

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSHCC-113	
DA Number	DA2021/1576	
LGA	Maitland LGA	
Proposed Development	Education Establishment – Alterations and Additions	
Street Address	75 Chelmsford Drive, Metford and 83-85 Chelmsford Drive, Metford	
Applicant/Owner	Paynter Dixon / Maitland Christian School	
Date of DA lodgement	21 December 2021	
Total number of Submissions	• Nil	
Number of Unique Objections	• Nil	
Recommendation	Approval	
Regional Development Criteria (Schedule 6 of the SEPP State Environmental Planning Policy (Planning Systems) 2021	Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021 requires the Regional Planning Panel (RPP) to determine applications for private infrastructure and community facilities (educational establishment) with a CIV over \$5 million.	
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental planning instruments: s4.15(1)(a)(i)<ul style="list-style-type: none">○ State Environmental Planning Policy (Transport and Infrastructure) 2021○ State Environmental Planning Policy (Biodiversity and Conversation) 2021○ State Environmental Planning Policy (Planning Systems) 2021○ State Environmental Planning Policy (Resilience and Hazards) 2021○ Maitland Local Environmental Plan 2011• Development Control Plan: s4.15(1)(a)(iii)<ul style="list-style-type: none">○ Maitland Citywide Development Control Plan 2011	
List all documents submitted with this report for the Panel’s consideration	Attachment 1 – Development Plans Attachment 2 – Assessment Report Attachment 3 – Acoustic Report Attachment 4 – Site Photographs Attachment 5 – Visual Montage – Grevillea Drive Attachment 6 – Visual Montage – Chelmsford Drive Attachment 7 – Visual Montage – Hakea Way Attachment 8 – Recommended Condition of Consent	
Report prepared by	Kristen Wells (Senior Development Planner)	
Report date	7 April 2022	
Summary of s4.15 matters		
Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?		Yes
Legislative clauses requiring consent authority satisfaction		
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>		Yes
Clause 4.6 Exceptions to development standards		
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?		Not applicable
Special Infrastructure Contributions		
Does the DA require Special Infrastructure Contributions conditions (S7.24)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>		Not applicable
Conditions		
Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council’s recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>		Yes

FILE NO:	PPSHCC-113, DA2021/1576
AUTHOR:	Kristen Wells - Senior Development Planner
APPLICANT:	Paynter Dixon
OWNER:	Maitland Christian School
PROPOSAL:	Education Establishment – Alterations and Additions
LOCATION:	75 Chelmsford Drive, Metford, Lot 431 DP 1268369, and 83-85 Chelmsford Drive, Metford, Lot 44 DP 1073637
ZONE:	R1 General Residential

EXECUTIVE SUMMARY

The purpose of this report is to provide a detailed assessment of Development Application (DA) 2021/1576 proposing an Educational Establishment – Alterations and Additions to an Existing School (Maitland Christian School). The assessment provides consideration of the proposal under the Environmental Planning and Assessment Act 1979 (NSW), the Maitland Local Environmental Plan 2011, the Maitland Development Control Plan 2011 and any other relevant legislation, guidelines and policies of the Council. The DA was lodged on 21st December 2021 with a Capital Investment Value (CIV) of works estimated at \$5.82 million (excluding GST). The proposal is Regional Development comprising private infrastructure and community facilities (educational establishment) with a CIV over \$5 million.

The legal description of the land on which the development is to be carried out is Lot 431 DP 1268369, 75 Chelmsford Drive, Metford and Lot 44 DP 1073637, 83-85 Chelmsford Drive, Metford. A boundary adjustment was approved 14th December 2021, via DA2021/1412 which apportioned the southern end of Lot 44 into the ownership of Lot 431. This subdivision has not yet been registered, but for the purpose of this report, the land where the works are proposed to occur will be known as Lot 431. Owners consent for both allotments has been received.

The lot is 1.92Ha in area and is zoned R1 General Residential under the Maitland LEP 2011, which permits an educational establishment with consent. There are no heritage, subsidence or flood issues identified under planning investigation. The site is identified as containing Acid Sulfate soils: Class 5. There is no LEP height or floor space ratio control.

