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 16 February 2016  
**TIME:** 5.30pm  
**VENUE:** Council Chambers  
2nd Floor  
City Hall  
290 King Street  
Newcastle NSW 2300

F Cordingley  
Interim Chief Executive Officer  

City Administration Centre  
282 King Street  
NEWCASTLE NSW 2300

5 February 2016

---

**Please note:**

*The City of Newcastle Council meetings are webcast. Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the meeting. Opinions expressed or statements made by participants or third parties during the webcast, or included in any presentation, are the opinions or statements of those individuals and do not imply any form of endorsement by the City of Newcastle. Confidential meetings of Council will not be webcast.*

*The electronic transmission is protected by copyright and owned by the City of Newcastle. No part may be copied or recorded or made available to others without the prior written consent of the City of Newcastle. This transmission is not, and shall not, be taken to be an official record of the City of Newcastle or of any meeting or discussion depicted therein.*

*Council meetings are recorded for the purposes of verifying the accuracy of minutes taken. Only the official minutes may be relied upon as an official record of the meeting. Council may be required to disclose recordings pursuant to the Government Information (Public Access) Act 2009, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation.*
## PUBLIC VOICE COMMITTEE

16 February 2016

### CONTENTS

<table>
<thead>
<tr>
<th>Item</th>
<th>Business</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>APOLOGIES/LEAVE OF ABSENCE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DECLARATIONS OF PECUNIARY / NON PECUNIARY INTEREST</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PUBLIC VOICE SESSIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ITEM-1</strong></td>
<td>PVC 16/02/2016 - DA 2015/0945 - 481 HUNTER STREET, NEWCASTLE - ALTERATIONS TO BUILDING, ASSOCIATED SITE WORKS AND CHANGE OF USE FROM SHOP TO CHILD CARE PREMISES (20 PLACES)</td>
<td>4</td>
</tr>
<tr>
<td><strong>ITEM-2</strong></td>
<td>PVC 16/02/2016 - DA 2013/1236 - 317 WHARF ROAD, NEWCASTLE - DEMOLITION OF BUILDINGS, ERECTION OF EIGHT STOREY HOTEL AND CONFERENCE CENTRE</td>
<td>11</td>
</tr>
</tbody>
</table>
PUBLIC VOICE SESSIONS

ITEM-1 PVC 16/02/2016 - DA 2015/0945 - 481 HUNTER STREET, NEWCASTLE - ALTERATIONS TO BUILDING, ASSOCIATED SITE WORKS AND CHANGE OF USE FROM SHOP TO CHILD CARE PREMISES (20 PLACES)

APPLICANT: V ALEXANDER
OWNER: V ALEXANDER & M MEYLAN
NOTE BY: PLANNING AND REGULATORY GROUP
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING SERVICES
TELEPHONE: 4974 2709 / 4974 2793

PURPOSE

An application has been received seeking consent to alterations to a building, associated site works and change of use from shop to child care premises (20 places).

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

The application was determined on 13 October, 2015 by way of refusal. A copy of the notice of refusal is attached at Attachment B.

The applicant has submitted a request pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979 seeking a review of Council's determination.
The section 82A request and the application were notified for 33 days in accordance with Council's Public Notification Policy and 85 submissions of support and one submission of objection have been received in response.

The application has been - 'called-in' by Councilor's Crakanthorp and Osborne and therefore it will be determined at the March meeting of the Development Applications Committee (DAC).

A report will be submitted to the Council meeting of 23 February seeking approval for the DAC meeting to be held on Tuesday 8 March, 2016 instead of the scheduled date of 16 March, 2016 to enable Council to determine the Section 82A request prior to the expiration of the statutory six month assessment period on 13 March, 2016.

1.0 THE SITE

The subject site comprises Lot 1 DP 199933, known as 481 Hunter Street, Newcastle The lot is an irregular shaped allotment located on the southern side of Hunter street. The lot has a frontage of 3.68 metres, a maximum depth of 41.55 metres and a total area of 265.4m².

