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| DATE OF DETERMINATION | 1 November 2022 |
| DATE OF PANEL DECISION | 1 November 2022 |
| PANEL MEMBERS | Paul Mitchell (Chair), Penny Holloway, Stephen Gow, Sam Coupland and Todd Redwood |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | None |

Papers circulated electronically on 19 October 2022.

MATTER DETERMINED

PPSNTH-165 – Armidale – DA-92-2022 at 12 - 14 and 23 Cameron Drive and 9 – 17 Waller Ave, Armidale - Aerohealth Warehouse (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 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 proposal is permissible in the IN2 zone and is consistent with relevant zone objectives. It also satisfies all relevant provisions of the applicable planning instruments.
2. The site of the proposed development is suitable for the intended use. It is appropriately zoned and located, has good road access and is largely free of environmental and land use constraints.
3. The proposed development will have no material adverse impacts on the natural or built environments, including Armidale Regional Airport.
4. The proposal will be beneficial from a socio-economic perspective by providing additional local employment both during construction and when operational.
5. The proposal is orderly development and its approval is in the public interest.

The Panel noted the recommendations of Transport for NSW and was advised that Council's Development Engineer had considered the issues raised but considered that no further action was required in relation to driveway design. Panel was advised that no further sealed pedestrian footpaths were considered necessary in the locality at this time.

CONDITIONS



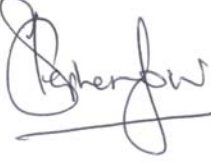


The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments:

- Add to condition 12 after Section J "pursuant to the National Construction Code"
- Delete condition 34
- Add an advisory note saying "If any future application to install solar panels is contemplated, particular attention would need to be given to potential for glare and any other relevant aircraft safety issues".

- In condition 35 correct spelling of penetrate.

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 | |
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|  Paul Mitchell OAM (Chair) |  Penny Holloway |
|  Stephen Gow |  Sam Coupland |
|  Todd Redwood | |

| SCHEDULE 1 | | |
|------------|---|---|
| 1 | PANEL REF – LGA – DA NO. | PPSNTH-165 – Armidale – DA-92-2022 |
| 2 | PROPOSED DEVELOPMENT | Warehouse or Distribution Centre - Construction of New Warehouse Building with Associated Office and Administration Area, On-Site Car parking and Associated Infrastructure |
| 3 | STREET ADDRESS | 2 Cameron Drive, 8 Cameron Drive, 10 Cameron Drive, 12 Cameron Drive, 14 Cameron Drive, 15 Waller Avenue and 17 Waller Avenue ARMIDALE NSW 2350; to be collectively known as 12 Cameron Drive Armidale following consolidation of the seven (7) lots. |
| 4 | APPLICANT OWNER | Formline Group Pty Ltd Armidale Regional 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 (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Industry and Employment) 2021 Armidale Dumaresq Local Environmental Plan 2012 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft Armidale Regional Local Environmental Plan Development control plans: <ul style="list-style-type: none"> Armidale Dumaresq Development Control Plan 2012 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> 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: 19 October 2022 Written submissions during public exhibition: nil |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> Site Inspection by Stephen Gow 24 October 2022. Final briefing to discuss council's recommendation: 27 October 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Paul Mitchell (Chair), Penny Holloway, Stephen Gow , Sam Coupland and Todd Redwood <u>Council assessment staff</u>: Emily Tischner and John Goodall <u>Department staff</u>: Carolyn Hunt and Lisa Foley Applicant Briefing: 27 October 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Paul Mitchell (Chair), Penny Holloway, Stephen Gow , Sam Coupland and Todd Redwood |

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| | | <ul style="list-style-type: none">○ <u>Council assessment staff</u>: Emily Tischner and John Goodall○ <u>Department staff</u>: Carolyn Hunt and Lisa Foley○ <u>Applicant representatives</u>: Dan Scott and David Levingston <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 |