



THE CITY OF NEWCASTLE



PUBLIC VOICE COMMITTEE

Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that a Public Voice Committee will be held on:

DATE: Tuesday 20 February 2018

TIME: 5.30pm

VENUE: Council Chambers
2nd Floor
City Hall
290 King Street
Newcastle NSW 2300

Jeremy Bath
Chief Executive Officer

**City Administration Centre
282 King Street
NEWCASTLE NSW 2300**

9 February 2018

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**PUBLIC VOICE COMMITTEE
20 February 2018**

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PUBLIC VOICE SESSIONS

ITEM-1 PV 20/02/18 - DA 2017/00789 - 9 BELFORD STREET, BROADMEADOW - ALTERATIONS TO BUILDING FOR CHANGE OF USE TO DWELLING, ERECTION OF FIVE THREE STOREY ATTACHED DWELLINGS ASSOCIATED SITE WORKS AND ONE LOT INTO SIX LOT SUBDIVISION

**APPLICANT: SNL BUILDING CONSTRUCTION PTY. LTD
 OWNER: STOCKTON STREET PTY LTD
 NOTE BY: PLANNING & REGULATORY GROUP
 CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING**

PURPOSE

An application has been received seeking consent for partial demolition and adaptive fit-out / re-use of the former Hamilton Fire Station building as a dwelling house, erection of five attached three-storey dwellings (fronting Dixon street), tree removal and Torrens Title subdivision.

The original proposal initially sought approval for six additional dwellings (fronting Dixon Street) and was notified to neighbouring properties for 14 days in accordance with the provisions of Newcastle DCP 2012. A total of 59 submissions objecting to the proposal were received, including three Public Voice requests.



Subject Land: 9 Belford Street, Broadmeadow

The proposal was subsequently amended to reduce the number of dwellings and the amended plans were re-notified. The amended proposal generated 93 submissions objecting to the proposal, including three Public Voice requests. The main categories of objection include:

- i. overall design (height, bulk and scale)
- ii. number of new dwellings
- iii. heritage impacts
- iv. amenity impacts to neighbouring properties
- v. traffic / parking impacts
- vi. safety issues

The application will be forwarded to the Development Applications Committee for

determination, due to the number of submissions received during the public notification process.

1.0 THE SITE

The subject site is located at 9 Belford Street, Broadmeadow (Lot 1, DP77912) and has an area measuring 911.8m².

The site has road frontages to Belford Street (north side), Samdon Street (west side) and Dixon Street (south side). The land slopes upward from Belford Street toward Dixon Street.

The site contains the former Hamilton Fire Station and is listed as a local heritage item. The site is not within a Heritage Conservation Area, however it is located in the vicinity of other local heritage items, being St. Peters Anglican Church and Hamilton Public School.

2.0 THE PROPOSAL

The proposal has been amended in response to concerns raised by Council officers and in public submissions.

The application seeks consent for the:

- i. Partial demolition and adaptive fit-out/re-use of the former Hamilton Fire Station building as a dwelling house
- ii. Erection of five attached, three-storey dwellings (accessed from Dixon Street)
- iii. Tree removal
- iv. Torrens Title subdivision

The proposed new dwellings are to have driveway entries off Dixon Street. Existing vehicular access to the fire station building is to be retained off Belford Street.

A copy of the submitted plans is appended at **Attachment A**. The various steps in the processing of the application to date are outlined in the Processing Chronology appended at **Attachment B**.

3.0 PUBLIC NOTIFICATION

The concerns raised by the objectors in respect of the proposed development (as amended) are summarised as follows:

- 1) Statutory and Policy Issues:
 - i. Density - Excessive number of dwelling resulting of an overdevelopment of the site

- ii. Building height - Building height is not compatible with residential context of the neighbourhood which largely consists of one-storey and two-storey dwellings
- iii. Land zoning - the site is zoned R4 High Density Residential. This is an inappropriate classification for this site

2) Amenity Issues:

- i. Overshadowing - Additional overshadowing on Dixon Street
- ii. Privacy - Overlooking of properties located opposite in Dixon Street
- iii. View loss - Obstruction of views and loss of outlook to neighboring properties
- iv. Landscaping and open space - Lack of open space and landscaping provided within the development; loss of trees and limited opportunity for compensatory planting

3) Design and Aesthetic Issues:

- i. Bulk and scale - Scale and massing is unsympathetic with the streetscape and existing heritage building
- ii. Visual impact - Visual dominance of western wall facing Samdon Street
- iii. Heritage Impacts - Proposed development will have an adverse impact on the heritage value of the Fire Station building; the original hose drying pole should be retained.