The site is relatively flat and is occupied by a two-storey rendered brick building with a metal roof. The building which is currently vacant was previously used as a shop until at least 1991; sometime after that date the shop was converted to a dwelling. Council has no record of a development consent being granted for the change of use.

The site is located in the Civic Precinct of the Newcastle Central Business District (CBD) and is bounded by commercial and retail buildings to the east and west. Multi-storey commercial/residential buildings are located further west and to the south east of the site. A lane abuts the western boundary providing pedestrian access to the rear portion of the site.

Under the provisions of the Newcastle Local Environmental Plan, 2012 the site is located in a B4 -Mixed Use zone, within which zone development for the purpose of a child care facility is permissible with Council's consent.

2.0 THE PROPOSAL

The applicant seeks consent to alterations to the building, associated site works and change of use from a shop to a child care centre providing placements for 20 children between the ages of 3-5 years. The centre will have three staff comprising a director and two support staff. The activities at the centre would be based on the Suzuki Method, which involves learning music around language acquisition theories. The centre will be known as 'The little School of Music & Art'.

The centre will operate 8:00am to 6:00pm Monday to Friday for 49 weeks of the year. The children drop-off and pick-up periods will be between 8:00-9:00am and 5:00-6:00pm, respectively.
The proposal does provide any on-site car parking spaces; instead it is proposed to use four kerbside spaces adjacent to the street frontage of the site as 5 minute parking during the above drop-off and pick-up periods. Consent will be sought from the Newcastle Traffic Committee to install appropriate signage in this regard.

According to the additional information submitted in support of the s82A request, in the event the parking spaces in Hunter Street are lost because of the introduction of the light rail system, it is contended that access to kerbside parking on King Street would be available via the adjoining lane and Lauers Lane. Staff will have access to a 'hired' car park space in a nearby parking station. Secure bicycle storage will be provided on site.

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 C.

3.0 PUBLIC NOTIFICATION

The application has been publicly notified in accordance with Council's Public Notification Policy on two occasions. The application was first notified in September, 2015 for a period of 14 days, with 59 submissions of support being received in response. In addition, the applicant submitted the results of an on-line petition of support which contained the email addresses of a total 209 respondents, including 29 from outside Australia. Two applications for public voice were received.

The section 82A request and the application were publicly notified commencing in mid-December 2015 for a period of 33 days in accordance with the above Policy. The notification period was extended to allow for the Christmas holiday period. In response, a total of 86 submissions have been received, comprising 85 submissions of support and a submission of objection.

3.1 OBJECTION

The submission of objection was prepared by solicitors on behalf of the owners and lessee of a hotel located approximately 20 metres east of the subject site on the southern side of Hunter Street. The objectors also operate a bottle shop located on the northern side of Hunter Street opposite the hotel. Both premises, which are permitted to sell take-away liquor, would be open for trade during the majority of the hours of the proposed child care centre.

The main concerns raised in the submission are summarised as follows:

i Car parking requirements of the Newcastle Development Control Plan (DCP) 2012 - It is argued that 'There is no sound reason as to why Council should depart from its DCP. Since the closure of the inner city railway stations, Hunter Street has become busier with more buses operating to replace some of the lost passenger capacity.

ii Traffic and kerbside parking congestion - As indicated in reason 2 of Council's refusal (Refer to attachment B), concern is raised the proposal will give rise to significant increased traffic and parking congestion with consequential adverse impacts on existing residential and commercial developments in the neighbourhood.
iii Vehicular or set-down access - The proposal has no independent vehicular or set-down access. At the Hunter Street frontage of the site ‘there is already insufficient parking accommodation’. It is noted that from the south (off King Street) Lauers Lane terminates before reaching the easement which provides pedestrian access to Hunter Street. Furthermore, vehicles accessing the lane may turn only by using a privately-owned property which may also be used by pedestrians. It is probable that being private land it will not always be available for either vehicular or pedestrian traffic.

iv Children safety - The current situation regarding the availability of kerbside parking means that no drop-off zone will be available, making it ‘almost impossible for children to be safely brought by car to the proposed child care centre.’

v Proximity to Licensed Premises /Public Interest - It is not in the public interest ‘for sensitive facilities such as a child care centre’ to be located in close proximity to a busy hotel. Furthermore, it is a ‘community expectation’ that child care facilities are not located in close proximity to licensed premises such as hotel and bottle shops.

vi Impact on operation of licensed premises - The granting of consent to the application is likely to result in detrimental impacts to the objectors' hotel and bottle shop, particularly during peak times when children are being dropped off and picked up.

vii Public Interest - Having regard to the above concerns, it would not be in the public interest for Council to change its previous determination to refuse the application.

