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 19 July 2016

**TIME:** 5.30pm

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

P Chrystal
Acting Interim Chief Executive Officer

City Administration Centre
282 King Street
NEWCASTLE NSW 2300

8 July 2016

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<td>DA2015/10011 - 4 Ulick Street, Merewether Demolition of Dwelling, Outbuildings &amp; Swimming Pool, Erection of Six Two-Storey Attached Dwellings, Associated Retaining Walls, Site Works and Two Lot Into Two Lot Subdivision (Boundary Adjustment)</td>
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ITEM-1 DA2015/10011 - 4 ULICK STREET, MEREWETHER
DEMOlITION OF DWELLING, OUTBUILDINGS & SWIMMING POOL, ERECTION OF SIX TWO-STOREY ATTACHED DWELLINGS, ASSOCIATED RETAINING WALLS, SITE WORKS AND TWO LOT INTO TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT)

APPLICANT: TONER DESIGN P/L
OWNER: ELUABI PLC / COLIN GORDON
NOTE BY: PLANNING AND REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING
TELEPHONE: 4974 2709 / 4974 2793

PURPOSE

An application has been received seeking consent to - demolition of dwelling, outbuildings and swimming pool, erection of six two-storey attached dwellings, associated retaining walls, site works and two lot into two lot subdivision (boundary adjustment).

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

The original proposal was notified to neighbouring properties for 14 days in accordance with the provisions of Newcastle DCP 2012 and 20 public submissions and a petition (with 38 names and addresses) were received objecting to the proposal, including a Public Voice request.

Subject Land: 4 Ulick St, Merewether
The submissions raise concerns regarding:

- overdevelopment of the site and incompatibility with the site's R2 Low Density Residential zoning
- height and massing of the proposed development
- landscaping and tree loss
- impact upon residential amenity (privacy, noise, overshadowing, social, crime impacts)
- parking and traffic impacts
- stormwater impacts
- sustainability

The proposal has been amended and re-notified. Council received 30 submissions in response to the re-notification of the proposal.

The main categories of objection include:

- lack of compliance with statutory and policy requirements
- amenity issues
- design and aesthetics
- traffic and Infrastructure
- social and community issues

The application will be referred to Council's Development Applications Committee for determination due to the number of objections received.

1.0 THE SITE

The subject site comprises 4 Ulick Street and part of 381 Glebe Road. The lots have a rectangular shape, located on the north side of Ulick Street. The site has a frontage of 15.24 metres, a depth of 78 metres and a total area of 1188m². The site is bounded by residential premises to the north, east and west and on the opposite (south side) of Ulick Street. The site has a 6.5m downward slope from front to rear and there are a total of 11 trees on the development site. The land constraints at the site include potential mine subsidence and acid sulphate soil.

The property 4 Ulick St presently contains a single dwelling with an attached garage. The property appears to be unoccupied and in poor condition. The site to be developed at 381 Glebe Road contains a rear garage / outbuilding and a swimming pool, with the existing dwelling and front garage proposed to remain.

2.0 THE PROPOSAL

The applicant seeks consent for:

- demolition of a dwelling, outbuildings and swimming pool
- erection of six two-storey dwellings, associated retaining walls
- two lot into two lot subdivision (boundary adjustment)
The proposal includes parking for six resident vehicles and two visitor vehicles, plus a landscaping scheme with nine medium and 16 small trees provided for.

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 proposal was notified to neighbouring properties for 14 days in accordance with the provisions of Newcastle DCP 2012, with 20 submissions and a petition (with 38 names and addresses) being received objecting to the proposal. A request for Public Voice was also received.

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

The amended application was re-notified for 14 days and 30 submissions were received objecting to the proposal.

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

i) Statutory and Policy Issues:

Scale, character and massing - Development is incompatible with this Low Density Residential Zone and Limited Growth Precinct (LGP), of single dwellings on large blocks. Other developments in the LGP are dual occupancies.

Principle - Multi-dwelling housing is provided elsewhere in Merewether to meet Council targets. It is not required in this area.

Visual privacy - Any two storey building behind the current building line will create visual privacy problems for adjacent properties.

Parking - Development will lead to parking overspill onto surrounding streets and conflict with blocking of driveways, particularly for some elderly residents and parents.

Height - The building envelope height is exceeded in several areas. The eastern elevation of Units 4 and 6 and the western elevation of Units 2, 4 and 6 protrude above the building envelope.

