
PRESENT

Members:

Paul Drake
Dan Croft
David Troemel

Other Attendees:

Fiona Tierney
Chris Gardiner
Ben Roberts
Pat Galbraith-Robertson

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 22 June 2016 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2006 - 593.3 - SECTION 96 MODIFICATION TO DESIGN OF RESIDENTIAL FLAT BUILDING CONTAINING MIX OF PERMANENT DWELLINGS, SERVICED APARTMENTS, RESTAURANTS AND COMMERCIAL TENANCIES - LOTS 1 & 2 DP 780593, LOT 1 DP 947705, LOT 1 DP 350138, LOT 1 DP 664057, 16 LORD STREET, 50 WILLIAM STREET AND CHURCH STREET, PORT MACQUARIE

Submissions from Addisons Lawyers dated 8/7/16 and 12/7/16 objecting to the proposal were tabled at the meeting.

Speakers :

Murray Sallaway (o)

Chris Baker (o)

Michelle Love (applicant)

For the recommendation: David Troemel and Dan Croft

Against the recommendation: Paul Drake

The dissenting recommendation was:

That DA2006 - 593.3 be deferred to enable Council to seek legal opinion as to whether the modified proposal represents substantially the same development and can be lawfully approved by Council.

06 DA2015 - 492.2 MODIFICATION TO CONTINUED USE OF ALTERATIONS AND ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.4 (FLOOR SPACE RATIO) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 8 DP1077969, 12 THE ANCHORAGE, PORT MACQUARIE

Speakers:

Nik Sandeman Allen (o)

Andrew Rock (applicant)

CONSENSUS:

That section 96 modification to DA2015 - 492 for continued use of alterations and additions to dwelling including clause 4.6 variation to clause 4.4 (floor space ratio) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 8, DP1077969, No. 12 The Anchorage, Port Macquarie, be determined by granting consent subject to the recommended conditions.

07 DA2016 - 126 - ALTERATIONS AND ADDITIONS TO EXISTING COMMERCIAL BUILDINGS INCLUDING PART CHANGE OF USE TO DWELLING AND BOARDING HOUSE - LOT 2 DP 168128, NO 98 WILLIAM STREET, PORT MACQUARIE

Speakers:

Debra Evans (o)
Chris Simmons (o)
Malcolm McNeil (applicant)

CONSENSUS:

That DA 2016 - 126 for alterations and additions to existing commercial buildings including part change of use to dwelling and boarding house at Lot 2, DP 168128, No. 98 William Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

08 DA2016 - 284.1 RESIDENTIAL SUBDIVISION (16 LOTS) INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 4 DP 615261, OCEAN DRIVE, LAKE CATHIE

Speakers:

Kate McKinnon (applicant)

CONSENSUS:

That it be recommended to Council that DA 2016 - 284.1 for a Residential Subdivision (16 Lots) Including Clause 4.6 Objection to Clause 4.1 (Minimum Lot Size) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 4, DP 615261, Ocean Drive, Lake Cathie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition E(10) as follows:
 - (10) (E196) A suitable restriction under Section 88B of the Conveyancing Act, 1919 shall be placed on the titles of proposed Lots 144 - 147 inclusive. The restriction shall specify that prior to Council or the Principal Certifying Authority issuing a Construction Certificate or Complying Development Certificate a report shall be submitted to the Principal Certifying Authority certifying that the building design incorporates category 2 construction measures and will achieve the acceptable daytime and night time noise levels contained within AS/NZS 2107:2000 – Acoustics – Recommended design sound levels and reverberation times for building interiors.
- Add new condition E(11) as follows:
 - (11) (E197) A suitable restriction under Section 88B of the Conveyancing Act, 1919 shall be placed on the titles of proposed Lots 148 - 150 inclusive. The restriction shall specify that prior to Council or the Principal Certifying Authority issuing a Construction Certificate or Complying Development Certificate for a

two storey dwelling, a report shall be submitted to the Principal Certifying Authority certifying that the building design incorporates category 2 construction measures and will achieve the acceptable daytime and night time noise levels contained within AS/NZS 2107:2000 – Acoustics – Recommended design sound levels and reverberation times for building interiors.

- Move condition B(8) to Part E of the consent and amend the wording as follows:

- (12) (E198) As part of the Seawide Voluntary Planning Agreement (Part 3), the Catarina Sewer Pump Station and Sewerage Infrastructure must be commissioned and fully operational before a Subdivision Certificate can be issued.

09 DA2016 - 355 - HOME BUSINESS - CHIROPRACTOR - LOT 7 DP 262125, NO 4 PAPPINBARRA PARADE, PORT MACQUARIE

Speakers:

Ian Peasley (o)
Kerry Burns (o)
Richard Edmonds (o)
Kevin Marks (o)
Linda Pollock (applicant)
Bob Pollock (applicant)

CONSENSUS:

That DA 2016 - 355 for a home business - chiropractor at Lot 7, DP 262125, No. 4 Pappinbarra Parade, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition F1 to read 'On site car parking is to be provided in an unrestricted manner at all times during the operations of development for use by both staff and patrons. A minimum of 3 spaces are to be provided onsite. A hardstand turning area is to be provided on site so as to enable customers to exit the property in a forward direction. The turning area is to be designed so as to enable a vehicle manoeuvre satisfying AS2890.1.'

10 GENERAL BUSINESS

Nil.

The meeting closed at 4:00pm.