

CITY OF NEWCASTLE

Minutes of the Extraordinary Development Applications Committee Meeting held via audio visual platform Zoom on Tuesday 21 September 2021 at 6.41pm.

PRESENT

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

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance), F Leatham (Director People and Culture), J Rigby (Acting Director Infrastructure and Property), A Jones (Director City Wide Services), M Bisson (Manager Regulatory, Planning and Assessment), H Sexton (Acting Manager Legal), S Moore (Manager Finance), K Sullivan (Councillor Services/Minutes), A Knowles (Councillor Services/Meeting Support), L Stanhope (Councillor Services/Meeting Support) and G Axelsson (Information Technology Support).

ATTENDANCE VIA AUDIO VISUAL MEANS

PROCEDURAL MOTION

Moved by Cr Luke, seconded by Cr Mackenzie

That Council:

1. Notes the current Public Health Orders applicable to all of NSW;
2. Notes tonight's Extraordinary Development Applications Committee meeting is livestreamed on Council's website providing for access to members of the public;
3. Notes the unprecedented public health risks facing the community and in the interests of public health and safety, permits all Councillors to attend the Extraordinary Development Applications Committee meeting of 21 September 2021 by audio visual means.

**Carried
unanimously**

APOLOGIES

MOTION

Moved by Cr Luke, seconded by Cr White

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

**Carried
unanimously**

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 20 JULY 2021
MINUTES - EXTRAORDINARY DEVELOPMENT APPLICATIONS COMMITTEE
27 JULY 2021

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

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

**Carried
unanimously**

DEVELOPMENT APPLICATIONS

**ITEM-16 DAC 21/09/21 - 120 PARRY STREET NEWCASTLE WEST
AND 16 HALL STREET NEWCASTLE WEST - DA2020/00322
- DEMOLITION (EXISTING BUILDING) AND MIXED USE
DEVELOPMENT (EIGHT STOREY) COMPRISING GROUND
FLOOR BUSINESS, RESIDENTIAL (30 APARTMENTS), CAR
PARKING AND ASSOCIATED APARTMENTS**

MOTION

Moved by Cr Duncan, seconded by Cr Robinson

- A. That the DAC 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 R4 High Density Residential zone in which the development is proposed to be carried out; and
- B. That DA2020/00322 for the demolition of existing buildings and the erection of an eight-storey mixed-use development comprising ground floor business use and residential flat building (30 apartments), car parking, and associated site works at 120 Parry Street and 16 Hall Street Newcastle West be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment B** and amended as follows:

Additional conditions:

Condition 1A

The development must be amended as follows:

- a. Two hardstand visitor spaces are to be provided for on site. The removal of two car stacker 'bays' (eight stacked spaces) is required to facilitate this requirement.

Amended plans or documentation demonstrating compliance must be provided to the Certifying Authority and Council prior to the issue of a Construction Certificate.

Condition 25A

The visitor parking bays are to be constructed in paving bricks or in a suitable alternative visually unobtrusive paving material which contrasts in colour and texture with that used in the construction of the driveway. Full details are to be included in documentation for a Construction Certificate application.

Amended conditions:

1. On-site parking accommodation is to be provided for a minimum of 39 vehicles and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Councils' adopted Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application. Parking spaces shall be allocated as follows:

- a) 2 hardstand spaces for visitor parking
- b) 36 stacker spaces for residential parking
- c) 1 hardstand car space for accessible parking

1. On-site parking accommodation is to be provided for a minimum of 39 vehicles and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012 and with the details indicated on the submitted plans except as otherwise provided by the conditions of consent. A parking allocation plan shall be submitted to the Principal Certifying Authority that is consistent with the following requirements:

- a) 2 hardstand spaces for visitor parking
- b) 36 stacker spaces for residential parking
- c) 1 hardstand car space for accessible parking

1. On-site car parking accommodation is to be provided for a minimum of 39 car parking vehicles (includes minimum of 2 hardstand residential visitor parking spaces, 36 stacker residential apartment parking spaces, 1 hardstand accessible parking space) and 22 residential bicycle spaces (Class 2) and 5 visitor bicycle spaces (Class 3).

In the event of any future subdivision, parking is to be allocated as follows:

- a) The residential spaces are to be allocated to corresponding residential units, with a minimum of one parking space provided to each unit. A stratum subdivision is required to facilitate this arrangement.
- b) The car stacker to remain as common property.
- c) The hardstand accessible spaces is to be allocated to the commercial unit.
- d) The 2 hardstand visitor parking spaces are to remain in common property at all times. The on-site parking bays are to be made available for the use of casual visitors to the premises and such spaces under no circumstances being subdivided, leased or controlled by or on behalf of particular unit owners or residents.

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, Robinson, White and Winney-Baartz.

Against the Motion:

Councillors Church, Elliott and Mackenzie.

Carried

The meeting concluded at 7.11pm