

RECORD OF BRIEFING

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

BRIEFING DETAILS

BRIEFING DATE / TIME	Wednesday, 20 April 2022, 10am – 11am
LOCATION	MS Teams videoconference

BRIEFING MATTER

PPSHCC-100 – Maitland – DA/2021/1177 - 24 Hunter St, Horseshoe Bend - Alterations/Additions to Existing Education Establishment - All Saint College Multi Purpose Centre, Parish Hall Restoration and Sports Facilities

PANEL MEMBERS

IN ATTENDANCE	Alison McCabe (Chair), Clare Brown, Aaron Cook and Sally Halliday
APOLOGIES	Sandra Hutton
DECLARATIONS OF INTEREST	Juliet Grant

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Georgie Williams, Emily O'Halloran, Sam Dart
DEPARTMENT STAFF	Leanne Harris

COUNCIL STATUS UPDATE:

- Panel has viewed the site
- Council provided an overview of the site and surrounding context and split zoning arrangement
- One public submission received
- Council issued a request for information in January and additional information was submitted in March
- Council considers that the permissibility of the proposal on the RE2 portion of the site has still not been adequately addressed. The Applicant has detailed acquisition dates and use since 1973 but has not provided a legal opinion.
- Bulk and scale. Council's Heritage Advisor has raised concerns however Council are generally satisfied that the design is appropriate and the curtilage is adequate.
- Council still wants further operational details – confirmation of student and staff numbers, proposed hours outside of school (acoustic report suggests midnight), what community use is proposed and how car parking can be managed
- Staging has been revised and better addresses design concerns
- Stormwater management – only small items missing and needs further analysis but able to be addressed.
- Council would like site consolidated from a stormwater position but applicant unwilling with multiple ownerships therefore easements will be required
- Flooding – areas below flood level are limited to storage etc (uninhabitable) and therefore acceptable.

Planning Panels Secretariat

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 |
www.planningportal.nsw.gov.au/planningpanels

- Ecologist / arborist information lodged and considered acceptable to Council
- Loss of informal car parking – applicant arguing that this is not used by staff students and Council generally agree
- Acoustic reports addresses staging (Stage 1 restricted to school hours only)
- Information in relation to contamination limited and suggest a RAP prior to CC
- Waste Management has been addressed but needs further design details to enable Council to assess.

KEY PANEL ISSUES:

- Permissibility. The Panel needs to clearly understand whether they have the power to issue consent. The Panel expects a legal opinion and are not comfortable with the information provided to date. The applicant is again encouraged to explore avenues available under clause 3.36 (2) of the SEPP (Transport and Infrastructure) SEPP. The Panel is of the view that the proposal is categorised as an educational establishment.
- Depending on the legal advice, the Panel will need to understand the need for site consolidation, noting that this a matter that can be conditioned
- Contamination is a threshold matter. Given the former use and the type of development proposed a preliminary assessment will not be sufficient. The application needs to be definitive in terms of a remediation strategy and a remediation action plan will need to be supplied.
- The applicant needs to supply a detailed and factual response to Council which outlines:
 - Current student and staff numbers and capacity
 - Hours of operation
 - Proposed private use outside of school hours (encourage by education SEPP) and associated noise, traffic and parking impacts. A detailed operational management plan should be supplied if uses outside school hours are proposed.
 - Further detail required particularly in relation to parking (St Nicholas – 35 spaces)
- Managing tree removal and tree replacement as this will be important to address bulk and scale. The Panel expects trees to be retained wherever possible.

The Panel note that they are keen to determine the application. The Council should issue a final request for information and the applicant is asked to respond in a timely manner.

TENTATIVE DETERMINATION DATE SCHEDULED FOR: 15 June 2022

Planning Panels Secretariat

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | www.planningportal.nsw.gov.au/planningpanels