

MINUTES OF THE NORTHERN REGION PLANNING PANEL MEETING HELD AT PORT MACQUARIE ON WEDNESDAY 9 DECEMBER 2009 AT 3:00PM

PRESENT: GARRY WEST (CHAIR), JOHN GRIFFIN, PAM WESTING AND PAUL DRAKE

IN ATTENDANCE

Bruce Clarke	JRPP Observer
Patricia Cabezas	JRPP Secretariat
Dan Croft	Port Macquarie-Hastings Council
Matt Rogers	Port Macquarie-Hastings Council
Cliff Toms	Port Macquarie-Hastings Council

APOLOGY:

Andrew Roach and Mark Stocks.

The meeting commenced at 3:01pm. The Chair welcomed everyone to the meeting of the Panel.

1. Declarations of Interest -

Pam Westing – consulted to Port Macquarie-Hastings Council on unrelated matters.
Mark Stocks, - employer represents Finnians (neighbouring property).
Andrew Roach - Port Macquarie-Hastings Council General Manager (Council is the landowner).

Note: Mr Stocks and Mr Roach did not participate in this item.

2. Business Items

ITEM 1 - 2009NTH003 – Port Macquarie-Hastings Council – DA2009/0263, -Staged construction of retails complex comprising supermarket, shops and public car parking, replacement bus terminal and 1 into 2 lot torrens title subdivision.

3. Public Submission -

Update by Dan Croft on minor changes to application as a result of exhibition process.
Update on proposed condition changes.

Speakers:

Marian Higgins -TPG (O)
Steve Garmston – Woolworths (O)
Andrew Campbell – Coles (S)
Mrs Marchant – Neighbour (O)

4. Business Item Recommendations

2009NTH003 – Port Macquarie-Hastings Council – DA2009/0263, -Staged construction of retails complex comprising supermarket, shops and public car parking, replacement bus terminal and 1 into 2 lot torrens title subdivision.

Recommendation with amended consent conditions moved by JG and seconded by PW. All Panel members in favour.

PW – (S)

JG – (S)

PD – (S)

GW – (S)

Resolved

That DA 2009/0263 for a staged construction of:

- A retail complex comprising supermarket, shops, and replacement public carparking;**
- Replacement bus terminal; and**
- a 1 into 2 torrens lot commercial subdivision**

at Lot 2, DP 850217, No. 28 Hayward Street, Port Macquarie, be determined by granting consent, subject to the following condition changes.

- Delete condition A (13)
- Amended condition A (29) as follows

- (29) (DA206) The proponent shall address the following stormwater drainage issues in addition to the general stormwater disposal requirements. Full details to be submitted with the application pursuant to Section 68 of the Local Government Act 1993.
- Assessment of the existing stormwater drainage system (piped and overflow paths) to determine its capacity and ability to receive runoff from this development. If the existing system is found to be inadequate, the developer shall upgrade the system;
 - Additional outlets into Kooloonbung Creek will not be permitted;
 - The development shall be repositioned so that the existing stormwater pipeline from Gordon Street to Hayward Street remains clear of all structures. Clear and unhindered access to the pipeline and pits shall be maintained at all times. The developer shall provide an easement over this drain in councils favour.
 - The stormwater drainage system for the development shall incorporate measures to enhance stormwater discharge quality from the site and protect downstream waterways. All stormwater discharging from the site shall comply with council's AUS-SPEC Design & Construction Specifications, Table D7.5 (modified ecosystems - estuaries);
 - No polluted water of any type shall be permitted to enter Council's stormwater drainage system.

- Amend condition B (13) as follows

(13) (DB197) The relocated bus/coach terminal shall be operational prior to the demolition of the Hayward Street bus/coach terminal.

- Amend Condition B (14) as follows

(14) (DB198) Awnings overhanging the footpath (public roads) shall be cantilevered and not extended closer than 600 mm to the kerb line of the carriageway

- Delete condition B (16)

- Amend condition B (18) as follows

(18) (DB204) Access shall be maintained at all times for adjacent property east of site on Hayward Street. Construction of Pedestrian Refuge between basement car park and adjacent property access shall be designed in accordance with ASD 109 pedestrian refuge area with a 2000 mm width in the direction of the footpath and a 3000 mm length across the footpath.

- Delete condition B (24)

- Amend condition E (12) as follows

(12) (DE056) All works shall be certified by a practising Chartered Civil Engineer or Registered Surveyor as compliant in accordance with the requirements of AUSPEC for Provision of Public Infrastructure, prior to Issue of the Subdivision Certificate;

- Delete condition G (9)

- Amend condition H (18) as follows

(18) The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the relevant Authority.

Note: Section H to be numbered correctly (out of sequence)

The final conditions of consent as agreed are attached.

The meeting concluded at 4:04pm

Endorsed by

Garry West
Chair, Sydney Northern Region Planning Panel
Date: 17 December 2009