



Borg Group

ENVIRONMENTAL ASSESSMENT

(Application to Amend Development Consent under the Provisions of
Section 75W of the Environmental Planning & Assessment Act, 1979)

Factory Extensions (Borg Panels & JeldWen, Oberon)
Lot 25, DP 1148073 (Borg's Panels) and Lot 21, DP 1017457 (JeldWen)

September, 2011

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Project No. 10124 (ANudg file number)

Issue	Date	Description	By
Draft	25/05/2011	Draft	AR
Review	26/05/2011	Review	KI
Edit	30/05/2011	Edit	AR
Final Draft	31/05/2011	Final Draft	AR
Client Review	02/06/2011	Client Review	Client
Final	21/06/2011	Final	Final
Client Review	27/06/2011	Client Review	Client
Final	27/06/2011	Final	AR
Edit	20/09/2011	Edit	AR
Final	21/09/2011	Final	AR

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Note: This report was initially drafted by Andrews Neil Urban Design Group. Following the cessation of trading of ANudg, on the clients request, the report was edited by The Design Partnership.

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EXECUTIVE SUMMARY

Background

The Oberon MDF facility forms part of the larger timber product related precinct on the northern outskirts of Oberon, NSW. Borg Group (hereby referred to as Borg's) have recently purchased the plant from Carter Holt Harvey. In addition, the adjoining JeldWen plant (which forms part of the MDF manufacture process) has also recently been acquired. The proposed development intends to make a number of operational changes to secure the long term commercial viability of the plant.

Importance to the Local Economy

The Western Research Institute *'Oberon Economic Analysis'* completed in November 2006 indicates the significance of the timber/wood manufacturing industries to the Oberon LGA. The report sets out that such industries contribute approximately \$111million to the local economy each year. This has obvious flow on effects for the local economy for a range of ancillary staff as well as those associated with plantation timber growing across the region.

Borg's are well aware of the importance of the site to the local economy and aim to work with the local Council and residents/employees on any plans for alterations to the site.

Subject Site

The subject land is located to the northern outskirts of Oberon to the east of Lowes Mount Road.

The Borg's plant is part of a larger precinct operated by a number of separate companies, which generally involve timber product manufacture.

The subject land is formally identified as **Lot 25, DP 1148073** and **Lot 21, DP 1017457**



Proposed Development

The current application does not seek to increase production or make any significant amendment to the operations on the site. Rather, the proposal seeks to simply rationalise some of the site uses through

1. The erection of a new warehouse to the west of the existing mouldings plant (ie between the existing mouldings plant building and Lowes Mount Road) with an area of approximately 23,260 m²
2. A building extension between two existing industrial buildings. This will be installed between the existing laminating/sawing plant and the existing mouldings building, enclosing an area of approximately 3,080 m².
3. An extension between the existing door skin plant and sawing/laminating plant with an area of approximately 3,370 m².
4. A building extension to the south of the existing mouldings plant with an area of approximately 1,140m².
5. Appropriate ancillary works, including hard stand areas as shown on the enclosed plan. This will allow for improved site access, vehicle parking and the like.
6. Consolidation of the existing Borg Panel's and JeldWen sites to form one contiguous business entity.



Figure ES1: Aerial Photograph indicating the location of proposed extensions

Planning Considerations

The following planning considerations are relevant to the proposed development:

- The proposed development includes relatively minor alteration and additions to an existing business which operates under a previously issued Ministerial approval. For this reason, this application has been made under the provisions of Section 75W of the *Environmental Planning & Assessment Act 1979* (which relates to modification of Ministerial approvals). As such, the proposed development will be determined by the Minister for Planning.
- The subject land has a current zoning of 2(v) – 'Village' zoning under the provisions of the *Oberon Local Environmental Plan, 1998* (LEP)

The proposed development would be best described as a 'warehouse' to be used in conjunction with the approved 'industry' on the site:

In accordance with the Model Provisions, the following definitions are relevant.

'warehouse means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.'

'industry means:

(a) any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business, but does not include an extractive industry.'

The establishment of a 'warehouse' and 'industry' is permitted with development consent under the provisions of the current zone.

- The proposed development is consistent with the provisions of Council's Development Control Plan, including Part D – 'Commercial & Industrial Development',
- The proposed development is consistent with the context and setting of the locality, being consistent with the existing development on the site and appropriately set back from the front boundary.
- The development will provide for an overall safer and more efficient vehicle movement within the site, by a more controlled flow of traffic, a designated heavy vehicle parking/waiting area and a more formalised truck loading arrangement.
- The proposed development will not have any adverse impacts in terms of flora/fauna, soils, water heritage or other impacts.
- Appropriate arrangements have been made for dealing with wastes from the construction process.

Conclusion

The proposed development will make a number of relatively minor additions to the existing Oberon MDF factory. The proposal will assist in the more efficient operation of the plant as well as providing for aesthetic improvements – especially from the Lowes Mount Road frontage.

The economic importance of the plant to the Oberon town (and region) is widely known. The timber/wood manufacturing industries contribute approximately \$111million to the local economy each year with the Borg plant being an important part of this industry. The proposal will assist in ensuring the commercial viability of the MDF plant, and will pave the way for potential future expansion to manufacturing process.

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1. INTRODUCTION

1.1 Background

The Design Partnership has been engaged by Borg's to prepare an Environmental Assessment to accompany an application for amendment to existing Ministerial approvals in relation to the existing MDF factory (known as Borg's) and the adjoining associated JeldWen business.

The existing approvals for the uses were established by applications approved by the Minister and Borg's now aim to make some relatively minor amendments to the approvals under the provisions of Section 75W of the Environmental Planning & Assessment Act, 1979 (this section of the Act relates to *'Modification of Ministers Approval'*)

Borg's have recently purchased the MDF plant from Carter Holt Harvey and intend to make a number of operational changes to secure the long term commercial viability of the plant. In addition, the associated JeldWen business has also been acquired and works aim to improve the operational relationship between the various uses on site.