The proposal is permissible within the R1 zone, and is consistent with the objectives of the zone, as it will allow the continuation of an existing non-residential land use, without an impact on the residential amenity. The proposal does not raise any issues that conflict with any Environmental Planning Instruments. Further, it is generally consistent with the Maitland Development Control Plan.

In accordance with the relevant EPI's, the determining authority must satisfy itself of compliance with the following before consent is granted:

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conversation) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*

- *State Environmental Planning Policy (Resilience and Hazards) 2021*

The proposal was advertised and notified from 5 January 2022 to 25 January 2022. No submissions were received during the exhibition period.

Council requested that the applicant address potential visual impact and acoustic impact concerns to the eastern adjoining neighbour. A Visual Assessment summary has been undertaken by the applicant. The assessment has demonstrated that the visual amenity of the neighbourhood will not be unreasonably impacted as a result of the development. An Acoustic Report has also been submitted in support of the application. The report outlines that with the implementation of minor amelioration measures the acoustic impacts will be minimal.

The proposal is generally compliant with the relevant heads of consideration pursuant to section 4.15 of the EPA Act, and the identified impacts are mitigated to an acceptable level. The application is satisfactory subject to compliance with the recommended schedule of conditions. The application is presented to the Regional Planning Panel (RPP) with a recommendation for approval.

REPORT RECOMMENDATION

THAT

The Hunter regional Planning panel approve Development Application 2021/1576 for an Education Establishment – Alterations and Additions (Maitland Christian School), 75 Chelmsford Drive, Metford, Lot 432 DP 1268369, subject to the recommended conditions of consent set out in Attachment 8.

1. INTRODUCTION

The purpose of this report is to provide a detailed assessment of Development Application 2021/1576 proposing an Education Establishment – Alterations and Additions. The assessment will provide consideration of the proposal under the Environmental Planning and Assessment Act 1979, the Maitland Local Environmental Plan 2011, the Maitland Development Control 2011 and any other relevant legislation, guidelines and policies of Council.

The proposal is categorized as Regional Development pursuant to Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021, comprising private infrastructure and community facilities (educational establishment) with a CIV over \$5 million.

The proposal does not attract a contribution under Council's current adopted Section 7.12 Plan. Clause 7 of the Section 7.12 Plan states that 'not for profit' development, carried out with an underlying philosophy of community will not be levied contributions. The applicant submitted advice in accordance with this exemption, stating that: *"Maitland Christian School Ltd is a not for profit public company limited by guarantee. It is registered as a charity with the Australian Charities and Not-for-profits Commission with the charity sub types of advancing education and advancing religion."*

BACKGROUND / SITE HISTORY

The Maitland Christian School first operated from this site in 1991. The first notable approval on Council records is DA94/247 approving *'additional classrooms, library and canteen'* in 1994. Multiple additions have been approved since this time, with the most recent being DA2020/757, establishing a special learning facility, situated 30m south-east from the location of this proposed development site.

In addition to this, and as previously noted, DA2021/1412 approved a boundary adjustment between Lot 431 (the school) and Lot 44 (the Baptist church). This subdivision is yet to be registered.

It is also noted that preliminary discussion took place between the applicant and Council prior to the submission of this application.

The table below provides a consent history associated with the subject site:

<i>DA Reference</i>	<i>Description</i>	<i>Approval Date</i>
DA94-247	Additional classrooms, library & Canteen	17 October 1994
DA95-12	Additional classrooms	19 June 1995
DA04-1993	Extension to School Administration Building	27 May 2004
DA05-1627	Classroom Alterations, Construction of Basketball Courts and Provision of Additional Playground Area	28 February 2006
CD09-1071	Covered Outdoor Area	5 June 2009
DA09-2201	Additions to existing school – staff room, music rooms and canteen	12 October 2009
CD09-1512	Two Storey Classroom and Alterations to Two Existing Classrooms	6 November 2009
DA16-2720	Storage Shed Extension	31 January 2017
DA2020-757	Alterations and Additions to Existing Education Facility (Special Learning Centre Building)	14 January 2021

SITE DESCRIPTION

The property description is Lot 431 in DP 1268369, known as 75 Chelmsford Drive Metford and Lot 44 DP 1073637, known as 83-85 Chelmsford Drive, Metford. This subject site is an irregular shaped allotment approximately 1.952 hectares in area. The land is zoned R1 General Residential under the Maitland LEP 2011.