3.2 SUPPORT

The key reasons for support raised in the submissions are summarised as follows

i Childcare options - There is a desperate need for more childcare centres in the CBD and a greater variety of types and sizes, including those that ‘cater to a cultured life’. The proposal would be of enormous benefit to the parents and music communities of Newcastle. The Newcastle Suzuki Violin and Music Studio has an excellent program for a diverse range of children and is keen to offer a program for pre-school age children. Research has shown that early childhood music training helps develop brain areas involved in language and reasoning. This type of education for under-fives is currently not available in Newcastle.

ii Waiting lists - The construction of over 1000 new apartments in the CBD has increased childcare waiting lists. The proposal will provide much needed childcare places in the CBD where there are only 2 fulltime childcare options in the CBD and waiting lists are now over two years long. Despite the increase in women needing to return to work ‘only one full time childcare centre has been approved to open in the CBD in the last 19 years’. The biggest issue women face returning to work is quality, affordable childcare. Survey results
demonstrate that the proposal will be able be used by people who already live and work in the CBD.

iii **Lifestyle/Walkability** - There is a growing number of young families living in the CBD who enjoy a lifestyle based on being able to walk to shops, recreational activities and cultural facilities. Such families are contributing to the reinvigoration of the CBD by spending money on local businesses and housing. There is a need for affordable childcare in the CBD that is walkable, near to home and work to reduce unnecessary driving, traffic congestion and "create better healthier inner city communities". The footpaths in Hunter Street are currently used by supporters of the proposal and their children and are considered to be completely safe.

iv **Open Space** - The proposal includes of 165m2 of outdoor space which will made into 'a unique and beautiful space for city children'. It is unlikely another space of sufficient size could be found in the inner city given the large scale developments happening elsewhere in the CBD.

v **Traffic and parking** - The traffic study submitted in support of the proposal indicates the proposal will place almost no pressure on (kerbside) parking and will be close to public transport. Other childcare centres in the CBD as well as the University of Newcastle development (currently under construction) do not provide on-site parking spaces. As a community service provider, priority should be given to parking exemptions, as is the case with residential/high density developments.

vi **Public Interest** - Having the proposal in the CBD would be 'in the public interest and a unique asset to Newcastle and NCC stated 'vision' of walkable neighbourhoods for residents'.

**ATTACHMENTS**

- **Attachment A**: Copy of submitted plans - 481 Hunter Street, Newcastle - DA2013/1236
- **Attachment B**: Notice of Refusal - 481 Hunter Street, Newcastle - DA2013/1236
- **Attachment C**: Processing Chronology - 481 Hunter Street, Newcastle - DA2013/1236
ALTERATIONS TO EXISTING BUILDING
481 HUNTER STREET, NEWCASTLE, NEW SOUTH WALES
FOR DEVELOPMENT APPLICATION DRAWINGS

MINE SUBSIDENCE BOARD
Development/Building Application
This approval is valid for 15 (15) years from today and includes any conditions of approval attached.

