



DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	15 December 2021
DATE OF PANEL DECISION	15 December 2021
PANEL MEMBERS	Garry Fielding (Chair), Sandra Hutton, Graham Brown, Heather Nicholls, David Somerville
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 23 November 2021.

MATTER DETERMINED

PPSWES-85 – Blayney – DA63/2021 at 32 Park Street Millthorpe for works to Millthorpe 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.

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, particularly in respect of the heritage considerations justifying the proposed location of the Learning Hub Building adjacent to Building B, a local heritage item. The panel noted that the applicant as the Crown had advised of its acceptance of all conditions of consent recommended by the Council.

CONDITIONS






The development application was approved subject to the conditions in the council memo dated 14 December 2021.

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:

- Landscaping;
- Crown Land – to authorise the proposed use and works on the parking area identified on Redmond Oval.

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

PANEL MEMBERS	
 Garry Fielding (Chair)	 Sandra Hutton
 Graham Brown	 Heather Nicholls
 David Somerville	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-85 – Blayney – DA63/2021
2	PROPOSED DEVELOPMENT	Upgrades to the Millthorpe Public School
3	STREET ADDRESS	32 & 44 Park Street, Millthorpe
4	APPLICANT/OWNER	Crown Land (NSW Department of Education) & Crown Land (Department of Planning Industry & Environment)
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 No. 55 – Remediation of Land ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Educational Establishments and Child Care Facility) 2017 ○ State Environmental Planning Policy (Koala Habitat Protection) 2021 ○ Blayney Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Blayney Development Control Plan 2018 • 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: 23 November 2021 • Council addendum: 26 November 2021 • Applicant response to heritage setback: 29 November 2021 • Council memo & revised conditions: 14 December 2021 • Written submissions during public exhibition: 2 • Total unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 19 October 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Heather Nicholls, David Somerville ○ <u>Council assessment staff</u>: Claire Johnstone, Mark Dicker ○ <u>Panel Secretariat</u>: Kim Holt • Briefing and Site inspection: 8 November 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Somerville ○ <u>Council assessment staff</u>: Mark Dicker, Daniel Drum, David Scobie (heritage consultant for council)

		<ul style="list-style-type: none"> ○ <u>Panel Secretariat</u>: Kim Holt ● Final briefing to discuss council's recommendation: 30 November 2021 ○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Heather Nicholls, David Somerville ○ <u>Council assessment staff</u>: Claire Johnstone, Everett Vaughan, Mark Dicker ○ <u>Applicant representatives</u>: Shaun Lawer, Kathy Gresham, Joe Wood, Marty Smith, Alejanda Rojas, Lin Xu ○ <u>Panel Secretariat</u>: Kim Holt, Amanda Moylan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report