

DETERMINATION AND STATEMENT OF REASONS

HUNTER AND CENTRAL COAST JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	21 December 2017
PANEL MEMBERS	Jason Perica (Chair), Michael Leavey, John MacKenzie
APOLOGIES	Kara Krason, Jason Dunn
DECLARATIONS OF INTEREST	None

Electronic meeting held between 15 December 2017 and 21 December 2017.

MATTER DETERMINED

2017HCC026 - Newcastle - DA2016/00564.01

643 Hunter Street Newcastle West

96(2) Modification Application - Internal changes to floor layouts parking increase in height and request for reduction in section 94 fees and change to consent conditions

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 96 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel generally agreed with the balance of environmental assessment as outlined in the Council staff report.

The Panel:

- Noted public benefits arising from the incorporation of affordable housing;
- Agreed with the Council staff and urban design consultative group that the design exhibited high quality and did not warrant a requirement for a competitive design process;
- Noted the improved internal amenity;
- Agreed with the proposal meeting the requirements of 'substantially the same development': the appropriate provision of parking; and the non-applicability of Section 94 Contributions to the affordable housing component (noting a ministerial direction).

CONDITIONS

The modification application was approved subject to the conditions in the Council Assessment Report with the following additional conditions:

Condition 50 A – Treatment of service doors

Artwork or art screens (not signage) shall be installed on the pump room and hydrant service area doors facing Steel Street (subject to requirements of service providers). Details shall be provided to Council and approved prior to the issue of the Construction Certificate.

Reason: To improve the presentation of inactive doors to the street.

Condition 120 C – Studies not to be used as bedrooms




The rooms identified on the floor plans as ‘studies’ shall not be used as bedrooms.

Reason: To ensure studies with no direct access to light and ventilation are not used for purposes requiring such amenity.

Condition 120 D – Hours for roof terrace use

Access to the communal area roof terrace shall only be between 9:00 am and 9:00 pm daily.

Reason: To appropriately regulate hours of use and associated impacts of the outdoor roof terrace.

PANEL MEMBERS	
 Jason Perica (Chair)	 Michael Leavey
 John MacKenzie	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017HCC026 - Newcastle - DA2016/00564.01
2	PROPOSED DEVELOPMENT	96(2) Modification Application - Internal changes to floor layouts parking increase in height and request for reduction in section 94 fees and change to consent conditions
3	STREET ADDRESS	643 Hunter Street Newcastle West
4	APPLICANT/OWNER	Catholic Diocese of Maitland-Newcastle
5	TYPE OF REGIONAL DEVELOPMENT	Section 96(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2011 State Environmental Planning Policy No 55 Remediation of Land State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development State Environmental Planning Policy No 64 – Advertising and Signage Newcastle Local Environment Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Newcastle Development Control Plan 2012 Section 94A Development Contributions Plan 2009 Planning agreements: Nil Provisions of the Environmental Planning and Assessment Regulation 2000: Nil Coastal zone management plan: Nil 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 Environmental Planning and Assessment Act 1979 or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 12 December 2017 Written submissions during public exhibition: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing meeting with Council and Applicant 22 December 2017 Briefing meeting 28 September 2017 Site inspection as part of original DA on 16 March 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report