

**PRESENT**

**Members:**

Paul Drake  
Robert Hussey  
Dan Croft

**Other Attendees:**

Grant Burge

Chris Gardiner  
Steven Ford  
Ben Roberts

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The meeting opened at 2:00pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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Nil.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Development Assessment Panel Meeting held on 22 January 2020 be confirmed.

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#### **04 DISCLOSURES OF INTEREST**

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Robert Hussey declared a Non-Pecuniary - Less than Significant Interest in Item 06 - DA2019 - 425.1 Residential Flat Building and Strata Subdivision including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) of the Port Macquarie Hastings Local Environmental Plan 2011, at Lot 12 DP122329, No. 50 William Street, Port Macquarie, in regard to reference to a matter in the NSW LEC (King v Gosford CC) mentioned in the assessment report. Mr Hussey gets no financial or other benefit in this decision making. Each application is assessed on its merits depending the individual facts and circumstances presented. On this basis Mr Hussey will remain in the room and participate in the Panel's determination.

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#### **05 DA2018 - 837.1 ALTERATIONS AND ADDITIONS TO DWELLING AT LOT 373 DP 236950, NO 39 VENDUL CRESCENT, PORT MACQUARIE**

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Speakers:  
Penelope Short (o)  
Derek Collins (applicant)  
Michele Nocelli

#### **CONSENSUS:**

That DA2018 - 837.1 for Additions to Dwelling at Lot 373, DP 236950, No. 39 Vendul Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions.

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**06 DA2019 - 425.1 RESIDENTIAL FLAT BUILDING AND STRATA SUBDIVISION INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011, AT LOT 12 DP122329, NO. 50 WILLIAM STREET, PORT MACQUARIE**

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Mr Robert Hussey declared a Non-Pecuniary - Less than Significant Interest in this item and remained in the room and took part in the discussion and voting thereon.

Dan Croft tabled the Clause 4.6 Justification report prepared by the applicant that supported the application noting that the report was not attached to the business papers.

The Chair confirmed that this report was being considered as part of the decision making process.

Speaker:  
Ken Stratton (o)

**CONSENSUS:**

That DA 2019-425.1 for a Residential Flat Building and Strata Subdivision including Clause 4.6 Objection to Clause 4.3 (Height of Building) of the Port Macquarie Hastings Local Environmental Plan 2011 at Lot 12, DP 1222329, No. 50 William Street, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend condition B(12) to read: 'Prior to the issue of the Construction Certificate, a dilapidation report shall be prepared by a suitably qualified person for buildings on adjoining properties. Such report shall be furnished to the Principal Certifying Authority and adjoining property owners.'

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**07 DA2019 - 506.1 2 LOT SUBDIVISION INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.1 (LOT SIZE) AND CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND ALTERATIONS AND ADDITIONS TO EXISTING DWELLING AT LOT 113 DP 754405, NO. 2 ARNOTT STREET, LAURIETON**

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Speakers:  
Michelle Chapman (applicant)

**CONSENSUS:**

That it be recommended to Council that DA2019 - 506.1 for a 2 Lot Subdivision including Clause 4.6 Objection to Clause 4.1 (Lot Size) and Clause 4.4 (Floor Space Ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011 and Alterations and Additions to Existing Dwelling at Lot 113, DP 754405, No. 2 Arnott Street, Laurieton, be determined by granting consent subject to the recommended conditions and as amended below:

- Additional condition in Section E of the consent to read: "Prior to release of subdivision certificate an amended approval to operate the caravan park is to be submitted to and approved by Council."

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**08 DA2019 - 744.1 PART CHANGE OF USE (PHARMACY TO TAKE AWAY FOOD AND DRINK PREMISES) AND INTERNAL FIT OUT AT LOT 1 DP 831145, NO.140 PACIFIC DRIVE, PORT MACQUARIE**

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Dan Croft tabled a submission from Jennifer Reilley dated 5 February 2020.

Speakers:

Jennifer Reilley (o)

Michelle love (applicant)

CONSENSUS:

That DA2019 - 744.1 for a part change of use (pharmacy to take away food and drink premises) and internal fit out at Lot 1, DP 831145, No. 140 Pacific Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

Amend condition F(4) to read: 'Hours of operation of the development, including deliveries, are restricted to the following hours:

- 7am to 7pm – Seven days a week'

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**09 DA2019 - 796.1 BOUNDARY ADJUSTMENT INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.1 (MINIMUM SUBDIVISION LOT SIZE) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 1 DP 331765, 5071 OXLEY HIGHWAY AND LOT 1 DP 434372, 39 HENRY STREET, LONG FLAT**

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CONSENSUS:

That it be recommended to Council that DA 2019 - 796.1 for a boundary adjustment including clause 4.6 variation to clause 4.1 (minimum subdivision lot size) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 1 DP 331765, No 5071 Oxley Highway and Lot 1 DP 434372, No. 39 Henry Street, Long Flat, be determined by granting consent subject to the recommended conditions.

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**10 GENERAL BUSINESS**

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Nil.

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The meeting closed at 3:00pm.

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