27 AUG 2015

The approval is subject to levels & heights shown on plan being accurate & foundations designed to comply with AS2159 or relevant Australian Standards.
For Mine Subsidence Board.
NOTES:
A - CENTRE OF 0.24 WIDE PARTY WALL
B - CENTRE OF 0.355 WIDE PARTY WALL
C - CENTRE OF 0.6 WIDE WALL

LEGEND
- BOUNDARY & BOUNDARY LENGTH
- OFFSET FROM IMPROVEMENT TO BOUNDARY
- ROOFED BUILDING
- FENCE
- STAIRS

This is the sketch annexed to my letter no. 2760
Dated: 8 September 2014
Not to Scale
All dimensions are in metres

A. C. Sykiatis
Surveyor registered under
The Surveying and Spatial Information Act, 2002.
FINISHES SCHEDULE - EXTERIOR
ISSUE A - AUGUST 2015

NOTE: THE SELECTED FINISHES ARE PROPOSED FOR HUNTER STREET FACADE
NOTICE OF DETERMINATION
DEVELOPMENT APPLICATION
Section 81 Environmental Planning and Assessment Act 1979

13 October 2015

V F Alexander
74 Newcomen Street
The Hill NSW 2300

Dear Sir/Madam

<table>
<thead>
<tr>
<th>Application No:</th>
<th>DA2015/0945</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land:</td>
<td>Lot 1 DP 199933</td>
</tr>
<tr>
<td>Property Address:</td>
<td>481 Hunter Street Newcastle NSW 2300</td>
</tr>
<tr>
<td>Proposed Development:</td>
<td>Alterations to building, associated site works change of use from shop to child care premises (20 places)</td>
</tr>
</tbody>
</table>

DETERMINATION

The Development Application has been determined by REFUSAL for the reasons specified in Schedule 1.

Rights of Appeal:

- If you are dissatisfied with the determination of Council (including a determination on a review under section 82A of the Environmental Planning and Assessment Act 1979) you may appeal to the Land and Environment Court within 6 months after the date on which you receive notice of the determination of the application or review, if your development application was lodged after 27 February 2011. Otherwise the appeal period is 12 months after the date on which you receive this notice.

- The Environmental Planning and Assessment Act 1979 does not give a right of appeal against this determination to an objector.

If you are considering exercising your rights of appeal or lodging a request for a review, it may be advisable to obtain legal advice regarding the interpretation of your rights in relation to such matters.

Review of Determination:

- You have the right to request a review of this determination under Section 82A of the Environmental Planning and Assessment Act 1979, provided that this determination is not made in respect of integrated development. The determination cannot be reviewed after the time limited for making an appeal to the Land and Environment Court expires or after an appeal to the Land and Environment Court is disposed of by the Land and Environment Court.

David Paine
Senior Development Officer Planning

13 October 2015

Date of Determination
SCHEDULE 1

1. The proposed development would be likely to generate an increased demand for parking that cannot be satisfactorily accommodated within the site or within the existing public infrastructure in the locality. [Section 79C(1)(b, c & e)].

2. The proposed development would be likely to give rise to increased traffic and kerbside parking congestion with consequential detrimental impacts on the existing residential development and commercial operations with the neighbourhood [Section 79C(1)(b, c & e)].

3. The proposed development is not consistent with the provisions of Development Control Plan 2012 Section 7.03 Traffic Parking and Access, with respect to car parking [Section 79C(1)(a, c & e) Environmental Planning and Assessment Act 1979].

4. The proposed development is likely to have a detrimental impact on the amenity of nearby residential properties having regard to the increased potential for noise nuisance. [Section 79C(1)(b & e)].