4) Traffic and Infrastructure Issues:

- i. Traffic - Increased traffic movements; Dixon Street is a residential cul-de-sac with a primary school at one end
- ii. Parking - Increase pressure for on street parking; there is not enough parking for future residents with three bedrooms and only single garages provided for each dwelling
- iii. Pedestrian safety - Five additional driveways are proposed on a heavily trafficked footpath used by primary school children, parents with prams and people using wheelchairs
- iv. Stormwater and sewerage - Increased pressure on existing infrastructure

5) Miscellaneous

- i. Construction impacts - Concern regard the impacts on neighbours arising from the construction process
- ii. Property Values - The proposal will result in devaluation of surrounding properties
- iii. Public interest - There is no public benefit afforded to the community

ATTACHMENTS

Attachment A: Submitted Plans - Under Separate Cover - 9 Belford Street Broadmeadow

Attachment B: Processing Chronology - 9 Belford Street Broadmeadow

Attachment A

Submitted Plans - Under Separate Cover - 9 Belford Street Broadmeadow

Attachment B

**Processing Chronology
DA2017/00789 - 9 Belford Street, Broadmeadow**

10 July 2017	-	Application lodged with Council
15 June - 15 July 2017	-	Public Notification
24 November 2017	-	Amended plans submitted
06 December 2017 - 08 January 2018	-	Public Notification (Amended Plans)

**ITEM-2 PV 20/02/18 - DA 2017/00253 - 39 SCENIC DRIVE
MEREWETHER - ALTERATIONS AND ADDITIONS TO
DWELLING**

**APPLICANT: DORING DESIGN
OWNER: R RANA
NOTE BY: PLANNING & REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER
DEVELOPMENT AND BUILDING**

PURPOSE

An application has been received seeking consent for alterations and additions to a dwelling.

A copy of the submitted plans for the proposed development is appended at **Attachment A**.

The proposed development was publicly notified for 14 days in accordance with Council's Public Notification policy and 15 submissions were received in response. The submissions raised concerns regarding building height, bulk and scale, character, view loss, overshadowing, privacy, access to breezes, noise from air conditioning units and other mechanical services, stormwater disposal, land slip potential, damage to surrounding properties during construction, interruption and traffic congestion to neighbouring residents within Gregory Crescent and Hickson Streets during construction, use of the proposed development and inconsistency with the R2 Low Density Residential zone objectives.



Subject Land: 39 Scenic Drive, Merewether

The application will be referred to Council's Development Applications Committee for determination as the proposed development exceeds the Height of Buildings development standard of the Newcastle Local Environmental Plan 2012 by more than 10%.

1.0 THE SITE

The subject site comprises Lot 21, Lot 22 and Lot 23 in DP38649 and is irregular in shape. The site has a frontage of 50.165m to Scenic Drive, an average depth of 60.1m and a total area of 2343m².

The site is located on the southern side of Scenic Drive Merewether, with access from a 26.16m wide frontage to Gregory Crescent (via Hickson Street), at its southern boundary. The site slopes toward Scenic Drive from the Gregory Crescent boundary and is relatively steep in parts.

The subject property is occupied by a two-storey brick dwelling with tile roof, a double garage facing Gregory Crescent and a swimming pool. Existing development on adjoining sites comprises of two-storey and three-storey dwellings, consistent with the general form of development in the area. Dwellings in the area are predominantly of a contemporary architectural style.

2.0 THE PROPOSAL

The applicant seeks consent for alterations and additions to the dwelling on the site. The existing garage structure and a significant proportion of the dwelling are proposed to be demolished to accommodate additions that step down the site. Eastern parts of the existing dwelling are proposed to be retained, with the current pitched roof to be replaced by a flat roof.

