

RECORD OF DECISION

WESTERN JOINT REGIONAL PLANNING PANEL MEETING

Panel members:

Gordon Kirkby - Chair
Ruth Fagan – Panel Member
Mark Grayson – Panel Member
Michael Ryan – Panel Member

Apologies: None

Declarations of interest: None

The Panel considered the following planning proposal and this is a record of the process and decision.

Planning proposal located at Corner Farrell Road and Telopea Way, in the Orange Local Government Area (2014WES014 - Proponent: Garfield Road Holdings Pty Ltd)

The Minister for Planning and Infrastructure directed the Western NSW Joint regional Planning Panel (the Panel) to be the Relevant Planning Authority for the above planning proposal on 4 August 2014.

The Gateway determination was issued on 22 October 2014 and the planning proposal was exhibited to the public and relevant agencies from 9 March 2015 to 13 April 2015. Twenty six submissions were received from the public. Submissions were also received from Orange City Council and Transport for NSW (Roads and Maritime Service).

A submission report dated 8 August 2015 was prepared by the Department of Planning and Environment and made publicly available. The Panel heard verbal submissions at a public hearing on 7 October 2015.

The Panel considered that planning proposal and the submissions received, and reached a decision on 12 October 2015.

The resolution of the Panel is:

1. The Panel notes that the planning proposal is to amend the *Orange Local Environmental Plan 2011* by introducing zones and controls for land at the corner of Telopea Way and Farrell Road, Orange being Lot 40 and Part Lot 41 DP 1165298. The land is proposed to be zoned B2 Local Centre and introduce height and floor space limitations;
2. It is understood that, the site is proposed to be developed for the purposes of a service station and take away food and drink premises;
3. The Panel, as the Relevant Planning Authority for the planning proposal, has listened to the views of those that lodged a submission, the Council Officers, the Roads and Maritime Service and the department of Planning and Environment and has reached the conclusion that, on balance, the planning proposal should **not** proceed to gazettal. In the Panel's view the site should remain zoned R1 General Residential.
4. The principal reasons are:
 - a. The panel is not satisfied that the combination of intersections at Telopea Way, Farrell Road and the Northern Distributor Road will be able to perform at a satisfactory level of service with the cumulative impacts of the current land uses

- (including Woolworths shopping centre, McDonalds restaurant, childcare centres and residential dwellings), the land use as proposed for the site, and future residential development in the locality;
- b. The Panel does not accept that traffic issues associated with the development should be resolved at development application stage given the complex geometry of the intersections.
 - c. The current R1 General Residential zone will still permit a range of neighbourhood retail and service uses on the site that address the Panel's concern (as expressed during the LEP Gateway Review) that a range of potential future uses be permissible in addition to residential;
 - d. The approval by Council of a service station (under construction) and six food and drink premises at a site at the corner of Leeds Parade and the Northern Distributor Road, will provide for the equivalent land use on a site that has been identified in the Orange Business Centre Review (2005) and is already zoned SP3 Tourist to permit these uses;

Panel Decisions:

For the above reasons the Panel recommends unanimously that the planning proposal should not proceed through to gazettal.

Endorsed by

A handwritten signature in blue ink, reading "Gordon Kirkby".

Gordon Kirkby
Chair, Western Joint Regional Planning Panel
Date: 13 October 2015