

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 11 June 2024, 10:15am – 11:45am
LOCATION	MS Teams

BRIEFING MATTER(S)

PPSSTH-383 – Cootamundra-Gundagai – DA2023/116 - 37 Annie Pyers Drive, Gundagai 2722 - Dog on the Tuckerbox Redevelopment - Proposed development to be constructed in 3 stages involving demolition of existing buildings; construction of 7 buildings ; relocation of Dog on Tuckerbox Memorial; construction of play area; construction of car parking; sewer treatment works; stormwater works; tree removal; earthworks; landscape works; and subdivision to create three allotments of 25,162 sqm, 210 sqm and 1,250 sqm. The subject proposal seeks approval for the construction of the 7 buildings only – their respective land use approvals will be subject to subsequent Development Application approval/s.

PANEL MEMBERS

IN ATTENDANCE	Juliet Grant (A/Chair), Grant Christmas, Gordon Lindley, Tony Donoghue
APOLOGIES	Chris Wilson (Chair)
DECLARATIONS OF INTEREST	Tony Donoghue disclosed he is a professional acquaintance of the Bush Fire Consultant who submitted a Bush Fire Assessment on behalf of the applicant. Mr. Donoghue has no pecuniary interest or close personal relationship with the consultant. The Chair of the Panel has determined that there is no actual or potential conflict of interest and Mr. Donoghue may remain appointed to the Panel for this matter.

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Craig Perrin, Michael Mason
COUNCIL CONSULTANT ASSESSMENT PLANNER	Tom Hutchinson (Hutchison Planning)
APPLICANT REPRESENTATIVES	Brendan Price (The DoT Developments), Bob Winnel (The DoT Developments), John Harris (The DoT Developments), Josh Milston (JMT Consulting), Sharon Langman (Total Town Planning Solutions), Soroosh Moshksar (SN Architects)
DPHI	Amanda Moylan

KEY ISSUES DISCUSSED

Council's consultant assessment planner provided the Panel with a preliminary briefing. The following matters were discussed:

Planning Panels Secretariat

- The nature of the Council's interest in the development site and its current and future ownership via a deed of agreement. An external planning consultant has been engaged to undertake the assessment to mitigate any conflict of interest.
- Site context and locality including the existing site conditions.
- Background to the proposal, development history for the site and previous land use history incorporating a service station (closed), and current kiosk and café uses.
- The decommissioned service station is to be remediated as Category 2 works under SEPP (Resilience and Hazards) 2021 and does not form part of the current application.
- Details of the proposed staging of the development. The Panel noted;
 - the DA is not submitted as a Concept DA and staged development under s4.22 of the *Environmental Planning and Assessment Act (1979)*.
 - the current DA does not seek approval for first occupancy land uses in stage 3 of the development.
- Permissibility of future use of stage 3 buildings.
- Traffic management and TfNSW requirements for s138 approval when further development approval is sought for future use of Stage 3 buildings. TfNSW have indicated they will not support a future s138 application based on the current traffic arrangements.
- DA is not integrated for Traffic and GTAs are not required from TfNSW.
- Clarification of scope of current upgrade works currently being undertaken within Annie Pyers Drive. Proposed traffic arrangements and intention to close of south bound entrance/exit and to require all traffic enter/exit via northern point (Annie Pyers Drive).
- Difficulties in accurately calculating future wastewater demand and corresponding uncertainty regarding infrastructure requirements because future uses are unknown. .
- Council's commitment to ensuring potable water is available to the site (timing to be confirmed)

The applicant provided an overview of the proposal to the Panel and the following matters were discussed:

- Site location, context, environmental values, design concept associated with rural setting and the cultural importance of the Dog on the Tucker Box.
- The Council and community desire for the Dog on the Tuckerbox to be elevated as a tourist destination.
- Current lot arrangements, staging and proposed subdivision. The site is currently owned by Council and is under contract by EOI to the applicant. Council is to retain ownership of two lots which will contain the items of cultural heritage (Limestone Inn and the Dog on Tucker Box) via a deed of agreement.
- Clarification that the proposal is for the overall construction of buildings in stages 1,2 and 3 with the fit out and approval for future use of buildings to occur via a separate DA (which will include use as a food and drink premises).
- Proposed on-site effluent disposal, nutrient loads and the mitigation of impact on ground water and flora and fauna. The applicant confirmed that the effluent management study identifies sufficient capacity within the existing site. Flexible boundary arrangements will be available to facilitate expansion of the effluent disposal if required into the future.
- Desired timeframe for completion of project to support 100 year anniversary of the Dog on the Tucker Box and contractual arrangements.
- Proposed site access, contamination and remediation.
- Future land uses within Stage 3 (food and drink premises and hotel) and potential traffic impacts.
- Feedback from TfNSW indicating support of stages 1 and 2 only. The applicant is considering options to reduce traffic conflicts relating to the stage 3 land uses.
- Further information requested by TfNSW about the redistribution of traffic. and how conflict between right turn in and out of Annie Pyes Drive can be reduced.

The Panel acknowledged that the key issues relating to the development are;

- Traffic management; and
- On-site effluent disposal.

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

The Panel requested the Applicant clarify:

- the assumptions underpinning the traffic calculations and the proposed traffic management arrangements, given the future land uses for the stage 3 buildings are not included as part of the current development application;
- the status of the additional land the Applicant indicated was available for effluent disposal, given the land identified in the future expansion area is not currently part of the submitted DA.
- the relationship of the proposal with the Council endorsed Master Plan for the site, and opportunities to amend the current development application to a Staged Concept DA including proposed stages 1 and 2, with stages 3 and 4 being dealt with as future stages under a separate DA.

Next Steps

- Council and the applicant have committed to continue discussions with TfNSW to identify and agree on the additional information required for consideration of stage 3.
- Council's peer review of wastewater arrangements is anticipated to be completed in 2 weeks.
- The Applicant will provide a response to the RFI.
- The Panel are scheduled to visit the site on 23 July 2023.

TENTATIVE DETERMINATION DATE TBC.