Figure 1 – Aerial Photo (August 2020)

The development site (perimeter shown in red above) is located on the southern side of Chelmsford Drive. A sporting field (Chelmsford Oval) sits to the west of the school, with an aged care facility and residential land lying east, and residential land to the south. Also adjacent to the site sits the Maitland Baptist church. Vehicle and pedestrian access is available from the Chelmsford Drive frontage.

The site is a gradually sloping site eastwards, with a fall of approximately 1 metre across the entire land. The site has the benefit of an easement to drain stormwater.

There are a number of existing mature trees on site; however this proposal requires the removal of only 2 x *Grevillea Robusta*, Silky Oak trees. The trees have not been identified as hollow bearing or ecologically significant. The applicant has indicated that replacement trees will be planted, in addition to improved landscaping across the site.

The actual works shall be located on *proposed* Lot 143. Proposed Lot 143 has been approved via DA2021/1412 which was issued on 14th December 2021. The registration of this subdivision has not yet occurred. This approval facilitated a two lot boundary adjustment between the Baptist Church (Lot 44) and the existing school site (Lot 431). The school

essentially acquired a 633sqm portion of the land south of the Baptist church. This subdivision is shown in the figure below:

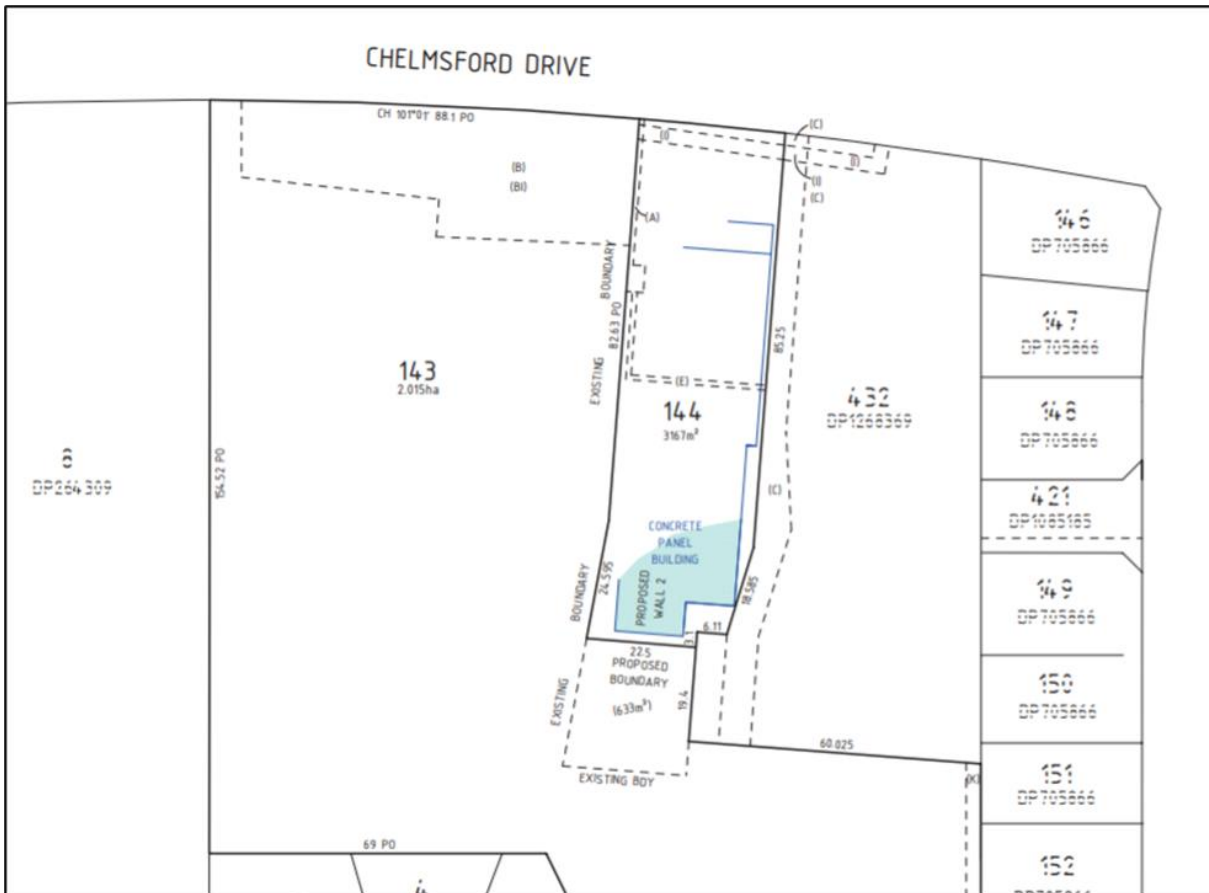


Figure 2: The location of the boundary adjustment is circled red. The blue is the south portion of the existing Baptist church building. The hatched line denotes the existing boundary, with the newly approved boundary shown in black line. This area is the approximate building location.

A condition of consent has been included in the recommended conditions of consent requiring the registration of this subdivision prior to the release of the Construction Certificate for the works.

PROPOSAL

A complete summary of the works involve:

Site Preparation

- The demolition of an existing concrete slab;
- Removal of 2 x trees;
- Earthworks involving excavation and a maximum of 1m retention, supported by sandstone blocks;

Ancillary Infrastructure

- Perimeter concrete walkways and stairs;
- Maintenance access ramp (southern elevation);

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- A new stormwater strategy, including the implementation of OSD;
- The establishment of an outdoor courtyard between the proposed new building and the recently constructed 'Arise' building to the SE;
- Landscaping within the precinct of the proposed building;