It is not the intention of the works proposed under this Application to significantly alter the current operations on site or to increase productive capacity – the proposed development aims to rationalise some of the site uses to make the site more efficient and improve operational aspects, including safety and the visual amenity of the plant from public spaces.

1.2 History of the Borgs Panels Site

The following extracts are taken from *'The Thematic History of Oberon Shire'* authored by Philippa Gemmell-Smith (March 16, 2004) and is included to provide a history of timber products manufacture in Oberon Shire. Importantly the publication includes extensive details in relation to the subject land.

A review of history publications reveals that the Oberon Shire has a significant timber industry, with timber plantations being established as far back as the late 1920s/early 1930's:

'The Forestry Commission of NSW recognised the suitability of the Oberon district for the growing of softwoods, and the first pines were planted in the Vulcan and Jenolan State Forests in 1929. In 1930 the Oberon Prison Afforestation Camp was established and began annual plantings in the Gurnang State Forest in 1931. Pine planting was done as Depression relief work.

After trials of Pinus radiata, Monterey Pine, was recognised as the most successful pine species. During the 1930s large areas of Crown land were reserved for forestry purposes. During World War II the Cotton family of Broken Hill contracted to supply sawn timber for the Broken Hill North Mine, it being a wartime measure to replace the timber imported from America. The Cottons chose Oberon as a suitable source, and sent Robert Cotton and his wife, Eve, who moved there in 1941 to build a sawmill for cutting mine timbers. They lived first at Dulce Domum. They bought Cunynghame and Star's sawmill and transferred its milling and the log licenses to Oberon and started to build the factory. It began supplying at the end of 1942 under the name Timber Industries Pty Ltd. In 1946 Monty Cotton, returned from war service and joined the team. The following year they bought Beresford Brown's sawmill at Beaconsfield (Black Springs). This gave the Cottons the sawmilling licenses over the whole Oberon shire'

In the 1960's particle board manufacture commenced in Oberon:

'The first particle board factory in Australia, Pyneboard, was in Oberon. When the Forestry Commission advertised the rights to purchase the thinnings from pine plantations in the Oberon area, a joint venture between CSR, Timber Industries and Fletchers (a New Zealand company that was already producing particle board) was formed, and established the factory in 1961. Pyneboard created jobs for nearly 200 people. In 1964 CSR and APM took over Pyneboard as equal shareholders.'

Since that time there have been a number of additions, alterations and changes in ownership:

'In 1978 CSR purchased Pyneboard outright and installed a new press to produce thin particle board. Pyneboard was developed into Structaflor, the particle board flooring plant in 1979. In the 1980s the timber industry ceased to be a locally owned industry. It started on the path of rapid expansion to compete on the global market. In 1978 the Cottons sold Timber Industries sawmill to Blue Metal Industries, and who sold to Boral in 1982.'

In the 1980's there was a significant expansion of the industries in the area:

'A massive expansion if the industry followed with the building of another fibreboard processing plant by AMCOR/Elders Resources NZ Forest Products Limited. With the decision to build the plant Oberon reaped the benefit of access to natural gas in 1987, before other towns in the Central West.

Fibron, the world's first fully computerised medium density fibreboard plant opened in 1988, and in 1989 was sold to CSR. In 1994 CSR won a tender issued by State Forests of NSW for the right to purchase an additional 380,000 tonnes of sawlogs and small pulpwood logs per year. Another massive expansion began, this one costing \$350 million, doubling the size of the MDF (medium density fibreboard) factory, with a new sawmill and a tannin extraction plant. The building process was a huge boon to the town, especially the accommodation sector. CSR Timber Products sawmill opened in November 1996. Woodchem, the resin plant, was built by London based company ACM Wood Chemicals and opened in 2000.

Also in 2000 the major part of the timber factories ceased to be Australian. The expansion had overstretched CSR. In 1999 it was making a loss in its Oberon operations, and in May 2000 sold most of its nationwide timber interests to Carter Holt Harvey, a New Zealand forestry company 50% owned by the U.S. giant International Paper. Its remaining plant in Oberon,

FeaturPanels was sold to JELD-WEN, an American multi-national but privately held corporation.

CSR's share in the 50/50 proposed joint sawmilling venture with Boral was also taken over by Carter Holt Harvey. Called Highland Pine Products their partnership gave them the volume of logs to get the base cost down and to compete on the world market.

In preparation for this move Boral rationalised its operations closing its Bathurst section. Only months after the joint venture, Highland Pine announced 59 permanent jobs would be lost.

At the same time the company announced a \$26 million expansion to amalgamate the two sawmills (CSR's and Boral's) into one on the Carter Holt Harvey site.

In May 2001 Carter Holt Harvey launched Customwood, the internationally known brand name of Oberon's sister plant in New Zealand, in Oberon. The move was designed to increase the export market, particularly to China and the United States. In 2002 the company announced marketing alliances with Sierra Pine to extend its marketing to North America, and with IPPM in China.'

Carter Holt Harvey's operations were initially successful and profitable. However, over the past 4 to 5 years a range of sales, separations and consolidation of uses has taken place. Various lots and uses have been sold off to separate parties. Current ownership is shown in **Figure 1**.