Garbage and servicing - The frontage is insufficient for bin storage in accordance to Council’s policy. Bins will overspill onto the neighbour’s frontage.

Landscaping - The development does not meet the minimum requirements of the DCP for landscaping 30% of the site area.

Storage space - Whereas space is provided underneath the stairs, this does not appear to meet the minimum standards of the DCP of 6 cubic metres.
ii) **Amenity Issues:**

- **Noise** - Increase in noise due to higher density, particularly from garage doors and vehicles.

- **Pollution** - Fumes from vehicle exhausts will impact on quality of life.

- **Solar access** - Development overshadows adjoining residents, leading to reduction in natural warmth and light.

- **Privacy** - Lost privacy due to the scale of the development.

- **View and tree loss** - Mature trees should be retained to retain green leafy feel and retain suburban outlook. Skyline will be dominated by buildings.

iii) **Design and Aesthetic Issues:**

- **Design and materials** - design of particularly poor quality resulting in a mish-mash of different cladding styles, unnecessary flying gables and upper walls.

iv) **Traffic and Infrastructure Issues:**

- **Traffic** - Increase in traffic will create a hazard for pedestrians. Development is very close to the vehicular school zone of Merewether Public School.

- **Garages** - The garage space appears too small to accommodate a family sized sedan or larger, to adequately turn in and out, which will result in an increase of on-street parking. The garages have a dual purpose as laundries which will also lead to an increased displacement of parking to the street.

- **Storm water and sewage** - Due to an increase in extreme weather events the reduced retention capacity will lead to increased run-off and potential for flooding of neighbouring properties and Glebe Road.

v) **Miscellaneous**

- **Social impact** - The development will set an undesirable precedent leading to an increase in the number of dwellings on this block from 14 - 20, an increase of 43% which is unsustainable.

- **Financial impact** - Increased costs of heating due to loss of solar access. Development will lead to a devaluing of property values.

- **Changing demographics** - The area is dominated by owner occupiers. The development comprises a significant threat to the lifestyle of residents who have invested in the area.
Statement of Environmental Effects - this is inaccurate. There are no nearby developments of this scale within the LGP.

ATTACHMENTS

Attachment A: Copy of submitted plans - 4 Ulick Street Merewether - DA2015/10011
Attachment B: Processing chronology - 4 Ulick Street Merewether - DA2015/10011
PROPOSED 6x3 BEDROOM 2 STOREY BRICKVENEER & CLAD RESIDENTIAL MEDIUM DENSITY UNIT DEVELOPMENT AND ASSOCIATED RETAINING WALLS, AT LOT 129, DP 37555, 4 ULLICK STREET, MEREWETHER NSW 2291

DA_01_COVER PAGE, STREETSCAPE ELEVATION & BASIX REQUIREMENTS
DA_02_CONTOUR SURVEY/SITE ANALYSIS PLAN
DA_03_RETAINING WALL & SEDIMENT CONTROL PLAN
DA_04_SITE PLAN & CALCULATIONS
DA_05_FLOOR PLANS & ROOF LAYOUT
DA_06_ELEVATIONS & BUILDING HEIGHT ENVELOPES
DA_07_EXTERNAL ELEVATIONS
DA_08_TURNING CIRCLES, LANDSCAPING CALCULATIONS & SUBDIVISION PLAN
DA_09_SHADOW DIAGRAMS FOR JUNE 21

ULICK STREET ELEVATION
**PROCESSING CHRONOLOGY**

**DA2015/10011 – 4 ULICK STREET, MEREWETHER**

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<td>28 September 2015</td>
<td>Development application lodged</td>
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<tr>
<td>02 October 2015</td>
<td>Public exhibition (14 days)</td>
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<tr>
<td>11 November 2015</td>
<td>Applicant advised to withdraw application</td>
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<tr>
<td>04 December 2015</td>
<td>Following applicant's request, meeting at Council.</td>
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<td>05 December 2015</td>
<td>Concept plan received</td>
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<td>12 February 2016</td>
<td>Revised drawings requested</td>
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<td>24 February 2016</td>
<td>Revised drawings received</td>
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<td>04 March 2016</td>
<td>Revised drawings received</td>
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<tr>
<td>20 March 2016</td>
<td>Revised landscaping and stormwater plans received</td>
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<td>06 April 2016</td>
<td>Public exhibition (14 days)</td>
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