

DETERMINATION AND STATEMENT OF REASONS

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DETERMINATION	26 November 2020
PANEL MEMBERS	Alison McCabe (Chair), Sandra Hutton, Marcia Doheny, Sally Halliday, Peter Garnham
APOLOGIES	None
DECLARATIONS OF INTEREST	Juliet Grant declared a conflict of interest as the applicant, LAHC, is a client for her employer, City Plan Strategy & Development, on other sites.

Papers circulated electronically on 17 November 2020.

MATTER DETERMINED

PPSHCC-47 – Maitland City Council – DA 2020/558 at 15, 17 and 19 Fieldsend St, East Maitland – affordable housing (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 notes that the site is well located to facilities and is in an area that is anticipated to undergo change. The form and scale of the proposed development is one anticipated by the controls. Having regard to the Planning Framework, the streetscape and context of the site, the Panel is of the opinion that the proposed development will be compatible with the evolving character of the area.

Given the site's location and the nature of the use as affordable housing, the Panel is also satisfied that there is sufficient onsite carparking to meet the needs of the development.

The retention of existing vegetation, and the design and siting of the built form and landscape will ensure a high amenity for residents. Furthermore, the siting and scale of the building in the context of the broader area will ensure minimal impacts on the amenity of the immediate neighbourhood.

The Panel considers that the development is a thoughtful and considered response to the site and surrounds.

As a Crown application, the Panel notes the acceptance of the applicant of the conditions of consent as detailed in the Council report.

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 Panel determined to approve the application for the following reasons:

1. The proposed development is compatible with the evolving character of the area,
2. The proposed development will provide much needed affordable housing,
3. There is sufficient onsite carparking to meet the needs of the development,

4. The built form and siting of the development, and retention of vegetation results in a positive contribution to the streetscape.

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:

- Privacy/overlooking
- Overshadowing
- Waste management
- Character impacts resulting from three storey development
- Traffic and car parking
- Social impact

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the meeting. The Panel notes that the application was amended to address a number of the issues raised. Conditions were imposed to address the interface with the adjoining property on Alliance Street.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Sandra Hutton
 Marcia Doheny	 Peter Garnham
 Sally Halliday	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-47 – Maitland City Council – DA 2020/558
2	PROPOSED DEVELOPMENT	Residential flat building – affordable housing (3 stories, 18 units), demolition of two existing dwellings and ancillary structures, lot consolidation and associated site works
3	STREET ADDRESS	15, 17 and 19 Fieldsend St, East Maitland
4	APPLICANT OWNER	NSW Land and Housing Corporation Department of Housing
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (State and Regional Development) 2011 - State Environmental Planning Policy No 55 – Remediation of Land - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy (Vegetation in Non-Rural Area) 2017 - State Environmental Planning Policy (Affordable Rental Housing) 2009 - State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development - Maitland Local Environmental Plan 2011 - Draft environmental planning instruments: Nil - Development control plans: - Maitland Development Control Plan 2011 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clauses 92, 93 and 145 - 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	- Council assessment report: 17 November 2020 - Written submissions during public exhibition: seven (7)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 7 October 2020 <u>Panel members</u>: Alison McCabe (Chair) and Sally Halliday <u>Council assessment staff</u>: Leanne Harris and Tegan Harris - Site inspections: - Alison McCabe (Chair): 9 November 2020 - Sandra Hutton: 17 November 2020 - Peter Garnham: 12 November 2020 - Sally Halliday: 3 October 2020

		• Final briefing to discuss council's recommendation: 25 November 2020 - o <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton, Marcia Doheny, Sally Halliday, Peter Garnham - o <u>Council assessment staff</u>: Tegan Harris, Cindy Littlewood and Amanda Wells • Applicant Briefing: 25 November 2020 - o <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton, Marcia Doheny, Sally Halliday, Peter Garnham - o <u>Council assessment staff</u>: Tegan Harris and Amanda Wells - o <u>Applicant representatives</u>: Catherine Watkins, Ambrose Marquart, Lisa Heniedi, Steven Quick and Luke Keating <u>Note</u>: Applicant briefing was requested to respond to the recommendation in the council assessment report
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report