- MDF Site owned by Borg
- Woodchem owned by Borg
- CHH Owned Land owned by Carter Holt Harvey
- HPP Site 1 owned by Boral
- Structafloor owned by Carter Holt Harvey
- HPP Site 2 owned by Carter Holt Harvey

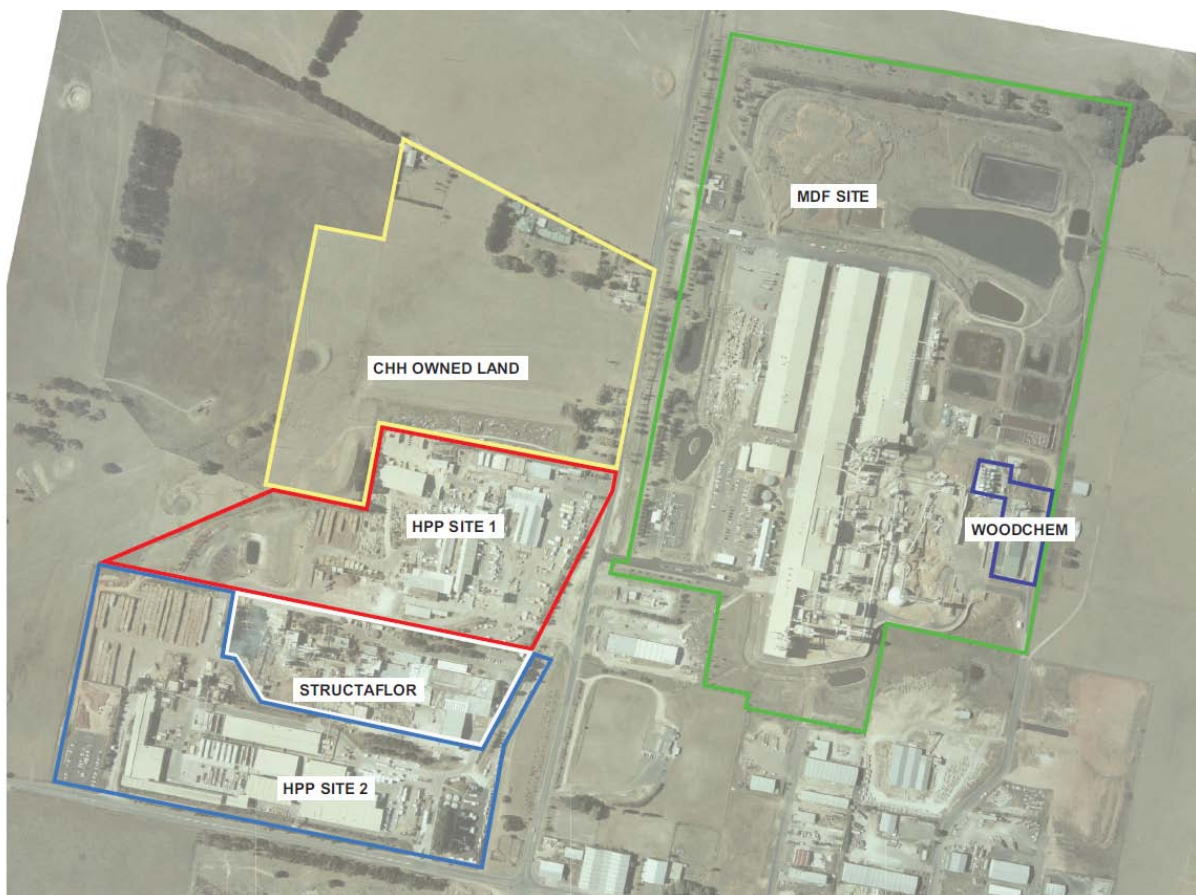


Figure 1: Current site ownership, with the 'MDF Site' being the subject of the current application

1.3 Borg Group

After commencing the manufacture of thermolaminated vinyl doors in Charmhaven in the early 1990's, Borgs has established itself as a leading Australian manufacturer of melamine panels and components for all joinery applications.

Borg's is made up of a number of inter-related companies that manufacture a range of joinery materials including Polytec Doors (primarily for kitchen and bathroom use), white melamine panels, decorative melamine board products, shelving components, and Createc. With a commitment to Australian manufacturing, Borg's focuses much of its activities on manufacturing plants throughout NSW (including a world class manufacturing plant at Charmhaven and a 45,000m² manufacturing and distribution centre at Somersby)

1.4 Purchase of the Oberon MDF Facility

Experiencing significant growth over the past 2 decades, Borg's has continued to invest in leading edge, world class machinery across its manufacturing sites. Ensuring the production of the highest quality product in the most cost effective manufacturing processes is integral to Borg's intent of delivering superior value to its customers.

In March 2010, Borg's acquired the former Carter Holt Harvey Oberon Medium Density Fibreboard (MDF) facility at Oberon and a few months later, acquired the associated JeldWen factory located adjoining the MDF plant.

This facility manufactures a range of Customwood MDF products include:

- Standard MDF,
- Moisture Resistant MDF,
- E0 (Low Formaldehyde Emitting) MDF.
- The Oberon facility also manufactures Ultraprime MDF Mouldings.



1.5 Importance to Local Economy

The Oberon MDF facility forms part of the larger timber product related precinct on the northern outskirts of Oberon. The MDF plant currently directly employs around 150 full time staff with 95% of these employees being residents of the Oberon township. A small number of staff are drawn from nearby townships and rural areas.

The Western Research Institute '*Oberon Economic Analysis*' completed in November 2006 indicates the significance of the timber/wood manufacturing industries to the Oberon LGA. The report sets out that such industries contribute approximately \$111million to the local economy each year (around 46% of the total local economic output).

This has obvious flow on effects for the local economy for a range of ancillary staff including those involved in services such as cleaning, security, maintenance and other aspects related to site management. In addition, significant raw materials are drawn from local sources (including *Pinus radiata* plantations from NSW State Forests and private forest growers).

