



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 4 December 2018

TIME: 5.30pm

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

J Bath
Chief Executive Officer

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

Tuesday 27 November 2018

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**PUBLIC VOICE COMMITTEE
04 December 2018**

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PUBLIC VOICE SESSIONS

ITEM-1 **PV 04/12/18 - DA2018/00948 - 25 MARSHALL STREET NEW LAMBTON HEIGHTS - DEMOLITION OF DWELLING ERECTION OF FIVE TWO STOREY DWELLINGS**

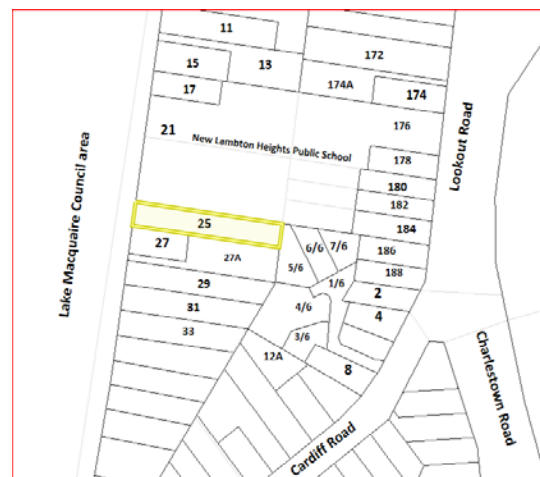
APPLICANT: **ELK DESIGNS**
OWNER: **LIZ & STEVE BINNIE**
NOTE BY: **GOVERNANCE**
CONTACT: **DIRECTOR GOVERNANCE/ MANAGER REGULATORY, PLANNING AND ASSESSMENT**

BACKGROUND

An application has been received seeking consent for demolition of a dwelling and the erection of five two-storey dwellings.

The application will be referred to the Development Applications Committee for determination, due to it being called in by two Councillors.

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



Subject Land: 25 Marshall Street New Lambton Heights

The proposed development was publicly notified in accordance with the Newcastle Development Control Plan 2012 (NDCP) and 31 submissions were received in response. A formal request for Public Voice was also been received from a neighbour of the site.

1.0 THE SITE

The subject site comprises Lot A DP 367643. The lot is rectangular in shape, located on the eastern side of Marshall Street, with a road frontage of 15.51m, a maximum depth of 98.09m and a total area of 1,508m².

The site slopes towards Marshall Street from the rear (eastern) boundary.

The site is currently occupied by a two-storey dwelling located on the western side of the site, facing Marshall Street, and is bounded by dwellings to the south, a public school (New Lambton Heights Infants School) to the north and an area of remnant bushland to the east.

All of the property is identified as being bushfire prone, while a portion of the site is identified as being part of a Coastal Plains Smooth-barked Apple Woodland.

2.0 THE PROPOSAL

The applicant seeks consent for demolition of the dwelling on the site and the erection of five two-storey dwellings and associated works.

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 included at **Attachment B**.

3.0 PUBLIC NOTIFICATION

The application was publicly notified for a period of 14 days in accordance with the NDCP. 31 submissions have been received. One public voice application has also been received.

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

i) Land Use Zone Objectives

- a) The proposal is not consistent with the objectives of the R2 Low Density Residential Land Use Zone ie. *“provide for the housing needs of the community within a low density residential environment”*.

ii) Stormwater Runoff

- a) Impact of the proposal on existing inadequate stormwater system.

iii) Removal of Trees / Impact on Natural Habitat

- a) The impact of the removal of trees on the site.

iv) Car Parking / Access

- a) Insufficient car parking provision.
- b) Increase in traffic flow on the street as a result of the proposal.
- c) There is insufficient pedestrian infrastructure for this form of development.
- d) The proposed driveway exceeds the maximum driveway length.

v) Amenity

- a) Impact on the privacy of adjoining properties.

- b) Impact on the privacy of the adjoining school.
- c) Concern with level of overshadowing to neighbouring properties.
- d) Increase in noise levels as a result of increased traffic.

vi) Newcastle Local Environmental Plan 2012 (NLEP) Clause 4.6 Request

- a) The proposed building height variation will have a further impact on the amenity of neighbours.

vii) Landscaped Area

- a) The proposed landscaped area is not sufficient.

viii) Frontage Width

- a) The proposal does not accord with the minimum frontage width.

ix) Construction

- a) The proposed construction will impact on noise and dust / air pollution.
- b) Unclear how asbestos will be dealt with if found on site.

x) Waste Management

- a) There is insufficient space for bins.

