

**DETERMINATION AND STATEMENT OF REASONS**  
WESTERN REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	13 December 2023
<b>DATE OF PANEL DECISION</b>	12 December 2023
<b>DATE OF PANEL MEETING</b>	07 December 2023
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Graham Brown, Donna Rygate, Allan Renike
<b>APOLOGIES</b>	Jeff Whitton
<b>DECLARATIONS OF INTEREST</b>	Nil

Papers circulated electronically on 29 November 2023.

**MATTER DETERMINED**

**PPSWES-134 - DA 551/2021(1) – Orange**

Lot 201 DP 1276846, Lot 1 DP 1286548 - 7 Murphy Lane and 415 Mitchell Highway, Orange, Educational establishment (demolition, new building and 750 students)

**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 listed at item 8 in Schedule 1.

**Development application**

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

The Panel's decision was unanimous.

**REASONS FOR DECISION**

The Panel determined to approve the application for the following reasons:

- The proposed development will reasonably satisfy Local and State planning controls.
- The proposed development will comply with the requirements of State approval authorities.
- Impacts of the proposed development on the natural and built environment will be within acceptable limits, subject to mitigation conditions.
- The proposed development will complement the existing or desired future character of the area.

**CONDITIONS**

The development application was approved subject to the conditions detailed in Council's Assessment Report with amendments as follows:

Ongoing operation of the Policy, Dot point 2 to read as follows -

"The Policy and ongoing monitoring is to be provided to parents, staff and children on a regular basis, and not fewer than monthly through the regular monthly electronic communication with parents."





Ongoing operation of the Policy, Dot point 3 to read as follows -

"Numbers of students travelling to school via private vehicle shall be monitored and accurate reporting provided to Orange City Council every 3 months from the operation of the development consent."

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 1 written submission received outside of the exhibition period. Issues included Neighbourhood context, height, bulk, scale and setback, Privacy, Noise and Light spill.

The Panel considers concerns raised in submission has been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Donna Rygate
 Graham Brown	 Allan Renike

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-134 - DA 551/2021(1) – Orange
2	PROPOSED DEVELOPMENT	Educational establishment (demolition, new building and 750 students)
3	STREET ADDRESS	Lot 201 DP 1276846, Lot 1 DP 1286548 - 7 Murphy Lane and 415 Mitchell Highway, Orange
4	APPLICANT/OWNER	Applicant - Rossmark Pty Ltd Owner - Anglican Schools Corporation
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Private infrastructure and community facilities
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"><li>• Environmental planning instruments:<ul style="list-style-type: none"><li>○ Orange Local Environment Plan 2011</li><li>○ State Environmental Planning Policy (Resilience and Hazards) 2021</li><li>○ State Environmental Planning Policy (Transport and Infrastructure) 2021</li></ul></li><li>• Draft environmental planning instruments: Nil</li><li>• Development control plans:<ul style="list-style-type: none"><li>○ Orange Development Control Plan 2004</li></ul></li><li>• Planning agreements: Yes</li><li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</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></ul>

		<ul style="list-style-type: none"> <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: 04 October 2023</li> <li>Written submissions during public exhibition: 0 (1 written submission received outside of the exhibition period).</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Site Inspection &amp; Briefing: 21 June 2022 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding, Sandra Hutton, Graham Brown, Jeff Whitton, Kevin Duffy</li> <li><u>Council assessment staff</u>: Paul Johnston and Christopher Brown</li> </ul> </li> <li>Final briefing to discuss recommendation: 07 December 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate, Allan Renike</li> <li><u>Council assessment staff</u>: Rishelle Kent, Ian Green, Paul Johnston (also Andrew McIntyre, Damien Pfeiffer – Transport NSW)</li> <li><u>Applicant</u>: Matthew Earl, Rev Louis Stringer, Kim De Rooy</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Submitted with the Assessment Report