



# Ordinary Council

## LATE REPORTS

### Business Paper

**date of meeting:** Wednesday 18 November 2020

**location:** Via Skype

**time:** 5.30pm

**Community Vision**

A sustainable high quality of life for all

**Community Mission**

Building the future together  
People Place Health Education Technology

**Council's Corporate Values**

- ★ Sustainability
- ★ Excellence in Service Delivery
- ★ Consultation and Communication
- ★ Openness and Accountability
- ★ Community Advocacy

**Community Themes**

- ★ Leadership and Governance
- ★ Your Community Life
- ★ Your Business and Industry
- ★ Your Natural and Built Environment

# Ordinary Council Meeting

Wednesday, 18 November 2020

## LATE REPORTS

### Items of Business

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13.06	DA2020 - 597.1 Demolition of existing community facility and construction of new community facility (Sea Scouts building) at Lot 2 DP 535212, 9 McInherney Close, Port Macquarie.....	<b><u>5</u></b>

# 4 Your Natural and Built Environment

## What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

## What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

## How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



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Item: 13.06

Subject: DA2020 - 597.1 DEMOLITION OF EXISTING COMMUNITY FACILITY AND CONSTRUCTION OF NEW COMMUNITY FACILITY (SEA SCOUTS BUILDING) AT LOT 2 DP 535212, 9 MCINHERNEY CLOSE, PORT MACQUARIE

Report Author: Development Assessment Planner, Clint Tink

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Applicant: King & Campbell Pty Ltd  
Owner: Port Macquarie-Hastings Council  
Estimated Cost: \$76,000  
Parcel no: 22006

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#### Alignment with Delivery Program

4.3.1 Undertake transparent and efficient development assessment in accordance with relevant legislation.

#### RECOMMENDATION

**That DA2020 - 597.1 for demolition of existing community facility and construction of new community facility (Sea Scouts building) at Lot 2 DP 535212, No. 9 McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.**

#### Executive Summary

This report considers a development application for demolition of an existing community facility and the subsequent construction of a new community facility for the Sea Scouts at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application, three (3) submissions from the one household were received.

The proposed development is located on Council owned land. As a result, Council's Development Applications - Conflict of Interest Policy applies and states the following:

*Where objections are received to development applications on Council land or where Council is the applicant, the Director Development & Environment is to make a recommendation to the General Manager as to whether external consultants should be used to report on the development application. The General Manager is to determine whether external consultants should be employed. Factors relevant to determining the use of external consultants include:*

- *The number and nature of the objections, including allegations of a conflict of interest.*

- *Whether the application concerns a community use or work or a "for profit" development.*
- *The potential environmental impact, including whether an Environment Impact Statement is required.*

In accordance with the Policy, the General Manager determined that Council staff could continue to assess the application noting the number of submissions, no allegations of a conflict of interest, the development being for a not for profit community use and the types of issues to be assessed. Furthermore, reporting to Council's Development Assessment Panel would also provide a degree of independence to the decision process and further reduce any conflict of interest.

The Policy also requires that all development applications on Council land, where objections have been received, be considered by the Development Assessment Panel and referred to Council for determination.

The proposal was considered by Council's Development Assessment Panel on 11 November 2020 where the following resolution was made:

*"That it be recommended to Council that DA2020 - 597.1 for demolition of existing community facility and construction of new community facility (Sea Scouts building) at Lot 2 DP 535212, No. 9 McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions and amend condition B(10) to read:*

*B(10) A building colours and materials schedule shall be submitted to and approved by Port Macquarie-Hastings Council prior to the issue of the building Construction Certificate. The colours of materials shall exhibit a low reflectivity index."*

The recommended conditions (as amended) and the report to the Development Assessment Panel are included as **Attachment 1 and 2**.

### Options

Council has the following options in determining the development application:

1. Grant consent to the application subject to the recommended conditions.
2. Grant consent to the application subject to amended conditions.
3. Refuse consent to the application.

If consent is refused, Council is required to provide reasons for refusal in accordance with the Environmental Planning and Assessment Act 1979.

### Community Engagement and Internal Consultation

The application has been notified in accordance with the Port Macquarie-Hastings Council Community Participation Plan 2019. Following exhibition of the application, three (3) submissions were received from the one (1) household.

The assessment report and recommended conditions of consent have been prepared with internal consultation.

### Planning and Policy Implications

The assessment report in **Attachment 2** includes consideration of relevant planning legislation applicable to the proposed development.

### Financial and Economic Implications

There are no financial and economic implications in relation to this report.

### Attachments

1.  DA 2020 - 597.1 Recommended Conditions - DAP Meeting 11 November 2020
2.  DA2020 - 597.1 DAP Report - Meeting 11 November 2020