

## RECORD OF BRIEFING

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

### BRIEFING DETAILS

<b>BRIEFING DATE / TIME</b>	Wednesday, 18 December 2024
<b>LOCATION</b>	MS Teams Videoconference

### BRIEFING MATTERS

PPSHCC - 335 – Newcastle – MA2024/00381 - 124 – 126 Bull Street, Newcastle West 2302 - Sec 4.55 (2)  
Modification to DA2019/01169 – Mixed Use Development

### PANEL MEMBERS

<b>IN ATTENDANCE</b>	Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Elizabeth Adamczyk, Charlotte McCabe
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

### OTHER ATTENDEES

<b>APPLICANT REPRESENTATIVES</b>	Rob Bisley, David Gunter, Rob Mirams, Sam Coles, Trevor
<b>COUNCIL ASSESSMENT STAFF:</b>	Brian Gibson, Amy Ryan, Eliza Arnott
<b>DEPARTMENT STAFF</b>	Leanne Harris, Holly McCann

### COUNCIL BRIEFING

- This application is a modification of previous Panel approval and is in the initial stages of assessment with Council still working through referrals and UDRP matters.
- Original DA for mixed use - two towers with one comprising seniors housing and a RAC and the other a RFB, with both having ground floor commercial and retail - approved March 2021
- First Modification - primarily design changes and reduction in RAC beds - approved April 2024
- 2019 local DA for subdivision has been approved to separate the site from the adjoining Wests Club.
- Current Modification lodged early November with a pre-DA held in September 2024.
- First UDRP review Oct2024 - concerns with view impacts (additional level) and amenity concerns, numbers of apartments on each floor and compliance with ADG - further comment required from UDRP.
- Current proposal seeks to change land use from RAC and seniors housing to a residential use with concurrent changes to car parking, commercial tenancies, rooftop communal area and other design changes.
- Increase in height but reduction in GFA.
- No submissions following public exhibition.
- Applicant has provided legal advice re substantially the same development test which is still being reviewed by Council.

### Planning Panels Secretariat

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 |  
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- Overview of GFA, height and building separation standards.

#### **APPLICANT BRIEFING**

- Second modification for the project.
- Project history, approval and first modification discussed.
- Background and reasoning for the modification.
- Overview of proposed modifications under the current application to reduce seniors and increase residential use and other design changes
- Explanation of architectural design and proposed changes to height, podium and balconies.
- Relocation of bin storage and waste collection from Bull Street to King Street.
- Overview of changes to floor plans, parking, communal open space and rooftop open space etc.
- Planning controls for height, GFA and building separation changes explained.
- ADG compliance controls explained.
- Environmental impacts considered including traffic, overshadowing, public interest, accessibility and CPTED and waste management.
- Basis and summary of legal advice re substantially the same development test and recent LEC case law.

#### **PANEL COMMENTS**

- One of the main issues will be the removal of the seniors living component and whether the modification is considered to be substantially the same development. The Panel notes that the Council is still considering this and will seek their own legal advice.
- Council should confirm land title and address arrangements following the previous subdivision.
- Waste management and truck access needs to be closely assessed and should ideally be collected on site. The Panel noted that waste was a particular issue with the previous applications, and that Council waste policies have evolved from 2021.
- The proposed amendments need to be compared and assessed against the original approval and not as previously modified.
- Consideration of public interest matters discussed.
- Clarification of parking and street activation arrangements.
- Cross ventilation is still low and does not meet ADG and should be further considered.
- UDRP comments will be a key consideration in terms of amenity, design, ADG compliance and street activation.
- Residential units at street level (Bull Street) can be challenging and good cross sections are required - need to understand open space, amenity etc.
- Extra level of car parking will need to be considered and assessed in terms of GFA calculations.
- The Panel will need to understand what impacts, if any, that the noncompliance with standards result in.
- Design and amenity will be key considerations for the Panel.

Panel will organise a further briefing if required.

#### **Planning Panels Secretariat**

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