
PRESENT

Members:

Paul Drake
Robert Hussey
Clinton Tink

Other Attendees:

Patrick Galbraith-Robertson
Dan Croft
Deb McKenzie
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

Paul Drake advised that the attendance register for 28 February 2018 was incorrect. In particular, the attendance register had Paul Drake as being away when in fact he was at the meeting. The anomaly was noted and to be corrected.

CONSENSUS:

That the Minutes of the Development Assessment Panel Meeting held on 14 March 2018 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2017 - 853.1 MULTI DWELLING HOUSING AND TORRENS TITLE SUBDIVISION OF PROPOSED LOTS 401, 402, 403 AND 404 - CURRENTLY LOT 208, DP 1224779, VENTURA PLACE, PORT MACQUARIE

Speakers:

Donna Clarke (applicant)

Michael Summers (applicant)

CONSENSUS:

That DA 2017 – 853.1 for multi dwelling housing and torrens title subdivision on proposed Lots 401, 402, 403 and 404, currently Lot 208, DP 1224779, Ventura Place, Port Macquarie, be determined by granting consent subject to the recommended conditions as amended below:

Replace the wording of condition A9 to state:

A9 (A007) The development must only proceed in accordance with the approved stages as set out below:

- Stage 1 – site works
- Stage 2 – construction of the dwellings and subdivision

Unless specified, the conditions of this consent will apply to all stages, with any decision on any discrepancy with conditions and associated staging resting with Council. Any decision to allow a change to staging will rest with Council along with applicable conditions and any contributions payable.

06 DA2018 - 91.1 GARAGE/SHED - LOT 39 DP 790538, NO 13 BABINDA AVENUE, WEST HAVEN

Speakers:

Gary Bewley (o)

Robert Smallwood (applicant)

CONSENSUS:

That DA2018 – 91.1 for a garage/shed at Lot 39 DP790538, No.13 Babinda Avenue, West Haven be determined by granting consent subject to the description of the development being a shed (not garage) and the recommended conditions as amended below:

- Add condition B2 to state:
B2 (B195) Prior to release of the Construction Certificate, details are to be submitted demonstrating that the structure will not impact on the zone of influence of the adjoining stormwater pipe or ability to excavate and do work on the pipe.
- Delete condition F2.

07 DA2017 - 234 - WASTE MANAGEMENT FACILITY (CONCRETE RECYCLING) - LOT 1 DP 1202080, PACIFIC HIGHWAY, PEMBROOKE

Speakers:

Nil.

CONSENSUS:

That the Development Assessment Panel recommend to Council that DA2017 - 234 for a waste management facility (concrete recycling facility) at Lot 1, DP 1202080, Pacific Highway, Pembroke, be determined by refusing consent for the following reasons:

1. Integrated Development concurrence has not been obtained for the proposal. An Environment Protection License has not been granted by the NSW Environment Protection Authority for the proposal pursuant to section 91 of the Environmental Planning and Assessment Act 1979 and Protection of the Environment Operations Act 1997.
2. The Applicant has failed to submit a site and development specific specialist Traffic Report to address the proposal's likely impacts and ascertain whether mitigation measures will be required.
3. The Applicant has failed to submit a specialist Noise and Dust report to address the proposal's likely impacts and ascertain whether mitigation measures will be required.
4. The Applicant has failed to provide the necessary specialist stormwater management plans to satisfactorily address required stormwater quality management.
5. The Applicant has failed to provide satisfactory details on management of asbestos and contaminated materials.
6. The Applicant has failed to provide the necessary dust monitoring (depositional dust analysis) in accordance with AS/NZS 3580.10.1-2003.

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7. The Applicant has failed to provide satisfactory details on perimeter landscaping details.
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08 SECTION 96 MODIFICATION DA2017 - 500.2 - MODIFY DESIGN OF PREVIOUS APPROVED DWELLING - LOT 703 DP 1228141, NO 37 YALUMA DRIVE, PORT MACQUARIE

Speakers:
Nil.

CONSENSUS:

That DA 2017 – 500.2 for a Section 96 modification to design of previous approved dwelling at Lot 703, DP 1228141, No. 37 Yaluma Drive, Port Macquarie, be determined by granting the modified consent subject to the recommended conditions.

09 DA2017 - 1018.1 DWELLING - LOT 20 DP 803114, NO 21 MILL HILL, PORT MACQUARIE

Speakers:
Laura Clyne (applicant)

Clinton Tink advised that he was approached by David Roberts (objector) during his site inspection. David Roberts advised that he was an apology for the meeting but requested the issues raised in his submission still be considered and that the house should be amended to avoid damage/loss of trees and fencing along his boundary.

CONSENSUS:

That DA2017 – 1018.1 for a dwelling at Lot 20, DP 803114, No. 21 Mill Hill, Port Macquarie, be determined by granting a deferred commencement consent subject to the recommended conditions as amended below:

Amend deferred condition 1 to state:

- 1 Koala Habitat Tree Compensatory Planting
 - (a) The applicant and Port Macquarie-Hastings Council are to agree, in writing, as to the location of the replacement planting of the koala habitat trees required as part of this application.
 - (b) A replacement ratio of 2:1 is to be applied, requiring fourteen (14) replacement koala habitat trees (preferably Tallwoods) be planted.
 - (c) The applicant is to employ a suitably qualified tree consultant to undertake the planting of the replacement trees (14 in total), as agreed with Council. Each tree is to be a minimum of three (3) litre containers.
 - (d) The planting of the trees is to be undertaken in accordance with AUSPEC landscaping provisions and maintained by a Council contractor.
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- (e) Council staff are to inspect the site(s) of the tree plantings within 14 days of notification of the plantings being accepted.

The consent will not operate until such time as this agreement is in place and Council notifies the applicant, in writing, that deferred commencement consent conditions, as indicated above, have been satisfied.

Upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent as shown in Schedule 1A – Conditions of Consent.

10 GENERAL BUSINESS

Nil.

The meeting closed at 3:30pm.