5. Having regard to the above, approval of the application is not considered to be in the public interest [Section 79C(1)(e)].
ATTACHMENT C - PROCESSING CHRONOLOGY  
DA 2015/945 – 481 HUNTER STREET, NEWCASTLE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 September 2015</td>
<td>Development application lodged.</td>
</tr>
<tr>
<td>9 September 2015</td>
<td>Public exhibition of application commences (14 days).</td>
</tr>
<tr>
<td>15 September 2015</td>
<td>Additional information requested regarding impact on heritage conservation area. Addendum to Statement of Environmental Effects received.</td>
</tr>
<tr>
<td>23 September 2015</td>
<td>Requests for Public Voice submitted</td>
</tr>
<tr>
<td>13 October 2015</td>
<td>Notice of Refusal issued.</td>
</tr>
<tr>
<td>4 November 2015</td>
<td>Section 82A request lodged.</td>
</tr>
<tr>
<td>6 November 2015</td>
<td>Request received from councilors 'calling in' the application.</td>
</tr>
<tr>
<td>27 November 2015</td>
<td>Applicant requested to pay outstanding public notification fee and submit plan showing the location of the proposed time limited parking spaces in Hunter Street.</td>
</tr>
<tr>
<td>30 November 2015</td>
<td>In response to email request, applicant is provided with detailed explanation of the statutory requirements for the re-notification of the application.</td>
</tr>
<tr>
<td>1 December 2015</td>
<td>Additional information requested (letter sent by email) regarding public exhibition, on street parking restrictions, use of laneway, car parking spaces for people with a disability and noise levels.</td>
</tr>
<tr>
<td>2 December 2015</td>
<td>Applicant meets with Council's Traffic and Transport Coordinator and later pays public exhibition fee.</td>
</tr>
<tr>
<td>3 December 2015</td>
<td>Applicant submits plan of parking spaces. Applicant is advised text is illegible and a larger font is required.</td>
</tr>
<tr>
<td>4 December 2015</td>
<td>Revised plan of parking submitted.</td>
</tr>
<tr>
<td>8 December 2015</td>
<td>Additional information received regarding parking spaces for people with a disability and use of laneway</td>
</tr>
<tr>
<td>10 December, 2015</td>
<td>Public exhibition of application commences (33 days).</td>
</tr>
<tr>
<td>18 December 2015</td>
<td>Applicant submits additional information from acoustic consultant.</td>
</tr>
</tbody>
</table>
22 December 2015 - Applicant submits amended Plan of Management for the child care centre.
ITEM-2  PVC 16/02/2016 - DA 2013/1236 - 317 WHARF ROAD, NEWCASTLE - DEMOLITION OF BUILDINGS, ERECTION OF EIGHT STOREY HOTEL AND CONFERENCE CENTRE

APPLICANT:  HOSKING NUMRO PTY LIMITED
OWNER:  WHARF ROAD DEVELOPMENTS PTY LIMITED
NOTE BY:  PLANNING AND REGULATORY GROUP
CONTACT:  DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING
TELEPHONE:  4974 2709 / 4974 2793

PURPOSE

An application has been received seeking consent to demolish existing buildings on site and construct a Hotel and Conference Centre comprising of 176 hotel rooms, conference facilities, commercial space, restaurant/bar and on-site car parking for 113 spaces.

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

The original proposal included 220 hotel rooms and 135 car parking spaces and was notified to neighbouring properties for 14 days in accordance with the provisions of Newcastle DCP 2012 and fifteen (15) public submissions were received objecting to the proposal including three (3) submissions for mediation. Generally, objectors raised concerns with regard to the overall design, amenity impacts to neighbouring properties, traffic impacts and social impacts.

The proposal was since amended to the current scheme and this was notified to neighbouring properties. Council received a eleven (11) submissions in response including two (2) Public Voice requests. The main categories of objections include: Lack of compliance with Statutory and Policy requirements; Amenity issues; Design and Aesthetics; Traffic and Infrastructure; Social and community Issues.

The original application was required to be determined by the Joint Regional Planning Panel (JRPP) based on the estimated value of the development. However, the proposal was since amended reducing the size of the development and therefore estimated value.
The application will now be referred to Council's Development Application Committee for determination under their delegations based on value of development being over $10 million and due to a total number of objections received, being twenty-six (26).

1.0 THE SITE

The subject site comprises three lots, being Lot 181, 182 and 189 in DP 770006 and is known as 317 Wharf Road, Newcastle. The land is generally rectangular in shape, but slightly irregular given the angle of the bounding Centenary Road to the South. Located on the southern side of Wharf Road, the land has a dual frontage to Wharf Road (approx. 102.9m width of frontage) and Centenary Road (approx. 106m width of frontage) and a total area of 4,090.9m². The site is devoid of vegetation apart from and is generally level across the site.

The site is currently partially developed with a commercial / industrial type building with sealed open areas primarily used for car parking and has no natural features on the site given the site was previously disturbed through previous development uses.

