

10.1 AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL FOR 24 HUNTER STREET HORSESHOE BEND - ADDITIONAL PERMITTED USE "EDUCATIONAL ESTABLISHMENT" ON RE2 PRIVATE RECREATION ZONED LAND

FILE NO:	RZ 23001
ATTACHMENTS:	1. Planning Proposal 2. Summary of Supporting Studies
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AUTHOR:	Mark Roser - Strategic Town Planner
MAITLAND +10	Outcome 8. To have Central Maitland as the vibrant heart of our city
COUNCIL OBJECTIVE:	8.1.3 Manage the East Central Maitland precinct for its civic, cultural and sporting opportunities

EXECUTIVE SUMMARY

Council has received a request to amend Maitland Local Environmental Plan 2011 (MLEP 2011) seeking to allow an additional permitted use (APU) for 24 Hunter Street, Horseshoe Bend (lot 1, DP 1261532).

24 Hunter Street is currently split zoned RE2 Private Recreation and R1 General Residential and was previously used by the Maitland Ex-Services citizens bowling and sports club. The subject land is now owned by the Catholic Diocese of Maitland-Newcastle who, in association with All Saints College (ASC), are proposing to develop an educational establishment (multi-purpose facility) to support the adjacent school.

Council staff have prepared a Planning Proposal to amend MLEP 2011 to add an additional clause to Schedule 1 Additional Permitted Uses, enabling the development and use of land at 24 Hunter Street Horseshoe Bend for an educational establishment (multi-purpose facility).

*The Planning Proposal to enable the additional permitted use by way of an amendment to MLEP 2011 is provided as **Attachment 1** to this report for Council consideration.*

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OFFICER'S RECOMMENDATION

THAT

- 1. Pursuant to Section 3.34(1) of the Environmental Planning and Assessment Act 1979, Council submits the planning proposal, to the Department of Planning and Environment requesting a Gateway Determination.**
- 2. Following issue of a Gateway Determination, Council undertake consultation with the community and relevant government agencies in accordance with the conditions of the Gateway Determination.**
- 3. Council requests the Department of Planning and Environment delegate plan making functions to Council under Section 3.36 of the Environmental Planning and Assessment Act 1979.**
- 4. A further report be presented to Council following the public exhibition period, including compliance with the conditions of the Gateway Determination and outcomes of the public exhibition and government agency consultation.**

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REPORT

The purpose of the report is to:

1. Seek endorsement to enable an additional permitted use over Lot 1 DP 1261532, 24 Hunter Street, Horseshoe Bend to facilitate an educational establishment (multi-purpose facility). A locality plan is provided in *Figure 1 - Subject Land*
2. Provide a summary of the planning proposal for the site to enable a submission to the NSW Department of Planning and Environment for a Gateway assessment, seeking a Gateway determination.



Figure 1. Subject Land

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The Planning Proposal has been prepared in response to a request from the proponent to amend the Maitland LEP 2011 to provide for an additional permitted use (educational establishment) on that portion of Lot 1 DP 1261532, 24 Hunter Street zoned RE2 Private Recreation.

The Catholic Diocese of Maitland-Newcastle has acquired Lot 1 DP 1261532 - 24 Hunter Street (the subject site), in addition to Lot 1 DP 69160 - 22 Hunter Street and Lot 1 DP 669283 - 20 Hunter Street. The northern portion of the site is occupied by St Nicholas early learning childcare facility within the structures previously used by the Maitland Ex-Services citizens bowling and sports club.

The site is affiliated with All Saints College (ASC) with St. Paul's Hall, located on 22 Hunter Street, currently utilised for general learning areas (GLAs). The intent of the Planning Proposal is to enable, with development consent, the development of an educational establishment (multi-purpose facility) to provide recreational opportunities, GLAs and a gathering space for the college.

Site and Location

The development site is an irregular parcel of land identified as Lot 1 DP 1261532, Lot 1 DP 69160, Lot 1 DP 669283, Hunter Street Horseshoe Bend. The development site is bound by Odd Street to the south, Hunter Street to the west, existing residential development facing James Street to the east, and residential development to the north facing Carrington Street. The northern portion of the site is occupied by St Nicholas early learning childcare facility gaining access from Hunter Street. St Paul's Parish Hall is centrally located fronting Hunter Street described as 22 Hunter Street. A site plan showing the proposed multi-purpose facility is provided in *Figure 3*. This development will be subject to a future development application.

