

DETERMINATION AND STATEMENT OF REASONS

HUNTER & CENTRAL COAST
JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	17 November 2016
PANEL MEMBERS	Kara Krason (Acting Chair), Michael Leavey, Cllr Peter Blackmore and Cllr Bob Geoghegan
APOLOGIES	Jason Perica
DECLARATIONS OF INTEREST	None

Public meeting held at Maitland City Council on Thursday 17 November 2016, opened at 2.00 pm and closed at 4.30 pm.

MATTER DETERMINED

2016HCC046 - Maitland City Council, DA16-1592, Catholic High School, 24 Heritage Drive, Chisholm

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

REASONS FOR THE DECISION

- 1) The proposal provides additional educational facilities adjoining an already established and growing Catholic primary school within an emerging residential locality, which is considered to be in the public interest.
- 2) The design and landscape approach satisfactorily addresses the site topography and streetscape.
- 3) To ensure parking is provided to cater for the proposed number of staff and students as outlined in the application, the Panel determined to include a condition specifying the number of students and staff upon which car parking provision has been based.
- 4) The Panel generally agreed with the environmental assessment and balance of considerations within the Council staff assessment report, but considered additional requirements should be included in the conditions relating to remediation to ensure the site is made suitable for its use prior to occupation. Accordingly, Condition 1A is amended to require all works to be undertaken in accordance with the Preliminary Site Investigation Contamination Report prepared by Douglas Partners and further a new condition 18A be added requiring a final remediation/validation report prior to occupation.

CONDITIONS

The development application was approved subject to the draft conditions recommended within the Council staff assessment report, as amended as follows:

Revise Condition 1 to read as follows:

APPROVED PLANS AND DOCUMENTATION

1. The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions to this consent or as shown in red colour on the plans:

Plan Ref. Nº	Sheet Nº	Revⁿ Nº	Revision Date	Prepared by: (consultant)
Proposed Site Plan	DA1101	F	04.10.16	SHAC
Proposed Landscape Plan	DA1103	A	19.09.16	SHAC
Proposed Staging Plan	DA1104	A	19.09.16	SHAC
Ground Floor Plan	DA2101	C	19.09.16	SHAC
First Floor Plan	DA2102	B	19.09.16	SHAC
Second Floor Plan	DA2103	A	11.05.16	SHAC
Roof Plan	DA2201	A	11.05.16	SHAC
Block A First Floor	DA2311	A	11.05.16	SHAC
Block A Second Floor	DA2312	A	11.05.16	SHAC
Block A – Roof Plan	DA2313	A	11.05.16	SHAC
Peregrine Trail AB 01	DA2321	A	11.05.16	SHAC
Peregrine Trail AB 02	DA2322	A	11.05.16	SHAC
Block B Ground Floor	DA2331	A	11.05.16	SHAC
Block B First Floor	DA2332	A	11.05.16	SHAC
Block B Second Floor	DA2333	A	11.05.16	SHAC
Block B – Roof Plan	DA2334	A	11.05.16	SHAC
Peregrine Trail BC 01	DA2341	A	11.05.16	SHAC
Peregrine Trail BC 02	DA2342	A	11.05.16	SHAC
Block C Ground Floor	DA2351	A	11.05.16	SHAC
Block C First Floor	DA2352	A	11.05.16	SHAC
Block C Second Floor	DA2353	A	11.05.16	SHAC

Block C – Roof Plan	DA2354	A	11.05.16	SHAC
Peregrine Trail CD 01	DA2361	A	11.05.16	SHAC
Peregrine Trail CD 02	DA2362	A	11.05.16	SHAC
Block D Ground Floor	DA2371	A	11.05.16	SHAC
Block D First Floor	DA2372	A	11.05.16	SHAC
Block D – Roof Plan	DA2373	A	11.05.16	SHAC
Elevations Site	DA3101	A	11.05.16	SHAC
Elevations - Block A	DA3111	A	11.05.16	SHAC
Elevations - Block A	DA3112	A	11.05.16	SHAC
Elevations – Peregrine Trail AB	DA3121	A	11.05.16	SHAC
Elevations – Block B	DA3131	A	11.05.16	SHAC
Elevations – Block B	DA3132	A	11.05.16	SHAC
Elevations – Peregrine Trail BC	DA3141	A	11.05.16	SHAC
Elevations – Block C	DA3151	A	11.05.16	SHAC
Elevations – Block C	DA3152	A	11.05.16	SHAC
Elevations – Peregrine Trail CD	DA3161	A	11.05.16	SHAC
Elevations – Block D	DA3171	A	11.05.16	SHAC
Elevations – Block D	DA3172	A	11.05.16	SHAC
School Signage Sketch	DA9004	A	04.10.16	SHAC
Site Grading Plan	Figure 4	B	-	ACOR Consultants (NNSW) Pty Ltd
Cut Fill Plan	Figure 17	B	-	ACOR Consultants (NNSW) Pty Ltd
Stormwater Management Plan	Figure 18	B	-	ACOR Consultants (NNSW) Pty Ltd
Erosion and Sediment Control Plan	Figure 19	B	-	ACOR Consultants (NNSW) Pty Ltd
Preliminary Site Investigation Contamination Report			May 2016	Douglas Partners