- Construction of a new fire pump enclosure within the NW corner of the site. (This sits within the front setback of Chelmsford Drive);
- Relocation of a flag pole within the front setback.

Educational Building

- The construction of the three storey educational building. The building features:
 - Drama room, gym and dual classroom area on the ground floor, Library, kitchenette, Classroom and bathrooms facilities on the first floor, 3 x classrooms, breakout space and tutorial room on the upper floor.
 - The building is approximately 10.05m high.
 - All storeys are serviced by an internal lift providing access to each floor.

The building is proposed to be constructed from a wide range of materials, including 'metalix' brickwork, *Cemintel Barestone* (precast tiled cladding), *Cemintel Territory Woodland* (precast cladding in a timber look), weatherboard panelling, various cladding colours, skillion roof form, and a range of window types and sizes. The building is considered to be well sited and designed with respect to the topography of the land and character of the existing education facility. The proposed building shall be setback 1.5 metres from the eastern boundary and 2.502 metres from the north. The setback to the east is consistent with existing buildings aligning this boundary, including the Baptist Church and the 'Arise' building.

The applicant has stated that the proposed building is designed to facilitate existing student numbers only and it does not seek to increase enrolments. The school is currently permitted to operate with 525 students. Hours of operation, traffic movements and staff/student numbers are proposed to remain the same.

PLANNING ASSESSMENT

Section 4.5 Regional Planning Panels

Section 4.5 of the EP&A Act 1979 and Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021 requires the Regional Planning Panel (RPP) to determine applications for private infrastructure and community facilities (educational establishment) with a CIV over \$5 million.

Section 4.15(1)(a)(i) provisions of any environmental planning instrument

Local Environmental Plan

Clause 2.3 Land Use table – Zoning

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The subject land is zoned R1 General Residential under the Maitland Local Environmental Plan 2011 (LEP). The proposed development is defined as an *Educational Establishment*, comprising alterations and additions to an existing school. This is a type of development permitted with consent in the R1 Zone.

The proposal is consistent with the zone objectives for the R1 General Residential zone as it provides an additional educational establishment to meet the needs of the residents in the area, without an impact on residential amenity.

