

<b>DATE OF DETERMINATION</b>	26 October 2023
<b>DATE OF PANEL DECISION</b>	26 October 2023
<b>PANEL MEMBERS</b>	Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales, and Pat Miller
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 9 October 2023.

#### **MATTER DETERMINED**

PPSNTH-208 – Tweed - DA23/0113 - at 16 Naru Street Chinderah – Proposal seeks to increase capacity at facility from 6,000 tonnes per annum to 15,000 tonnes per annum, increase in hours of operation to start at 6:30am Mon – Sat, extend operation until 6:00pm Sat (excluding public holidays) and conduct minor infrastructure upgrade 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 and the matters 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.

The Panel agrees with Council's assessment that:

- the development is permissible with consent and meets the aims of the E4 Zone
- the development is consistent with the objects of the Environmental Planning and Assessment Act 1979
- the development adequately addresses amenity and traffic issues
- the development will provide improved stormwater and leachate management
- the site is suitable for the development being an intensification of the existing use

The Panel is satisfied that the impacts associated with the construction and intensification of use can be mitigated or managed by the imposition of conditions as recommended by Council.

The Panel is satisfied the proposal is in the public interest as:


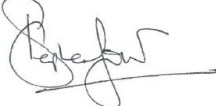
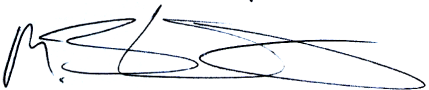


- the site is suitably located and accessible
- it will provide positive economic and sustainability impacts through additional employment and, the provision of increased recovery and re-use of building materials and resources
- the development, subject to the recommended conditions, will not result in significant adverse amenity or other impacts upon the surrounding built environment and neighbours

## 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 considered the one written submission, in favour of the proposal, made during public exhibition.

PANEL MEMBERS	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	 Ned Wales
 Pat Miller	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-208 – Tweed - DA23/0113
2	PROPOSED DEVELOPMENT	Waste or resource transfer station (WRTS) upgrade
3	STREET ADDRESS	16 Naru Street Chinderah
4	APPLICANT OWNER	Michael Mitchell Michael Mitchell and Joanne Mitchell
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resources and Energy) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>Tweed Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Tweed Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council Assessment Report: 9 October 2023</li> <li>Written submissions during public exhibition: one (1)</li> <li>Total number of unique submissions received by way of objection: zero (0)</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 11 July 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales, and Pat Miller</li> <li><u>Council assessment staff</u>: Kai Blackmore, Andrew Watkins, and Pooja Chugh</li> <li><u>Department staff</u>: Carolyn Hunt, Louisa Agyare, Lisa Ellis and Elliot Brown</li> </ul> </li> <li>Site inspection: 12 September 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales, and Pat Miller</li> <li><u>Council assessment staff</u>: Kai Blackmore, Ashleigh McLean</li> </ul> </li> <li>Applicant Briefing: 23 October 2023 – N/A - no applicant representatives joined the meeting</li> <li>Final briefing to discuss council's recommendation: 23 October 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales, and Pat Miller</li> <li><u>Council assessment staff</u>: Kai Blackmore and Colleen Forbes</li> <li><u>Department staff</u>: Carolyn Hunt, Louisa Agyare, and Lisa Ellis</li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report