Borg's are well aware of the importance of the site to the local economy and aim to work with the local Council, relevant State agencies and residents/employees on any plans for alterations to the site. Borg's management see the MDF plant as an integral part of their future company plans and recognise the importance of the plant to the local economy – for this reason the future development/expansion of the plant is seen as a 'win-win' situation.

1.6 The Purpose of the Current Application

The current application does not seek to increase production or make any significant amendment to the operations on the site. Rather, the proposal seeks to simply rationalise some of the site uses through the provision of some relatively minor extensions/new buildings.

At the current time, the site operations are difficult as a result of the location of buildings in relation to each other and lack of integrated storage areas. In addition, the site suffers from less than ideal traffic management/storage for heavy vehicles.

The following aspects have been immediately noted:

- The limited storage on the site results in materials being placed between the Lowes Mount Road boundary and the existing buildings. This includes vehicles, pallets of materials, shipping containers, ancillary vehicles and the like. This leads to often extensive damage to materials stored without weather protection.
- The vehicle movement system around the site is not ideal. Currently, delivery vehicles, visitors, sub-contract staff and trucks are entering through the same 'gate'. Vehicles are then forced to pass between the outdoor informal storage area and the existing building. This creates potential for obvious conflict between a range of vehicles, staff and site activities which could be improved.
- There is currently no under-cover location for maintenance of existing plant (including forklifts and the like). Staff currently service vehicles in outdoor locations which is subject to delays as a result of rain/weather and does not provide ideal working conditions (especially during the winter months).
- It is to be noted that the current site includes various manufacture and storage components in individual buildings which are often separate from other integrated aspects of site operations. As such, manufactured products are often transported between buildings through areas which are subject to weather impacts.
- The recently acquired JeldWen business has been operated by separate owners until acquisition.

The buildings are somewhat isolated from the remainder of site uses as a result of the design and orientation of buildings. Improved connectivity between this building and remainder of the site will assist in site efficiencies. It is the intention that the Jeld Wen site will be consolidated with the remainder of the Borg Panel's site to form a single integrated business

- The existing water treatment ponds/dams on the site are in need of maintenance and cleaning.

In summary, the purpose of the proposed development is to assist in the more efficient operations of the plant by simple additions of some storage buildings, the provision of extensions providing links between existing buildings and provision of some other small improvements (a service area for vehicles, hardstand etc). In order to progress these aspects a redesign of the stormwater detention ponds will be required.



Figure 2: Note the informal storage area between the existing buildings and Lowes Mount Road. Also note the potential for conflict between heavy vehicles, forklifts, visitors and other ancillary uses of this area



Figure 3: Note the external storage of materials – leading to damage these materials as a result of weather impacts.

Figure 4: Note the external storage of materials between the buildings and Lowes Mount Road



Figure 5: Storage of vehicles between the buildings and Lowes Mount Road



Figure 6: Note staff and materials passing between two existing buildings



Figure 7: Note staff and materials passing between two existing buildings



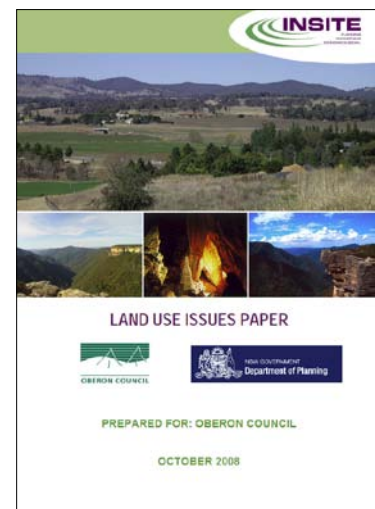


2 STRATEGIC CONTEXT

2.1 Oberon Draft Land Use Issues Paper

Oberon Council is currently progressing towards the preparation of a *Draft Local Environmental Plan (LEP)* in accordance with the Standard Template LEP. The *Land Use Issues Paper* is the first major milestone in this process and will lead to the formation of a Land Use Strategy (LUS) and ultimately new Local Environmental Plan for the Oberon LGA.

The *Draft Land Use Issues Paper* (Version 3) was published in October 2008 and released for public consultation in late 2008. The Issues Paper provides an outline of existing conditions within the LGA. It is broad in nature and covers both land use characteristics as well as demographic, social and economic trends.



2.1.1 Relevance for the Proposed Development

The following aspects of the Draft Land Use Issues Paper are relevant to the consideration of development on the subject land:

- Population growth has been low to moderate since 1991 whilst the population will continue to age.
- Approximately 70% of the local population is based in the township of Oberon (and there is a subsequent link to the provision of and access to higher order services, facilities and employment).
- Agriculture and the timber industries are the most common occupations with the following portions of the population employed in these industries:
 - Agriculture including Sheep, Beef Cattle and Grain Farming and Forestry - 12.0%,
 - Log Sawmilling and Timber Dressing - 7.5%, and
 - Other Wood Product Manufacturing 6.5%,
- A public consultation process has been undertaken during the preparation of the Draft Land Use Issue Paper. Consultation 'visioning' resulted in the Draft Land Use Issues Paper making the following observations in relation to the industrial development on the northern outskirts of the Oberon Township:

'Concerns were raised in relation to major industry being in such close proximity to residential and urban areas and the associated problems of noise and dust pollution.'

'It was acknowledged that the timber industry and associated industries was a major employment sector for the Shire and there is a need to ensure the continued viability of this employment sector.'

- In relation to industry/employment across the LGA, the Draft Land Use Issues Paper states that:

'Strong growth in forestry to 2021 can be expected to be offset by reductions in grain, sheep and beef cattle farming.'

And that

'Both commercial and industrial activity can be expected to grow to 2021 with increases of 23% and 12% respectively. This statistical analysis was supported by community opinion which suggested the potential for 10 – 15% growth in the timber industry...'