The proposed altered dwelling contains three storeys, plus a roof top terrace, in a more modern style than that of the current dwelling on the site. The proposed two lower storeys are of a split level design, stepping down towards Scenic Drive.

A copy of the submitted plans is appended at **Attachment A**. The various steps in the processing of the application to date are outlined in the Processing Chronology appended at **Attachment B**.

3.0 PUBLIC NOTIFICATION

The application was publicly notified for a period of 14 days in accordance with Council's Public Notification Policy. 15 submissions and 2 public voice applications have been received.

The concerns raised by the objectors in respect of the proposed development are summarised as follows:

a) Statutory and Policy Issues:

- I. Non-compliance with height limit
- II. Non-compliance with the objectives of the zone
- III Non-compliance with DCP requirements

b) Amenity Issues:

- I. Overshadowing
- II. Privacy - overlooking of neighbouring properties
- III. View Loss
- IV. Loss of breezes
- V. Noise from air conditioning units and other mechanical services
- VI. Traffic Noise-increase in vehicles using the site

c) Design and Aesthetic Issues:

- I. Building appearance - not consistent with scale, massing and character of area

d) Traffic and Infrastructure Issues

- I. Traffic - insufficient parking on-site
- II. Interruption and traffic congestion to neighboring residents within Gregory Crescent and Hickson Street during construction

e) Miscellaneous

- I. Land slip potential
- II. Stormwater disposal
- III. Damage to surrounding properties during construction
- IV. Use of the development

ATTACHMENTS

Attachment A: Submitted Plans - Under Separate Cover - 39 Scenic Drive Merewether

Attachment B: Processing Chronology - 39 Scenic Drive Merewether

Attachment A

Attachment A - Submitted Plans - Under Separate Cover - 39 Scenic Drive Merewether

Attachment B

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APPENDIX B - PROCESSING CHRONOLOGY

DA 2017/00253 – 39 Scenic Drive Merewether

- 14 March 2017 - Application lodged with Council.
 - 30 March 2017 - Site inspection.
 - 13 April 2017 - Internal comments received from engineering regarding vehicular access. Additional information required.
 - 13 April 2017 - Additional information requested.
 - 19 September 2017 - Additional information and amended plans received.
 - 14 November 2017 - Additional information received.
 - 15 November 2017 - Additional information received.
 - 15 November 2017 - Additional information requested.
 - 30 November 2017 - Amended plans received.
 - 5 December 2017 - Additional information requested from engineering regarding vehicular access.
 - 8 January 2018 - Applicant advised that application will be determined by DAC.
-

ITEM-3 **PV 20/02/18 - DA 2017/00436 - 13 ANDREA CLOSE WALLSEND - DEMOLITION OF DWELLING AND OUTBUILDING, ERECTION OF FIVE ATTACHED TWO-STOREY DWELLINGS AND ASSOCIATED SITE WORK**

APPLICANT: **TONER DESIGN PTY LTD**
OWNER: **KBA ELERMORE VALE PTY LTD**
NOTE BY: **PLANNING & REGULATORY**
CONTACT: **DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING**

PURPOSE

An application has been received seeking consent for demolition of a dwelling and construction of a two-storey multi-dwelling housing development (five dwellings) and associated site works.

A copy of the submitted plans for the proposed development is appended at **Attachment A**.

The original proposal was notified to neighbouring properties for 14 days in accordance with the provisions of Newcastle DCP 2012. A total of 23 submissions objecting to the proposal were received, including two Public Voice requests.

The proposal was subsequently amended and the amended plans were re-notified. The amended proposal generated 27 submissions objecting to the proposal. The key issues arising from the application include:

- i. Build form and character
- ii. Tree retention and removal
- iii. Waste management and disposal
- iv. Retaining walls and fencing
- v. Visual and acoustic privacy
- vi. Building design criteria
- vii. Contamination
- viii. Landscape, open space and visual amenity



Subject Land: 13 Andrea Close Wallsend

The application will be forwarded to the Development Applications Committee for determination, due to the number of submissions received during the public notification process

1.0 THE SITE

The subject site comprises 13 Andrea Close Wallsend (Lot 16, DP243635). The lot is generally level with a slight slope toward the street and becomes irregular in shape toward the rear. The site is located on the south western side of Andrea Close.