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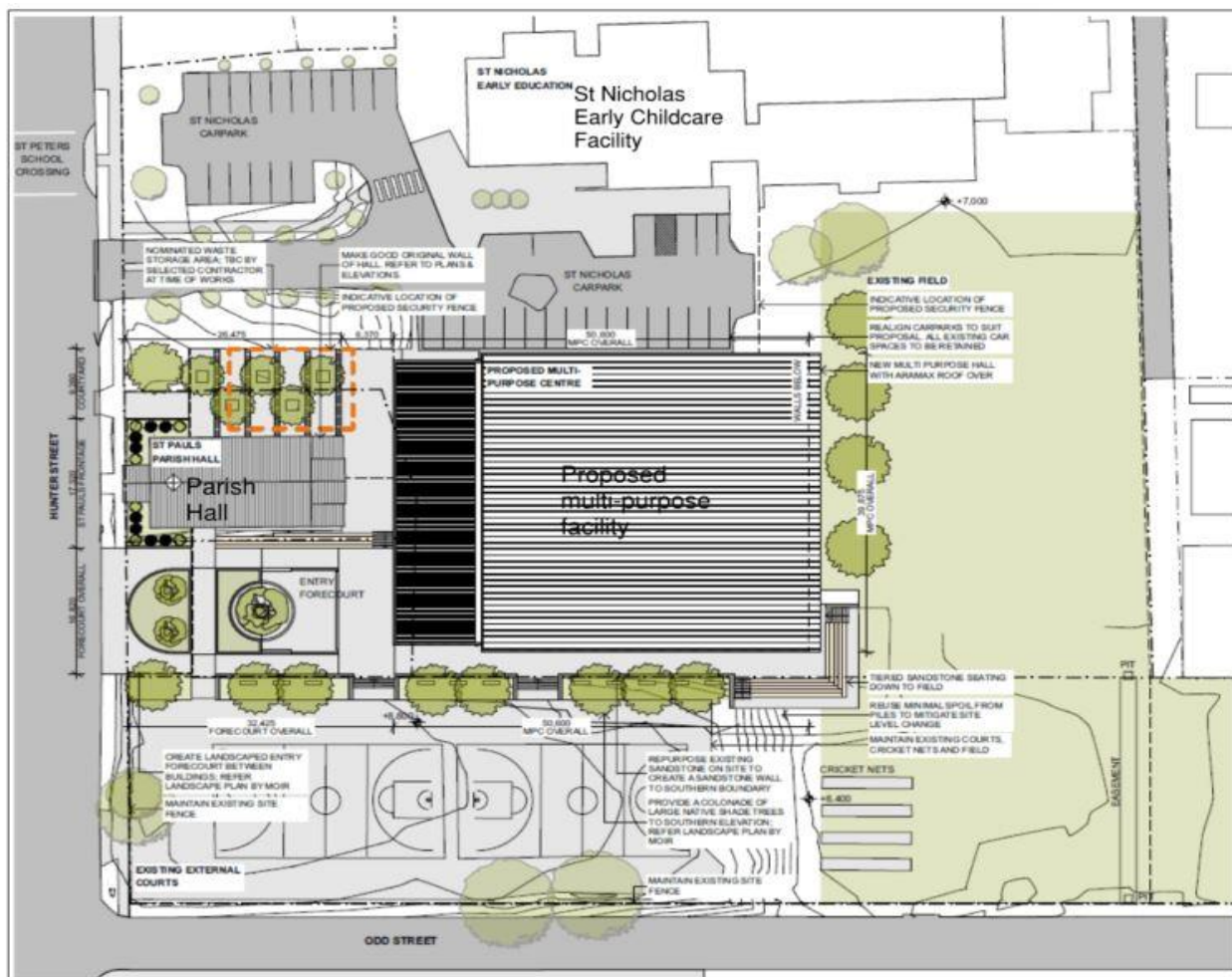


Figure 3. Site Plan Proposed Multi-Purpose Facility

Supporting Documentation

The request to amend the Maitland LEP 2011 to provide for an additional permitted use within the RE2 zone at 24 Hunter Street is supported by several studies addressing issues relevant to the site and surrounding area. A summary and assessment of the studies submitted in support of the rezoning request is provided as **Attachment 2**.

Planning Proposal

Based on the information provided by the proponent, Council staff have prepared a Planning Proposal (Attachment 1) to amend *MLEP 2011* to insert an Additional Permitted Use of an educational establishment on the subject site. The Planning Proposal is considered to have strategic merit, and Council's endorsement for submission of the proposal to the Department of Planning and Environment is requested.

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CONCLUSION

The Planning Proposal seeks to amend *MLEP 2011* to insert an Additional Permitted Use (educational establishment) to facilitate the development of a multi-purpose centre on site to support the adjacent school. Council staff have assessed the information provided and recommend that the Planning Proposal be submitted to the Department of Planning and Environment requesting a Gateway Determination.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

This report has regard to the provisions of the *Environmental Planning & Assessment Act 1979* and the *Environmental Planning & Assessment Regulation 2000*.