Existing development on adjoining sites comprises to the north an existing commercial/residential waterfront development. To the east is a heritage item known as 'Argyle House' being a single storey building that occupies the corner of Wharf Road and Argyle Street. To the west is an existing mixed use multi-storey building comprising commercial floor area and residential apartments with three street frontages due to its corner position. To the south are low rise industrial buildings.

2.0 THE PROPOSAL

The original proposal involved the demolition of existing structures on the site and for the construction of a nine (9) storey hotel and conference centre comprising of 220 hotel rooms, conference facilities, restaurant and bar and on-site car parking for 135 spaces.

The proposal was amended on several occasions during the assessment process and the applicant now seeks consent to demolish the existing structures on site and construct an eight (8) storey hotel and conference centre comprising of 176 rooms, conference facilities, commercial premises, restaurant and bar and associated on-site car parking for 113 spaces and associated site works.

The proposed building is at its maximum no more than 30 metres in height.

A copy of the submitted 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 application was originally publicly notified for a period of fourteen (14) days in accordance with Council's Public Notification Policy. A total of fifteen (15) submissions were received in response, of which three (3) submissions also requested applications for mediation.
The concerns raised originally by the objectors in respect of the proposed development are summarised as follows:

1) Statutory and Policy Issues:
   - **Heritage** - The building does not respect the heritage significance of the adjoining building or the conservation area.
   - **DCP** - The development is non-compliant with the Newcastle DCP 2012.
   - **Height** - The development is over the maximum building height set by the LEP 2012 for the site.
   - **No detail** provided for outdoor advertising and signage or 3D imaging of the development is to be provided in accordance with the Newcastle DCP.

2) Amenity Issues:
   - **View loss** - The proposal will block views from neighbouring properties.
   - **Loss of sea breezes** - The proposal will block sea breezes to neighbouring properties.
   - **Overshadowing** - The proposal will overshadow adjoining developments.

3) Design and Aesthetic Issues:
   - **Visual presentation** - The development provides poor visual presentation to both street frontages. The building should be setback in line with the neighbouring building.
   - **Landscape** plan indicates that mature trees will grow within a 600mm garden strip which is not possible.
   - **A noise tunnel** will be generated along Centenary Road.
   - **A wind tunnel** will be generated along Centenary Road.
   - **Waste management** details.

4) Traffic and Infrastructure Issues:
   - **Parking** - Not enough parking has been provided for the development.
   - **Traffic impacts**

5) Social and Community Issues:
   - The 3.00am licence of the restaurant will increase late night violence in the CBD.

The proposal was subsequently amended and the application was publicly re-notified and a total of eleven (11) submissions were received in response. Two (2) Public Voice applications were also received.

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

1) Statutory and Policy Issues:
   - **Setbacks to boundaries** - the development does not comply with the previous Honeysuckle Precinct 20 metre separation between buildings.
   - **Signage** needs to be identified in the application.

2) Amenity Issues:
- **Noise** - pedestrians accessing the building at night will increase intrusive noise. Location of the loading dock will increase noise impacts on adjoining property.

- **Loss of privacy** and overlooking from the balconies and windows of the southern aspect of the proposed building into adjoining residential units. Detrimental impact upon residential amenity and visual impact of the development.

- **Demolition** - potential asbestos and hazardous materials in the building to be demolished.

- **Construction traffic**.

3) **Design and Aesthetic Issues:**

- **Height, bulk and scale** - unsympathetic to neighbouring developments. The massing of the development is toward the western boundary close to the existing mixed use - commercial / residential development.

- **Aesthetics** - the building is not visually pleasing and is not in keeping with the area and provides too many blank walls. The blank fire stair wall will have an adverse visual impact.

- **Streetscape** - the building ignores Centenary Road.

- **Heritage impacts** - the building does not respect the heritage significance of Argyle House.

- **Check-in** - the development does not have a readily identifiable entry point. Where are buses and other guests expected to stop and check-in.

- **Setback** from adjoining development - should mirror the 10 metre boundary setback over podium height as Harbour Pier has done. The reduced setback will create excessive shadowing, generate high winds and has an unsympathetic bulk impact on the adjoining property. Building setbacks and separation should be in accordance with SEPP 65.