The site is bounded by other dwellings, with a built form of primarily single-storey construction. Several lots in the vicinity of the site have been redeveloped for dual occupancy development.

2.0 THE PROPOSAL

The applicant seeks consent for the construction of a two-storey multi-dwelling housing development (five dwellings) and associated site works. The development will be contained within two buildings - Dwellings 1 and 2 in the first building and Dwellings 3, 4 and 5 in a second building.

A dwelling on site is proposed to be demolished and some retaining walls located on the boundaries are proposed to be relocated.

A copy of the submitted plans is appended at **Attachment A**. The various steps in the processing of the application to date are outlined in the Processing Chronology appended at **Attachment B**.

3.0 PUBLIC NOTIFICATION

The original application was publicly notified for a period of 14 days in accordance with Council's Public Notification Policy. A total of 23 submissions were received objecting to the proposal. Two applications for public voice were also received.

During the assessment of the application, the proposal was amended and then re-notified for a period of 14 days in accordance with Council's Public Notification Policy. A total of 27 submissions were received during the re-notification period.

The concerns raised by the objectors in respect of the proposed development are summarised as follows:

a) Statutory and Policy Issues:

- I. Non-compliance with development standards
- II. Non-compliance with the objectives of the zone
- III. Non-compliance with DCP requirements

b) Amenity Issues:

- I. Overshadowing
- II. Privacy - overlooking of neighbouring properties
- III. View Loss
- IV. Loss of breezes
- V. Noise from air conditioning units and other mechanical services
- VI. Traffic Noise-increase in vehicles using the site
- VII. Impact on trees and lack of landscaping

c) Design and Aesthetic Issues:

- I. Building appearance - not consistent with scale, massing and character of area
- II. Waste management/bin storage
- III. Retaining walls and fencing

d) Traffic and Infrastructure Issues:

- I. Traffic - insufficient parking on-site

e) Miscellaneous:

- I. Land slip potential
- II. Stormwater disposal
- III. Flooding and drainage
- IV. Alleged low quality building stock
- V. Anti-social behaviour
- VI. Damage to surrounding properties during construction
- VII. Use of the development

ATTACHMENTS

Attachment A: Submitted plans - Under Separate Cover - 13 Andrea Close Wallsend

Attachment B: Processing Chronology - 13 Andrea Close Wallsend

Attachment A

Attachment A - Submitted plans - Under Separate Cover - 13 Andrea Close Wallsend

Attachment B

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**Processing Chronology
DA 2017/00436 - 13 Andrea Close Wallsend**

- 27 April 2017 - Development application lodged with Council
 - 03-18 May 2017 - Public exhibition (14 days)
 - 23 August 2017 - Applicant advised of issues raised after technical assessment of the application and in public submissions
 - 28 September 2017 - Response received from Applicant
 - 16-30 October 2017 - Public Exhibition of additional information (14 days)
 - 10 November 2017 - Applicant advised of issues raised after technical assessment of the application and in public submissions
 - 11 December 2017 - Partial response received from Applicant
 - 15 January 2018 - Further response received from Applicant
-

**ITEM-4 PV 20/02/18 - DA 2016/01401 - 21 PARNELL PLACE
NEWCASTLE EAST - ALTERATIONS TO BUILDING FOR
ADAPTIVE RE-USE TO RESIDENTIAL FLAT BUILDING (23
UNITS) AND ASSOCIATED CAR PARKING**

APPLICANT: LAND DEVELOPMENT SOLUTIONS PTY LTD
OWNER: 21 PARNELL PLACE PTY LTD
NOTE BY: PLANNING & REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER
DEVELOPMENT AND BUILDING

PURPOSE

An application has been received seeking consent for alterations to a building for a change of use from hotel accommodation to a residential flat building (23 dwellings) and associated car parking.

A copy of the submitted plans for the proposed development is appended at **Attachment A**.

The original proposal was notified to neighbouring properties in accordance Council's Public Notification Policy. A total of 67 submissions objecting to the proposal were received, including one Public Voice request.

The proposal was subsequently amended and the amended plans were re-notified. 20 submissions objecting to the amended proposal were received.



