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| <b>DATE OF DETERMINATION</b>    | Monday, 20 August 2018  |
| <b>PANEL MEMBERS</b>            | Kara Krason (Acting Chair) , Peter Garnham and Sally Halliday |
| <b>APOLOGIES</b>                | Jason Perica and Michael Leavey                               |
| <b>DECLARATIONS OF INTEREST</b> | None  |

Electronic meeting held between 26 July 2018 and 20 August 2018.

#### **MATTER DETERMINED**

Panel Ref – 2018HCC005 – LGA – Maitland – DA2018-196 - Address – James and High Streets, Maitland (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 listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

#### **REASONS FOR THE DECISION**

The Panel determined to approve the application for the reasons generally outlined in the council assessment report. Following the site inspection and in response to questions raised by the Panel, Council provided additional clarification and assessment in relation to matters of permissibility, parking, potential impacts and consistency with the conditions for the existing site under DA-1228 for Sportsground 1, traffic and pedestrian safety.

Council confirmed that all uses proposed are permissible on the site.

Council advised that the existing carpark to be demolished as a result of the proposed development contains 16 car spaces including 4 designated disabled spaces and that all 16 spaces are to be accommodated within the proposed carpark for the new works. To ensure consistency with DA-1228, Council has proposed an amendment to draft Condition 18 to increase the number of accessible spaces in the carpark adjacent to the James Street entrance from 2 to 4 spaces. The modified condition reads as stated above.

In relation to drainage and flooding, Council confirmed that the proposed development will provide a better outcome on the athletics field without impacting on the No.1 sportsground.

Council confirmed that traffic and pedestrian safety and the interaction between the two had been addressed by a relevant consultant and assessed by Council Officers as satisfactory and able to comply with relevant standards.




#### **CONDITIONS**

The development application was approved subject to the conditions attached in the council assessment report with amendments to Condition 18 to read as follows:

**Condition 18.**

*Car parking for the development shall be provided in accordance with the approved plans, with a minimum allocation for the development of 191 spaces of which ten (10) spaces shall be designated as disabled. Six (6) designated disabled parking spaces are to be located in the main carparking area, and four (4) to be located in the carpark area adjacent the James Street entrance*

The decision was unanimous.

| PANEL MEMBERS  |  |
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|   |  |
| Kara Krason (Acting Chair)   | Sally Halliday   |
|  |  |
| Peter Garnham  |  |

| SCHEDULE 1 |                                   |   |
|------------|-----------------------------------|---|
| 1          | PANEL REF – LGA – DA NO.          | Panel Ref – 2018HCC005 – LGA – Maitland – DA2018-196  |
| 2          | PROPOSED DEVELOPMENT              | Demolition of existing buildings and construction of a new athletics facility   |
| 3          | STREET ADDRESS                    | James and High Streets, Maitland  |
| 4          | APPLICANT/OWNER                   | Maitland City Council   |
| 5          | TYPE OF REGIONAL DEVELOPMENT      | Council related development CIV over \$5million   |
| 6          | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ Maitland Local Environmental Plan 2011</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: Nil</li> <li>• Planning agreements: Nil</li> </ul> |

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|    |   | <ul style="list-style-type: none"> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: (Clause 92)</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7  | <b>MATERIAL CONSIDERED BY THE PANEL</b>           | <ul style="list-style-type: none"> <li>• Council assessment report: 17 July 2018</li> <li>• Council email response to queries: 10 August 2018</li> <li>• Written submissions during public exhibition: nil</li> </ul>   |
| 8  | <b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b> | <ul style="list-style-type: none"> <li>• Electronic meeting: 26 July 2018 to 20 August 2018</li> <li>• Site Inspection: 2 August 2018</li> </ul>  |
| 9  | <b>COUNCIL RECOMMENDATION</b>                     | Approval  |
| 10 | <b>DRAFT CONDITIONS</b>                           | Submitted with Council report, and updated condition in email dated 9 August 2018   |