

**PRESENT**

**Members:**

Paul Drake  
David Crofts  
Dan Croft

**Other Attendees:**

Pat Galbraith-Robertson  
Fiona Tierney  
Kerrod Franklin  
Grant Burge  
Ben Roberts

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The meeting opened at 2:00pm

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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Nil.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Development Assessment Panel Meeting held on 9 October 2019 be confirmed.

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**04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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**05 DA2019 - 621 MEDICAL CENTRE - LOT 27 DP 253280, NO 6 BROWALLIA PLACE, PORT MACQUARIE**

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CONSENSUS:

That DA 2019 - 621 for Medical Centre at Lot 27, DP 253280, No. 6 Browallia Place, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition B(8) to read: 'The design of the carpark and accesses is to be in accordance with Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6). 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. Note a single width driveway is permitted from the kerb to the property boundary so as to minimise cross over width in the culdesac.'

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**06 DA2019 - 476.1 CHANGE OF USE FROM MEDICAL CENTRE TO DUAL OCCUPANCY AND TORRENS TITLE SUBDIVISION, LOT 5 DP 226787, 70 HILL STREET, PORT MACQUARIE**

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Speakers:

Megan Warrington (o)  
Rob Beukers (applicant)

CONSENSUS:

That DA 2019 - 476 for a change of use from medical centre to dual occupancy and Torrens title subdivision at Lot 5, DP 226787, No. 70 Hill Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

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**07 DA2019 - 203.1 DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF RESTAURANT AT 24 CLARENCE STREET, PORT MACQUARIE**

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Speakers:

Craig Smith (o)  
Peter Chapman (applicant)  
Craig Teasdell (applicant)

CONSENSUS:

That DA2019 - 203.1 for a demolition of existing buildings and construction of restaurant at Lot 1, DP 713378, No. 24 Clarence Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

**08 DA2019 - 400 CONCEPT PROPOSAL FOR STAGED RESIDENTIAL SUBDIVISION (25 TORRENS TITLE LOTS) & STAGED RESIDENTIAL SUBDIVISION (19 TORRENS TITLE LOTS) - 165 JOHN OXLEY DRIVE, PORT MACQUARIE**

Speakers:

Susan Perry (o)

Tony Thorne (applicant)

CONSENSUS:

That DA2019 - 400 for a concept proposal for staged residential subdivision (25 Torrens title lots) & staged residential subdivision (19 Torrens title lots) at Lot 3 DP 533058, No. 165 John Oxley Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition A(1) to read:

‘The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Development plans	Sheets 1 to 6	King & Campbell Pty Ltd	4 June 2019 and 4 October 2019
Biodiversity Assessment Report	EC3272	Biodiversity Australia	4 October 2019
Vegetation Management Plan		King & Campbell Pty Ltd	October 2019
Road traffic noise assessment		EMM Consulting	12 November 2018
Aborist reports		Port Tree Fella	28 March 2019

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

- Amend condition A(5) to read: ‘The development must only proceed in accordance with the approved stages as set out below:
  - Stage 1: Roads 01, 02 and 03 and creation of Lots 1, 2 and 16 to 19 and residue within Stage 1 works development within approved staged concept proposal;
  - Stage 2: Creation of Lots 3 to 5 and 13 to 15 and residue; and
  - Stage 3: Creation of Lots 6 to 12 and residue Future Stage 2 DA.’
- Delete condition A10 (A034)

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- Amend condition A(14) to read: 'The development will require the retirement of the following ecosystem credits and/or species credits under the Biodiversity Offset Scheme, provisions of the *Biodiversity Conservation Act 2016* to offset the impacts of the development: No 690: Blackbutt - Tallowood moist ferny open forest of the coastal ranges of the NSW North Coast Bioregion 8 Credits and Koala (*Phascolarctos cinereus*) 9 Credits, unless otherwise agreed to by Council.'
  - Amend condition B(2) to read: 'Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:
    1. New roads within the subdivision.
    2. Earthworks, including filling of the land for flood protection.
    3. Sewerage reticulation.
    4. Water supply reticulation.
    5. Stormwater systems.
    6. Erosion & Sedimentation controls.
    7. Landscaping/waste management facilities.
    8. Provision of a concrete footpath across the proposed road frontages of the property.'
  - Additional condition in Section A of the consent to read: 'The development site is to be managed for the entirety of work in the following manner:
    1. All construction vehicles are to access the site from John Oxley Drive and not Annabella Drive. Appropriate temporary signage is to be erected within the road reserves to enforce this requirement.
    2. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
    3. Appropriate dust control measures;
    4. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
    5. Building waste is to be managed via appropriate receptacles into separate waste streams;
    6. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
    7. Building work being limited to the following hours, unless otherwise permitted by Council;
      - Monday to Saturday from 7.00am to 6.00pm
      - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.'