The Draft land Use Issues Paper provides a valuable insight into the local economy and community expectations for future development. It is clear that the existing forestry, timber and timber products industries play an important role in the local economy – a role which is expected to expand over the following decade. Community consultation processes show the importance of industries associated with timber product manufacture and a need to ensure the continuing viability of these uses. In addition, the ongoing use of lands for these uses need to make continuing improvements to meet the expectations of the community, including improvements in operations to minimise impact on nearby residential areas.

2.2 Resolutions of Council

Council has adopted a number of policies and resolutions which have implications on the development within the Oberon LGA. This includes a Council Resolution of March 27, 2007):

'That provision be made in the LEP and Assets Management Plan for at least the doubling of the population of the Oberon LGA over the next twenty five years.'

The Council see potential for growth in the local population, supported by growth in industry and jobs.



3 SUBJECT LAND

3.1 Regional Context

The Oberon LGA covers an area of 3,626 sq km and lies approximately 125 kilometres to the west of Sydney in the NSW Central Tablelands.

The LGA borders the City of Lithgow to the north, Blue Mountains to the east, Wollondilly to the south-east, Goulburn/Mulwaree and Upper Lachlan to the south and Bathurst Regional to the south-west.

The LGA has a population of 5,030 with the majority of the population (approximately 70%) living in the Oberon township (being 3,498 people).

In addition to the main settlement of Oberon there are a number of small villages (including Black Springs, Burruga and Mt David) as well as rural localities.

The primary industries within the LGA are agriculture (including sheep and beef farming as well as plantation timber growing) as well as industries associated with logging, sawmilling and timber dressing along with the manufacture of wood products.



3.2 Subject Land

The subject land is located to the northern outskirts of Oberon to the east of Lowes Mount Road. The Borg Panels and JeldWen businesses are part of a larger precinct operated by a number of separate companies, which generally involve timber product manufacture. There are a number of inter-relationships between these firms as some rely on others for materials/processes and the like.

The subject land is formally identified as:

- The existing Borgs Panels business is located on land identified as **Lot 25, DP 1148073** and has an area of approximately 33.5 hectares; and
- The existing JeldWen business is located on land identified as **Lot 21 DP 1017457**.

Note: It is intended that these two existing sites will be consolidated.



Figure 8: the Oberon LGA in its context with the towns of Bathurst and Lithgow

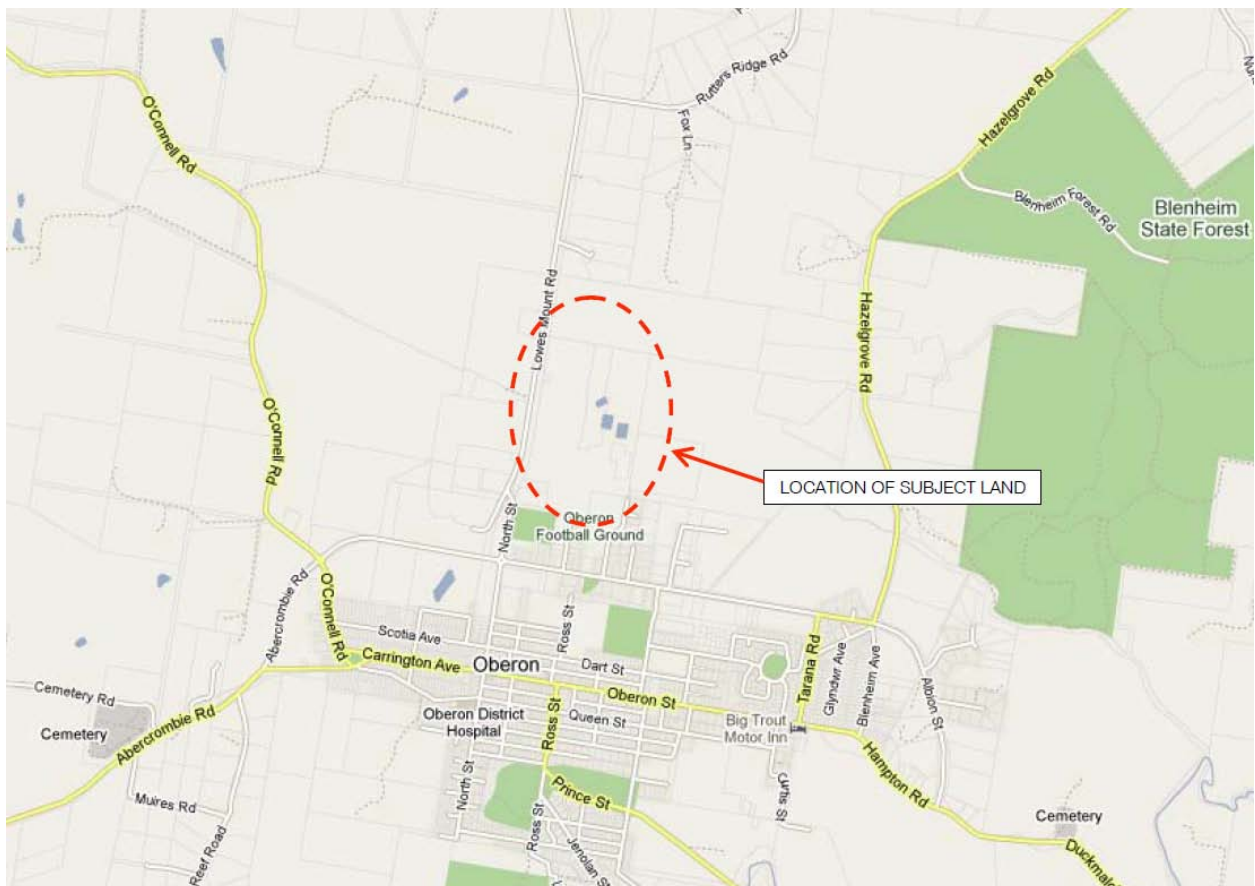


Figure 9: The location of the land on the northern outskirts of Oberon.

