

PRESENT

Members:

Paul Drake
Dan Croft
David Fletcher
David Troemel

Other Attendees:

Clinton Tink
Pat Galbraith-Robertson
Chris Gardiner
Paul Biron
Fiona Tierney
Ben Roberts

The meeting opened at 2.00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

Nil.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Development Assessment Panel Meeting held on 14 May 2014 be confirmed.

04 DISCLOSURES OF INTEREST

Paul Drake declared an interest in Item 13 of the agenda as a representative of the Northern Joint Regional Planning Panel which will be considering the development application for Charles Sturt University.

05 DA 2014 - 0002 - DWELLING AND SWIMMING POOL WITH CLAUSE 4.6 VARIATION TO CLAUSES 4.3 (HEIGHT OF BUILDINGS) AND 4.4 (FLOOR SPACE RATIO) OF PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 16 DP 18159 & LOT 2 DP 606575, 951 OCEAN DRIVE, BONNY HILLS

The chair tabled a submission from Roger Barlow seeking deferral of the application.

CONSENSUS:

That consideration of the application not be deferred.

Speakers:

Michael Toohey (o)

Anne Huleat (o)

Steven Braithwaite (applicant)

Kim Braithwaite

CONSENSUS:

1. That DA 2014 - 0002 for a dwelling and swimming pool with Clause 4.6 variation to Clauses 4.3 (Height of Buildings) and 4.4 (Floor Space Ratio) of Port Macquarie Hastings Local Environmental Plan 2011 at Lot 16 DP 18159 & Lot 2 DP 606575, No. 951 Ocean Drive, Bonny Hills, be determined by granting consent subject to the recommended conditions.
2. That a report be provided to Council advising of the decision on the Clause 4.6 variations as per Planning Circular PS 08-014.

06 DA 2013 - 0620 - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING-HOUSE TO CREATE A 3 STOREY DWELLING-HOUSE INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.4 (FLOOR SPACE RATIO) UNDER PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011

Speakers:

Brendon Burke (o)

Michelle Love (applicant)

CONSENSUS:

That it be a recommendation to Council that DA2013 - 0620 for alterations and additions to existing dwelling-house to create a 3 storey dwelling-house including clause 4.6 variation to clause 4.4 (floor space ratio) under Port Macquarie-Hastings Local Environmental Plan 2011, at Lot 1, DP 569792, No. 935 Ocean Drive, Bonny Hills, be determined by granting consent subject to the recommended conditions .

07 DA 2014 - 0229 - PART CHANGE OF USE FROM PLACE OF PUBLIC WORSHIP TO MEDICAL CENTRE, 18 MCINTYRE STREET, PORT MACQUARIE

Speakers:

David Curren (o)

John Noble (o)

CONSENSUS:

That DA 2014-0229 for a part change of use from a place of public worship to medical centre at Lot 2, DP811952, No. 18 McIntyre Street, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

Amend condition A5 to read:

'Any music associated with the rehabilitation classes shall commence after 8am and cease at 6pm'.

08 DA 2014 - 0106 - PROPOSED REFURBISHMENT OF AGED CARE FACILITY AND PART CHANGE OF USE TO COMMUNITY FACILITY (DISABILITY SERVICES) AT LOT 1 DP 1153783, NO. 41-47 MORTON STREET, PORT MACQUARIE

Speaker:
Raymond Gouch (applicant)

CONSENSUS:

That DA 2014 - 0106 for Refurbishment of an Aged Care Facility and Part Change of Use to Community Facility (Disability Services) at Lot 1, DP 1153783, No. 41-47 Morton Street, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

Amend condition B5 to read:

'The southern car parking area, access and associated stormwater drainage thereto shall be constructed in accordance with Council's consent DA2010 - 0516 for a minimum of 8 additional parking spaces (including at least one accessible space). Details shall be provided as part of a Section 138 (Roads Act) application with Roads Act approval prior to any construction certificate. Certification by a suitably qualified consultant is to be submitted to Council that the construction of the car park and internal accesses is in accordance with Council's Development Control Plan 2013 and Australian Standard 2890.1 prior to occupation or issue of the Occupation Certificate.

