
PRESENT

Members:

Paul Drake
Dan Croft
David Troemel

Other Attendees:

Clinton Tink
Ben Roberts
Stephen Ryan

The meeting opened at 2:02pm.

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 23 March 2016 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2015 - 0882.1 CHANGE OF USE (DWELLING TO OFFICE PREMISES) - LOT 11 DP 883932, 31 ACKROYD STREET, PORT MACQUARIE

Speaker:
Nigel Swift (applicant)

CONSENSUS:

That DA 2015/0882.1 for a change of use (dwelling to office premises) at Lot 11, DP 883932, No. 31 Ackroyd Street, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Delete condition C2
- Move condition C4 to Section E of the consent
- Additional condition in section A of the consent to read: 'The provision, at no cost to Council, of concrete foot paving 1.2m wide required for the full street frontages of Ackroyd Street. Design details to be in accordance with AUSPEC and Council Standard drawings. Approval pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be obtained from Port Macquarie-Hastings Council with construction completed prior to change in use.
- Additional condition in Section A of the consent to read: 'The applicant shall provide security to the Council for the payment of the cost of the following:
 - a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
 - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

Such security is to be provided to Council prior to the issue of the Subdivision Certificate/Construction Certificate or Section 138 of the Roads Act, 1993.

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is 10% of the contracted works for Torrens Title subdivision development/the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

- i. deposit with the Council, or
- ii. an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within 6 years after the work to which the security relates has been completed the Council

may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.'

- Additional condition in Section E of the consent to read: Prior to occupation or the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.

06 DA2014 - 421.2 MODIFICATION TO PONTOON (SAILABILITY) - LOT 2 DP 535212 MCINHERNEY CLOSE, PORT MACQUARIE

The Chair tabled a submission from Kaye Newberry.

Speaker:
Wayne Evans

CONSENSUS:

That it be a recommendation to Council that modification to DA2014 - 421.2 for a pontoon at Lot 2, DP 535212, McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition A6 to read: '(A195) The gradients of the footpath shall comply with Australian Standards AS1428.4.1.2009 (for distances up to 9m the maximum gradient is 1:14, for distances up to 15m the maximum gradient is 1:20). The footpath is to provide a continuous unobstructed accessible path of travel.'
- Amend condition to read: 'B1 (B195) Prior to release of the Construction Certificate a practising chartered professional structural engineer is to provide certification to the PCA that the building is designed so that all structural members are capable of withstanding flood forces and the impact of any debris (carried by floodwaters) likely to occur for a range of floods up to and including the 1 in 100 year flood including climate change and the relevant freeboard level of 500mm. For the purpose of this requirement, the 1 in 100 year flood level including climate change may be assumed to be RL3.32m AHD. Velocities to be adopted for the calculation of forces created by flood waters and debris loading shall be address velocities for a 1 in 100 year flood including climate change plus freeboard. For the purpose of this requirement, the velocity for the 1 in 100 flood including climate change may be assumed to be 1.35m/s.'
- Amend condition F1 to read F1 The proponent is to enter into an agreement with the Manager of Parks and Gardens of Port Macquarie-Hastings Council for the maintenance of the structure. Council retains the right to remove any unsafe, unsightly or unauthorised structure or part thereof without prior notice.

**07 DA2016 - 162.1 ANCILLARY BUILDING (SHED) - LOT 20 DP 707776 NO 20
LINKS CRESCENT, PORT MACQUARIE**

The Chair tabled a submission from Paul and Robyn Newman.

Speakers:

Barry Filshie (o)
Dorothy Filshie (o)
Chris Lloyd (o)
Paul Newman (o)
Grant Richmond (o)
David Edwards (applicant)

CONSENSUS:

That the application be deferred to enable the applicant to submit amended plans providing for the following:

- Landscaped screening of the shed.
- Resiting of the shed to be level with the existing fence and retaining wall structure on site
- Site plan detailing vehicular access to the shed from the existing driveway.
- Horizontal clad finish to the shed with a colour sympathetic to the locality.

08 GENERAL BUSINESS

Nil.

The meeting closed at 3:20pm.