

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held in the Council Chambers, Level 1, 12 Stewart Avenue, Newcastle West on Tuesday 1 December 2020 at 8.25pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, C Duncan, 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), 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), E Kolatchew (Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), S Moore (Acting Chief Financial Officer), M Murray (Chief of Staff), E Horder (Councillor Services/ Minutes), K Sullivan (Councillor Services/Meeting Support) and G Axelsson (Information Technology Support).

APOLOGIES

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

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

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Church

Councillor Church declared a less than significant non-pecuniary interest in Item 43 - DA2018/00773 - 73-79 Railway Lane, Wickham as a former employer was engaged to assist with the sales and marketing of the project. He stated he would manage the conflict of interest by removing himself from the meeting for discussion on the item.

Councillor Winney-Baartz

Councillor Winney-Baartz declared a significant non-pecuniary interest in Item 42 - DA2020/00758 -59 Scenic Drive, Merewether stating she would manage the conflict by removing herself from the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 17 NOVEMBER 2020

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

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

**Carried
unanimously**

DEVELOPMENT APPLICATIONS

ITEM-41 DAC 01/12/20 - DA2020/00717- 5 HILLVIEW CRESCENT THE HILL - DWELLING HOUSE - ALTERATIONS AND ADDITIONS

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

- 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 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 DA2020/00123 for dwelling house – alterations and additions at 5 Hillview Crescent, The Hill 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 M Byrne, J Church, D Clausen, C Duncan, K Elliott, B Luke, J Mackenzie, A Robinson, E White and P Winney-Baartz.

Against the Motion:

Nil.

Carried

ITEM-42 DAC 01/12/20 - DA2020/00758 - 59 SCENIC DRIVE MEREWETHER - DWELLING HOUSE - ALTERATIONS AND ADDITIONS

Councillor Winney-Baartz left the meeting for discussion on the item at 8.28pm.

MOTION

Moved by Cr Elliott, 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 4.3 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 DA2020/00758 for alterations and additions to a dwelling at 59 Scenic Drive Merewether be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
- C. That those persons who made submissions be advised of CN's determination.

PROCEDURAL MOTION

Moved by Cr Church, seconded by Cr Clausen

That the item be laid on the table until the Extraordinary Development Applications Committee on the 8 December 2020 in order to address concerns raised by local residents.

For the Motion:

Lord Mayor Cr Nelmes, Councillors M Byrne, J Church, D Clausen, C Duncan, K Elliott, B Luke, J Mackenzie, A Robinson and E White.

Against the Motion:

Nil.

Carried

Councillor Winney-Baartz returned to the meeting at 8.35pm.

ITEM-43

DAC 01/12/20 - DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM - ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT

Councillor Church left the meeting for discussion on the item at 8.36pm.

MOTION

Moved by Cr Robinson, seconded by Cr Mackenzie

- A. That the Development Applications Committee, as the consent authority, 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 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;
- B. That DA2018/00773 for proposed alterations and additions to the approved mixed-use development (DA2016/00384) involving four additional storeys, an additional 40 apartments, alterations to basement car parking and design of commercial tenancies at 73-79 Railway Lane, Wickham be approved and consent granted on a deferred commencement basis, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
- C. That those persons who made submissions be advised of CN's determination.

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Elliott

That the item be laid on the table until the Extraordinary Development Applications Committee on 8 December 2020 to address concerns raised in discussion by Councillors.

For the Motion:

Lord Mayor Cr Nelmes, Councillors M Byrne, D Clausen, C Duncan, K Elliott, J Mackenzie, A Robinson, E White and P Winney-Baartz.

Against the Motion:

Councillor B Luke.

Carried

Councillor Church did not return to the meeting prior to the meeting's close.

The meeting concluded at 8.56pm.