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**PRESENT**

**Members:**

David Crofts (Independent Chair)  
Chris Gee (Independent Member)  
Dan Croft (Group Manager Development Services)

**Other Attendees:**

Grant Burge (Development Engineering Coordinator)  
Ben Roberts (Senior Development Assessment Planner)  
Steven Ford (Development Assessment Planner)  
Chris Gardiner (Senior Development Assessment Planner)

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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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**CONSENSUS:**

That the apology received from Michael Mason be accepted.  
That the apology received from David Crofts for the meeting 16 October 2024 be noted and reflected in the attendance register.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Development Assessment Panel Meeting held on 16 October 2024 be confirmed.

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**04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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**05 DA2022 - 995.1 RESIDENTIAL FLAT BUILDING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND STRATA SUBDIVISION AT LOTS 4 & 5 DP 17811, NO. 18 & 20 CHURCH STREET, PORT MACQUARIE**

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Speakers:

Michelle Chapman (applicant)  
Ben Rapley (applicant)  
Jamin Tappouras (applicant)

CONSENSUS:

That DA2022 - 995.1 for a Residential Flat Building Including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 and Strata Subdivision at Lots 4 & 5, DP 17811, No. 18 & 20 Church Street, Port Macquarie, be determined by granting consent subject to the recommended conditions, with the following amendment:

Additional condition prior to release of the construction Certificate to read:

Amended Plans

Prior to release of a construction certificate amended plans are to be provided for the ground floor unit to provide for the foyer entry door to be provided as close to the nominated waste chute as possible;

Reason: To improve casual surveillance of the unit entry point.

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**06 DA2024 - 407.1 CONTINUED USE OF AND ALTERATIONS TO ANCILLARY BUILDING ASSOCIATED WITH EXISTING DWELLING AT LOT:5 DP:568349, NO. 35 GRANDVIEW PARADE PORT MACQUARIE**

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Speakers:

Frank O'Rourke (Opposing the application)  
Darren Walsh (applicant)

CONSENSUS:

That DA2024 - 407.1 for use of and Alterations to Ancillary building associated with existing dwelling at Lot 5, DP 568349, No. 35 Grandview Parade, Port Macquarie, be determined by granting consent subject to the recommended conditions with the following amendments:

Additional Condition prior to release of construction certificate to read:

Landscaping Plan

Prior to release of the construction certificate a landscaping plan is to be submitted to Council's satisfaction providing for a mix of native shrubs that will provide for effective screening of the building from the adjoining property and view from Kennedy Drive. The landscaping is to achieve a height of 5m at maturity. The plantings are to be provided on

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the southern, northern and western batters nominated on the plan (excluding the western batter for the length of the building).

Reason: To reduce the visual impact of the building.

Additional Condition prior to release of construction certificate to read:

Amended Plans

Prior to release of the construction certificate amended plans are to be submitted to Council's satisfaction providing for the building roof to be of a low reflectivity, mid-tone muted colorbond roofing material so as to minimise glare to the adjoining property.

Reason: To reduce the visual impact of the building.'

Additional Condition prior to release of construction certificate to read:

Amended Plans

Prior to release of the construction certificate amended plans are to be submitted to Council's satisfaction providing for timber surrounds to be provided to the false windows to match the existing dwelling.

Reason: To reduce the visual impact of the building.'

General condition 2 be amended to read:

Certificates

The following certificates relevant to the development in accordance with Part 6 of the Environmental Planning and Assessment Act 1979 shall be obtained in the following order:

- Construction Certificate and Occupation Certificate and
- Building Information Certificate

Condition Reason: To ensure that appropriate building certification is obtained.

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**07 DA2021 - 964.2 SECTION 4.55 MODIFICATION TO DEMOLITION OF DWELLING AND CONSTRUCTION OF NEW DWELLING AND SWIMMING POOL AT LOT:29A SEC:2 DP:24446, 976 OCEAN DRIVE, BONNY HILLS**

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Speakers:

Dave McDonald (Opposing the application)

Paul Galland (Opposing the application)

Tracey O'Dea (Opposing the application)

Paul Poleweski (Opposing the application)

Boyd Ison (applicant)

Derek Collins (applicant)

CONSENSUS:

That the Section 4.55 modification to DA2021 - 964.2 for demolition of dwelling and construction of new dwelling and swimming pool at Lot 29A, DP 24446, No. 976 Ocean Drive, Bonny Hills, be determined by granting consent subject to changes to the following consent conditions:

1. Amend condition A1 to reference modified plans and revised BASIX Certificate as follows:

The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Statement of Environmental Effects	Project No 6780	Love Project Management	6 September 2022 and
Development Plans	D4657 Sheets 1 to 9 Issue S3	Collins W Collins	11 November 2024
BAL Certificate	976 Ocean Drive, Bonny Hills	Krisann Johnson	16 August 2021
BASIX Certificate	1241506S_02	Collins W Collins	6 June 2024

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. Add condition A4 to reference incorporation of staging as follows:  
The development must only proceed in accordance with the approved stages as set out below:
  - Stage 1: Dwelling and associated site works.
  - Stage 2: Swimming pool and surrounds.
  - Stage 3: Boat shed and gym.

Unless specified, the conditions of this consent will apply to all stages, with any decision on any discrepancy with conditions and associated staging resting with Council. Any decision to allow a change to staging will rest with Council along with applicable conditions.
3. Add condition B7 to require a detailed landscaping plan:  
A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, shall be provided to the satisfaction of Council prior to release of the Construction Certificate. The plan shall provide a detailed plant schedule that includes species, location and quantities of each species, pot sizes and the estimated height at maturity. Landscaping shall provide screening and visual softening but is to also be of a mature height that minimises view loss.
4. Add condition E8 to require completion of landscaping:  
All landscaping detailed in the landscaping plan shall be completed to the satisfaction of the accredited certifier prior to occupation or an Occupation Certificate being issued.
5. Add condition F2 to require maintenance of landscaping:  
Landscaping shall be maintained in good condition as so as to minimise view loss.

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**08 GENERAL BUSINESS**

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Nil

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The meeting closed at 4.50pm