

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 4 December 2018 at 6.54pm.

PRESENT

Deputy Lord Mayor (Councillor D Clausen), Councillors M Byrne, J Church, C Duncan, K Elliott, 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), K Liddell (Director Infrastructure and Property and Interim Director Strategy and Engagement), F Leatham (Interim Director People and Culture), A Murphy (Director City Wide Services), J Vescio (Executive Officer, Chief Executive Office and Acting Manager Corporate and Community Planning), E Kolatchew (Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), M Murray (Policy Officer, Lord Mayor's Office), A Knowles (Council Services/Minutes) and K Sullivan (Council Services/Webcast).

APOLOGIES

MOTION

Moved by Cr Luke, seconded by Cr Duncan

The apologies submitted on behalf of the Lord Mayor Councillor Nelmes and Councillor Dunn be received and leave of absence granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

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

Councillor Church

Councillor Church declared a significant and pecuniary interest in Item 17 - DA2017/01624 - 144 Brunner Road Adamstown and managed the conflict by removing himself from the chamber for discussion on the item.

Councillor Church declared a significant and pecuniary interest in Item 20 - DA2018/00879 - 854 Hunter Street Newcastle West and managed the conflict by removing himself from the chamber for discussion and vote on the item.

Councillor Church declared a significant and pecuniary interest in Item 21 - DA2018/00709 - 21 Alma Road New Lambton and managed the conflict by removing himself from the chamber for the debate and vote on the item.

PROCEDURAL MOTION

Moved by Cr Rufo, seconded by Cr Byrne

That Council amend the order of the Council meeting agenda items to hear Items 18 and 19 first followed by Items 17, 20 and 21.

Carried

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 20 NOVEMBER 2018

MOTION

Moved by Cr Mackenzie, seconded by Cr Luke

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

Carried

DEVELOPMENT APPLICATIONS

ITEM-18 DAC 04/12/18 - DA2018/00580 - 158 NATIONAL PARK STREET MEREWETHER - DEMOLITION OF DWELLING, OUTBUILDING AND POOL, ERECTION OF SINGLE STOREY DWELLING, ASSOCIATED SWIMMING POOL AND FRONT FENCE

MOTION

Moved by Cr Luke, seconded by Cr Church

- A. That DA2018/00580 for demolition of dwelling, outbuilding and pool, erection of single-storey dwelling, associated swimming pool and front fence at 158 National Park Street Merewether 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 the determination.

For the Motion: Deputy Lord Mayor, Cr Clausen, Councillors Byrne, Church, Duncan, Elliott, Luke, Mackenzie, Rufo, White, Winney-Baartz.

Against the Motion: Nil.

Carried unanimously

Councillor Robinson was not present when the vote was taken.

ITEM-19

**DAC 04/12/18 - DA2018/00963 - 282 KING STREET
NEWCASTLE - BOUNDARY ADJUSTMENT (FIVE LOTS)**

MOTION

Moved by Cr Byrne, seconded by Cr Mackenzie

- A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of NLEP, against the development standard at Clause 4.1 Minimum Subdivision Lot Size, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.1 and the objectives for development within the B3 Commercial Core and RE1 Public Recreation zones in which the development is proposed to be carried out; and
- B. That DA2018/00963 for a subdivision boundary adjustment (five lots) at 282 and 290 King Street and 347, 357 and 365 Hunter Street Newcastle be approved and consent granted, subject to the Draft Schedule of Conditions at **Attachment B**.

PROCEDURAL MOTION

Moved by Cr Church, seconded by Cr Elliott

The item lay on the table pending a further briefing and consultation.

The motion moved by Councillor Church and seconded by Councillor Elliott was put to the meeting.

For the Motion: Councillors Church, Elliott, Robinson and Rufo.

Against the Motion: Deputy Lord Mayor, Cr Clausen, Councillors Byrne, Duncan, Luke, Mackenzie, White and Winney-Baartz.

Defeated

The motion moved by Councillor Byrne and seconded by Councillor Mackenzie was put to the meeting.

For the Motion: Deputy Lord Mayor, Cr Clausen, Councillors Byrne, Duncan, Luke, Mackenzie, White and Winney-Baartz.

Against the Motion: Councillors Church, Elliott, Robinson and Rufo.

Carried

Councillor Church left the chamber for discussion on Items 17, 20 and 21.

ITEM-17 **DAC 04/12/18 - DA2017/01624 - 144 BRUNKER ROAD
ADAMSTOWN - DEMOLITION OF BUILDINGS, ERECTION
OF FIVE STOREY MIXED USE DEVELOPMENT**

MOTION

Moved by Cr Luke, seconded by Cr Elliott

- A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of NLEP, against the development standard at Clause 4.4 FSR, and considers the objection to be justified in the circumstances and to be consistent with the objectives for development within the B4 Mixed Use zone in which the development is proposed to be carried out; and
- B. That DA2017/01624 for demolition of buildings and erection of a five-storey mixed-use development at 144-148 Bruncker Road Adamstown be approved and consent granted, subject to compliance with the conditions set out in the Schedule of Conditions at **Attachment B**; and
- C. That those persons who made submissions be advised of Council's determination.

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

Against the Motion: Nil.

Carried unanimously

ITEM-20 **DAC 04/12/18 - DA2018/00879 - 854 HUNTER STREET
NEWCASTLE WEST - MULTI STOREY CARPARK**

MOTION

Moved by Deputy Lord Mayor, Cr Clausen, seconded by Cr Robinson

- A. That DA2018/00879 for erection of a multi-storey car park at 854 Hunter Street Newcastle West 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 the City of Newcastle's (CN) determination.

Councillor Mackenzie gave notice of a foreshadowed motion.

The motion moved by Deputy Lord Mayor, Cr Clausen, seconded by Cr Robinson was put to the meeting.

For the Motion: Deputy Lord Mayor, Cr Clausen, Councillors Byrne, Duncan, Dunn, Elliott, Luke, Robinson, Rufo, White, Winney-Baartz.

Against the Motion: Councillor Mackenzie.

Carried

ITEM-21 DAC 04/12/18 - DA2018/00709 - 21 ALMA ROAD NEW LAMBTON - DEMOLITION OF DWELLING AND OUTBUILDING ALTERATIONS AND ADDITIONS TO SHOPS ERECTION OF FOUR STOREY MIXED USE DEVELOPMENT AND TWENTY ONE LOT STRATA SUBDIVISION

MOTION

Moved by Cr Elliott, seconded by Cr Rufo

- A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of the NLEP, 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 DA2018/00709 for the demolition of a dwelling and outbuilding, alterations and additions to shops, erection of a four-storey mixed use development and 21 lot strata subdivision at 21-39 Alma Road New Lambton 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 City of Newcastle's (CN) determination.

For the Motion: Deputy Lord Mayor, Cr Clausen, Councillors Byrne, Duncan, Elliott, Luke, Robinson, Rufo, White and Winney-Baartz.

Against the Motion: Councillor Mackenzie.

Carried

Councillor Church did not return to the chamber prior to the close of the meeting.

The meeting concluded at 7.22pm.