ATTACHMENTS

Attachment A: Submitted Plans - Under Separate Cover - 25 Marshall Street
New Lambton Heights

Attachment B: Processing Chronology - 25 Marshall Street New Lambton
Heights

Attachment A

Submitted Plans - Under Separate Cover - 25 Marshall Street New Lambton Heights

Attachment B

THE CITY OF NEWCASTLE
Briefing Note to Public Voice Committee Meeting on 4 December 2018

Processing Chronology

DA2018/00948 - 25 Marshall Street New Lambton Heights

28 August 2018	Application lodged
03 September 2018	Application publicly notified
17 September 2018	Application called in to DAC by two Councillors
26 September 2018	Request for additional information from applicant

**ITEM-2 PV 04/12/18 - DA2018/00105 - 39 CHURCH STREET
MAYFIELD - DEMOLITION OF CHURCH BUILDING**

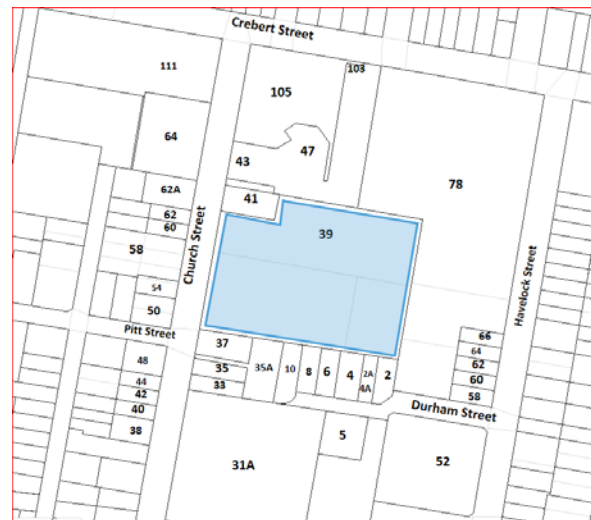
APPLICANT: KURT JEFFREY DALEY
OWNER: TRUSTEES THE ROMAN CATHOLIC CHURCH FOR
 DIOCESE OF MAITLAND-NEWCASTLE
REPORT BY: GOVERNANCE
CONTACT: DIRECTOR GOVERNANCE/ MANAGER REGULATORY,
 PLANNING AND ASSESSMENT

BACKGROUND

An application has been received seeking consent for the demolition of a church building (St Columban's Catholic Church). The site and building are listed as a Heritage Item of Local Significance in Newcastle Local Environmental Plan 2012 (NLEP).

The application will be referred to the Development Applications Committee for determination, due to it being called in by two Councillors.

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



Subject Land: 39 Church Street Mayfield

The proposed development was publicly notified and advertised in accordance with the NDCP and one submission was received in response.

1.0 THE SITE

The subject site is Lot 4 DP 59134, Lot 1 DP 165199 and Lot 2 DP 165408. The land is rectangular in shape, with access from Church Street.

The allotment is 84.3m wide and 140m in depth and has a total area of approximately 13,641m². The site is surrounded by Saint Columban's Primary School. Apart from the church building, the site includes an administration building, classrooms, playground area, and car park.

The church building is an identifiable landmark in the Church Street streetscape, due to its height, bulk, and position near the crest of the hill.

2.0 THE PROPOSAL

The applicant seeks consent for the demolition of St Columban's Catholic Church. A submitted *Site Plan - Post Demolition* identifies the site as being converted to a turfed area.

The applicant has provided additional information during the assessment of the application that includes an adaptive re-use report, structural report for proposed remediation work and a quantity surveyor's cost analysis report. The City of Newcastle (CN) has engaged a heritage consultant to review the submitted information.

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

3.0 PUBLIC NOTIFICATION

The application was notified, with one submission being received in respect to the proposal.

The concerns raised by the objector in respect of the proposal are summarised as follows:

i) Deterioration

- a) The Hunter Regional Committee of the National Trust of Australia (NSW) are concerned at the loss of the church due to deterioration of the structure, given the report indicates the awareness of the Parish to this condition for some time. The building has been previously repaired but not strengthened therefore knowledge of this weakening structure has been around for some time.

ii) Adaptive Reuse

- b) Concerns are raised regarding the apparent rush to demolish the whole building before alternative repairs and re-use is investigated. It is not unreasonable or unheard of to adjust the building, retaining the important detailing and providing a smaller or changed structure. The Trust is enquiring if Council has requested the Parish to consider what options apart from a major investment in structural repairs is available.

ATTACHMENTS

Attachment A: Submitted plans - Under Separate Cover - 39 Church Street Mayfield

Attachment B: Processing Chronology - 39 Church Street Mayfield

Attachment A - Submitted Plans - Under Separate Cover - 39 Church Street Mayfield

Attachment B

THE CITY OF NEWCASTLE
Briefing Note to Public Voice Committee Meeting on 04 December 2018

Processing Chronology

DA2018/00105 - 39 Church Street Mayfield

09 February 2018	Application lodged
17 February 2018	Application publicly notified and advertised
8 May 2018	Additional information submitted
30 July 2018	Site inspection completed by Council staff and Heritage Architect
20 August 2018	Review of the application was completed by the Heritage Architect
21 September 2018	Letter to applicant seeking withdrawal of the application
16 October 2018	Meeting between Council staff and the applicant
17 October 2018	Application called in to DAC by two Councillors
