

CITY OF NEWCASTLE

Minutes of the Development Applications Committee Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 16 August 2022 at 6.06pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors Adamczyk, Barrie, Church, Clausen, Duncan, McCabe, Pull, Richardson, Wark, Winney-Bartz and Wood.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance and Chief Financial Officer), D Manderson (Acting Director Infrastructure and Property), K Hyland (Interim Director Strategy and Engagement), L Duffy (Acting Director City Wide Services), M Bisson (Manager Regulatory, Planning and Assessment), P Emmett (Development Assessment Section Manager), E Kolatchew (Manager Legal), S Moore (Manager Finance), K Sullivan (Councillor Services/Minutes), E Horder (Councillor Services/Meetings Support), R Garcia (Information Technology Support) and I Lockwood (Information Technology Support).

MESSAGE OF ACKNOWLEDGEMENT

The Lord Mayor read the message of acknowledgement to the Awabakal and Worimi peoples.

PRAYER

The Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

APOLOGIES

MOTION

Moved by Cr Wark, seconded by Cr Barrie

The apology submitted on behalf of Councillor Mackenzie be received and leave of absence granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

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CONFIRMATION OF PREVIOUS MINUTES

MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 19 JULY 2022

MOTION

Moved by Cr Wark, seconded by Cr McCabe

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

Carried

DEVELOPMENT APPLICATIONS

ITEM-10 DAC 16/08/22 - 1 AND 1A NOBLE STREET, NORTH LAMBTON - DA2022/00247 - SUBDIVISION - TWO INTO TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) INCLUDING DEMOLITION OF EXISTING STRUCTURES

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

- A. That the Development Applications Committee (DAC) note the objection under Clause 4.6 Exceptions to Development Standards of the NLEP 2012, against the development standard at Clause 4.1 Minimum 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 R2 Low Density Residential zone in which the development is proposed to be carried out.
- B. That DA2022/00247 for demolition of existing structures and two into two lot Torrens Title subdivision at 1 Noble Street North Lambton, 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 and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, McCabe, Pull, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion:

Nil.

Carried

ITEM-11 DAC 16/08/22 - 142 DARBY STREET, COOKS HILL - DA2021/00962 - HOTEL - EXTENSION OF TRADING HOURS

A memo providing a response to questions raised by Councillors regarding Development Application DA2021/00962 – 142 Darby Street, Cooks Hill was circulated to all Councillors.

MOTION

Moved by Cr Pull, seconded by Cr Barrie

- A. That DA2021/00962 for an extension to the trading hours of the Delaney Hotel be approved and consent granted for a period of 12 months, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
- B. That those persons who made submissions be advised of City of Newcastle's determination.

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

The item lay on the table to enable further discussion on the matters raised to see whether they can be addressed by additional conditions of consent or amendments to the Plans of Management.

For the Procedural Motion:

Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, Richardson, Wark, Winney-Baartz and Wood.

Against the Procedural Motion:

Councillors McCabe and Pull.

Carried

**ITEM-12 DAC 16/08/22 - 11/38 ZAARA STREET, NEWCASTLE EAST
- DA2021/01705 - DWELLING - ALTERATIONS AND
ADDITIONS TO ANCILLARY STRUCTURE (PATIO COVER)**

MOTION

Moved by Cr Clausen, seconded by Cr McCabe

- A That the Development Applications Committee 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 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; and
- B That DA2021/01705 for alterations and additions to a residential flat building at 11/38 Zaara Street Newcastle East NSW 2300 be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment B**.

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For the Motion: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, McCabe, Pull, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion: Nil.

Carried

ITEM-13 DAC 16/08/22 - 150 AND 170 WHARF ROAD NEWCASTLE - MA2022/00109 - PUB - RELOCATION OF STAGE

MOTION

Moved by Cr Richardson, Seconded by Cr Winney-Baartz

- 1 That MA2022/00109, to address a minor error in condition 16B, at 150 and 170 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.**

For the Motion: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, McCabe, Pull, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion: Nil.

Carried

The meeting concluded at 6.50pm.