

DATE OF DETERMINATION	17 June 2020
PANEL MEMBERS	Alison McCabe (Chair), Sandra Hutton, Susan Budd, Peter Garnham, Mitchell Griffin
APOLOGIES	Juliet Grant
DECLARATIONS OF INTEREST	Sally Halliday declared a conflict of interest as the applicant is her employer

Public meeting held via teleconference on 17 June 2020, opened at 3:00 pm and closed at 3:55 pm.

MATTER DETERMINED

PPSHCC-2 – Maitland – DA2019/566 at 3 Norfolk St, Ashtonfield – Alterations and Additions to Ashtonfield Public School (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 the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The panel noted that the application was a Crown application and SINSW had agreed to the proposed conditions.

The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The development results in an important upgrade to an existing school's facilities.
- The interface along the boundary with the existing residential properties has been appropriately managed by the siting of the building, screening to the building and proper landscape treatment.
- The traffic impacts arising from the increase in student and staff numbers are minimal.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS






In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Impacts arising from drop off and pick up of students in Adele Crescent;
- Pedestrian and traffic safety; and
- Privacy and overlooking.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and the conditions of consent.

The Panel noted that the key concerns regarding drop off and pick up is principally an issue with the existing schools operation raised by residents, particularly in Adele Crescent. The Panel understands that there is a designated pick up and drop off point on Norfolk Street.

A condition has been included and agreed by the Crown at Condition 18 that requires an updated Traffic Procedure Management Plan that addresses the management of drop off and pick up and appropriate communications strategy.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Sandra Hutton
 Susan Budd	 Peter Garnham
 Mitchell Griffin	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-2 – Maitland – DA2019/566
2	PROPOSED DEVELOPMENT	Educational establishment – alterations and additions to existing public school (Ashtonfield Public School)
3	STREET ADDRESS	3 Norfolk St, Ashtonfield
4	APPLICANT OWNER	Axiom Education NSW No. 2 Pty Ltd Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 State Environmental Planning Policy (Vegetation) 2017 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy No 44 – Koala Habitat Protection Maitland Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Maitland Development Control Plan 2011 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil 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> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 1 June 2020 Submission of elected Council: 10 June 2020 Written submissions during public exhibition: two (2) Verbal submissions at the public meeting: <ul style="list-style-type: none"> Narelle Nalbantof, Margaret Dawson and Paul Dawson On behalf of the applicant – Stephen Branch, Stephen Earp, Andrew McGrath,
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspections: <ul style="list-style-type: none"> <u>Panel members</u>: <ul style="list-style-type: none"> Alison McCabe (Chair): 1 April 2020 Sandra Hutton: 1 April 2020 Peter Garnham: 3 June 2020 Mitchell Griffin: 13 June 2020 Final briefing to discuss council's recommendation, 16 June 2020, 2:00 pm. Attendees:

		<ul style="list-style-type: none">○ <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton, Susan Budd, Peter Garnham, Mitchell Griffin○ <u>Council assessment staff</u>: Tegan Harris, Leanne Harris, Vanessa Fishlock and Elizabeth James
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report