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|---------------------------------|--------------------------------------------------------------------------|
| <b>DATE OF DEFERRAL</b>         | Tuesday, 2 April 2019                                                    |
| <b>PANEL MEMBERS</b>            | Julie Savet Ward (Chair), Peter Brennan, Mark Grayson and John MacKenzie |
| <b>APOLOGIES</b>                | Michael Leavey and Jason Dunn                                            |
| <b>DECLARATIONS OF INTEREST</b> | None                                                                     |

Public meeting held at Travelodge Newcastle – 12 Steel Street, Newcastle on 2 April 2019, opened at 4:03pm and closed at 5:20pm.

#### **MATTER DEFERRED**

2018HCC035 – Newcastle City Council – DA2018/00933 at 16 Honeysuckle Drive Newcastle (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

The Panel agreed to defer the determination of the matter until the request by the applicant to Council to waive the Section 7.12 monetary contribution is resolved.

This application is a Crown development application and under Division 4.6 of the Environmental Planning and Assessment Act 1979, the Panel may not impose a condition of consent except with approval of the applicant or the Minister.

The Panel does not have the power to make a decision that would have a significant adverse financial impact on Council, as indicated in the 2016 JRPP Operational Procedures.

Council's section 94A Development Contributions Plan 2009, section 7, provides that the applicant may apply to Council to consider an exemption, where a decision is made by formal ratification of the Council at a public Council meeting.

The Panel notes the applicant's request to delete condition 10 and the Council's agreement to do so.

When this matter has been resolved and a supplementary planning assessment report has been prepared, the Panel will determine the matter electronically.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

#### **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern raised, being view loss, privacy, solar access and overshadowing, do not relate to this development application, being site preparation works only. The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS



Julie Savet Ward (Chair)



Peter Brennan



Mark Grayson



John MacKenzie

| SCHEDULE 1 |                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | PANEL REF – LGA – DA NO.                              | 2018HCC035 – Newcastle City Council – DA2018/00933                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 2          | PROPOSED DEVELOPMENT                                  | Site preparation works (earthworks)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 3          | STREET ADDRESS                                        | 16 Honeysuckle Drive, Newcastle                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4          | APPLICANT/OWNER                                       | Applicant: University of Newcastle<br>Owner: Hunter Development Corporation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5          | TYPE OF REGIONAL DEVELOPMENT                          | Private infrastructure and community facilities over \$5 million                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6          | RELEVANT MANDATORY CONSIDERATIONS                     | <ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Coastal Management) 2018</li> <li>Newcastle Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Newcastle Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL                      | <ul style="list-style-type: none"> <li>Council assessment report: 2 April 2019</li> <li>Written submissions during public exhibition: 1</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>In support – Nil</li> <li>In objection – Nil</li> <li>Seeking Clarification – Christine Cook</li> <li>Council assessment officer – Ian Clark, Raj Prakashand, Geof Mansfield</li> <li>On behalf of the applicant – Chris Forrester Principal Planning at Ethos Urban, Paul Wright, Carolyn Mandicourt - James, Matthew Watson and Ethan Clark</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 8          | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>Site inspection and briefing: Tuesday, 2<sup>nd</sup> April 2019</li> <li>Final briefing to discuss council's recommendation, Tuesday, 2<sup>nd</sup> April 2019, 3.30pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Julie Savet Ward (Chair), Peter Brennan, Mark Grayson and John MacKenzie</li> <li><u>Council assessment staff</u>: Tracey Webb, Priscilla Emmett, Ian Clark and Raj Prakash</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 9          | COUNCIL RECOMMENDATION                                | Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10         | DRAFT CONDITIONS                                      | Attached to the council assessment report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |