



DATE OF DETERMINATION	Friday, 20 December 2019
PANEL MEMBERS	Gordon Kirkby (Chair), Ruth Fagan, Mark Grayson, Mark Kellam and Clive McCarthy
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically between 3 December 2019 and 10 December 2019.

MATTER DETERMINED

PPSWES-6 - Oberon Council – DA10.2019.43.1 at 26 Endeavour Street OBERON 2787 – Timber/Bark Processing and Landscape Supply Facility (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.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- **7. Hours of Operation**

The hours of operation of the development are limited to the hours specified in the following table.

Days	Hours
Construction Activities	
<i>Monday to Friday</i>	<i>7.00am to 6.00pm</i>
<i>Saturday</i>	<i>8.00am to 1.00pm</i>
<i>Sunday & Public Holiday</i>	<i>No works permitted</i>
Operational activities	




<i>Monday to Friday</i>	<i>7.00am to 6.00pm</i>
<i>Saturday</i>	<i>8.00am to 1.00pm</i>
<i>Sunday & Public Holiday</i>	<i>No works permitted</i>

Deliveries of wood waste to the premises, sourced from the Oberon Timber Complex only, are allowed Monday to Sunday (24 hrs). Machinery associated with the processing of bark/timber and landscaping supplies are not permitted to operate outside the hours specified for operational activities in the above table.

- *Reason: To ensure the operations of the development are consistent with the application and approved plans.*

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	
 Gordon Kirby (Chair)	 Ruth Fagan
 Mark Grayson	Mark Kellam
Verbal endorsement provided 20 December 2019 Clive McCarthy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-6 - Oberon Council- DA10.2019.43.1
2	PROPOSED DEVELOPMENT	Timber/Bark Processing and Landscape Supply Facility
3	STREET ADDRESS	24 & 26 Endeavour Street OBERON 68 Hawken Street OBERON
4	APPLICANT/OWNER	Applicant: Borg Plantations C/- Sam Coles (Borg Plantations) Owners: Borg Group Pty Limited, Woodchem Australia Pty Limited & Oberon Council.
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ SEPP 33 Hazardous and Offensive Industry ○ SEPP 44 Koala Habitat Protection ○ SEPP 55 Remediation of Lan ○ SEPP Infrastructure (2007) ○ SEPP (Vegetation in Non-Rural Areas) 2017 ○ Oberon local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Oberon Development Control Plan 2001 • 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: 26 November 2019 • Written submissions during public exhibition: One (1) – No objections
8	PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Papers were circulated electronically between Tuesday, 3 December 2019 and Tuesday, 10 December 2019
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report