

DETERMINATION AND STATEMENT OF REASONS

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DETERMINATION	12 September 2025
DATE OF PANEL DECISION	12 September 2025
DATE OF PANEL MEETING	2 September 2025
PANEL MEMBERS	Roberta Ryan (Alternate Chair), Susan Budd, Tony McNamara
APOLOGIES	None
DECLARATIONS OF INTEREST	Alison McCabe - declared a conflict of interest as she is a Director for SJB Planning. SJB Planning is undertaking the assessment of the application for Council. Sally Halliday – declared perceived conflict of interest due to this being a council interest DA. Ashley Kavanagh - declared a perceived conflict of interest due to this being a council interest DA. Amanda Wetzel – declared a perceived conflict of interest due to direct engagement by Maitland City Council (the applicant) by undertaking a role on the Employment Lands Strategy project.

Papers circulated electronically on 19 August 2025.

MATTER DETERMINED

PPSHCC-323 – Maitland – DA2024/859 at 6 -18 John Street, East Maitland 2323 – Tourist and Visitor Accommodation (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 meeting and briefing and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel has had the benefit of a briefing from Council and the applicant.

In response to a request from the Panel, Council prepared a supplementary memo dated 4th September 2025, addressing the fire safety issues and the proposed conditions regarding fire safety. The BCA Report concludes that in order to achieve compliance with the BCA and NCC, the adoption of some performance-based solutions will be required; however, the final outcome of compliance against the BCA and NCC will only be determined under the assessment of the Construction Certificate. The Panel has considered this memo. Prior to the issue of a Construction Certificate, a detailed BCA solution should be documented and supported by a certifier.

An Access Report and addendum have been provided to support the proposal. Accessible entry is provided to each ground-level room and to all communal areas. The BCA requires 2 accessible rooms for developments with 12 rooms. The proposal consists of one fully accessible room and one ambulant-accessible room. In consideration of the building's heritage constraints, the shortfall of 1 accessible unit is considered acceptable.

The proposed works are predominately internal alterations. A Statement of Heritage Impact (SoHI) was submitted with the application which evaluates how the development affects the State Heritage Item. The proposed works do not impact the building's significant external fabric. The heritage impacts on the site are considered appropriate, subject to detailed design conditions.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report

- The proposed development is consistent with the Council's aspirations for the former Maitland Gaol site to generate income to support its restoration and progressive redevelopment and increased community access.
- Impacts arising from the development can be appropriately managed and mitigated.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Roberta Ryan (Alternate Chair)	 Susan Budd
 Tony McNamara	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-323 – Maitland – DA2024/859
2	PROPOSED DEVELOPMENT	Alterations and Additions to Maitland Gaol Tourist Facility and change of use for Tourist and visitor accommodation - hotel or motel accommodation
3	STREET ADDRESS	6 -18 John Street, East Maitland 2323 Lot 469 DP1002766
4	APPLICANT/OWNER	Barr Property and Planning Pty Ltd on behalf of Maitland City Council NSW Government (Crown Land and Crown Reserve)
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Industry and Employment) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Maitland Local Environmental Plan 2011 - Draft environmental planning instruments: Nil - Development control plans: - Maitland Development Control Plan 2011 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> – Section 61, Section 64 - 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	- Council Assessment Report: 19 August 2025 - Memo from Council 3 September 2025 re Fire Safety - Written submissions during public exhibition: 0 - Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Initial Briefing: 1 April 2025 <u>Panel members</u>: Roberta Ryan (Chair), Amanda Wetzel <u>Applicant representatives</u>: Rebecca Johnston, Katrina Walker, Murray Wood, David Chenery, Michael Trajkov, Linda Babic <u>Council assessment staff</u>: Michael Baker, Karina Turvey, Hector Abrahams, Sioned Lavery, Kristen Wells <u>Department</u>: Leanne Harris, Holly McCann - Site inspection: <u>Panel members</u>: Roberta Ryan: 13 April 2025 - Final briefing to discuss council's recommendation: 2 September 2025 <u>Panel members</u>: Roberta Ryan (Chair), Susan Budd, Tony McNamara

		○ <u>Applicant representatives</u>: Rebecca Johnston, Katrina Walker, Murray Wood, David Chenery, Michael Trajkov, Linda Babic ○ <u>Council assessment staff</u>: Michael Baker, Karina Turvey, Hector Abrahams, Sioned Lavery, Kristen Wells ○ <u>Department</u>: Holly McCann
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report