3.3 Surrounding Land

To the immediate south of the subject land lies other industrial and light industrial uses. Beyond which lies the urban area of Oberon itself.

To the south-west (on the opposite side of Lowes Mount Road) there are a range of other industrial uses including those related to the timber/wood products manufacture.

To the north and east of the subject land lies (generally) undeveloped lands current used for agriculture and associated activities.

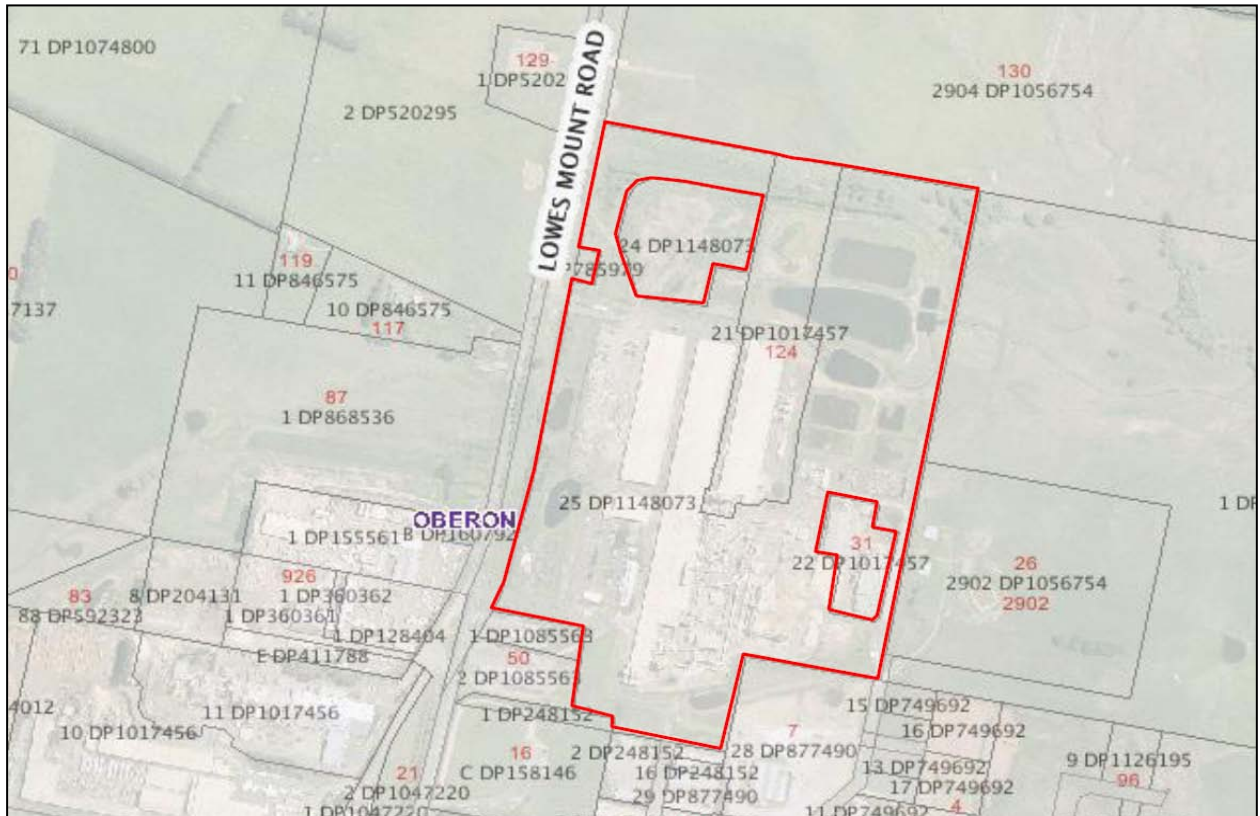


Figure 10: Showing the lot configuration

3.4 Existing Development

The subject land is currently developed for the purposes of a manufacturing facility for Medium Density Fibre board (MDF). This existing development includes:

- A number of large industrial scale buildings which contain various processes involved with the manufacture of MDF and MDF products;
- Concrete hard stand areas between the buildings
- An existing two-storey administration/amenities building with associated staff car parking
- Various necessary items of infrastructure including venting, conveyors and the like.
- Other facilities/buildings associated with the use of the land (including maintenance areas, security entry/exit gates, weigh bridges and the like.
- Fencing, landscaping and other site facilities.

3.4.1 MDF Manufacture

The MDF plant uses woodchip from debarked logs (usually from plantation forests located within close proximity to Oberon). Woodchips arrive at the site by truck and are stored in stockpiles until ready for use. After washing to remove any grit the chips are heated with steam to soften them. After excess moisture is removed the chips are ground into a fibre which is the basis of the MDF manufacture.

The fibre is mixed with resin which provides the bonding agent in the manufacturing process. The resin/fibre mixture passes through a gas fired hot air stream to reduce the moisture content to around 12%. The mix is then fed through into the production line.

The resin/fibre mix passes down a continuous conveyor (approx 2.5 metres wide). The conveyor passes the material through a continuous press where heat and pressure are continually applied to cure the resin and produce the required thickness of MDF.

The MDF product is then cut, trimmed and stored in warehouses until it is either shipped from the site or used to create further refined products on site.

3.4.2 Other Products & Value Added Operations

MDF is either shipped from the site for use across the country in manufacture in a range of joinery applications. However, the Oberon site also has capacity to produce a further range of refined products.

This includes manufacture of mouldings/architraves and coated/painted MDF products including those with laminate finishes.

The manufacture of these 'down-stream' products assists in making the site economically viable and ensuring its place within the MDF products manufacture across Australia.