The subject site is not located within a heritage conservation area under LEP 2011, nor are there any heritage items in the vicinity of the site. The following clauses of the MLEP 2011 are relevant to the assessment of the proposal:

Clause 7.1 – Acid Sulfate Soils

This clause aims to ensure development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The land is mapped as Class 5 under the MLEP 2011. Given the nature of works to be undertaken on site and the classification of the soils on site, an acid sulfate soils management plan is not required.

Clause 7.2 – Earthworks

Earthworks associated with this development will be undertaken in accordance with approved plans listed in the recommended schedule of conditions attached to this report and are considered to be ancillary to the development works on site. Some minor excavation and levelling of the site will be necessary to create a level building platform and pathways.

Erosion and sedimentation control measures will need to be implemented during the construction phase, in accordance with the submitted plans and recommended conditions. The proposal is not expected to result in a significant impact to soil stability and will not have a significant impact on any adjoining properties.

State Environmental Planning Policies

The SEPP's considered relevant to this proposal are outlined below:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site has been mapped as containing suitable koala habitat; primarily due to the presence of *Corymbia maculata* Spotted Gum, a preferred koala food tree in this region. The development site is situated in isolation from this vegetation type. The proposed works seek the removal of only two (2) trees (*Grevillea Robusta*); these trees have not been identified as being a preferred koala habitat. A Koala Management Plan does not exist over this property.

In accordance with Section 4.10 of the SEPP, Council is satisfied that the land does not comprise core koala habitat and consent is able to be given to the proposed works. It is agreed that the development is likely to have low or no impact on koalas or koala habitat.

State Environmental Planning Policy (Resilience and Hazards) 2021

This policy aims to promote the remediation of contaminated land for the purposes of reducing the risk of harm to human health or other aspects of the environment.

There are no known historical land uses that may have rendered the site unsuitable for future use. Physical inspection of the site did not uncover any indication of potential contaminants occurring over the land. The applicant has furthermore conducted a Phase 1, Preliminary Site Investigation, which has not uncovered any historical land uses that may have contaminated the land.

The proposal is considered suitable for the site pursuant to Clause 4.6 of the SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021

This SEPP allows various alterations, additions and expansion of school facilities as exempt development, complying development or development with consent, or development without consent under Part 5 of the EP&A Act 1979. The SEPP aims to accommodate schools and their functioning, and give the flexibility to accommodate intensification, repair, or refurbishment as the school ages and the surrounding population grows.

Pursuant to Clause 3.36, the proposal is permissible with consent in the prescribed R1 zone. The clause requires a Consent Authority to take into consideration the design quality of the development against the design quality principles in Schedule 8. A design statement from the architects is included within the application, as summarized in the following table.

<i>Principle</i>	<i>Comment</i>
<i>1 – Context, built form and landscape</i>	<p>The proposed school building is to be located in the central-east portion of the school site. The building will not be prominent, however will be larger than what currently exists on the subject site. The building will be taller than the existing administration building which is to the north west of the new building. However, given the fall of the site, the proposed building has a similar profile to the existing two-storey learning block immediately west of the proposed development site, as well as the Baptist Church building to the north. The design outcome of the proposal will be in keeping with the existing built form on-site and is considered an appropriate scale for the surrounding residential context.</p> <p>Landscaping, predominantly comprising low level plantings and trees is proposed along the western and southern elevation of the building. The landscaping scheme integrates with the existing greenery of the site and provides some visual attenuation. The landscaping will be a betterment from existing site conditions and is considered to be an enhancement of on-site amenity. The context</p>