- Additional condition in Section A of the consent to read: 'An overland flowpath between the northern end of the proposed cul-de-sac (Road 02) and the downstream stormwater basin shall be provided. The overflow path shall be shaped to safely convey stormwater flows generated within the 1%AEP event from the cul-de-sac to the basin. Long and cross sections of the overland flowpath shall be submitted to the certifying authority in conjunction with the Construction Certificate submission demonstrating that suitable freeboard is provided between the top water level within the overland flowpath and adjoining property ground levels. The overland flowpath shall be contained within a drainage reserve.'
- Amend condition B(3) to read: 'Road network within the subdivision is to be categorised with carriageway width as follows. Prior to release of the Construction Certificate such details are to be illustrated on the submitted plans.'

Road No.	Road Width (Metres)					
	Shareway	Access	Local	Collector	Commercial	Industrial
1			9m			
2			7m terminating at a 9m radius head			
3			8m			

- Amend condition E(3) of the consent to read: Payment to Council, prior to the issue of the Subdivision Certificate of the Section 7.11 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent, unless deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, in accordance with the provisions of the following plans or as specified by an applicable Planning Agreement:
  - Port Macquarie-Hastings Administration Building Contributions Plan 2007
  - Hastings S94 Administration Levy Contributions Plan
  - Port Macquarie-Hastings Community Cultural and Emergency Services Contributions Plan 2005

The plans may be viewed during office hours at the Council Chambers located on the corner of Burrawan and Lord Streets, Port Macquarie, 9 Laurie Street, Laurieton, and High Street, Wauchope.

The attached "Notice of Payment" is valid for the period specified on the Notice only. The contribution amounts shown on the Notice are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans. Payments can only be made using a current "Notice of Payment" form. Where a new Notice of Payment form is required, an application in writing together with the current Notice of Payment application fee is to be submitted to Council.'

**09 DA2019 - 401.1 - CONCEPT PROPOSAL FOR RESIDENTIAL SUBDIVISION (25 TORRENS TITLE LOTS) & STAGED RESIDENTIAL SUBDIVISION (16 TORRENS TITLE LOTS) AT 153 JOHN OXLEY DRIVE, PORT MACQUARIE**

Speakers:

Graham Marks (o)

Tony Thorne (applicant)

CONSENSUS:

That DA2019 - 401.1 for a concept proposal for residential subdivision (25 Torrens title lots) & staged residential subdivision (16 Torrens title lots) at Lot 1 DP 369206, No. 153 John Oxley Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition B(2) to read: ‘Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council’s current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:
  1. New roads within the subdivision.
  2. Earthworks, including filling of the land for flood protection.
  3. Sewerage reticulation.
  4. Water supply reticulation.
  5. Stormwater systems.
  6. Erosion & Sedimentation controls.
  7. Landscaping/waste management facilities.
  8. Provision of a concrete footpath across the proposed road frontages of the property.’
- Amend condition B(3) to read: ‘Road network within the subdivision is to be categorised with carriageway width as follows. Prior to release of the Construction Certificate such details are to be illustrated on the submitted plans.

Road No.	Road Width (Metres)					
	Shareway	Access	Local	Collector	Commercial	Industrial
1			9m			
2			7m terminating at a 9m radius head			
3			7m			

- Amend condition E(3) of the consent to read: Payment to Council, prior to the issue of the Subdivision Certificate of the Section 7.11 contributions set out in the “Notice of Payment – Developer Charges” schedule attached to this consent, unless

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deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, in accordance with the provisions of the following plans or as specified by an applicable Planning Agreement:

- Port Macquarie-Hastings Administration Building Contributions Plan 2007
- Hastings S94 Administration Levy Contributions Plan
- Port Macquarie-Hastings Community Cultural and Emergency Services Contributions Plan 2005

The plans may be viewed during office hours at the Council Chambers located on the corner of Burrawan and Lord Streets, Port Macquarie, 9 Laurie Street, Laurieon, and High Street, Wauchope.

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- Additional condition in Section E of the consent to read: 'Prior to release of the subdivision certificate the boundary between lots 4 and 5 is to be moved slightly to the north so as to align with the with the southern boundary of the property on Rivergum Drive to the east (i.e. the termination of the respective boundaries are to meet at the same point).'

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## **10 GENERAL BUSINESS**

Nil.

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The meeting closed at 3:33pm.