
PRESENT

Members:

Paul Drake
Robert Hussey
Dan Croft

Other Attendees:

Grant Burge
Kerrod Franklin
Steven Ford
Ben Roberts

The meeting opened at 2:05pm.

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 12 February 2020 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2019 - 137.1 ALTERATIONS AND ADDITIONS TO DWELLING AT LOT 33 DP 18138, NO. 7 ARNCLIFFE AVENUE, PORT MACQUARIE

Speakers:
Damien Keep (applicant)

CONSENSUS:

That DA2019 - 137.1 for alterations and additions to dwelling at Lot 33, DP 18138, No. 7 Arncliffe Avenue, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Additional condition in Section B of the consent to read: 'Prior to release of the construction certificate amended plans are to be submitted to provide for a minimum 2m building setback to the rear property boundary.'

06 DA2019 - 215.1 - RESIDENTIAL FLAT BUILDING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 22 DP38266, NO. 5 GRAY STREET

Speakers:
Daniel Reitsma (applicant)

The Panel was unable to reach consensus.

MOTION: Paul Drake

That DA2019 - 215.1 for a Residential Flat Building including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environment Plan 2011 at Lot 22, DP 38266, No. 5 Gray Street Port Macquarie, be deferred to enable the applicant to:

1. Reconsider building design and address areas of non-compliance with Council's Development Control Plan.
2. Provide a more comprehensive Clause 4.6 exception to development standard report.

FOR: Paul Drake and Dan Croft
AGAINST: Robert Hussey

DISSENTING MOTION: Robert Hussey

That it be recommended to Council that DA2019-215.1 for a Residential Flat Building Including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environment Plan 2011 at Lot 22, DP 38266, No. 5 Gray Street Port Macquarie, be determined by refusing consent for the following reasons:

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1. This application proposes a number of variations to the development controls including the building height, side and rear setbacks and also has a compromised private open space area. The height exceedance is subject to a Clause 4.6 request to vary the height standard, which has an exceedance in the order of 14%. The subject Clause 4.6 request response does not satisfactorily demonstrate how strict compliance with the development standard is unreasonable and unnecessary in this case.
The environmental planning grounds advised in the written Clause 4.6 request must justify that the contravention of the development standard is not simply to promote the benefits of carrying out the development as a whole. Accordingly, I do not consider the Clause 4.6 is satisfactory and therefore consent should not be granted
 2. The proposal to have 3 garages and a large driveway fronting Gray Street is not considered to demonstrate adequate compatibility with the existing streetscape, noting that other buildings in the street have open landscaping in the front setback area.
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07 DA2019 - 608.1 - STAGED CHILDCARE CENTRE AND MANAGER'S RESIDENCE AT LOT 46 DP 1230717, SEASIDE DRIVE LAKE CATHIE

Speakers:
Michelle Love (applicant)
Derek Collins (applicant)

CONSENSUS:

That DA 2019-608.1 for a Staged Childcare Centre and Manager's Residence at Lot 46, DP 1230717, Seaside Drive Lake Cathie, be determined by granting consent subject to the recommended conditions.

08 DA2019 - 847.1 HOME BUSINESS AT LOT 3 DP 271063, NO.39 WEDGETAIL DRIVE, KEW

Speakers:
Donna Johnson (o)
Dennis Moore (o)
Lauren Van der Mast (applicant)

CONSENSUS:

That DA 2019 - 847.1 for a Home Business (colonic lavage treatment) at Lot 3, DP 271063, No. 39 Wedgetail Drive, Kew, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition F(6) to read: 'Hours of operation of the development, including deliveries, are restricted to the following hours:
- 9am to 7pm – Mondays to Fridays
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- 9am - 5pm Saturdays
 - No work is to be carried out on Sundays and Public Holidays.'

09 GENERAL BUSINESS

Nil.

The meeting closed at 3:12pm.