	of the site is dominated by surrounding residential properties. As will be described further within this report, the residential properties have sufficient distance separation to ensure that amenity impacts are minimized.
<i>2 – Sustainable, efficient and durable</i>	The principles of environmentally sustainable development have been considered in the design. The building orientation, sunshade and passive thermal design elements will assist in reducing on mechanical ventilation. Construction materials and finishes are low maintenance.
<i>3 – Accessible and inclusive</i>	The addition provides an accessible ground level, which is connected to a lift to provide accessibility to the upper levels. Covered walkways and defined spaces assist in wayfinding.
<i>4 – Health and safety</i>	Natural light, ventilation and acoustics are used to create healthy and safe learning and teaching environments. The existing school grounds are fenced, and the proposal will not impact on this.
<i>5 – Amenity</i>	A range of flexible, pleasant, and engaging spaces are proposed throughout the new school building. Flexible learning areas, tutorial spaces and specialist areas provide for class lead teaching and learning spaces. The design promotes access to natural sunlight, ventilation, and provides connection to surrounding areas.
<i>6 – Whole of life, flexible and adaptive</i>	Consideration of environmentally sensitive design principles discussed above allows for flexibility in design. Multiple learning spaces are proposed, including drama, gymnasium and library facilities.
<i>7 – Aesthetics</i>	The building has an articulated form that is consistent with existing buildings across the site. The building design includes elements such as coloured sub shading blades, varied fenestration, screens and articulation to mitigate the bulk and scale of the three-storey building as viewed from nearby residential pockets.

Traffic Generating Development

Clause 3.12 of the SEPP (Transport and Infrastructure) 2021 requires certain education establishment development applications to be referred to TfNSW. Clause 3.12 applies to an enlargement or extension of existing premise being able to accommodate 50 or more additional students. The proposal seeks approval for a school building with no change to the existing student capacity of the school. On this basis, the application does not meet the requirements of traffic generating development, with no referral to TfNSW required.

Section 4.15(1)(a)(ii) any draft environmental planning instrument that is or has been placed on public exhibition

There are no draft environmental planning instruments applicable to this proposal.

Section 4.15(1)(a)(iii) any development control plan

The Maitland Citywide Development Control Plan 2011 applies to this development as follows:

- A.4 Community Participation
- B.2 Domestic Stormwater
- B.6 Waste Not – Site Waste Minimization & Management
- C.1 Accessible Living
- C.11 Vehicular Access and Car Parking; and
- C.12 CPTED

A.4 Community Participation

The proposal was advertised and notified from 5 January 2022 to 25 January 2022. No submissions were received during this period.

B.2 Domestic Stormwater

The proposal is not for residential purposes; however, it is located in a R1 General Residential zone. The applicant has provided a preliminary Stormwater Management Plan (*Job No. 2052, DA2.00, Issue 1, Ambai Consultants, 17.11.21*) which presents the proposed stormwater management of the development site.

The stormwater proposal incorporates onsite detention as well as pits/pipes directing stormwater to the drainage easement over Lot 155 DP 705866. Council engineers have deemed the size of the OSD to be adequate for the additional impervious areas proposed on site.

The post development stormwater run-off is unlikely to exceed the predevelopment stormwater run-off calculations. Downstream properties are unlikely to be affected by the proposal. The proposal complies with the DCP.

B.6 Waste Not – Site Waste Minimization and Management

A Waste Management Plan (WMP) was submitted with the proposal. The WMP included measures to recycle and store waste in an environmentally acceptable manner during the construction and operational phases. Waste will be generated as part of the operations for the site and this will be managed through the provision of skip bins situated in the north of the site which will be collected by a private contractor, in accordance with existing arrangement. The proposed measures are considered sufficient to cater for the existing and proposed development.

C.1 Accessible Living

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This chapter applies as the proposal includes the use of the premises for 'commercial style' uses. Access is required *'to and within all areas normally used by the occupants'* for Class 9b buildings. The proposal includes an internal lift and widened doorways to provide continuous and equitable access to the proposal.

The proposal has been assessed by Councils Building Surveyor who confirms that the proposal is capable of compliance with the relevant statutory accessibility legislation and will ensure reasonable access provision for people with a disability to and within the proposed development.

C.11 Vehicular Access and Car parking

There will be no increase to the existing student and staff numbers as a result of the proposed alterations and additions, and the existing satisfactory traffic circumstances will not change. There will be some additional traffic movements during the construction process, however these movements will occur before and after the peak school activity movements. A condition has been included requiring a construction management traffic plan be prepared to mitigate any pedestrian and vehicle conflicts during the construction phase.

Existing car parking arrangements on site will not change as result of this proposal.

