

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held in the Council Chambers, 1st Floor City Administration Centre, 12 Stewart Avenue, Newcastle West and on video conferencing platform Zoom on Tuesday 20 October 2020 at 6.00pm.

PRESENT

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

IN ATTENDANCE

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

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Rufo

Councillor Rufo declared a non-pecuniary, significant conflict of interest in Item 39 - Supplementary Report - DA2017/01376 - 495-501 Hunter Street and 364 King Street Newcastle – Demolition of Buildings and Construction of Mixed-Use Development (14 Storeys) with Commercial / Retail Tenancies and Residential Apartments (83) and Associated Car Parking, Site Works And Landscaping, stating as he had a relationship with one of the objectors who had addressed public voice on the matter and would remove himself from the meeting for discussion on the item.

Cr Clausen

Councillor Clausen declared a non-pecuniary less than significant conflict of interest in Item 39 - Supplementary Report - DA2017/01376 - 495-501 Hunter Street and 364 King Street Newcastle – Demolition of Buildings and Construction of Mixed-Use Development (14 Storeys) with Commercial / Retail Tenancies and Residential Apartments (83) and Associated Car Parking, Site Works And Landscaping, stating that he had been contacted by representatives of both the applicant and objectors who had identified during conversation as members of the same political party as he. Councillor Clausen stated that he hadn't met these people previously and would remain in the meeting for discussion on the item.

Lord Mayor, Cr Nelmes

As per her previous declaration at the Extraordinary Council Meeting on 28 July 2020, the Lord Mayor declared a non-pecuniary significant interest in Item 39 - Supplementary Report - DA2017/01376 - 495-501 Hunter Street and 364 King Street Newcastle – Demolition of Buildings and Construction of Mixed-Use Development (14 Storeys) with Commercial / Retail Tenancies and Residential Apartments (83) and Associated Car Parking, Site Works And Landscaping, stating that the partner of a friend was working on the development and having learnt this since the Public Voice session was held for this item, the Lord Mayor would remove herself from the meeting for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES – DEVELOPMENT APPLICATIONS COMMITTEE 15 SEPTEMBER 2020

MOTION

Moved by Cr Mackenzie, seconded by Cr Clausen

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

**Carried
unanimously**

DEVELOPMENT APPLICATIONS

**ITEM-36 DAC 20/10/20 - DA2019/01352 - 64 FREDERICK STREET,
MEREWETHER - DWELLING HOUSE - ALTERATIONS AND
ADDITIONS**

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

- A. That the Development Applications Committee note the objection under clause 4.6 Exceptions to Development Standards of the Newcastle Local Environmental Plan 2012, against the development standard at clause 4.3 Height of Buildings, and consider the objection to be justified in the circumstances and to be consistent with the objectives of clause 4.3 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 the Development Applications Committee 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 consider 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

- C. That DA2019/01352 for alterations and additions to dwelling house at 64 Frederick 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
- D. That those persons who made submissions be advised of City of Newcastle's determination.

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

Against the Motion: Nil.

Carried

ITEM-37 DAC 20/10/20 - DA2020/00443 - 9 BEACH STREET, NEWCASTLE EAST - DWELLING HOUSE - ALTERATIONS AND ADDITIONS

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

- A. That the Development Applications Committee note the objection under clause 4.6 Exceptions to Development Standards of 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 R3 Medium Density Residential zone in which the development is proposed to be carried out;
- B. That DA2020/00443 for alterations and additions at 9 Beach Street, Newcastle East 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 City of Newcastle's determination.

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

Against the Motion: Nil.

Carried

**ITEM-38 DAC 20/10/20 - DA2019/00824 - 33 LLOYD STREET, MEREWETHER
- RESIDENTIAL ACCOMMODATION - ALTERATIONS AND
ADDITIONS, CHANGE OF USE TO DUAL OCCUPANCY AND TWO
LOT STRATA SUBDIVISION**

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

- A. That the Development Applications Committee 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 DA2019/00824 for alterations and additions, change of use to dual occupancy and two lot strata subdivision at 33 Lloyd 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.

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Clausen, Duncan, Dunn, Luke, Mackenzie, Rufo, Robinson, White and Winney-Baartz.

Against the Motion:

Councillors Byrne, Church and Elliott.

Carried

**ITEM-39 DAC 20/10/20 – SUPPLEMENTARY REPORT – DA2017/01376 –
495-501 HUNTER STREET AND 364 KING STREET, NEWCASTLE
– DEMOLITION OF BUILDINGS AND CONSTRUCTION OF MIXED-
USE DEVELOPMENT (14 STOREYS) WITH COMMERCIAL /
RETAIL TENANCIES AND RESIDENTIAL APARTMENTS (83) AND
ASSOCIATED CAR PARKING, SITE WORKS AND LANDSCAPING**

The Lord Mayor and Councillor Rufo left the meeting for discussion on the item.

The Deputy Lord Mayor took the Chair.

MOTION

Moved by Deputy Lord Mayor, Cr Clausen, seconded by Cr Duncan

That Council:

1. Approve DA2017/01376 – 495-501 Hunter Street and 364 King Street Newcastle – Demolition of buildings, erection of 14 storey mixed use development with 3 commercial / retail tenancies, 83 residential units, associated car parking and site works and grant consent, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
2. That those persons who made submissions be advised of CN's determination.

For the Motion:

Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Duncan, Dunn, Mackenzie, Robinson, White and Winney-Baartz.

Against the Motion:

Councillors Church, Elliott and Luke.

Carried

The Lord Mayor and Councillor Rufo did not return to the meeting prior to close of the meeting.

The meeting concluded at 7.00pm.