Revise Condition 12 to read as follows:

- 12 The maximum number of students permitted under this consent is 1,200 and the maximum number of staff is 150 FTE at any one time.

Insert new Condition 14A as follows:

- 14A **Prior to the issue of the Construction Certificate**, a detailed lighting plan shall be submitted to and approved by Council detailing any lighting proposed within development. The lighting plan shall detail the location of any proposed lighting, extent of lighting spill and lux level. Lighting shall be designed to ensure that there is no adverse impact on adjoining and adjacent residential amenity.

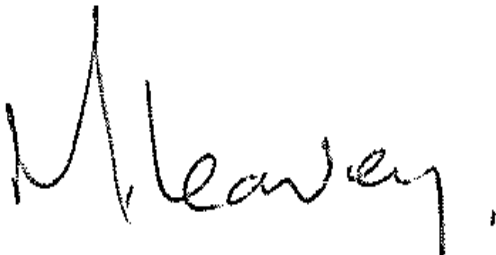
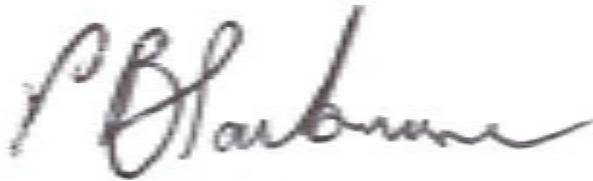
Insert new Condition 18A as follows:

- 18A **Prior to the issue of the first Occupation Certificate** a final remediation/validation report (compliance certificate) must be submitted to Council. The report shall be prepared by an independent consultant and in accordance with the relevant EPA guidelines.

Revise Condition 37 to read as follows:

- 37 **Prior to the issue of the Occupation Certificate** for each new stage, the Traffic Management Plan shall be implemented as per **Condition 36** and is to be resubmitted to council for approval annually, up until 12 months after the school reaches maximum student capacity of 1,200 students.

The development application was approved.

PANEL MEMBERS	
 Kara Krason (Acting Chair)	 Bob Geoghegan
 Michael Leavey	 Peter Blackmore

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016HCC046 - Maitland City Council, DA16-1592
2	PROPOSED DEVELOPMENT	Catholic High School
3	STREET ADDRESS	24 Heritage Drive, Chisholm
4	APPLICANT/OWNER	Applicant: SHAC Owner: The Trustees of the Roman Catholic Church for the Diocese of Maitland – Newcastle
5	TYPE OF REGIONAL DEVELOPMENT	Private Infrastructure and Community Facility that has a capital investment value of more than \$5 million.
6	RELEVANT MANDATORY CONSIDERATIONS	Environmental planning instruments: 1. State Environmental Planning Policy (Infrastructure) 2007 2. State Environmental Planning Policy No. 55 – Remediation of Land 3. Maitland Local Environmental Plan 2011 4. SEPP (State and Regional Development) 2011 Draft environmental planning instruments: Nil Development control plans: • Maitland Development Control Plan 2011 Planning agreements: Nil Regulations: • Environmental Planning and Assessment Act Regulation 2000 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> and <i>Environmental Planning and Assessment Regulation 2000</i>. The public interest, including the principles of ecologically sustainable development.
7	MATERIAL CONSIDERED BY THE PANEL	Council Assessment Report Schedule of Conditions Development Plans Verbal submissions at the panel meeting: • Support – nil • Object – nil • On behalf of the applicant – Elizabeth Brown
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	17 November 2016 – Site Inspection 17 November 2016 – Final Briefing Meeting 08 September 2016 – Briefing Meeting
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report