3.4.3 Operational Characteristics

The following gives an indication of the current operations on site:

- The Borg's Panels operation currently employs 163 full time staff.
- The operation produces up to 200,000 m³ per year.
- Current MDF product distribution is as follows:
 - Around 45% sent to Borg's plant at Somersby for distribution or further manufacture
 - Around 20% used internally on the Oberon site for mouldings manufacture and the like
 - Around 35% goes as raw product to distributors and other value added manufacturers.

3.4.4 Current Approval

The current approval for the site dates from October 5, 1995. At this time the approval related to not only the subject land but to other adjoining lands which (at the time) were held in the same ownership and used as part of a larger business entity. Since that time the approval has been amended a number of times, including amendments in 2001, 2003, 2006 and 2008.



Figure 11: An aerial photograph of the existing site



4 PROPOSED DEVELOPMENT

4.1 Description of Proposed Development

The proposed development includes:

1. The erection of a new warehouse to the west of the existing mouldings plant (ie between the existing mouldings plant building and Lowes Mount Road). This warehouse will have an area of approximately 23,260 m² and will be used primarily for warehouse storage as well as loading and unloading of vehicles. There may be some ancillary activities undertaken within this warehouse.
2. A building extension between two existing industrial buildings on the Borg's site. This will be installed between the existing laminating/sawing plant and the existing mouldings building, enclosing an area of approximately 3,080 m². It is intended that this extension will simply enclose the existing concrete hard stand area between the two buildings, allowing for improved operational efficiencies and provide a weatherproof linkage between the two working areas.
3. A building extension between the existing JeldWen door skin plant and the sawing/laminating plant. This will have an area of approximately 3,090 m². The purpose of this extension to create an improved operational connectivity between the two buildings – allowing a weatherproof linkage between the two existing buildings.

-
4. A building extension to the south of the existing mouldings plant with an area of approximately 1,140m². Again, this extension is to simply provide for connectivity between existing buildings to provide additional undercover storage area and additional area for the existing mechanical workshop. At the current time, work maintenance is carried out on plant (including fork-lifts) in an outdoor area exposed to the elements. This proposed extension aims to provide a suitable area for such tasks which cannot be viewed from public spaces (including Lowes Mount Road).
 5. Appropriate ancillary works, including awnings and hard stand areas as shown on the enclosed plan. This will allow for:
 - improved site access;
 - A safer work environment by providing for a separation of trucks/working forklifts and visitors vehicles;
 - allow for appropriate turning and temporary standing of vehicles awaiting loading/unloading;
 - Prevent vehicles and machinery from being stored in an unsightly, haphazard fashion as is the current situation; and
 - Prevent dust nuisance.
 6. In order to facilitate the construction of the elements indicated above, the re-design of existing stormwater facilities is required. Please refer to the '*Stormwater Management Strategy*' prepared by Parsons Brinckerhoff which provides the specifications of the newly designed stormwater control devices.
 7. Consolidation of the two (2) existing allotments (ie the existing Borg Panels site and the adjoining Jeld Wen site).

The primary components of the proposed development are shown in *Figure 15*.

the following provides other relevant details:

- Buildings will be constructed of cladding which will be similar in colour and design to the existing building on site, presenting the development in an integrated fashion
- Any required fill will be sourced from local quarries as needed
- Landscaping will be incorporated as shown on the plans, including appropriately selected species in suitable location between the proposed building and the Lowes Mount Road frontage.
- Local tradespersons and suppliers will be used, where appropriate, for the various aspects of the construction process.

4.2 Staging

It is proposed that the development will occur in two (2) primary stages as follows:

- | | |
|----------|--|
| STAGE 1. | Stage 1 will involve the connection of existing buildings and preparation for works associated with the primary warehouse component; |
| STAGE 2. | Stage 2 involves construction of the primary warehouse area (23,260 m ²) |

The details of staging is shown on the submitted plans.

4.3 Approvals Sought

The proposed development seeks relatively minor amendments to the existing operations of the site under the provisions of *Section 75W* of the *Environmental Planning & Assessment Act, 1979*.

Section 75W of the Act relates to amendments to Ministerial approvals and is relevant in the case of this site given that the operations have been established under previous Ministerial consents.



Figure 12: Location of the new warehouse



Figure 13: Location of the new warehouse



Figure 14: Extensions will connect these existing buildings together (background)



Figure 15: The existing forklift service area – to be extended and added to new warehouse building



Figure 16: An aerial overlay of the existing development, showing the location of new extensions and facilities.



5 PLANNING CONSIDERATIONS

Section 79C of The Environmental Planning and Assessment Act, 1979, as amended, provides the basis for the assessment of development applications in NSW. Section 79C(1) states:

(1) Matters for consideration — general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:*
 - (i) any environmental planning instrument, and*
 - (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*
 - (iii) any development control plan, and*
 - (iv) any matters prescribed by the regulations, that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

The following sections of this Statement detail matters that are of relevance to this development application and that have been taken into consideration with the preparation of the proposal.

5.1 Environmental Planning Instruments

5.1.1 State Environmental Planning Policy No. 33 – Hazardous & Offensive Development

State Environmental Planning Policy No 33 – 'Hazardous and Offensive Development' (SEPP 33) provides guidance for the assessment of developments that are considered potentially hazardous or offensive. The policy ensures that development proposals for potentially offensive or hazardous industry is assessed on a merits basis and not subject to an outright prohibition within planning instruments. *SEPP 33* also ensures that appropriate measures are taken to reduce the impact of such developments on the environment.

In consideration of the SEPP during the preparation of this Statement of Environmental Effects, a review of the NSW Governments draft guideline '*Implementing SEPP 33*' (July 2008) has also been made.

