

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 16 March 2021 at 7.20pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, C Duncan, K Elliott, B Luke, J Mackenzie, A Robinson, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance), B Smith (Director Strategy and Engagement), F Leatham (Director People and Culture), K Liddell (Director Infrastructure and Property), A Jones (Director City Wide Services), E Kolatchew (Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), S Moore (Acting Chief Financial Officer), M Murray (Chief of Staff), J Vescio (Executive Officer), K Sullivan (Councillor Services/Minutes), A Knowles (Councillor Services/Meeting Support) and G Axelsson (Information Technology Support).

APOLOGIES

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

The apology submitted on behalf of Councillor Dunn be received and leave of absence granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor White

Councillor White declared a less than significant, non-pecuniary interest in Item 4 – 24A Janet Street, Merewether DA2020/01057 - Dwelling House - Alterations and Additions, stating that as the town planner and their broader family were close associates she would manage the conflict by leaving the Chamber for discussion on the item.

Councillor Clausen

Councillor Clausen declared a less than significant, non-pecuniary interest in Item 4 – 24A Janet Street, Merewether DA2020/01057 - Dwelling House - Alterations and Additions, stating that an objector to the development application was a member of the same political party and that he would manage the conflict by remaining in the Chamber for discussion on the item.

Councillor Duncan

Councillor Duncan declared a less than significant, non-pecuniary interest in Item 4 – 24A Janet Street, Merewether DA2020/01057 - Dwelling House - Alterations and Additions, stating that an objector to the development application was a member of the same political party and that she would manage the conflict by remaining in the Chamber for discussion on the item.

Councillor Winney-Baartz

Councillor Winney-Baartz declared a less than significant, non-pecuniary interest in Item 4 – 24A Janet Street, Merewether DA2020/01057 - Dwelling House - Alterations and Additions, stating that an objector to the development application was a member of the same political party and that she would manage the conflict by remaining in the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE MEETING 16 FEBRUARY 2021

MOTION

Moved by Cr Mackenzie, seconded by Cr Luke

The draft minutes as circulated be taken as read and confirmed.

**Carried
unanimously**

DEVELOPMENT APPLICATIONS

ITEM-3 DAC 16/03/21 - SUPPLEMENTARY REPORT - 15 DUNCAN CLOSE, ELMORE VALE - STAGED DEVELOPMENT - RESIDENTIAL - MULTI DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY TITLE SUBDIVISION

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

- A. That DA2018/01331 for the staged residential redevelopment comprising the erection of 49 dwellings and a 50 lot community title subdivision at 15 Duncan Close, Elmore Vale be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
- B. That those persons who made submissions be advised of Council's determination.

For the Motion: Councillors Byrne, Church, Clausen, Duncan, Elliott, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

Against the Motion: Lord Mayor, Cr Nelmes.

Carried

**ITEM-4 DAC 16/03/21 - 24A JANET STREET, MEREWETHER -
DA2020/01057 - DWELLING HOUSE - ALTERATIONS AND
ADDITIONS**

Councillor White left the meeting for discussion on the item.

MOTION

Moved by Cr Mackenzie, seconded by Cr Church

- A. That the Development Applications Committee, as the consent authority note the objection under clause 4.6 Exceptions to Development Standards of the Newcastle Local Environmental Plan 2012, against the development standard at clause 4.4 Floor Space Ratio, and considers the objection to be justified in the circumstances and to be consistent with the objectives of clause 4.4 and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out; and
- B. That DA2020/01057 for dwelling house – alterations and additions at 24A Janet Street, Merewether be approved, and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment B**; and
- C. That those persons who made submissions be advised of CN's determination.

AMENDMENT

Moved by Cr Clausen, seconded by Cr Byrne

The Officers recommendation be adopted with an additional condition added that *“At no time during construction shall the Right of Carriage Way have any restricted access unless prior agreement with owners of 24B Janet Street, Merewether has been provided”*.

For the Amendment: Lord Mayor, Cr Nelmes and Councillors Byrne, Clausen and Mackenzie.

Against the Amendment: Councillors Church, Duncan, Elliott, Luke, Robinson, Rufo and Winney-Baartz.

Defeated

The motion moved by Councillors Mackenzie and seconded by Councillor Church was put to the meeting.

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Church, Elliott, Luke, Mackenzie, Robinson and Rufo.

Against the Motion:

Councillors Byrne, Clausen, Duncan and Winney-Baartz.

Carried

Councillor White did not return to the meeting prior to close of the meeting.

The meeting concluded at 7.40pm.