

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on Tuesday 16 May 2017 at 7.52pm

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors D Clausen, D Compton, T Doyle, M Osborne, S Posniak, A Rufo and S Waterhouse.

IN ATTENDANCE

J Bath (Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), P Chrystal (Director Planning and Regulatory), E Kolatchew (Acting Manager Legal and Governance), M Blackburn-Smith (Manager Development and Building), J Gaynor (Manager Strategic Planning), Nathaniel Bavinton (Smart City Coordinator) and A Knowles (Council Services/Minutes/Webcast).

APOLOGIES

MOTION

Moved by Cr Compton, seconded by Cr Posniak

The apologies submitted on behalf of Councillors Dunn, Luke and Robinson be received and leave of absences granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

The Lord Mayor called for declarations of pecuniary and non-pecuniary interests.

Councillor D Compton

Councillor Compton declared a less than significant, non pecuniary interest noting he operates a building company and was time to time selected to tender on various projects. Councillor Compton advised there was nothing listed in the agenda that he was associated with and therefore remained in the Chamber for the meeting.

CONFIRMATION OF PREVIOUS

Nil

DEVELOPMENT APPLICATIONS

**ITEM-5 DAC 16/05/17 - DA2016/01106 - 291 KING STREET
NEWCASTLE - ALTERATIONS AND ADDITIONS TO
EXISTING CAR PARKING STATION INCLUDING AN
ADDITIONAL 5 SPLIT LEVELS OF CAR PARKING, CHILD
CARE CENTRE, AND CAFE ON GROUND FLOOR**

MOTION

Moved by Cr Osborne, seconded by Cr Nelmes

PART 1

- A. That Council, as the consent authority, note the objection under clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012 (NLEP 2012), against the development standard at clause 4.3 Height of Buildings, and Council considers the objection to be justified in the circumstances and is consistent with the aims of the relevant NLEP 2012 clause;
- B. That Council, as the consent authority, 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 Council considers the objection to be justified in the circumstances and is consistent with the aims of the relevant NLEP 2012 clause;
- C. That the application at 291 King Street, Newcastle be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to **Attachment B**);
- D. That those persons who made submissions be advised of Council determination; and
- E. A change to Condition 8 within the Schedule of Conditions to replace the Chinese Pear Tree where indicated on the submitted landscape plans with a Lilly Pilly Tree.

PART 2

- A. Delegate Council Officers to explore and develop a solution for suitable traffic devices to channel traffic to the major streets.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Osborne, Posniak. Rufo and Waterhouse.

Against the Motion: Councillor Doyle.

Carried

ITEM-6

**DAC 16/05/17 - DA2017/00019 - 23 ALFRED STREET
NEWCASTLE EAST - ALTERATIONS AND ADDITIONS TO
DWELLING**

MOTION

Moved by Cr Clausen, seconded by Cr Compton

- A. That Council, as the consent authority, note the objection under clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012 (NLEP 2012), against the development standard at Clause 4.4 (Floor space Ratio) and Council considers the objection to be justified in the circumstances and consistent with the aims of the relevant NLEP 2012 clause;
- B. That the application to carry out alterations and additions to the dwelling at 23 Alfred Street, Newcastle East 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 the determination of the application.

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Osborne.

The matter lay on the table pending an invitation for a Public Voice Session for objectors and the applicant. If timing allows, the DA can return to Council following this Public Voice at an Extraordinary Development Applications Committee Meeting.

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

Against the Motion: Councillors Compton, Rufo and Waterhouse.

Carried

The meeting concluded at 8.19pm