

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	13 December 2020
PANEL MEMBERS	Garry Fielding (Chair), Sandra Hutton, Clare Brown, Allan Renike
APOLOGIES	Andrew Hutton
DECLARATIONS OF INTEREST	Russell Turner declared a non-pecuniary due to his role as Councillor of Orange City Council as well as previous role as Chairman of the Board of the Conservatorium.

Papers circulated electronically on 19 November 2020.

MATTER DETERMINED

PPSWES-35 – Orange – DA259/2020/(1) at march Street Orange for the Orange Regional Conservatorium and Planetarium (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.

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 reasons outlined in the council assessment report.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments:

- Condition 1(a) is amended to reference the Brewster Horth Architects drawings amended to satisfy the relevant height of building standard by deleting "Drawing Nos.A000,A100,A101,A111,A112,A200,A201,A202,A203,A204,A205 (12 sheets)" and replacing with:

Drawing	Rev	Date
A000	DA	22/10/19
A100	DA	22/10/19
A101	DA	4/8/20
A110	DA	22/10/19
A111	DA	22/10/19
A112	DA	22/10/19
A200	Rev 1	4/12/20
A201	Rev 1	4/12/20
A202	Rev 1	4/12/20
A203	Rev 1	4/12/20
A204	Rev 1	4/12/20
A205	Rev 1	4/12/20

- Condition (35) is amended to specifically reference the maintenance and management of the living green walls given they are an integral part of the design quality and façade treatment of the project and its relationship to the public domain. Amended to read as follows:





Landscaping shall be installed in accordance with the approved and amended plans and shall be permanently maintained to the satisfaction of Council's Manager City Presentation. This is to include the permanent maintenance and management of the living green walls.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Reduction of the North Court open space
- Parking shortfall
- Loss of informal pedestrian pathway

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

PANEL MEMBERS	
 <p>Garry Fielding (Chair)</p>	 <p>Sandra Hutton</p>
 <p>Clare Brown</p>	 <p>Allan Renike</p>

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-35 – Orange – DA259/2020/(1)
2	PROPOSED DEVELOPMENT	Mixed use development (community facility (conservatorium) and information and education facility (planetarium)).
3	STREET ADDRESS	Lots 7 and 8 DC 820905 – North Court, March and Peisley Street, Orange
4	APPLICANT/OWNER	Mr S Maunder, Director Recreation and Cultural Services, Orange City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related 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 No. 55 – Remediation of Land State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No.64 – Advertising and Signage State Environmental Planning Policy (Vegetation in Non-Rural Area) 2017 State Environmental Planning Policy Orange Local Environmental Plan 2011 Draft environmental planning instruments: State Environmental Planning Policy Draft Remediation Plan Development control plans: <ul style="list-style-type: none"> Orange Development Control Plan 2004 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: 3 November 2020 Council memo in response to panel queries: 11 December 2020 Written submissions during public exhibition: 2 Number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report