

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Department of Planning & Environment, Price Water House, Newcastle on

Thursday 12 February 2015 at 1.30 pm

Panel Members: Kara Krason (Acting Chair), Bruce Clarke, Lindsay Fletcher, Cllr Brad Luke and Cllr Sharon Waterhouse

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014HCC019 – The City of Newcastle Council, DA2014/847, Mixed use development with basement carparking, lower ground and ground floor commercial, part ground floor residential and 14 floors of residential comprising 161 units, 1 King Street, Newcastle.

Date of determination: 12 February 2015

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings (including the applicant's legal advice) and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The amended development is considered to be generally consistent with the Concept Plan approval (as modified) including compliance with the Site Design Principles.
2. The development is considered acceptable in relation to the Newcastle Local Environmental Plan 2012 considerations with any variations, such as height and floor space ratio being consistent with the Concept Plan which takes precedence.
3. The development complies with the requirements of SEPP 65 – Design Quality of Residential Flat Buildings and the Residential Flat Design Code and Council's Urban Design Consultative Group was generally supportive of the proposal.
4. The development is consistent with the Urban Renewal SEPP and supports higher density mixed use housing development.
5. The proposed development is considered satisfactory in relation to height.
6. The proposed development is considered acceptable having regard to the Newcastle DCP 2012 requirements.
7. The development is consistent with the context in which it is placed and will not have any significant negative impact on the built or natural environments.
8. In consideration of the above conclusions the majority of the Panel (L Fletcher, B Clarke, B Luke and S Waterhouse) considers approval is in the public interest.




Kara Krason voted against the decision. Reason for not supporting the development application:

- She is not satisfied that the development proposed is generally consistent with the terms of the Concept Plan approval (as modified).

Conditions: The development application was approved subject to the conditions in the Council Town Planning Report with two (2) additional conditions as follows:

- The allocation of parking to be in accordance with the car parking allocation plan attached to the letter prepared by DeWitt Consulting dated 3 November 2014 tabled at the meeting.
- Commercial parking access and egress to be restricted to Shortland Esplanade by way of swipe card controls. Details to be submitted to Council for approval prior to issue of any occupation certificate for the commercial tenancies.

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Panel members:		
		
Kara Krason (Acting Chair)	Bruce Clarke	Lindsay Fletcher
Brad Luke	Sharon Waterhouse	

SCHEDULE 1	
1	JRPP Reference – 2014HCC019, LGA – The City of Newcastle Council, DA2014/847
2	Proposed development: Mixed use development with lower ground and ground floor commercial, part ground floor residential and 14 floors of residential comprising 161 units.
3	Street address: 1 King Street, Newcastle
4	Applicant/Owner: Applicant – Kred Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Newcastle Local Environmental Plan 2012 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings State Environmental Planning Policy (Urban Renewal) 2010 State Environmental Planning Policy 55 – Remediation of Land Government Coastal Policy Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Newcastle Development Control Plan 2012 Planning agreements: Nil Regulations: <ul style="list-style-type: none"> Environmental Planning and Assessment Regulation 2000 The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. The suitability of the site for the development. Any submissions made in accordance with the EPA Act or EPA Regulation. The public interest.
7	Material considered by the panel: Council assessment report with recommended conditions, Architectural plans, 3D perspectives, Colours and materials, DA comparison plan, Sketch of proposed façade treatment, Statement of Environmental Effects, Referral comments including UDCG meeting minutes, Concept plan MP05_0062 as amended 9 April 2013, Concept Plan – Site Design Principles, Concept plan – building envelopes plan and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> Natasha Hammond, Barrister for the body corporates of both the McCaffrey and Nickson-Hannell buildings Trevor Prior – McCaffrey resident representing both the McCaffrey and Nickson-Hannell residents as their Planning Consultant Carole Brown – McCaffrey resident Ron Brown – Northern Transport Planning & Engineering Pty Ltd for the body corporates of both buildings David Jinks – representing the Nickson-Hannell residents Felicity Rourke, Lawyer for the applicant Tim Rogers – Traffic and Parking Consultant for the applicant.
8	Meetings and site inspections by the panel:

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

	4 December 2014 - Briefing Meeting, 12 February 2015 - Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report.