C.12 Crime Prevention Through Environmental Design

The proposed works continue to provide opportunities for natural and casual surveillance from within the development by staff and users. The school premises are surrounded by security fencing to minimize unauthorized access. The layout and landscaping design aims to prevent/deter theft or crime with high visibility and demonstrates clear guardianship of the land and definitive school boundaries. Therefore, the proposal remains consistent with this chapter of the DCP.

Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

There are no matters within the regulations that are relevant to the determination of this proposal.

Section 4.15(1)(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The following table identifies and discusses the relevant matters for consideration in relation to environmental, social and economic impacts associated with the proposal.

Potential Impacts	Comments
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Context and Setting	<p>The proposed additions are suitably located within the existing school site. The three-storey form responds to the topography of the site, without significant impact on adjoining residential amenity. The proposal will not alter existing vehicular or pedestrian arrangements to and from the site. The proposal is sympathetic to the existing built form and will substantially improve the teaching space available within the school. No significant impacts are expected.</p>
Acoustic	<p>The application is supported by an acoustic assessment prepared by PKA Acoustic Consulting. This report focuses upon the noise generated by mechanical plant equipment proposed on site. Air conditioning units are to be positioned upon the south-eastern portion of the proposed building. The plant area will be in proximity to the seniors living housing complex adjoining the school. The report recommends the implementation of acoustic barriers to the east and south of the plant area. The acoustic barriers are considered to be acceptable noise amelioration measures for the mechanical plant.</p> <p>The report does not specifically consider the likely acoustic impacts associated with the occupation of the learning spaces. As has been discussed with the applicant, paths of movement are internally contained within the building via stairways and corridors. Internal movement is likely to occur between class time. Once students are situated within learning spaces, the likelihood of intrusive noise being generated is low. External movement surrounding the building is likely to occur during regular breaks in the day and also between classes. The proposal does not seek to increase student numbers at the school; therefore this proposal is unlikely to be adding to noise levels already experienced at the site. A review of Council's complaint register has not revealed any historical record of noise complaints associated with the operation of the school.</p> <p>Notwithstanding the above, it is noted that the proposed additional building will operate in accordance with the regularly practiced school hours adopted by the school. Any noise impact associated with this proposal will be contained between the core school hours of 8.30am – 4pm.</p>
Visual	<p>The applicant has submitted photographic montages depicting the proposed building sitting within the surrounding landscape. The montages have been prepared from four key vantage locations, including:</p> <ul style="list-style-type: none"> • Looking west towards the school from Grevillea Drive (Attachment 5)

	<ul style="list-style-type: none"> • Looking north towards the school from Hakea Way (Attachment 7) • Looking south towards the school from Chelmsford Drive (Attachment 6). <p>The viewing position from Grevillea Drive demonstrates the consistency of the roof line for the proposed building to that of the existing Baptist Church. Existing mature trees within the vicinity of the site assist in limiting the visual intrusion of this new building. The building is only partially visible from Chelmsford Drive and Hakea Way.</p> <p>The proposed building will have a maximum height of 10.3 metres. As depicted in submitted plans, the existing Church building has a peak height of approximately 8 metres, therefore this proposal is consistent with the bulk and scale of existing structures on the site.</p> <p>The building has been finished in high quality architectural style. A range of cladding textures have been included in the design. Varied windows shapes and sizes, as well as treatments have also been adopted. The proposed colour scheme features mixtures of timber-look panelling, navy weatherboard and light panels. A modern, skillion roof design has been implemented, which is consistent with the adjoining 'Arise' school building.</p>
Privacy	<p>There is the potential for privacy impacts associated with a series of windows facing from the upper two levels eastward towards the adjoining seniors living development. This impact is mitigated by a separation distance of 25 metres from the proposed building to the nearest residential building within the complex. In addition to this, an existing 3 metre high brick garage, as well as existing driveway and car parking facilities act as additional buffer points between the proposed school building and the residences.</p> <p>The dwelling closest to the school building contains vegetation and car parking between the building and the school (see Photograph contained within Attachment 4). The vegetation and the carparking acts as a visual barrier towards the proposed building location. This residential building has its private areas orientated towards the north-east, away from the proposed school building.</p> <p>The proposed building will only be occupied during standard school hours (8.30am – 4pm). Occupiers of the school building will typically be engaged in learning activities within the confines of the classrooms. The internal stairwell and classroom entry areas</p>

