

## CITY OF NEWCASTLE

**Minutes of the Development Applications Committee Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on 8 October 2019 at 6.53pm.**

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### **PRESENT**

The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, 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 (Interim Director City Wide Services), D Guest (Acting Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), J Vescio (Executive Officer, Chief Executive Office), M Murray (Policy Officer, Lord Mayor's Office), A Knowles (Council Services/Minutes) and K Sullivan (Council Services/Webcasting).

### **APOLOGIES**

#### **MOTION**

Moved by Cr Luke, seconded by Cr Winney-Baartz

The apologies submitted on behalf of Councillors Duncan and Dunn be received and leave of absence granted.

**Carried**

### **DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS**

#### **Councillor Clausen**

Councillor Clausen declared a less than significant non pecuniary interest in Item 15 – DA2019/00058 – 131 Marshall Street Kotara. Subsequent to the Public Voice meeting held on 17 September 2019 he was aware that one of the presenters was a colleague at Hunter Water, and as there is was no direct managerial relationship with the presenter he would remain in the Chamber for discussion on the item.

### **CONFIRMATION OF PREVIOUS MINUTES**

#### **MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 17 SEPTEMBER 2019**

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Clausen

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

**Carried**

## DEVELOPMENT APPLICATIONS

**ITEM-15**                    **DAC 08/10/19 - DA2019/00058 - 131 MARSHALL STREET, KOTARA - DEMOLITION OF DWELLING, ERECTION OF NINE X TWO STOREY DWELLINGS AND STRATA SUBDIVISION**

### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Clausen

- A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of the Newcastle Local Environmental Plan 2012 (NLEP 2012), against the development standard at Clause 4.3 Height of Buildings, and considers 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 DA2019/00058 for demolition of a dwelling house and associated structures, construction of nine x two-storey townhouses, landscaping, lot consolidation and strata subdivision 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 Byrne, Church, Elliott, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

**Against the Motion:**            Nil.

**Carried  
unanimously**

**ITEM-16**                    **DAC 08/10/19 - DA2019/00331 - 164 HUNTER STREET, NEWCASTLE - ALTERATIONS AND ADDITIONS TO EXISTING BUILDING FOR ADAPTIVE RE-USE TO FIVE STOREY (PLUS BASEMENT) LEVEL MIXED-USE (COMMERCIAL, RETAIL & RESIDENTIAL DEVELOPMENT)**

### **MOTION**

Moved by Cr Luke, seconded by Cr Mackenzie

- A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of NLEP 2012, against the development standard at Clause 4.3 Height of Buildings, and considers 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 B4 Mixed Use 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 NLEP 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 B4 Mixed Use zone in which the development is proposed to be carried out; and
- C. That DA2019/00331 for a mixed-use development, involving alterations and additions to a heritage listed building, including two additional storeys and a rooftop terrace, at 164 Hunter Street Newcastle, 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 CN's determination.

**For the Motion:**

Lord Mayor, Cr Nelmes and Councillors Byrne, Church, Elliott, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

**Against the Motion:**

Nil.

**Carried  
unanimously**

**The meeting concluded at 7.00pm.**