



RECORD OF DEFERRAL

HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

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| DATE OF DEFERRAL | 2 December 2020 |
| PANEL MEMBERS | Alison McCabe (Chair), Sandra Hutton and Juliet Grant |
| APOLOGIES | Jason Dunn and John MacKenzie |
| DECLARATIONS OF INTEREST | None |

Public meeting held by teleconference on 2 December 2020, opened at 3:35pm and closed at 5pm.

MATTER DEFERRED

PPSHCC-32 – Newcastle City Council – DA2019/00966 at 30 Vista Parade, Kotara – alterations and additions to education facility (as described in Schedule 1)

The application before the Panel was recommended for refusal based principally on traffic grounds. The applicant requested the Panel defer the matter to provide the opportunity to lodge a Traffic Plan of Management and seek draft conditions of consent.

The Panel had the benefit of the Council report, officer briefing, review of DA documents and questioning of applicant's traffic consultant, to enable an understanding of the difference between the Council's and the applicant's position regarding traffic impacts and appropriate mitigation measures.

Based on the information in front of the Panel, the Panel could not support the applicant in its current form. It warrants refusal for the reasons outlined. The application has failed to demonstrate adequate measures to mitigate the traffic and amenity impacts associated with traffic. The development application as currently submitted does not include all land that it seeks to rely on. The traffic analysis has not started at a fundamental position of understanding existing traffic and road conditions and impacts arising from the current operations and thereby the potential impacts of the proposal which on the face of it seeks to intensify those impacts. Mitigation measures proposed in respect to a Traffic Plan of Management have not yet been documented for the Panel's consideration.

The Panel acknowledges that school peaks occur for a relatively short period of time, twice a day. There is also an apparent presence of on street parking within walking distance of the school, on street edges that include non-residential uses (such as parkland). The Panel however, is not convinced that the road network and environment, does not in itself, generate a limitation on the capacity of the school site, by virtue of limits to the capacity of its road frontage environment and by the reliance on a significant expansion of its on street parking footprint (and traffic impact) beyond the current, and at some distance from the site. This is a concern notwithstanding numerical compliance with the onsite parking requirements.

The Panel understands the site supports an existing school facility which provides an important service to the wider community.

The Panel is willing to defer the matter given the social benefits of upgrading a school in this locality as part of its residential community and to provide a final opportunity to address traffic and parking related matters identified in Council's assessment report. The Panel is of the view that those matters will not be able to be satisfied by a Traffic Plan of Management alone, which heavily reinforces and relies on expanded on street parking to support the increased site capacity, as was offered by the applicant. Additional and varied solutions are required to mitigate broader traffic and amenity impacts.

The applicant is also requested to address the retention of existing vegetation along the western boundary adjoining residential properties.




REASONS FOR DEFERRAL

The panel agreed to defer the determination of the matter to allow submission of the following additional information and amendments:

1. Identify and quantify the opportunity to reduce the reliance on the quantum of on street parking in surrounding streets beyond the school's frontage and better match the quantum of current on street parking relied upon by existing operations, and minimise congestion in Vista Parade. This will need to include, but not be limited to:
 - a. Identify how parking on land not forming part of the application (ie 37 spaces within the opposite church site) can be considered;
 - b. Identify road infrastructure works and road environment changes that could occur within Vista Parade (between Princeton and Grayson) and to the site access and internal design to maximise the attractiveness and efficiency of on-site solutions;
 - c. Broader consideration of the function of Vista Parade to service the school and its activities, inclusive of land ownership both sides of the street. This should include a review of carriageway and road reserve widening (and associated works) to provide additional on street capacity, reduced queuing and the like. This may also include widening of the on site access to provide for both left and right turn out movements concurrently and review of proposed on site operations;
 - d. Provide baseline traffic counts of usage and flow of Vista Parade and any streets where on street parking is being considered as part of the response and analysis (not for SIDRA analysis) to articulate a baseline that impacts and works can be analysed against;
 - e. Identify what reduction in on street parking expansion beyond Vista Parade may arise from these works;
 - f. Where reliance is sought on expanded on street parking arising from the proposed development, provide:
 - i. a plan identifying the location of on street parking expansion;
 - ii. in each location, provide appropriate observations on availability of that parking during peak periods (ie that it is not otherwise utilised for parking associated with existing activities for example of Nesbitt Park or limits flexibility in use of those over time);
 - iii. in each location, provide sections/information that demonstrate how on street parking sought to be relied upon, will not disrupt two way traffic flow within the street environment, without reliance on weaving in and around parked cars or slowing flow to one way at times (or quantify the impacts of that weaving in terms of road network efficiency and justify why that is acceptable);
 - g. Identify changes to capacity/intensity or nature of the proposal to achieve the objective of limiting on street parking footprint expansion and mitigation of traffic impacts;
 - h. A detailed Traffic Plan of Management, which also clearly identifies what is in the applicant's control and what relies on Council actions eg parking limits;
 - i. Identify measures that will mitigate impacts on the surrounding residential area; and
 - j. Review the retention of vegetation along the western boundary.