Subject Land:
21 Parnell Place, Newcastle East

The key issues arising from the application include:

- i. Urban design and built form outcome for change of use to residential apartment building
- ii. SEPP 65 Apartment Design Guidelines and other relevant Council requirements
- iii. Visual and acoustic privacy
- iv. Traffic and car parking
- v. Waste management and disposal

The application will be forwarded to the Development Applications Committee, due to the number of submissions received during the public notification process.

1.0 THE SITE

The subject site comprises 21 Parnell Place Newcastle East (Lot 1, DP815595). The lot is generally flat, with the existing building occupying the majority of the site, and has functioned as a motel, restaurant and function centre for more than 50 years, with various renovations being undertaken including major alterations and additions in 1981 and 1999.

The lot has a total area of 1,106m² and is located with a main western street frontage to Parnell Place of 42.68m, a northern frontage of 24.385m to Beach Street, a southern frontage of 27.665m to an un-named laneway and an eastern frontage of 19.63m to another public laneway.

The site is located within the Newcastle East Heritage Conservation Area, among a diverse range of low-scale, mainly terrace-type, residential buildings. The building on the site has an outlook to Parnell Park to the west and, from upper levels, there is an outlook to the ocean.

2.0 THE PROPOSAL

The application seeks consent for alterations to a building and a change of use from hotel accommodation to a residential flat building (23 dwellings) and associated car parking. During the assessment of the application, amendments have been made to address concerns raised by Council officers and in the submissions received. The amended proposal includes the reduction in total dwelling numbers from 45 to 23.

The amended proposal has resulted in the removal of studio apartments, with the breakdown in apartment types now consisting of 8 x one-bedroom, 8 x two-bedroom and 7 x three-bedroom dwellings.

A copy of the amended plans is appended at **Attachment A**. The various steps in the processing of the application to date are outlined in the Processing Chronology appended at **Attachment B**.

3.0 PUBLIC NOTIFICATION

The original application was publicly exhibited in accordance with Council's Public Notification Policy. A total of 67 submissions were received (57 within the notification period and 10 outside of the public notification period). One public voice application was received during the original exhibition period.

The amended proposal has also been publicly exhibited. The usual notification period of 14 days was extended to allow for the holiday period, as per Council's Public Notification Policy. A total of 20 submissions have been received.

The concerns raised by the objectors in respect of the proposed development are summarised as follows:

- i. Operations of the Newcastle Beach Hotel
- ii. Car parking deficiency, traffic volumes and access to Murray Avenue
- iii. Lack of public / alternative modes of transport available in Newcastle East and Newcastle CBD generally to support variations to car parking on-site
- iv. Waste generation and on street bin placement
- v. Building bulk unsympathetic to Parnell Place streetscape
- vi. Non-compliance with SEPP 65 provisions
- vii. Non-compliance with height, bulk and scale of development within R3 Medium Density Zone
- viii. Visual and acoustic privacy impacts
- ix. Reduction in residential amenity on and off site
- x. History/age of existing building construction
- xi. Adverse impacts from short term leasing of apartments

Key issues of relevance in the assessment of this application include:

- i. Urban design and built form outcome for change of use to residential apartment building
- ii. SEPP 65 Apartment Design Guidelines and other relevant Council requirements
- iii. Visual and acoustic privacy
- iv. Traffic and car parking
- v. Waste management and disposal

ATTACHMENTS

Attachment A: Submitted Plans - Under Separate Cover - 21 Parnell Place Newcastle East

Attachment B: Processing Chronology - 21 Parnell Place Newcastle East

Attachment A

Submitted Plans - Under Separate Cover - 21 Parnell Place Newcastle East

Attachment B

**Processing Chronology
DA 2016/01401 - 21 Parnell Place Newcastle East**

9 December 2016	-	Development application lodged with Council
14 December 2016 to 16 January 2017	-	Public exhibition
18 May 2017	-	Applicant advised of issues raised in technical assessment of the application and in public submissions
28 June 2017	-	Applicant advised of outstanding further information required
26 September 2017	-	Partial response received from Applicant
18 October 2017	-	Response to submissions received from Applicant
11 December 2017	-	Partial response - remaining information received from Applicant
22 December 2017 to 22 January 2018	-	Public Exhibition of amended proposal
