

DATE OF DETERMINATION	11 December 2024
DATE OF PANEL DECISION	11 December 2024
DATE OF PANEL BRIEFING	10 December 2024
PANEL MEMBERS	Dianne Leeson (Chair), Stephen Gow, Michael Wright, James Treloar, and Glenn Inglis
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 3 December 2024.

MATTER DETERMINED

PPSNTH-325 – Tamworth Regional – DA2024-0314 – 2 Dhulii Drive, Westdale (Lot 307 in DP 1301849), (Marathon Street, Westdale - formerly part of Lot 97 DP 1286236 and Lot 82 DP 1299265) - Staged Construction of a mixed-use building comprising of sales, offices, commercial business, warehouse, parking, and landscaping works (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, including those set out in the Council's Assessment Report:

1. The proposal is permissible in the E3 Productivity Support zone and is generally consistent with the zone objectives;
2. The proposal is generally compliant with the relevant controls of the Tamworth Regional Development Control Plan 2010;
3. The proposed uses are compatible with the desired future character of the Tamworth Global Gateway Park (TGGP);
4. Conditions have been imposed to adequately mitigate potential impacts, enhance sustainability and to enhance the presentation of the proposed development at a key entry point to the TGGP;
5. The proposed development will contribute to the local economy during both construction and operations and is found to be in the public interest.


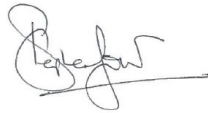
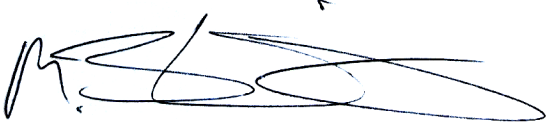

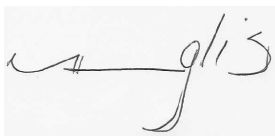
CONDITIONS

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

- Insert new Condition 17 which reads as follows and renumber the remaining conditions accordingly:
17) Prior to the issue of a Construction Certificate for Stage 2, solar panels with a minimum generating capacity of 30KW must be installed on the Stage 1 building as permitted by the exempt development provisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021.
- Correction to condition numbering post Condition 57 and renumber the remaining conditions accordingly
- Amend now Condition 58 (former Condition 57) to read as follows:
58) The vehicle driveways off Dhulii Drive and Gilaa Circuit must be completed.
- Insert new Condition 73, which reads as follows:
73) Unsealed areas on the site shall be maintained at all times to minimise dust nuisance.

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	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	 James Treloar
 Glenn Inglis	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-325 – Tamworth Regional – DA2024-0314
2	PROPOSED DEVELOPMENT	Staged Construction of a mixed-use building comprising of sales, offices, commercial business, warehouse, parking, and landscaping works
3	STREET ADDRESS	2 Dhulii Drive, Westdale (Lot 307 in DP 1301849), (Marathon Street, Westdale - formerly part of Lot 97 DP 1286236 and Lot 82 DP 1299265)
4	APPLICANT OWNER	Ambrose Hallman Tamworth 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 (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy Transport and Infrastructure) 2021 State Environmental Planning Policy (Industry and Employment) 2021 Tamworth Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Tamworth Development Control Plan 2010 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 3 December 2024 Written submissions during public exhibition: 0 Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 20 August 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, James Treloar and Glenn Inglis <u>Council assessment staff</u>: Alice Elsley, Sam Lobsey, Adrian Cameron <u>Council's Consultant Planner</u>: Rean Lourens <u>Department staff</u>: Carolyn Hunt and Lisa Ellis Applicant Briefing: 10 December 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, James Treloar and Glenn Inglis <u>Applicant representatives</u>: Ambrose Hallman <u>Council assessment staff</u>: Alice Elsley, Sam Lobsey, Steve Brake and Adrian Cameron <u>Council's Consultant Planner</u>: Rean Lourens

		<ul style="list-style-type: none"> ○ <u>Department staff:</u> Carolyn Hunt and Lisa Ellis • Final briefing to discuss Council's recommendation: 10 December 2024 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Dianne Leeson (Chair), Stephen Gow, Michael Wright, James Treloar and Glenn Inglis ○ <u>Council assessment staff:</u> Alice Elsley, Sam Lobsey, Steve Brake and Adrian Cameron ○ <u>Council's Consultant Planner:</u> Rean Lourens ○ <u>Department staff:</u> Carolyn Hunt and Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report and amended on 10 December 2024