
PRESENT

Members:

Matt Rogers
Dan Croft
Paul Bironr
Cliff Toms

Other Attendees:

Clinton Tink
Patrick Galbraith-Robertson

The meeting opened at 2.00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That the apologies received from Paul Drake and David Fletcher be accepted.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Development Assessment Panel Meeting held on 27 March 2013 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

**05 SECTION 96 MODIFICATION TO DA 2008/219 - AEROPLANE LANDING AREA,
LOT 1 DP 255287, HURSLEY ROAD, REDBANK**

The Chair tabled 2 documents from Mark Livermore and Vicki Campbell and advised that the Panel members had been forwarded these documents for review prior to the meeting.

Speakers:

Brian Mantle (o)
Vicki Campbell (o)
Deirdre Pike (o)
John Avery (o)
Mark Livermore
Lisa Intemann
Ross Cummings
Clyde Stubbs (applicant)

CONSENSUS:

That Section 96 Modification Application to DA 2008/219 for changes to an Aeroplane Landing Area at Lot 1 DP 255287, Hursley Road, Redbank, be determined by granting a modified consent subject to the recommended conditions and as amended below:

- Delete condition A(8) and A(9)
- New condition in Section A of the consent to read 'This consent permits a maximum annual number of aircraft movements of 730, with a maximum of 42 movements in any given week, a maximum movements of 12 per day, except on 3 occasions per year where a maximum number of 26 movements per day are permitted provided that for those 3 occasions at least 7 days written notice of each occasion has been provided to the nominated representatives of interested residents.
- Amend the first dot point in condition A(11) to read 'An annual log book of all usages of the aeroplane landing area. The log book is to contain data as approved by Council.
- Add the following words to the end of condition A(7); 'A northern departure or approach is not permitted during the yarding of livestock on the adjoining properties, excluding an emergency landing required to use the northern approach.'

06 DA 2012/305 - STAGED SIXTY THREE (63) LOT INDUSTRIAL SUBDIVISION WITH ADDITIONAL RESIDUE AND INFRASTRUCTURE LOTS AT LOT 30 DP 255774, LOT 2 DP 222740, LOT 1 DP 124543, LOT 1 DP 226821, LOT 62 DP 754434, LOT 1 DP 1131036 AND PART LOT 1 DP 1144490, SANCROX ROAD, SANCROX

Speakers:

Tony Thorne (applicant)

CONSENSUS:

1. That the Koala Plan of Management prepared by King & Campbell Pty Ltd dated March 2013 be adopted, subject to requirements of the letter from the Department of Planning and Infrastructure (DoPI) dated 28 March 2013.

2. That upon approval of recommendation 1, DA 2012/305 for a staged sixty three (63) lot industrial subdivision with additional residue and infrastructure lots at Lot 30 DP 255774, Lot 2 DP 222740, Lot 1 DP 124543, Lot 1 DP 226821, Lot 62 DP 754434, Lot 1 DP 1131036 and Part Lot 1 DP 1144490, Sancrox Road, Sancrox, be determined by granting consent subject to the recommended conditions and as amended below:

- Add the following words to the end of condition A(13); 'It is acknowledged that the industrial lots within each stage of the above for earthworks stages will be released in sub stages. The details of the sub stages are to be provided to Council with the construction certificate documentation for that stage.'
- Delete the following words from condition A(14); 'The landowners are currently having continuing discussions with the owners of Hanson quarry regarding the Access Road Land.'
- Add the following words to the end condition A(15); 'Cost sharing arrangements between Council and the landowners for the upsizing of the sewerage infrastructure to cater for the ultimate development sewer load from the Sancrox area are to be determined at the construction certificate stage or similar.'
- Reword condition A(20) as follows; 'Construction of the internal road network and proposed Sancrox Traffic Arrangement works by the NSW RMS shall provide flood free egress for the site. For the purpose of this development consent the flood planning level for the site shall be a minimum of RL 6.1m AHD.'
- Delete condition B(12).

**07 DA 2013/21 - PRIMITIVE CAMP GROUND WITHIN EXISTING SHOWGROUND
(KENDALL SHOWGROUND)**

CONSENSUS:

That DA 2013/21 for a primitive campground within existing showground (Kendall Showground) at Lot 2 DP 1048212, Lot 17 DP 370240, 23 Batar Creek Road, Kendall, be determined by granting consent subject to the recommended conditions.

**08 SECTION 96 MODIFICATION DA 2010/230 - REMOVAL OF RESTRICTION
ASSOCIATED WITH AMPLIFIED LIVE MUSIC (CONDITION F8) ASSOCIATED
WITH PREVIOUSLY APPROVED RESTAURANT TENANCY (THE FIG)**

The Chair tabled documentation from the applicant dated 10/4/13.

Speakers:

Michelle Chapman (o)
Edward Cooper (o)
Kevin Farrell (o)
Darren Williams (o)

That S96 Modification Application to DA 2010/230- removal of restriction associated with amplified live music (Condition F8) associated with previously approved restaurant tenancy (The Fig), at Lot 1 SP 79256, 1/17-19 Horton Street, Port Macquarie be determined by granting consent subject to the following changes:

1. Amend condition F(8) to state:

The following noise restrictions apply to the operations of the restaurant premises:

- Install compression or limiting devices to the sound system;
- Install equalization devices to control low frequency sound levels;
- Set a maximum noise level for the restaurant which shall be included in contracts with performers (to ensure it is not exceeded);
- Staff are to carry out regular noise monitoring with proper devices to ensure maximum noise levels are not exceeded and compliance with the Office of Liquor, Gaming and Racing noise conditions are achieved;
- Establish a Complaints Register and Complaints Handling Procedure for staff;
- Staff are to be trained in complaint handling and are to investigate and act on noise complaints received;
- Offensive noise is not to be generated on the premises;

2. Add new condition F(10) to state:

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Frequency (31.5Hz - 8kHz) by more than 5db between 7.00am and 12.00 midnight at the boundary of any affected residence.

3. Add new condition F(11) to state:

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz– 8kHz inclusive) between 12:00 midnight and 7:00 am at the boundary of any affected residence.

4. Add new condition F(12) to state:

The noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 am.

5. Additional dot point in condition F(8) to read; 'The proponent is to maintain a log book for all live performances. The log book is to contain noise monitoring results undertaken for each performance having regard for the noise criteria specified by this consent. The log book is to include the date, time and details of any noise complaints made in relation to noise emanating from the premises. The log book is to be made available to Council staff upon request.

6. Additional condition F (13) to read: 'The proponent is to submit to Council certification, by a suitably qualified acoustical consultant, that the maximum noise level required by condition F(8) complies with the noise criteria specified by this consent.'

The meeting closed at 4.05pm.