

**MINUTES OF THE HUNTER & CENTRAL COAST JOINT  
REGIONAL PLANNING PANEL MEETING  
HELD AT BIMET LODGE, NEWCASTLE  
ON THURSDAY, 8 NOVEMBER 2012 at 5.00 PM**

**PRESENT:**

Garry Fielding	Chair
Jason Perica	Panel Member
Kara Krason	Panel Member
Sharon Waterhouse	Panel Member

**APOLOGY: COUNCILLOR BRAD LUKE**

**IN ATTENDANCE**

Peter Chrystal	Manager Development & Building Services
Wesley Wilson	Acting Co-ordinator Development Assessment Team
Chris Speak	Senior Development Officer

1. The meeting commenced at 5.01pm

2. **Declarations of Interest – Nil**

3. **Business Items**

**ITEM 1 – 2011HCC042 - Newcastle City Council 2011/1391 – Erection of a six level, 93 unit residential development with associated parking facilities on Lot 1 DP 1002163 - 282 Brunker Road, Lot 7 DP 668223 - 53 Date Street, Lot A DP 362716 - 55 Date Street, Lot B DP 362716 - 57 Date Street & Lot 38 Sec A DP 10602 - 59 Date Street, Adamstown**

4. **Public Submission – Registered speakers**

1. Grant Long on behalf of Brunker Road Pty Ltd – addressed the panel against the item
2. Ron Elsley – addressed the panel against the item
3. Sharron Morgan – addressed the panel against the item
4. Dominique Tindal – addressed the against the item
5. Gerry Williams – addressed the panel against the item
6. Sue Morris – addressed the panel against the item
7. Kristy Ryan (Director of the Design Partnership) & Andrew Neil (Planner from Design Partnership) - addressed the panel in favour of the item

5. **Motion**

That the development proposal for the erection of a six level, 93 unit residential development with associated parking facilities on Lot 1 DP 1002163 - 282 Brunker Road, Lot 7 DP 668223 - 53 Date Street, Lot A DP 362716 - 55 Date Street, Lot B DP 362716 - 57 Date Street & Lot 38 Sec A DP 10602 - 59 Date Street, Adamstown be refused for the following reasons:

- 1) Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the development does not comply with objectives (a) and (b) of the 2(b) Urban Core Zone under Newcastle Local Environmental Plan 2003 in that it does not respect the amenity, scale or character of surrounding development and quality of the residential environment.
- 2) Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the design of the development is not considered to adequately address the design quality principles of State Environmental Planning Policy No 65 (Design Quality of Residential Flat Development), and the provisions of the Residential Flat Design Code.
- 3) Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act, 1979, the design and layout of the proposed car parking areas are inconsistent with Element 4.1 'Parking and Access' of Council's Development Control Plan 2005 and Section 7.03 – 'Traffic, Parking and Access' of Council Development Control Plan 2012.
- 4) Pursuant to Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, the development is considered to be an overdevelopment of the site based on inadequate setbacks to the western boundary, building heights being exceeded, lack of functional landscaped and community open space areas contrary to Elements 6.13 – 'Adamstown Renewal Corridor'; 5.2 'Urban Housing' and; 4.4 – 'Landscaping' of the Newcastle Development Control Plan 2005 and Sections 6.08 – 'Adamstown Renewal Corridor'; 3.05 – 'Residential Flat Buildings'; 3.04 – 'Multi Dwelling Housing'; 7.01 - 'Building Design Criteria' and; 7.02 – 'Landscape, Open Space and Visual Amenity of the Newcastle Development Control Plan 2012.
- 5) Pursuant to Section 79C(1)(b) and (c) of the Environmental Planning and Assessment Act 1979, the proposed development will have a unacceptable impact on the privacy and amenity of the neighbouring dwellings and their associated private open spaces.
- 6) Pursuant to Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, inadequate information was provided with the application to enable an accurate assessment of the development to be undertaken with regard to visual, security, lighting and acoustic impacts of the development.
- 7) Pursuant to Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, limited information was provided with the application to enable an accurate assessment of the development to be undertaken with regard to the management and operation of the site in respect to the Adamstown Club and the Veterinary Centre.
- 8) Pursuant to Section 79C(1)(e) Environmental Planning and Assessment Act, 1979, the proposed development is not in keeping with the character of the surrounding area with regard to bulk, mass and design and fails to comply with Council's policies. It is therefore considered to be contrary to the public interest.

**Moved by:** Councillor Sharon Waterhouse

**Seconded by:** Kara Krason

**For the Motion** – Councillor Sharon Waterhouse, Kara Krason and Garry Fielding

**Against** – Jason Perica

(Reasons for not supporting the Motion: "Due to the statutory context of the application and balance of considerations".)

**Motion Carried**

Meeting concluded at 6.26pm

Endorsed by:

A handwritten signature in black ink, appearing to read 'Garry Fielding', with a stylized, flowing script.

Garry Fielding  
Chair  
Hunter & Central Coast Joint Regional Planning Panel  
Date: 12 November 2012