

APPENDIX 1 - RECORDS OF COMMISSION MEETINGS

Notes of Briefing from the Department

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| This meeting is part of the Determination process. | | |
| Meeting note taken by Robert Bisley | Date: 16 October 2017 | Time: 3pm |
| Project: Seaside Boulevard – Fern Bay 06_0250 MOD 9 | | |
| Meeting place: PAC Office – 201 Elizabeth Street. | | |
| Attendees: Commission Members: Alan Coutts (chair), Prof. Zada Lipman, Peter Duncan AM Commission Secretariat: David Koppers, Robert Bisley Department attendees: Anthony Witherdin, Emma Butcher | | |
| The purpose of the meeting: For the Department to brief the Commission on the Projects. | | |
| <p>The Department discussed the following matters:</p> <ul style="list-style-type: none"> • The Department provided the Commission with an overview of the project including the locality, history, timing and voluntary planning agreement details. • The main aspect of the modification is conversion of the northern access road of the Fern Bay subdivision from a standard public access road to a gated emergency access road. The Department outlined the following aspects of the road: <ul style="list-style-type: none"> ○ The road is not required to manage traffic within the Seaside Boulevard subdivision, however its retention as a public road provides a better planning outcome through increased access and connectivity to Nelson Bay Road. ○ Port Stephens Council initially requested the road be retained as a public road. Council accepted the change to an emergency access road once the NSW Rural Fire Service and Roads and Maritime Services agencies no longer objected to the modification. ○ Retention of the public road would require a left turn in and out intersection with Nelson Bay Road. ○ The Department does not support changing the approved northern access road to an emergency access and considers the best safety and planning outcome for the development is achieved by retaining the road as approved. • The Department does not support the proponent’s proposed modification to delay the delivery of the access road. The Department noted that a previous modification had already delayed delivery of the road and that it should not be delayed any further as the road is considered necessary to provide adequate emergency access and evacuation for residents. • The Department supports the proposed excavation works without any earthworks encroaching on the E2 Conservation Zone. The Department included conditions within the recommended instrument of consent requiring a revised bulk earthworks design which does not encroach on the E2 Conservation Zone. • The Department would not be concerned if the completed condition relating to the detention basin was retained despite the development being completed. | | |
| Documents: N/A | | |
| Outcomes/Agreed Actions: N/A | | |
| Meeting closed at 3:45pm | | |

Notes of Briefing from the proponent

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| This meeting is part of the Determination process. | | |
| Meeting note taken by Robert Bisley | Date: 16 October 2017 | Time: 4pm |
| Project: Seaside Boulevard – Fern Bay 06_0250 MOD 9 | | |
| Meeting place: PAC Office – 201 Elizabeth Street. | | |
| Attendees: Commission Members: Alan Coutts (chair), Prof. Zada Lipman, Peter Duncan AM Commission Secretariat: David Koppers, Robert Bisley Proponent attendees: Konrad Grinlaubs (Senior Planner, Monteath & Powys), Chad Beacham (Project Manager, Monteath & Powys), Michael Radovnikovic (Development Manager, Rawson Communities) | | |
| The purpose of the meeting: For the proponent to brief the Commission on the Projects. | | |
| <p>The proponent discussed the following matters:</p> <ul style="list-style-type: none">• The proponent provided the Commission with a summary of the modification and process to date.• Project history:<ul style="list-style-type: none">○ The project is accompanied by a VPA which is signed with the Office of Environment and Heritage (OEH).○ Rawson Communities bought the Fern Bay development in 2013.○ This is the last super lot modification.○ There will possibly be other modifications down the line regarding technical issues.• The proponent believes the Department’s report does not convey the information from agencies accurately.• Ecology:<ul style="list-style-type: none">○ OEH have requested a number of additional conditions to protect the viability of the 4WD track. The proponent is comfortable with the conditions proposed by OEH.○ The proponent has reviewed the earthworks required to undertake the proposed modification and realised there will be some issues. It was agreed that more information would be provided to the Commission confirming the issues identified by the proponent.○ It was identified that there may be a need to undertake some earthworks on land zoned E2 Conservation Zone to secure the bushland adjoining the road.○ The proponent notes that there is no intention to impact on the Worimi Conservation Lands to the south of the project area.• Road connection:<ul style="list-style-type: none">○ Delivering a normal local road will require significant clearing along Nelson Bay road to deliver the turning lanes.○ An emergency access road would still be 8m wide, contain bollards at either end, however would not require the delivery of the turning lanes.○ The subdivision road layout was designed to adequately accommodate traffic generation with the road being an emergency access only road.○ Road network modelling identified that retention of the road as a normal local road is not required.○ The proponent indicated that Road and Maritime Services and Transport for New South Wales agencies are satisfied with the road being emergency access only. | | |

- The community hasn't provided comment on the Nelson Bay Road only having left turn access.
- Staging:
 - The proponent is seeking to amend the requirements of the conditions to require the delivery of the road from being prior to delivery of the last 35 residential lots (Stage A) to being prior to the last 23 lots of the subdivision (likely to be lots in Stage 20).
 - The proponent agreed to work with the Department to review wording of the proposed condition.
- The proponent discussed potentially revising the location of the B2 zoned land. The proponent agreed to rescind the request as it is the subject of a planning proposal currently for consideration with Port Stephens Council.

Documents: N/A

Outcomes/Agreed Actions: The proponent agreed to provide additional information on the proposed earthworks and wording of the staging condition.

Meeting closed at 5:20pm

Notes of Briefing from Port Stephens Council

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| This meeting is part of the Determination process. | | |
| Meeting note taken by Robert Bisley | Date: 26 October 2017 | Time: 10:30am |
| Project: Seaside Boulevard – Fern Bay 06_0250 MOD 9 | | |
| Meeting place: Port Stephens Council Office – Raymond Terrace | | |
| Attendees: Commission Members: Alan Coutts (chair), Prof. Zada Lipman, Peter Duncan AM Commission Secretariat: David Koppers, Robert Bisley Council attendees: Brett Gardiner, Jeffrey Bretag, William Oxley, Robert Richards, Joshua Bennie | | |
| The purpose of the meeting: For Council to brief the Commission on the Projects. | | |
| Port Stephens Council (Council) discussed the following matters: <ul style="list-style-type: none">• Council held initial concerns with the modification however revised position after discussions with the proponent.• Council has received feedback from the community expressing disappointment with the modification.• Council stated that if the relevant agencies, as the industry experts, were satisfied with the modification, Council would not oppose the modification.• A planning proposal to alter the location of B2 Neighbourhood Centre zoned land within Seaside Village is currently with Council.• From a strategic perspective, Council has no further intent to intensify development within the immediate proximity of Seaside Village.• Council intends to preserve as many koala habitat corridors as possible.• Council is against any clearing of E2 zoned land and is happy with a ‘no net negative’ impact.• Initial discussions held between Council and the proponent indicated that the proponent would reduce lot yield by 7 lots and have no impact on the E2 Conservation zone. | | |
| Documents: N/A | | |
| Outcomes/Agreed Actions: N/A | | |
| Meeting closed at 11:15am | | |