- **Landscaping** and open space - green walls should be used in the development.

4) **Traffic and Infrastructure Issues:**

- **Access** - from Centenary Road to Wharf Road remains too restrictive. The development will also take Crown Plaza Hotel parking spaces.

5) **Social and Community Issues:**

- **Safety and security** - potential for anti-social behaviour in the walkway. Loss of security for the balconies of the existing dwellings on the western side of the development which are accessible from Level 3 of the proposed development.

- **Liquor Licence** - the development will have the potential to increase noise and anti-social behaviour in the area.

- **Social impact** and Crime prevention and public safety from lack of good design in Centenary Road, late night trading.

The proposal has been subsequently amended on several occasions in response to concerns raised by Council's Urban Design Consultative Group (UDCG), Council officers and in response to the previous public submissions and the last notified plans were from May 2014.
The latest amended plans (May 2015) were not re-notified as the impacts of the amended proposal on adjoining properties have not changed or have been ameliorated since.

ATTACHMENTS

Attachment A: Copy of submitted plans - 317 Wharf Road, Newcastle - DA2013/1236
Attachment B: Processing Chronology - 317 Wharf Road, Newcastle - DA2013/1236
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 October 2013</td>
<td>Development application lodged with Council</td>
</tr>
<tr>
<td>25 October 2013</td>
<td>Application registered on the Joint Regional Planning Panel website</td>
</tr>
<tr>
<td>25 October 2013</td>
<td>External and Internal referrals of the application undertaken</td>
</tr>
<tr>
<td>29 October 2013</td>
<td>Public Notification undertaken - exhibition period 29 October to 12 November 2013</td>
</tr>
<tr>
<td>11 December 2013</td>
<td>Meeting with Council's Urban Design Consultative Group</td>
</tr>
<tr>
<td>16 January 2014</td>
<td>Request for additional information and provision of concerns raised in public submissions sent to applicant</td>
</tr>
<tr>
<td>31 January 2014</td>
<td>Some revised sketch plans received</td>
</tr>
<tr>
<td>16 April 2014</td>
<td>Formal Amendment to Application - Amended Plans received</td>
</tr>
<tr>
<td>1 May 2014</td>
<td>Reminder Letter - Request for additional information sent to applicant</td>
</tr>
<tr>
<td>2 May 2014</td>
<td>Public Notification undertaken - exhibition period 5 May to 19 May 2014</td>
</tr>
<tr>
<td>12 May 2014</td>
<td>Advice sent to Joint Regional Planning Panel to advise of change in proposal and reduction in 'estimated value of development'</td>
</tr>
<tr>
<td>20 May 2014</td>
<td>Public Voice Application received</td>
</tr>
<tr>
<td>21 May 2014</td>
<td>Public Voice Application received</td>
</tr>
<tr>
<td>18 June 2014</td>
<td>Meeting with Council's Urban Design Consultative Group</td>
</tr>
<tr>
<td>14 July 2014</td>
<td>Re-referrals to Internal referrals of the amended application undertaken</td>
</tr>
<tr>
<td>22 September 2014</td>
<td>Amended plans and additional information received</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>22 October 2014</td>
<td>Request for additional information sent to applicant</td>
</tr>
<tr>
<td>21 May 2015</td>
<td>Amendment Plans (May 2015) and additional information received</td>
</tr>
<tr>
<td>3 June 2015</td>
<td>Internal referrals undertaken</td>
</tr>
<tr>
<td>11 September 2015</td>
<td>Advised Joint Regional Planning Panel of amendments to proposal and estimated value of development</td>
</tr>
<tr>
<td>11 September 2015</td>
<td>Advice received from Joint Regional Planning Panel stating the matter has been closed and Newcastle City Council is now the consent authority</td>
</tr>
<tr>
<td>12 January 2016</td>
<td>Request for additional and outstanding information sent to applicant</td>
</tr>
<tr>
<td>14 January 2016</td>
<td>Some Additional information received from applicant</td>
</tr>
</tbody>
</table>