

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held in the Council Chambers, 2nd Floor City Hall on Tuesday 19 April 2016 at 6.07pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors D Clausen D Compton, T Crakanthorp, T Doyle, M Osborne, S Posniak, A Robinson and A Rufo.

IN ATTENDANCE

P Chrystal (Acting Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), M Blackburn-Smith (Manager Development and Building Services), F Giordano (Manager Legal and Governance), N Baker (Chief of Staff to the Lord Mayor), K Sullivan (Council Services/Webcasting) and A Leach (Council Services/Minutes).

MESSAGE OF ACKNOWLEDGEMENT

The Lord Mayor read the message of acknowledgement to the Awabakal and Worimi peoples.

PRAYER

The Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

APOLOGIES

MOTION

Moved by Cr Posniak, seconded by Cr Osborne

The apologies submitted on behalf of Councillors Dunn, Luke, Tierney and Waterhouse be received and leaves of absence granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Rufo

Councillor Rufo declared a non-pecuniary significant interest in Item 3 15 Tinonee Road, Waratah and said that in his role as President of the Ethnic Community Centre he was an acquaintance of the development application applicant and would remove himself from the Chamber when the item was discussed,

Councillor Compton

Councillor Compton declared a non-pecuniary less than significant interest in the Development Applications process generally. He indicated that his company was a selective tenderer for architectural firms that operated in the Newcastle Local Government area that could be selected to undertake building projects from time to time.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES OF DEVELOPMENT APPLICATIONS COMMITTEE MEETING 16 FEBRUARY 2016

MOTION

Moved by Cr Osborne, seconded by Cr Clausen

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

Carried

DEVELOPMENT APPLICATIONS

ITEM-2 DAC - DA 2013-1236 - 317 WHARF ROAD, NEWCASTLE -
DEMOLITION OF BUILDINGS ERECTION EIGHT STORY
HOTEL AND CONFERENCE CENTRE.DOCX

PROCEDURAL MOTION

Moved by Cr Doyle, seconded by Cr Osborne

The Development Application lay on the table and to come back to Council once the original objectors from the 2014 development application have been notified and allowed to comment.

The Acting Interim Chief Executive Officer advised Council that laying the item on the table would be deemed as a refusal and the applicant would then have the opportunity to take the matter to the Land and Environment Court.

For the Procedural Motion:

Councillors Doyle and Osborne

Against the Procedural Motion:

Lord Mayor, Councillor Nelmes and
Councillors Compton, Crakanthorp, Posniak,
Robinson and Rufo.

Defeated

MOTION

Moved by Cr Clausen, seconded by Cr Compton

The Development Application 2013/1236 for the demolition of the existing buildings on-site and the subsequent construction of a Hotel and Conference Centre (8 storey), conference facilities, commercial space, restaurant/bar and on-site car parking (113 spaces) be approved with consent granted, subject to compliance with the Draft Schedule of Conditions (refer to **Attachment C**) and the following additional conditions be included:

- i) That all balconies adjoining 335 Wharf Road on the western elevation have suitable screening to protect the amenity on the neighbouring properties;
- ii) *"Restrict the operational hours of the loading bay to Monday to Friday 7.00am to 5.00pm and Saturday between 8.00am and 12.00pm"*; and
- iii) Inclusion of a bicycle rack for 10 bicycles.

And that Council staff determine the appropriate positioning of the three additional conditions in the Draft Schedule of Conditions.

Councillor Compton requested that the conditions include tour buses be requested to arrange that disembarking and embarking times at a respectable time. The Acting Interim Chief Executive Officer advised that the suggested condition was suitably covered through the consent conditions already proposed by Council staff.

For the Motion:

Lord Mayor, Councillor Nelmes and Councillors Compton, Clausen, Crakanthorp, Doyle, Osborne, Posniak, Robinson and Rufo.

Against the Motion:

Nil.

Carried

ITEM-3

**DAC - DA 2015-10094 - 15 TINONEE ROAD, WARATAH -
DEMOLITION OF BUILDINGS, ERECTION OF TWO STOREY
AGED CARE FACILITY (72 ROOMS) PLUS BASEMENT
PARKING AND ASSOCIATED SITE WORKS**

Councillor Rufo retired from the Chamber at 6.42pm.

MOTION

Moved by Cr Crakanthorp, seconded by Cr Doyle

That DA 2015/10094 for the demolition of buildings, erection of two storey aged care facility (seventy two rooms) plus basement parking and associated site works be approved subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to **Attachment B**)

For the Motion:

The Lord Mayor, Councillor Nelmes and Councillors Compton, Clausen, Crakanthorp, Doyle, Osborne, Posniak and Robinson.

Against the Motion:

Nil.

Carried

The meeting concluded at 6.48pm