

<b>DATE OF DEFERRAL</b>	Wednesday, 20 February 2019
<b>PANEL MEMBERS</b>	Garry West (Chair), Pamela Westing, Stephen Gow, Paul Drake and Robert Hussey
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Port Macquarie-Hastings Council on 20 February 2019, opened at 10.30am and closed at 12.26pm.

#### **MATTER DEFERRED**

2017NTH017 – Port Macquarie-Hastings Council – DA2017-675.1 at Lot 1 DP 1087368 and Lot 2 DP 1172154 Thrumster Street, Thrumster (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

The Panel agreed to defer the determination of the matter pending:

1. Report addressing issues identified under Stormwater Assessment (pages 31-33) of the Assessment Report and any consequential changes to conditions;
2. New condition A17 being drafted as proposed by Council to address Environmental Land Management Planning Agreements;
3. Options for restricting the development stages prior to provision of a secondary vehicle access.

As

- Stormwater issues needed clarification; and
- Dedication of land for public purposes is to be confirmed and
- There is a need to address safety concerns by considering alternative vehicle access and egress from the site in emergencies.

When this information has been received, the Panel will hold another public determination meeting.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

#### **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Suitability of road infrastructure for additional traffic
- Flooding
- Rights of existing residents
- Singular access point will be a potential risk during an emergency event
- Inconsistency with Area 13 Koala Plan of Management
- Impacts of construction activities

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and the deferment. Additional issues raised at the determination meeting were:

- Loss of amenity;
- Loss of road frontage;

- Sewerage plans for adjoining rural residential lots; and
- Need for a buffer to the development.

The Panel considered each of the new issues were adequately addressed at the meeting except for the request for a buffer, which was not supported by the Panel in its deferral decision due to the distance of the development from existing buildings.

PANEL MEMBERS	
Garry West (Chair)	Pamela Westing
Stephen Gow	Paul Drake
Robert Hussey	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017NTH017 – Port Macquarie-Hastings Council – DA2017-675.1
2	PROPOSED DEVELOPMENT	504 Lot Torrens Title Subdivision
3	STREET ADDRESS	Lot 1 DP 1087368 and Lot 2 DP 1172154 Thrumster Street, Thrumster
4	APPLICANT OWNER	MJM Consulting Engineers Port Macquarie-Hastings Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No 14 – Coastal Wetlands</li> <li>○ State Environmental Planning Policy No 44 – Koala Habitat Protection</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 62 – Sustainable Aquaculture</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (Rural Lands) 2008</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Coastal Management) 2018</li> <li>○ Port Macquarie-Hastings Local Environmental Plan 2011</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Port Macquarie-Hastings Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> </ul>

		<ul style="list-style-type: none"> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 5 February 2019</li> <li>• Written submissions during public exhibition: three (3)</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – NIL</li> <li>○ In objection – Lachlan Tiller, Shiloh Tiller and Darren Elliot</li> <li>○ Council assessment officer – Chris Gardiner</li> <li>○ On behalf of the applicant – Michael McFetters, MJM Consultants</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection on 20 February 2019</li> <li>• Final briefing to discuss council's recommendation, 20 February 2019, at 9am. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry West (Chair), Pamela Westing, Stephen Gow, Paul Drake and Robert Hussey</li> <li>○ <u>Council assessment staff</u>: Chris Gardiner – Development Assessment Planner; Dan Croft – Group Manager Development Assessment and Grant Burge – Development Engineer</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report