAN PARADE, COFFS HARBOUR**EXECUTIVE SUMMARY**

This report provides an assessment of Development Application No. 0780/23 for alterations and additions to the Park Beach Holiday Park (upgrade to recreation area and alterations to facilitate 7 cabin sites in place of 8 existing camping sites) at 1 Ocean Parade, Coffs Harbour.

At its meeting of 11 August 2022 (amended 25 August 2022), 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:

- Conflict of interest

- *Contentious development*
- *Departure from development standards*
- *Sensitive development*

The Park Beach Holiday Park is located on land owned by the Crown of NSW. The City of Coffs Harbour is the manager of the land and is the owner of the Park Beach Holiday Park. As the operator of the Park, the City has a commercial interest in the proposal.

In accordance with the '*Development Applications - Consideration by Council Policy*' the proposal falls under the category of 'conflict of interest' and therefore the Council is to determine the development application.

2024/79 RESOLVED (Cr George Cecato / Cr Julie Sechi)

That Council approve Development Application No. 0780/23 for alterations and additions to the Park Beach Holiday Park (upgrade to recreation area and alterations to facilitate 7 cabin sites in place of 8 existing camping sites) at Lot 1 DP 1035109, Lot 236 DP 752817, Lot 237 DP 752817, Lot 238 DP 752817, Lot 7052 DP 1051435, PT Park Beach Caravan Park (West), 1 Ocean Parade, Coffs Harbour subject to the conditions in Attachment 3.

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

CARRIED

DIRECTORATE REPORTS - CITY INFRASTRUCTURE

CI24/16 REVIEW OF THE NSW RECONSTRUCTION AUTHORITY ACT 2022

EXECUTIVE SUMMARY

A NSW parliamentary Joint Select Committee is required under section 93(3)(a) of the NSW Reconstruction Authority Act 2022 (the Act) to review that Act in accordance with terms of reference. City officers have prepared the attached submission for Council's consideration, which is recommended for endorsement.

2024/80 RESOLVED (Cr Jonathan Cassell / Cr Julie Sechi)

That Council endorse the submission (Attachment 1) to the Joint Select Committee Review of the NSW Reconstruction Authority Act 2022.

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

CARRIED

CI24/17 QUARTERLY WASTE SERVICES UPDATE - MARCH 2024

EXECUTIVE SUMMARY

This report provides an update to Council regarding Waste Services activities throughout the March 2024 quarter and is recommended for noting.

2024/81 RESOLVED (Cr Scott Wolgamot / Cr Tony Judge)

That Council note the report.

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

CARRIED

CI24/18 TRAFFIC COMMITTEE MEETING - MARCH 2024**EXECUTIVE SUMMARY**

The Local Traffic Committee Meeting minutes of 12 March 2024 are presented to Council for noting.

Two of the 9 recommendations were items requiring action by the City of Coffs Harbour, such as the installation of signage, and were of a minor nature and approved under the delegated authority issued to the Director City Infrastructure.

The remaining 7 items were items not requiring further action by the City of Coffs Harbour. These items included ratifying extraordinary items resolved in the period between meetings, development conditions and other items for discussion.

2024/82 RESOLVED (Cr Tony Judge / Cr Scott Wolgamot)

That Council:

1. Note the outcomes contained in the minutes of the Local Traffic Committee Meeting of 12 March 2024 (Attachment 1).
2. Note the Traffic Instruments T4 and T9 – 2024 (Attachment 2) which were approved under delegated authority.

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

CARRIED

QUESTIONS ON NOTICE**QON24/03 SAWTELL FIREWORKS POLLUTION INCIDENT FINDINGS**

The response was noted.

QON24/04 MOWING ROSTER

The response was noted.

QON24/05 WATER SUPPLY AGREEMENT IN THE ERA OF CLIMATE CHANGE

The response was noted.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

CLOSE OF MEETING

The Meeting closed at 7.32pm.

Confirmed: 23 May 2024

.....
Paul Amos
Mayor