# 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 17 September 2019 at 6.00pm.**

**PRESENT**

Deputy Lord Mayor (Councillor D Clausen), Councillors M Byrne, J Church, J Dunn, K Elliott, J Mackenzie, A Robinson, A Rufo, E White and P Winney-Baartz.

**IN ATTENDANCE**

J Bath (Chief Executive Officer), D Clarke (Director Governance), B Smith (Director Strategy and Engagement), F Leatham (Director People and Culture), K Liddell (Director Infrastructure and Property), A Murphy (Director City Wide Services), D Guest (Acting Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), J Vescio (Executive Officer, Chief Executive Office), M Murray (Policy Officer, Lord Mayor's Office), A Knowles (Council Services/Minutes) and A Leach (Council Services/Webcasting).

**APOLOGIES**

## MOTION

Moved by Cr Rufo, seconded by Cr Byrne

The apologies submitted on behalf of Lord Mayor, Councillor Nelmes and Councillors Duncan and Luke be received and leave of absence granted.

**Carried**

**DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS**

**Councillor Robinson**

Councillor Robinson declared a non-pecuniary less than significant interest in Item 13 - DA2019/00506 - 50 Honeysuckle Drive Newcastle as he owned some real estate in the vicinity. Councillor Robinson stated he would manage the conflict by leaving the Chamber for discussion on the item.

**Councillor Church**

Councillor Church declared a significant pecuniary interest in Item 14 - DA2019/00247 - 352 Hunter Street Newcastle as he did some consulting work with the applicant in the last six months. Councillor Church was no longer engaged in any work with the applicant and the work he had done was not related to this item. Councillor Church stated he would remove himself from the Chamber for discussion on the item.

**Deputy Lord Mayor, Councillor Clausen**

Deputy Lord Mayor, Councillor Clausen declared a less than significant non- pecuniary interest in Item 13 - DA2019/00506 - 50 Honeysuckle Drive Newcastle as his employer leased office space immediately opposite this location. Deputy Lord Mayor, Councillor Clausen had no interest in the site and remained in the Chamber for discussion on the item.

Confirmation of Previous minutes

### MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 20 AUGUST 2019

**MOTION**

Moved by Cr Winney-Baartz, seconded by Cr Byrne

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

**Carried**

Development Applications

### ITEM-12 DAC 17/09/19 - DA2018/00609 - 147 BEAUMONT STREET HAMILTON - DEMOLITION OF DWELLING AND OUTBUILDING, ERECTION OF THREE STOREY. SIXTEEN ROOM BOARDING HOUSE AND ASSOCIATED FENCING

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

A. That DA2018/00609 for demolition of dwelling and outbuilding, erection of three-storey, eighteen room boarding house and associated fencing at 147 Beaumont Street Hamilton be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment B**; (refer amendment outlined in Memo dated 17 September 2019 stating that Condition 52 at Attachment B, the development having a maximum of 18 boarders in total).

B. That those persons who made submissions be advised of City of Newcastle determination.

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

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

**Carried**

### ITEM-13 DAC 17/09/19 - DA2019/00506 - 50 HONEYSUCKLE DRIVE NEWCASTLE - TORRENS SUBDIVISION ONE LOT INTO TWO LOT

Councillor Robinson left the Chamber for discussion on the item.

**MOTION**

Moved by Cr Dunn, seconded by Cr Byrne

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 4.1 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, B4 Mixed Use and RE1 Public Recreation zones in which the development is proposed to be carried out; and

B. That DA2019/00506 for a one lot into two lot subdivision at 50 Honeysuckle Drive Newcastle be approved and consent granted, subject to conditions of consent being agreed with the applicant (ie. the Crown) or the Minister, generally as set out in the Draft Schedule of Conditions at **Attachment B**.

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

***Against the Motion:*** Nil.

**Carried**

Councillor Robinson returned to the Chamber at the conclusion of the item.

### ITEM-14 DAC 17/09/19 - DA2019/00247 - 352 HUNTER STREET, NEWCASTLE, - COMMERCIAL PREMISES (EIGHT STOREY INCLUDING CARPARKING) AND OUTDOOR KIOSK

Councillor Church left the Chamber for discussion on the item.

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

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 4.3 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 B4 Mixed Use zone in which the development is proposed to be carried out; and

B. That DA2019/00247 for an eight-storey commercial building 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:*** Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Dunn, Elliott, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

***Against the Motion:*** Nil.

**Carried**

Councillor Church returned to the Chamber at the conclusion of the item.

**The meeting concluded at 6.10pm**