

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 1 April 2025
LOCATION	MS Teams Videoconference

PPSHCC-324 – Maitland – DA/2024/858 – 6 – 18 John Street, East Maitland 2323 – Tourism Facility – alterations and additions (Maitland Gaol)

PANEL MEMBERS

IN ATTENDANCE	Roberta Ryan (Chair), Amanda Wetzel
APOLOGIES	Tony McNamara
DECLARATIONS OF INTEREST	Alison McCabe has declared a conflict of interest as she is a Director of SJB Planning who are undertaking the assessment of the applications on behalf of Council Sally Halliday and Ashley Kavanagh have declared a conflict of duties as this is a Council Interest Development Application

OTHER ATTENDEES

APPLICANT REPRESENTATIVES	Rebecca Johnston, Murray Wood, David Chenery, Michael Trajkov, Linda Babic
COUNCIL ASSESSMENT STAFF:	Michael Baker, Karina Turvey, Hector Abrahams, Sioned Lavery, Kristen Wells
DEPARTMENT STAFF	Leanne Harris, Holly McCann

CONSULTANT BRIEFING ON BEHALF OF COUNCIL

- Council interest in DA for alterations and additions to an existing tourist facility which includes a new ticketing office, interpretative displays, accessible entry, demolition works, a new café/restaurant with seating capacity for 96 persons and 16 car parking spaces.
- Overview of the site and location of the proposed works within the former Maitland Gaol.
- Site is a State listed heritage item and within the East Maitland Heritage Conservation Area.
- The site is Crown Land managed by Council and the Crown have been notified for owner's consent.
- Two new openings are proposed in the gaol perimeter wall (pedestrian) with an accessible entry forecourt, ramps and a lift.
- Site is zoned SP3 Tourist, and the works are permissible with consent.
- Pre-lodgement meetings have been undertaken with Maitland Council and the NSW Heritage Council.
- No public submissions received during public notification processes.
- Issues to date include:
 - Status of existing consent for the use of the site as a tourist facility, as the proposed works are ancillary to this existing use.

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- Heritage impacts.
- Accessibility and wayfinding.
- Traffic and parking.
- Heritage NSW has asked for a minor amendment. GTAs yet to be issued.
- RFI issued and no response to date.
- A recent issue that has arisen and is still being worked through is the status of the existing DA consents for the site. There are questions regarding the validity of the existing consent for the use of the site as a tourist facility. The applicant may need to consider whether it is possible to delete the tourist facility component and just seek consent for a café.
- The Heritage consultant has raised a number of issues that will be the subject of an additional RFI including:
 - The approvals strategy taken results in this proposal being a partial scheme – significant implied works that are not described or relate to separate DAs.
 - Decommissioning the front entrance
 - Large openings in the perimeter walls
 - Demolition of the existing café
 - Limited design integrity.
- A further RFI will be issued.

APPLICANT BRIEFING

- Overview of the site and surrounding context.
- Site history described.
- Major funding deed to support the proposed works.
- Facility currently closed due to safety and fire compliance issues, and these will be dealt with via a future development application. The two current applications are for part of the site only.
- Overview of the project history, vision, project concept and objectives.
- Overview of stakeholder engagement and pre-DA feedback including workshop with and advice from Heritage NSW.
- Relationship between the two DAs discussed.
- Explanation of the proposed works including demolition, alterations additions and new construction, public access arrangements and car parking.
- RFI response currently being prepared.
- Current approval status and the need for some form of operational consent discussed with a number of approvals since 2000.
- Explanation of why there are two DAs – related to different building typologies and works proposed (restoration verses new contemporary works) + funding arrangements and deadlines. Can operate independently if necessary

PANEL COMMENTS

- The Panel questions the approach with the lodgement of separate DAs which makes it difficult to fully assess the overall use of the site and consider impacts properly. A concept DA with a staged roll-out would have been considered a more suitable mechanism.
- Regardless the Panel needs to understand how the site will function comprehensively, and which components can genuinely stand on their own in terms of building code requirements, heritage, accessibility, waste, car parking and the like and where there is overlap proposed.
- The Panel need to factually understand the status of the existing consent/s, conditions of consent and how they relate to the current proposal noting the potential to further amend the DA so that there is no reliance or inter-dependence to the remainder of the site.
- The documentation provided with the DA needs to be comprehensive, and cannot rely on other documentation, such as an existing Master Plan, which does not have statutory weight in this context.
- If the DA is to be amended further, all supporting documentation needs to be updated and consistent with the proposed stand-alone approach, including car parking, CPTED etc.

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- The Panel notes the potential compliance issues arising for Council with the number of consents / conditions applying across the site. The Panel notes that existing compliance and fire safety issues should be addressed and that this is a matter for Council. If these issues are of significance to close the site to visitors – how should these be considered in the context of this DA.
- Removal of established vegetation needs to be carefully considered and assessed.
- The Panel acknowledges the consultation with and role of the NSW Heritage Office but notes that a number of assessment questions remain in relation to heritage impacts.

The Panel understands a further information request will be issued and will seek further briefings as required.