

---

**PRESENT**

**Members:**

David Crofts (Independent Chair)  
Tony McNamara (Independent Member)  
Dan Croft (Group Manager Development Services)

**Other Attendees:**

Grant Burge (Development Engineering Coordinator)  
Pat Galbraith-Robertson (Development Assessment Planning Coordinator)  
Vanessa Penfold (Development Assessment Planner)  
Chris Gardiner (Senior Development Assessment Planner)  
Hamish Tubman (Councillor)

---

The meeting opened at 2.00pm.

---

---

**01 ACKNOWLEDGEMENT OF COUNTRY**

---

The Acknowledgement of Country was delivered.

---

---

**02 APOLOGIES**

---

**CONSENSUS:**

That the apology received from Michael Mason be accepted.

---

---

**03 CONFIRMATION OF MINUTES**

---

**CONSENSUS:**

That the Minutes of the Development Assessment Panel Meeting held on 20 November 2024 be confirmed.

---

---

**04 DISCLOSURES OF INTEREST**

---

There were no disclosures of interest presented.

---

---

**05 DA2018 - 58.2 - SECTION 4.55 MODIFICATION TO DESIGN OF PREVIOUS APPROVED RESIDENTIAL FLAT BUILDING INCLUDING SWIMMING POOLS AND STRATA SUBDIVISION AT LOT:6 SEC:60A DP:758842, NO. 4 CLARENCE STREET, PORT MACQUARIE**

---

Speakers:

Greg Hollis (opposing the application)  
Peter Tse (opposing the application)  
Marcus Graham (applicant)

CONSENSUS:

That the Section 4.55 modification to DA2018 - 58.2 for a modification to design of previous approved residential flat building including swimming pools and strata subdivision at Lot 1, DP 1083291 & Lot 6 Section 60A DP 758852, No. 4 Clarence Street, Port Macquarie, be determined by granting consent subject to the changes to the following consent conditions:

1. Condition A(1) to reflect the modified plans, landscaping plan, strata subdivision, revised BASIX certificate
2. Additional condition prior to release of construction certificate to read:

Amended Plans

Prior to issue of the construction certificate amended plans are to be submitted to provide for an extension of the solid eastern balcony wall for the top 2 floors of the building for the length of the internal part of the planter box (i.e approximately 700mm extension). Privacy screening on the front balconies of the 2 eastern most units on the top 2 floors is to be reversed as the screening stacks to the eastern end of the balcony, not the western end.

Reason: To improve privacy between the adjoining building.

---

**06 DA2023 - 716.1 RESIDENTIAL FLAT BUILDING AND STRATA SUBDIVISION INCLUDING CLAUSE 4.6 VARIATION TO PORT MACQUARIE-HASTINGS LEP 2011 CLAUSE 4.3 (HEIGHT OF BUILDINGS) LOT:1 DP:230726, NO.7 SCHOOL STREET, PORT MACQUARIE, INCLUDING WORKS TO ADJOINING BUILDING AT NO.9 SCHOOL STREET, PORT MACQUARIE**

---

Speakers:

Tony Thorne (opposing the application)  
Wayne Ellis (applicant)  
David Pensini (applicant)

CONSENSUS:

That Development Application 2023 - 716 for a Residential Flat Building and Strata Subdivision including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 1, DP 230726, No. 7 School

---

Street, Port Macquarie, and works to the adjoining building at Lot 2 DP230726, No.9 School Street, Port Macquarie, be recommended to Council for consent subject to the recommended conditions.

**Additional general condition to read:**

**Protection of adjoining buildings**

The proponent is required to protect and support the existing party wall, garage and covered deck on No. 9 School Street whether or not the excavation on No. 7 extends below level of the base of the footings of those structures and that structural design details of the manner in which the existing structures on No. 9 School Street are to be protected and supported are to be provided to the owners of No. 9 School Street prior to the issue of a Construction Certificate.

Reason: To protect adjoining buildings.

**Additional Condition under before demolition work:**

**Protection of adjoining buildings**

The owner of No. 9 School Street is to be provided a minimum of 14 days' notice prior to the commencement of any demolition work approved by the development consent. The preconstruction dilapidation report and the structural engineering design advice containing details of the manner in which the existing party wall, garage and covered deck on No. 9 School Street will be protected and supported is to be provided to the owner of No. 9 School Street 14 days prior to the commencement of any demolition work involving the existing No. 7 garage attached to the party wall.

Reason: To protect adjoining buildings.

**Additional Condition prior to release of construction certificate:**

**Structural engineering detail**

Prior to Issue of a Construction Certificate structural engineering design advice containing details of the manner in which the existing party wall, garage and covered deck on No. 9 School Street will be protected and supported during works along and adjacent to the common boundary with No. 7 School Street is to be provided to the owner of No. 9 School Street prior to issue of the Construction Certificate. Note: landowner consent from No. 9 School Street is required prior to commencement of any work on the existing party wall or any of the structures on No. 9 School Street and their footings.

Reason: To protect adjoining buildings.

**Amend condition 9 prior to release of construction certificate:**

**Dilapidation report**

Prior to the issue of the Construction Certificate a dilapidation report shall be prepared by a professional registered engineer for buildings/structures on adjoining properties. Such report shall be furnished to the Principal Certifier. The preconstruction dilapidation report is also to be provided to the owners of 9 School Street prior to the issue of the Construction Certificate.

Condition Reason: To protect nearby building assets.

**Additional condition during building work:**

**Protection of Adjoining buildings**

Details of the provisions for the support of the structures on No. 9 to be provided to the owners of No. 9 School Street.

---

Reason: To protect adjoining buildings.

---

**07 DA2022 - 931.1 SCHOOL (STAGE 1 & 2) AND CONCEPT APPLICATION FOR STAGE 3 EXPANSION OF SCHOOL AT LOT 10 DP 1223845, NO. 456 JOHN OXLEY DRIVE, THRUMSTER**

---

Speakers:

Seth Vagg (opposing the application)  
Margaret Fettell (opposing the application)  
Scott Marchant (applicant)

CONSENSUS:

That DA2022 - 931.1 for a School (Stage 1 & 2) and Concept Application for Stage 3 Expansion of School at Lot 10, DP 1223845, No. 456 John Oxley Drive, Thrumster, be determined by granting consent subject to the recommended conditions.

---

**08 GENERAL BUSINESS**

---

Nil

---

The meeting closed at 3.55pm.