2. The applicant is to confirm in writing within two (2) weeks of this decision their intention to provide a response that addresses the full extent of Point 1,
3. If a response is not received, or is received in the negative, the Panel will proceed to determine the matter electronically based on the information currently before the Panel.
4. If the applicant intends to genuinely explore additional solutions that substantially address Council's recommendation for refusal, the Panel is to be advised of a timeframe in which the applicant can appropriately and properly undertake that work and submit to Council for re-exhibition and a further assessment report by mid January 2021.
5. Consultation with TfNSW is to occur to confirm that any intended management of the pedestrian crossing via supervision, to assist platooning of traffic in Vista Parade, is supported; and
6. In the event the additional information addressing Point 1 is received, Council is to prepare a further assessment report and the Panel will hold another Public Meeting to determine the matter.

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

| PANEL MEMBERS | |
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|  Alison McCabe (Chair) |  Sandra Hutton |
|  Juliet Grant | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSHCC-32 – Newcastle City Council – DA2019/00966 |
| 2 | PROPOSED DEVELOPMENT | Alterations / Additions to Educational establishment (630 students), new Childcare Centre (79 places) and Subdivision – Community Title (two into three lots), associated site works, landscaping and signage |
| 3 | STREET ADDRESS | 30 Vista Parade Kotara NSW 2289 (Lot 12 DP 560852 and Lot 131 262057) |
| 4 | APPLICANT/OWNER | Trustees Diocese of Maitland-Newcastle C/- Webber Architects |
| 5 | TYPE OF REGIONAL DEVELOPMENT | Private infrastructure and community facilities over \$5 million |
| 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 (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 55 -Remediation of Land State Environmental Planning Policy No.64 – Advertising and Signage State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Newcastle Local Environmental 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 <i>Environmental Planning and Assessment Regulation 2000</i>: 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 <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: 25 November 2020 Written submissions during public exhibition: 13 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Jonathan Russell, Brendan Grant On behalf of the applicant – Alan McKelvey, Sean Morgan, Total number of unique submissions received by way of objection: 10 |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> Briefing: 3 June 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton, Juliet Grant and John MacKenzie <u>Council assessment staff</u>: Holly Hutchens, Amanda Gale, Michelle Bisson, Tracey Webb, Priscilla Emmett Site inspection: <ul style="list-style-type: none"> Alison McCabe (Chair): 25th July 2020 Sandra Hutton: 2 June 2020 and 2 December 2020 |

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| | | <ul style="list-style-type: none"> ○ Juliet Grant: 24 May 2020 • Final briefing to discuss council's recommendation: 2 December 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton and Juliet Grant ○ <u>Council assessment staff</u>: Amanda Gale, Amy Ryan, David Ryner, Roland Payne, Priscilla Emmett, Tracey Webb, Michelle Bisson |
| 9 | COUNCIL RECOMMENDATION | Refusal |
| 10 | DRAFT CONDITIONS | Not provided |