	<p>are orientated away from the eastern elevation, limiting the ability for privacy impacts occurring to the eastern adjoining neighbour.</p> <p>Overall, no significant visual privacy impacts are expected.</p>
Solar Access	<p>Based upon a review of submitted plans, any over shadowing occurring as a result of this proposal is likely to be contained to internal locations within the school grounds.</p> <p>The expected morning sun will cast a shadow onto the internal courtyard of the school. The afternoon sun will cast a shadow primarily over the adjoining 'Arise' school block precinct. The southern shadowing will be cast onto internal school walkways and open space areas. The over shadowing is likely to be contained to internal locations within the school grounds; overall, no significant impact is anticipated to occur.</p>
Access, Transport and Traffic	<p>No vehicular site access is proposed. Existing drop-off facilities are to be retained. The school currently utilises the Chelmsford Drive car park for staff parking, with a drop off zone located adjacent the school entrance within this car park. The school also uses the adjoining carpark at the adjacent sportsground for drop off and pick up.</p> <p>SECA Solutions (traffic consultant) undertook a review of the proposed building additions with regard to parking demands, traffic generation and access arrangements. SECA Solutions concluded the additional school building will have a minor and acceptable impact upon traffic and parking in the local area.</p>
Utilities	<p>The proposed new school building can be connected into nearby utilities and services without the potential for adverse impacts.</p>
Social and Economic Impact	<p>The proposal will have a positive social and economic impact within the locality through the creation of jobs during construction and operation, and the provision of enhanced classroom facilities which provide further learning opportunities for students.</p>
Vegetation	<p>A total of two mature trees shall be removed. The removal of the two trees does not equate to the Biodiversity Offset Scheme (BOS) threshold and it is concluded that the proposed development is not likely to impose a significant impact on threatened species and ecological communities.</p> <p>The application was referred to Council's Environmental Ecology team. Support for the proposal was received.</p>
Construction	<p>Construction of the proposal is not expected to cause any adverse impacts and can be managed by industry guidelines and best practice. A Construction Management Plan (CMP) will be required</p>

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	prior to the commencement of work. A copy of the CMP shall be provided to the Certifying Authority, and Council, prior to the commencement of works. This will also include a traffic CMP. No significant impacts are expected.
Cumulative Impacts	The proposal will facilitate the intensification of development on the existing school site. The primary potential impacts relates to acoustic and visual, as discussed above. Social and economic impacts are considered positive and the development will not create or contribute significantly towards any adverse cumulative impact within the locality.

Section 4.15(1)(c) the suitability of the site for the development

The site has been used as educational establishment since 1991. The site is considered to be suitable for the use and is of sufficient size to enable the upgrade of the existing education facility without any significant adverse impacts on the neighbours or the character of the locality. The R1 zone encourages the orderly and economic use of the land and aims to protect the residential amenity on the site. The proposal meets these objectives and delivers improvements to social and economic circumstances.

Section 4.15(1)(d) any submissions made in accordance with this act or the regulations

The proposal was advertised and notified in accordance with the Maitland Development Control Plan 2011 from 5 January 2022 to 25 January 2022. No submissions were received.

Section 4.15(1)(e) the public interest

The proposal is generally consistent with the relevant heads of consideration pursuant to Section 4.15 of the EPA Act 1979, and the identified impacts are mitigated to an acceptable level. The proposal will permit the construction of additional facilities to accommodate the existing student numbers. The provision of permanent infrastructure will provide an enhanced education establishment for student and teachers, resulting in a wider community benefit. The proposal is unlikely to impact on any Federal, State and Local Government or community interests. The proposal is therefore in the public interest.

Recommendation / conclusion

It is recommended that the Hunter Regional Planning Panel, as the consent authority, approve Development Application 2021/1057 (PPSHCC-113) for Additions to an Educational Establishment, at 75 Chelmsford Drive, Metford, and 83-85 Chelmsford Drive, Metford, pursuant to Section 4.16 of the *EP&A Act 1979*, subject to conditions contained within Attachment 8.