

## CITY OF NEWCASTLE

### Minutes of the Development Applications Committee Meeting held in the Council Chambers, 2nd Floor City Hall on Tuesday 6 December 2016 at 7.30pm.

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#### PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors D Clausen, D Compton, T Doyle, B Luke, M Osborne and A Robinson.

#### IN ATTENDANCE

P Chrystal (Interim Chief Executive Officer), G Cousins (Director Corporate Services), F Cordingley (Director Infrastructure), A Baxter (Acting Director Planning and Regulatory), M Blackburn-Smith (Manager Development and Building), F Giordano (Manager Legal and Governance), K Sullivan (Council Services/Minutes) and A Leach (Council Services/Webcasting).

#### APOLOGIES

##### MOTION

Moved by Cr Luke, seconded by Cr Osborne

The apologies submitted on behalf of Councillors Dunn, Posniak, Rufo, Tierney and Waterhouse 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 17 -DA 2016/00820 - 14 and 16 Union Street Tighes Hill - Erection of Two Attached Two Storey Dwellings Associated Site Works and One Lot into Two Lot Subdivision.

Councillor Clausen stated that that he had involvement in negotiations relating to a neighbouring parcel of land owned by his employer along the banks of Throsby Creek and access to the land was adjacent the property. He said he did not know the applicants and the matter did not relate to the development.

##### 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.

### **Councillor Osborne**

Councillor Osborne declared a non-pecuniary less than significant interest in Item 19 - DA 2016/00893 - 122-124 Parry Street Newcastle West - Demolition Of Buildings, Erection of 8 Storey Mixed Use Development with 31 Residential Units, one Ground Floor Commercial Unit, 45 Parking Bays to Ground Floor and Basement and Associated Site Works, stating that he was a member of Engineers Australia and had been for 30 years and did not any benefit from this development.

## **CONFIRMATION OF PREVIOUS MINUTES**

### **MINUTES - DEVELOPMENT APPLICAITONS COMMITTEE 15 NOVEMBER 2016**

#### **MOTION**

Moved by Cr Osborne, seconded by Cr Luke

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

**Carried**

## **DEVELOPMENT APPLICATIONS**

**ITEM-17                      DA 2016/00820 - 14 AND 16 UNION STREET TIGHES HILL -  
ERECTION OF TWO ATTACHED TWO STOREY  
DWELLINGS ASSOCIATED SITE WORKS AND ONE LOT  
INTO TWO LOT SUBDIVISION**

#### **MOTION**

Moved by Cr Luke, seconded by Cr Compton

- A) That the application for the construction of two attached two storey dwellings, associated site works and one into two lot subdivision be approved and consent granted by way of deferred commencement subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to **Attachment B**); and
- B) That those persons who made submissions be advised of the Council determination.

Councillor Osborne gave notice of a foreshadowed motion to reject the application.

## **PROCEDURAL MOTION**

Moved by Cr Clausen, seconded by Cr Doyle

Council defer determination of the application to an Extraordinary Development Application's Committee meeting to follow the Ordinary Council meeting on 13 December 2016 to enable mediation between the parties.

**For the Motion:** Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle and Osborne.

**Against the Motion:** Councillors Luke and Robinson.

**Carried**

## **ITEM-18 DA 2015/0540 - 18 NERIGAI CLOSE ELERMORE VALE - ERECTION OF TWENTY FIVE ATTACHED TWO STOREY DWELLINGS, ASSOCIATED WORKS AND TWENTY SIX LOT STRATA SUBDIVISION**

### **MOTION**

Moved by Cr Luke, seconded by Cr Compton

- i) That the application for the erection of 25 two-storey dwellings, strata subdivision, tree removal and associated site works at 18 Nerigai Close, Elermore Vale be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to **Attachment B**); and
- ii) That those persons who made submissions be advised of the Council determination.

Councillor Osborne gave notice of a foreshadowed motion to reject the application.

**For the Motion:** Councillors Compton, Luke and Robinson.

**Against the Motion:** Lord Mayor, Councillor Nelmes, Councillors Clausen, Doyle and Osborne.

**Defeated**

**ITEM-19**

**DA 2016/00893 - 122-124 PARRY STREET NEWCASTLE WEST - DEMOLITION OF BUILDINGS, ERECTION OF 8 STOREY MIXED USE DEVELOPMENT WITH 31 RESIDENTIAL UNITS, ONE GROUND FLOOR COMMERCIAL UNIT, 45 PARKING BAYS TO GROUND FLOOR AND BASEMENT, & ASSOCIATED SITE WORKS**

**MOTION**

Moved by Cr Osborne, seconded by Cr Clausen

- i) That Council note and support the clause 4.6 variation to clause 4.3 (Height of buildings) of the Newcastle Local Environmental Plan 2012; and
- ii) That the application for the demolition of two existing single-storey commercial buildings and erection of an eight storey mixed commercial / residential building at 122 and 124 Parry Street, Newcastle West be approved and consent granted, subject to compliance with the conditions set out in the Schedule of Conditions (refer to **Attachment B**); and
- ii) That those persons who made submissions be advised of the Council determination

**For the Motion:**

Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle, Luke, Osborne and Robinson.

**Against the Motion:**

Nil.

**Carried**

**The meeting concluded at 7.55pm.**