

DATE OF DETERMINATION	3 July 2026
DATE OF PANEL DECISION	3 July 2026
DATE OF PANEL MEETING	15 June 2026
PANEL MEMBERS	Dianne Leeson (Chair), Stephen Gow , Michael Wright, Christopher Gee, Murray Blackburn-Smith
APOLOGIES	Nil
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 4 June 2026.

MATTER DETERMINED

PPSNTH-410 –Port Macquarie Hastings – 010.2025.0097.01 – 169B Ocean Drive, Kew – Staged 115 Lot Residential Subdivision and Associated Infrastructure, and 1 dwelling (proposed Lot 56) (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at the briefings listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

The Panel was advised by Council that a separate development application had recently been submitted for the future Manufactured Home Estate in proposed Stage 2 of this subdivision and that road access to Botanic Drive to the east, would be considered further as part of the assessment of that application.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons attached to the Council Assessment Report (Supplementary) dated 04 June 2026 and Council Memo (uploaded to the portal on 30 June 2026).

CONDITIONS

The Development Application was approved subject to the conditions attached to the Council Memo (uploaded to the portal on 30 June 2026).

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition. The Panel notes that issues of concern included:

- Link roads and Area 15 Voluntary Planning Agreement - Link Roads A and B.; and
- Relationship to neighbouring approved subdivision DA2017 - 1059.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report. The Panel notes that in addressing these issues, appropriate conditions have been imposed.

PANEL MEMBERS



Dianne Leeson (Chair)



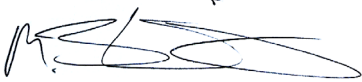
Murray Blackburn-Smith



Stephen Gow



Christopher Gee



Michael Wright

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-410 – Port Macquarie Hastings – 010.2025.0097.01
2	PROPOSED DEVELOPMENT	Staged 115 Lot Residential Subdivision and Associated Infrastructure, and 1 dwelling (proposed Lot 56)
3	STREET ADDRESS	169B Ocean Drive, Kew
4	APPLICANT/OWNER	Hopkins Consultants Pty Ltd (Melissah Osland) Jojeni Investments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Coastal Development - Subdivision
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Primary Production) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - Port Macquarie-Hastings Local Environmental Plan 2011 - Draft environmental planning instruments: Nil - Development control plans: - Port Macquarie-Hastings Development Control Plan 2013 - Planning agreements: Area 15 Planning Agreement – between Port Macquarie-Hastings Council and Gentlemore Pty Ltd, Haloville Pty Ltd, Somersby Rural Supplies Land Holdings Pty Ltd and Somersby Rural Supplies Pty Ltd, dated 2 March 2012 (Council Reference 160.2011.00000057.001) - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council Assessment Report: 4 May 2026 - Council Supplementary Assessment Report received: 4 June 2026 - Council Memo received: 30 June 2026 - Written submissions during public exhibition: 1 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 23 April 2025 <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright and David Crofts <u>Council assessment staff</u>: Patrick Galbraith-Robertson <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova - Briefing: 18 May 2026 <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Christopher Gee and Murray Blackburn-Smith

		○ <u>Council assessment staff</u>: Patrick Galbraith-Robertson and Dan Croft ○ <u>Department staff</u>: Carolyn Hunt and Holly McCann • Applicant Briefing: 15 June 2026 ○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Christopher Gee and Murray Blackburn-Smith ○ <u>Applicant representatives</u>: Melissah Osland, John Harvey, Michael Mowle ○ <u>Council assessment staff</u>: Patrick Galbraith-Robertson and Dan Croft ○ <u>Department staff</u>: Carolyn Hunt and Holly McCann • Final briefing to discuss Council's recommendation: 15 June 2026 ○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Christopher Gee and Murray Blackburn-Smith ○ <u>Council assessment staff</u>: Patrick Galbraith-Robertson and Dan Croft ○ <u>Department staff</u>: Carolyn Hunt and Holly McCann
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Memo (uploaded to the portal on 30 June 2026)