

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held via Audio visual platform Zoom on Tuesday 19 October at 8.41pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors J Church, D Clausen, C Duncan, J Dunn, 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), F Leatham (Director People and Culture), J Rigby (Acting Director Infrastructure and Property), A Jones (Director City Wide Services), K Hyland (Interim Director Strategy and Engagement), H Sexton (Acting Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), S Moore (Manager Finance), P McCarthy (Urban Planning Section Manager), L Duffy (Manager Parks and Recreation), A Knowles (Councillor Services/Minutes), K Sullivan (Councillor Services/Meeting Support), L Stanhope (Councillor Services/Meeting Support) and D Barlass (Information Technology Support).

ATTENDANCE VIA AUDIO VISUAL MEANS

PROCEDURAL MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

1. Notes the current Public Health Orders applicable to all of NSW;
2. Notes tonight's 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 Development Applications Committee meeting of 19 October 2021 by audio visual means.

Carried

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - EXTRAORDINARY DEVELOPMENT APPLICATIONS COMMITTEE 21 SEPTEMBER 2021

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

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

Carried

DEVELOPMENT APPLICATIONS

ITEM-17 **DAC 19/10/21 - 164 HUNTER STREET, NEWCASTLE -
DA2019/00331.01 - SECTION 4.55(2) MODIFICATION TO
DA2019/00331 - MIXED-USE (COMMERCIAL, RETAIL &
RESIDENTIAL) INVOLVING ALTERATIONS AND
ADDITIONS TO HERITAGE LISTED BUILDING - CHANGES
TO APPROVED PLANS INCLUDI**

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

- A. That the Development Applications Committee (DAC) note the variation to the height of building development standard of NLEP 2012 and consider the variation to be justified; and
- B. That the Development Applications Committee (DAC) note the variation to the FSR development standard of NLEP 2012 and consider the variation to be justified; and
- C. That DA2019/00331.01 application to modify development consent for mixed-use development involving alterations and additions to heritage listed building 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**.

For the Motion:

Lord Mayor, Cr Nelmes, Councillors Church, Clausen, Duncan, Dunn, Luke, Robinson, Rufo, White and Winney-Baartz.

Against the Motion:

Councillor Mackenzie.

Carried

ITEM-18 **DAC 19/10/21 - 292 WHARF ROAD, NEWCASTLE - MA2021/00090 - SECTION 4.55(1A) MODIFICATION TO DA 2016/00201 - COMMERCIAL PREMISES - CHANGES TO FLOOR PLANS, ELEVATIONS AND CONDITIONS OF CONSENT**

MOTION

Moved by Cr Mackenzie, seconded by Cr Dunn

- A. That MA2021/00090 at 292 Wharf Road Newcastle be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment B**; and
- B. That those persons who made submissions be advised of CN's determination.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Clausen, Duncan, Dunn, Luke, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion: Councillors Church and Robinson.

Carried

ITEM-19 **DAC 19/10/21 - 2 PRINCETON AVENUE, ADAMSTOWN HEIGHTS - DA2021/00729 - RESIDENTIAL FLAT BUILDING - THREE STOREY RESIDENTIAL FLAT BUILDING COMPRISING SEVEN UNITS AND BASEMENT PARKING, ASSOCIATED EARTHWORKS, LANDSCAPING AND INFRASTRUCTURE**

MOTION

Moved by Cr Mackenzie, seconded by Cr Clausen

- A. That the Development Applications Committee (DAC) 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 R3 Medium Density Residential zone in which the development is proposed to be carried out;
- B. That the Development Applications Committee (DAC) 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 4.4 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 R3 Medium Density Residential zone in which the development is proposed to be carried out;

- C. That proposal to construct of a three-storey residential flat building comprising seven units and basement parking, associated earthworks, landscaping and infrastructure at 2 Princeton Avenue Adamstown Heights 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, Councillors Church, Clausen, Duncan, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

Against the Motion: Nil.

Carried

**ITEM-20 DAC 19/10/21 - 4 GARRETT STREET, CARRINGTON -
DA2021/00812 - ALTERATIONS AND ADDITIONS TO
DWELLING HOUSE**

MOTION

Moved by Cr Mackenzie, seconded by Cr Luke

- A. That the Development Applications Committee, as the consent authority, notes the objection under Clause 4.6 Exceptions to Development Standards of the Newcastle Local Environmental Plan 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 R2 Low Density Residential zone in which the development is proposed to be carried out; and
- B. That DA2021/00812 for dwelling house – alterations and additions at 4 Garrett Street Carrington be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment B**.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Church, Clausen, Duncan, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

Against the Motion: Nil.

Carried

Note: Councillor Dunn was absent from the meeting when the vote was taken on Items 19 and 20.

ITEM-21

**DAC 19/10/21 - 16 PARKWAY AVENUE, BAR BEACH -
DA2021/00294 - DWELLING HOUSE - ALTERATIONS AND
ADDITIONS**

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

- A. That the Development Applications Committee (DAC) 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
- C. That DA2021/00294 for alterations and additions to a dwelling at 16 Parkway Avenue Bar Beach be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
- D. That those persons who made submissions be advised of CN's determination.

For the Motion:

Lord Mayor, Cr Nelmes, Councillors Church, Clausen, Duncan, Dunn, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

Against the Motion:

Nil.

Carried

The meeting concluded at 9.07pm.