

DATE OF DETERMINATION	17 February 2022
DATE OF PANEL DECISION	17 February 2022
PANEL MEMBERS	Paul Mitchell (Chair), Penny Holloway, Stephen Gow, James Treloar and Stephen Bartlett
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 8 February 2022.

MATTER DETERMINED

PPSNTH-126 – Tamworth– DA2022-0116 at 59-61 Piper Street, North Tamworth – Construction of an Emergency Services Facility (Ambulance Station) (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 following reasons:

1. The proposed development is a permissible use on the site by virtue of cl 47(2) of the Infrastructure SEPP which overrides the prohibition that would otherwise apply under the Tamworth LEP. The proposal is also consistent with the applicable provisions of all other relevant SEPPs, the New England-North West region REP and strategic plans applying to the locality. With respect to SEPP 55 the Panel notes that a supplementary asbestos Clearance Report was submitted meaning the need for an EMP, as specified by JK Environmental, no longer applies.
2. The site of the proposed development is vacant cleared land that is free of significant environmental constraints. Suitable access to the local road network is available via Piper St. The site is mainly adjoined by residential development as well as a bowling club which provides an appropriate transition; the site is large enough and sufficiently well separated from neighbouring development to accommodate the proposal without unacceptable disturbance. Overall, the site is suited to the proposed development and will be productive use of vacant urban land.
3. The proposal is strategically important because it will strengthen North Tamworth's role as the primary location for regional scale health facilities.
4. The proposal will benefit the Tamworth and regional communities by providing improved health services, and additional local employment and expenditure. As such it will be beneficial economically and socially.
5. The proposal has the potential to cause some local adverse impacts primarily from emergency vehicles, that is head light spill and noise from sirens. However, mitigation measures are proposed to lessen the effects of these potential impacts and with these measures the proposal will be satisfactory.






6. The Panel noted that there was an error in the assessment report in relation to compliance with community consultation requirements but confirmed that the consultation requirements had in fact been fully satisfied.
7. For the reasons given above, approval of the application is in the public interest.

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 notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Paul Mitchell (Chair)	 Penny Holloway
 Stephen Gow	 Stephen Bartlett
 James Treloar	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-126 – Tamworth– DA2022-0116
2	PROPOSED DEVELOPMENT	Construction of an Emergency Services Facility (Ambulance Station)
3	STREET ADDRESS	59-65 Piper Street, North Tamworth Lot 65 DP 1278273
4	APPLICANT/OWNER	GeoLink/Tamworth Regional Council
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 (Infrastructure) 2007 State Environmental Planning Policy (55) Remediation of Land (SEPP 55) State Environmental Planning Policy (Koala Habitat Protection) 2021 State Environmental Planning Policy (State and Regional Development) 2011 Tamworth Regional Local Environmental Plan 2010 (TLEP2013) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Tamworth Regional Development Control Plan 2010 (DCP2014) 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: 8 February 2022 Written submissions during public exhibition: nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 16 December 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Penny Holloway, Stephen Gow, James Treloar and Stephen Bartlett <u>Council assessment staff</u>: Sam Lobsey and Emily Allen <u>Department</u>: Carolyn Hunt and Lisa Foley Site inspection: 14 January 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Stephen Gow and Stephen Bartlett Final briefing to discuss council's recommendation: 15 February 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Paul Mitchell (Chair), Penny Holloway, Stephen Gow, James Treloar and Stephen Bartlett <u>Council assessment staff</u>: Emily Allen, Ryan Falkenmire, Mitchell Gillogly, Sam Lobsey, Aashreetha Koonu and Joseph Murphy Applicant Briefing: 15 February 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Paul Mitchell (Chair), Penny Holloway, Stephen Gow, James Treloar and Stephen Bartlett

		<ul style="list-style-type: none">○ <u>Council assessment staff</u>: Emily Allen, Ryan Falkenmire, Mitchell Gillogly, Sam Lobsey, Aashreetha Koonu and Joseph Murphy○ <u>Applicant representatives</u>: Peter Elliott, Stuart Diver, Howard Morris and Simon Waterworth <p><u>Note</u>: Applicant briefing was requested to respond to the recommendation in the council assessment report</p>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report