

DATE OF DETERMINATION	31 October 2018
PANEL MEMBERS	Jason Perica (Chair) Kara Krason, Abigail Goldberg and John MacKenzie
APOLOGIES	Michael Leavey and Jason Dunn
DECLARATIONS OF INTEREST	None

Papers circulated electronically between 17 October 2018 and 24 October 2018.

MATTER DETERMINED

2017HCC050 – Newcastle City Council – DA2017/01399 at 38 Hannell Street Wickham, 13 Dangar Street Wickham & 2-4 Bishopsgate Street Wickham (as described in Schedule 1)

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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The panel are satisfied that the amended proposal addresses all concerns subject to some modifications to the draft conditions suggested below.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Delete condition 5 as it is repeated in condition 6 albeit with different floors noted.
- Reword condition 5 to read as follows:
"No approval is granted for the non-accessible balconies on the western elevation of the northern and southern towers (being the small balconies shown adjacent to kitchen areas). These balconies are to be deleted from the plans prior to issue of a Construction Certificate".
- Reword condition 6 to read as follows:
"Moveable louvered privacy panels are to be installed to all apartment balconies on levels 3-14 on the western elevation for the northern and southern towers. The panels are to have a width of at least 1m and extend from balcony floor level to ceiling height. Full details are to be provided prior to the issue of a Construction Certificate."
- A new condition below to be added:
"Fixed external louvres are to be provided to the living rooms slot windows on the western elevation of the northern and southern towers. Full details are to be provided prior to the issue of a Construction Certificate."
- Note: Abigail Goldberg, did not agree with deletion of the non-accessible balconies. As the panel encouraged the Applicant to do these at the Meeting

PANEL MEMBERS



Jason Perica (Chair)



Kara Krason



Abigail Goldberg



John MacKenzie

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017HCC050 – Newcastle City Council – DA2017/01399
2	PROPOSED DEVELOPMENT	16 storey commercial/residential building
3	STREET ADDRESS	38 Hannell Street Wickham, 13 Dangar Street Wickham & 2-4 Bishopsgate Street Wickham
4	APPLICANT/OWNER	Applicant/Owner: Newcastle City Council
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million (DA lodged prior to 1 March 2018)
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Urban Renewal) 2010 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development Statement Environmental Planning Policy (Coastal Management) 2018 Newcastle Local Environmental Plan 2012 Development control plans: <ul style="list-style-type: none"> Newcastle Development Control Plan 2012 Section 94A Development Contributions Plan 2009 Wickham Masterplan Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> 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 <i>Environmental Planning and Assessment Act 1979</i> 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 July 2018 Council Supplementary Report: Thursday 4 October 2018 Written submissions during public exhibition: (and one provided to the panel meeting): 3+ 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing Thursday 1 February 2018 2:15pm-2:30pm Final briefing to discuss council's recommendation, 19 July 2018, 1.00pm to 1.30pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Jason Perica (Chair), Kara Krason, Abigail Goldberg and John MacKenzie <u>Council assessment staff</u>: David Paine (assessment officer), Priscilla Emmett (team coordinator) and Rajnesh Prakash (senior development officer of engineering). Papers were circulated electronically between Wednesday 17 October 2018 and Wednesday 24 October 2018.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

