

## RECORD OF DEFERRAL

### HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	25 August 2016
<b>PANEL MEMBERS</b>	Jason Perica (Chair), Lindsay Fletcher, Michael Leavey, Sharon Waterhouse, Brad Luke
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Kara Krason declared a conflict of interest as her company provides consultancy services to the Applicant, EG Funds.

Public meeting held at Department of Planning and Environment Newcastle on Thursday 25 August 2016, opened at 1.30 pm and closed at 3.15pm .

#### MATTER DEFERRED

##### 2015HCC029 - Newcastle City Council DA2015/10299

28 Bolton Street Newcastle

Alterations and additions to a commercial building to include eight storey residential flat building (121 units) plus three levels of basement car parking (161 spaces).

#### VERBAL SUBMISSIONS

- Objections – Rhona Smallcombe on behalf of Emily Penderson, John Sievwright, Peter Fryar, John Murray
- On behalf of the applicant – Rob Mirams, Kristy Hodgkinson, Grant Flannigan






#### REASONS FOR DEFERRAL

The Panel unanimously agreed to defer determination of the development application as:

1. The Panel was not satisfied the applicant's Clause 4.6 Variation Request related to proposal as amended, noting there had been amendments to the height of the building since the Clause 4.6 Variation Request was made, nor that the written request fully addressed the specific requirements of Clause 4.6 of Newcastle LEP 2012 having regard to Court decisions on the issue and;
2. A revised BASIX Certificate had not been submitted with the revised proposal.

The matter should be brought before a future meeting of the JRPP as soon as is practicable, with the Council assessment report to address and consider, inter alia:

- a) The revised Clause 4.6 Variation request against the requirements and provisions in Clause 4.6 of the L.E.P.;
- b) A summary of submissions (including original submissions);
- c) Requirements of applicable Environmental Planning Instruments requiring the consent authority to be satisfied regarding relevant matters.

PANEL MEMBERS		
		
Jason Perica (Chair)	Lindsay Fletcher	Brad Luke
		
Michael Leavey	Sharon Waterhouse	