09 DA 2013 - 0113 - DWELLING AND CLAUSE 4.6 VARIATION TO CLAUSE 4.2A OF PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 103 DP 754406, BELLANGRY ROAD, BELLANGRY

CONSENSUS:

That it be noted that this Item has been formally withdrawn from Council.

**10 DA 2014 - 0226 - ALTERATIONS AND ADDITIONS TO DWELLING HOUSE -
LOT 25 DP38310,7 WARATAH STREET, PORT MACQUARIE**

Speakers:

Trevor Astall (o)

Rob Beukers (applicant)

CONSENSUS:

That DA 2014 - 0226 for alterations and additions to dwelling house at Lot 25, DP 38310, No. 7 Waratah Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

**11 DA 2013 - 0575 - SINGLE DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO
CLAUSE 4.2A (MINIMUM LOT SIZE FOR DWELLING) PORT MACQUARIE
HASTINGS LOCAL ENVIRONMENT PLAN 2011 - LOTS 209 & 211 DP 754418
LORNE ROAD, KENDALL**

Speaker:

Geraldine Haigh (applicant)

RECOMMENDATION:

That it be a recommendation to Council:

1. That DA 2013 - 0575 for a single dwelling including clause 4.6 objection to clause 4.2A (minimum lot size for dwelling) of the Port Macquarie Hastings Local Environment Plan 2011 at Lot 209 & 211, DP 754418, Lorne Road, Kendall, be supported in principle subject to the recommended conditions.
2. That subject to the applicant submitting satisfactory ecological, bushfire and on-site waste water reports, a further report be provided to Council to enable determination of the application.

For: Paul Drake, David Fletcher and David Troemel

Against: Dan Croft

The dissenting recommendation from Dan Croft was:

That it be a recommendation to Council that DA 2013 - 0575 for a single dwelling including clause 4.6 objection to clause 4.2A (minimum lot size for dwelling) of the Port Macquarie-Hastings Local Environment Plan 2011 at Lot 209 & 211, DP 754418, Lorne Road, Kendall, be refused for the following reasons:

1. The proposal is inconsistent with the objectives of Clause 4.2A of the Port Macquarie-Hastings Local Environmental Plan 2011 as it will result in a form of unplanned rural residential development. It is considered more appropriate that a
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strategic planning investigation be undertaken to determine whether further rural residential development surrounding Kendall is justified.

2. The development would result in an adverse precedent and cumulative impact associated with approving dwellings on undersized rural lots, leading to an incremental undermining of the rural zone objectives, the development standard and result in an increase in unplanned rural residential development.
3. Variation of the development standard in the circumstance is not considered to be in the public interest.

12 DA 2014 - 0127 - DWELLING - LOT 5 SEC B DP 25923, 46 CHEPANA STREET, LAKE CATHIE

CONSENSUS:

That DA2014 - 0127 for a dwelling at Lot 5, Sec B DP 25923, No. 46 Chepana Street, Lake Cathie be determined by granting consent subject to the recommended conditions.

13 DA 2014 - 0119 - SITE CLEARING, BULK EARTHWORKS, LEVELLING/BENCHING, STORMWATER DRAINAGE, WATER AND SEWER INFRASTRUCTURE FOR FUTURE EDUCATIONAL ESTABLISHMENT (CHARLES STURT UNIVERSITY) - ELLIS PARADE AND MAJOR INNES ROAD, PORT MACQUARIE

Paul Drake declared an interest in the item as a representative of the Northern Joint Regional Planning Panel which will be considering the development application for Charles Sturt University itself. Paul Drake did not take part in the voting.

CONSENSUS:

1. That DA 2014 - 0119 for site clearing, bulk earthworks, levelling/benching, stormwater drainage, water and sewer infrastructure for future educational establishment (Charles Sturt University) at Lots 2 and 3, DP 1178043 and Lot 8 DP 1094444, Ellis Parade and Major Innes Road, Port Macquarie, be supported subject to the recommended conditions.
2. The Panel delegate determination of the application, including any required negotiation/changes to conditions of consent following consultation with the applicant, to Council's Group Manager Development Assessment.

The meeting closed at 3.49pm.