
PRESENT

Members:

Paul Drake
Robert Hussey
Dan Croft

Other Attendees:

Pat Galbraith-Robertson
Chris Gardiner
David Troemel

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 27 September 2017 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 SECTION 96 MODIFICATION TO DA2016 - 544.2 - MODIFICATION TO DESIGN OF PREVIOUS APPROVED DWELLING AS PART OF A DUAL OCCUPANCY AND STRATA SUBDIVISION - LOT 91 DP 18138, NO 28 ARNCLIFFE AVENUE, PORT MACQUARIE

CONSENSUS:

That the Section 96 modification application to DA 2016 - 544 for a modification to design of previous approved dwelling and strata subdivision at Lot 91, DP 18138, No. 28 Arncliffe Avenue, Port Macquarie, be determined by granting the modified consent subject to:

1. Amend condition A(1) to reflect the modified plans and BASIX Certificate to be approved;
2. Amend condition B (11) to require that the plans submitted with the application for Construction Certificate include openings no greater than 25% for the 1.8m height privacy screen on the eastern elevation of the deck associated with the new second dwelling; and
3. Add condition B(12) to ensure compliance with AS 2890. Condition worded as follows:

B(12) The design of the carpark and accesses is to be in accordance with Australian Standard 2890. The access driveway shall be a minimum of 3m wide and located a minimum of 300mm clear of proposed Strata boundary. Certification of the design by a suitably qualified consultant is to be provided to the Principal Certifying Authority prior to release of the Construction Certificate.

06 DA2017 - 732.1 - TEMPORARY EVENTS (LONG POINT VINEYARD) - LOT 33 DP 789730 NO 6 COOINDA PLACE, LAKE CATHIE

Speakers:

Elizabeth Smith (o)
Melanie Leitch (applicant)

CONSENSUS:

That DA 2017 - 732 for Temporary Events (Long Point Vineyard) at Lot 33, DP 789730, No. 6 Cooina Place, Lake Cathie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition A(3) to read: 'This consent only permits a maximum of two(2) events in a 12 month period from the date of this consent. Should more events be proposed after this time then a new Development Application will be required to be lodged.'
- Amend condition A5 to read: 'No parking of vehicles shall be permitted within the public road reserves and/or either side of the internal driveway between the vineyard plantings. Parking attendants are to be on site for the duration of the event to ensure this condition is complied with.'
- Delete condition A(8)
- Amend condition A(9) to read: 'Prior to each event, a Traffic and Parking

Management Plan shall be submitted to and approved by Council. Event staff are to be made aware of the approved management plan requirements.'

- Amend condition B(2) to read: Hours of operation of the events are restricted to 12 midday to 7 pm on Saturdays only (gates are to be closed at 8pm).
- Additional condition in Section B of the consent to read: 'Security guards are to be on-site for the duration of the event to control the behaviour of patrons.'

**07 DA2017 - 466.1 2 LOT SUBDIVISION AT LOT 14 SEC B DP 24850, NO 19
REGENT STREET, PORT MCQUARIE**

Speakers:

Donna Clarke (applicant)

Claire Mathieson (applicant)

CONSENSUS:

That DA 2017 – 466.1 for a 2 lot subdivision at Lot 14, Sec B, DP 24850, No. 19 Regent Street, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition B(12) to read:
The unnamed road stub fronting the site is to be extended as follows:
 - a) To provide at least four (4) metres of road frontage to proposed Lot 2(measured parallel to the lot boundary), to allow any driveway access to Lot 2 to be made at 90 degrees to the road,
 - b) The end of the road is to be square, with the sides of the road to be formed with standard barrier (SA) type kerb and gutter, and the end of the road to be formed with a 300mm wide concrete edge strip,
 - c) Drainage transitions into nearby stormwater pits are required. Pits shall be augmented or relocated.
 - d) Details are to be approved by Council under s138 of the Roads Act prior to or concurrently with Construction Certificate approval.
- Amend condition E(12) to read:
The plan of subdivision and Section 88B instrument shall establish the following restrictions, easements and/or covenants; with Council having the benefit and having the sole authority to release, vary or modify each restriction, easement and/or covenant. Wherever possible the extent of the land affected by these covenants shall be defined by bearings and distances shown on the plan of subdivision. Changes to these conditions (for example, as a result of a refined stormwater analysis being accepted by Council) will require a DA s96 modification.
 - a) Both proposed Lots 1 and 2 shall be burdened by a positive covenant requiring all waste bins to be placed on Regent Street at the time of collection by public waste contractors.
 - b) Proposed Lot 2 shall be burdened by a restriction as to user prohibiting the erection of any building with a floor level less than RL 33.5m AHD.
 - c) Provision of an easement to drain water benefitting Council with a minimum

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- width of 6m (or lessor width where agreed to by Council to account for required overland stormwater flows) adjacent to the western boundary of proposed Lot 2 and over the existing public drainage within the site, or alternatively provision of proof that an easement exists for this purpose and is 6m wide to contain overland flows.
- d) A restriction as to user burdening proposed Lot 2 prohibiting vehicular access across the front (southern) boundary a minimum 4m from the eastern boundary of proposed Lot 2 and where the public road is formed adjacent to vehicle access.
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08 DA2017 - 726.1 DWELLING - LOT 63 DP 1096722, NO 8 CANDLEBARK COURT, LAKEWOOD

A submission from Peter and Katherine Mooney dated 9/10/17 objecting to the proposal was tabled at the meeting.

Speakers:

Lynn Spillane (o)

Amanda Cahill (o)

CONSENSUS:

That DA 2017 - 726.1 for a dwelling at Lot 63, DP 1096722, No. 8 Candlebark Court, Lakewood be determined by granting consent subject to the recommended conditions.

09 DA2017 - 771.1 DWELLING, POOL AND SHED - LOT 3 DP 1183709, NO 371B OCEAN DRIVE, WEST HAVEN

CONSENSUS:

That DA 2017 – 771.1 for a dwelling, pool and shed at Lot 3 DP1183709 No. 371B Ocean Drive, West Haven be determined by granting consent subject to the recommended conditions.

10 GENERAL BUSINESS

Nil.

The meeting closed at 3:40pm.