SEPP 33, at *Clause 3*, provides definitions for '*potentially hazardous industry*' and '*potentially offensive industry*' to which Part 3 of the SEPP applies.

The definitions provided within the SEPP are:

'potentially hazardous industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or*
- (b) to the biophysical environment,*

and includes a hazardous industry and a hazardous storage establishment.'

'potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.'

5.1.1.0 Preliminary Hazards Analysis under the SEPP

Under the provisions of the SEPP (Clause 12), a preliminary hazards analysis must be prepared for any development that is considered to be a potentially hazardous development.



5.1.1.1 The Proposed Development Under the SEPP

The proposed development is not defined as either a potentially hazardous or potentially offensive development. The proposal includes essentially extensions to an existing facility for use as storage/warehousing and ancillary uses and also to provide weather protection for activities which are already carried out on the site. Note that the proposed development does not intend to alter productive capacity or methods, but rather aims to provide relatively minor improvements to existing operations on the site.

The proposed development does not pose any risk to property, human health or the environment. On this basis, no further evaluation of the SEPP and no preliminary hazards analysis is considered appropriate.

5.1.2 Oberon Local Environmental Plan, 1998

5.1.2.0 Current Zoning

The subject land has a current zoning of 2(v) – ‘Village’ zoning under the provisions of the *Oberon Local Environmental Plan, 1998* (LEP)

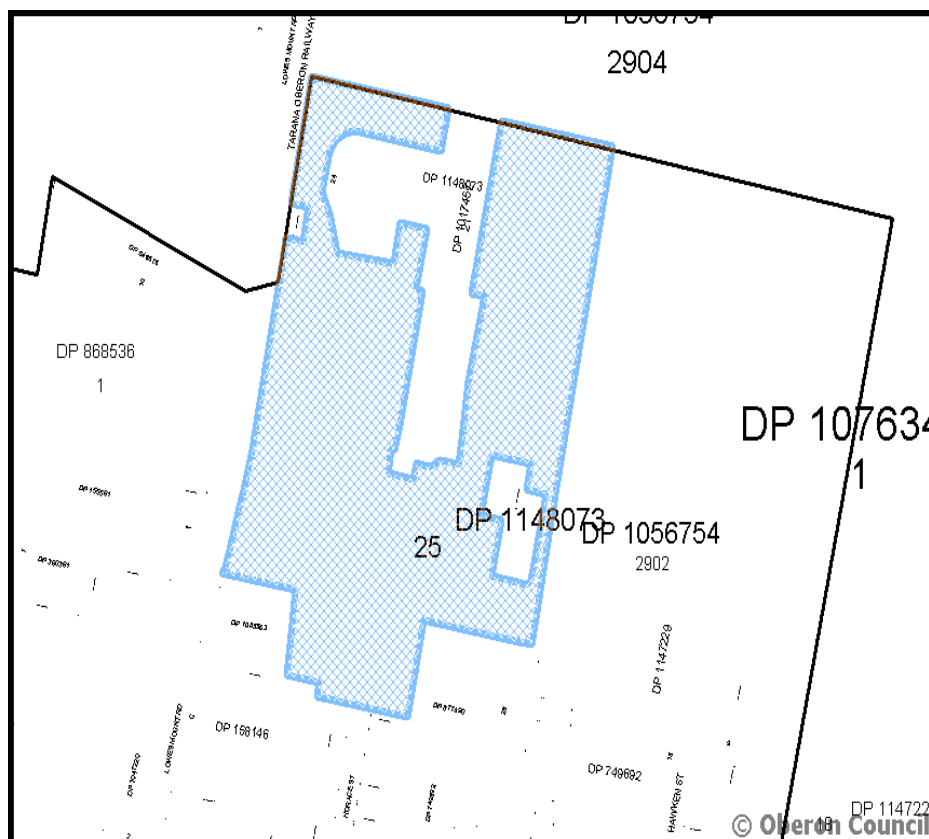


Figure 17: Zoning extract (Source: Oberon Council)

5.1.2.1 Zone Objectives

The objectives of the current zone, as set out under the provisions of the *Oberon Local Environmental Plan 1998*, are:

'(a) to promote sustainable development of existing villages in a manner which is compatible with their urban function, and

(b) to maintain the rural atmosphere of the villages, and

(c) to prevent pollution of water supply catchments, water quality in water storage and all streams.'

The proposed development is consistent with the objectives of the zone as set out under the provisions of the LEP. In this respect, the proposed development promotes sustainable development of village areas compatible with their urban function consistent with objective (a). In this respect the proposal aims to make the most efficient use of the site for a previously approved purposes, assisting in maintaining the economic viability of the business and providing sustainable provision of employment to the Oberon community. The relatively minor extensions and works proposed under this development consent will assist in the site being more sustainable and efficient in use of materials and will stop wastage simply by improving on-site processes.

The development is consistent with Objective (b) and aims to ensure that all developments are contained within the site, in a manner which provides significant improvement in terms of aesthetic appeal and views from public spaces. The proposal will also assist in ensuring the economic viability of the site, ensuring the continuation of employment for the local community and having obvious flow on effects in terms of economic benefits to local settlements (including the Oberon town itself as well as surrounding areas)

The proposed development aims to provide for improved and more efficient water treatment for the entire precinct through the construction of purpose built detention system of settlement ponds and manufactured wetlands. Please see the separate design for these wetland areas which are enclosed as part of the proposed development.

5.1.2.2 Definition & Permissibility

The Model Provisions

Clause 5 of the Oberon Local Environmental Plan, 1998 provides for the adoption of the Environmental Planning & Assessment Model Provisions, 1980 (Model Provisions).

This, essentially, provides that the specific land use definitions from the Model Provisions are to be used for the purposes of the LEP.

However, Section 33 of the Environmental Planning & Assessment Act, 1979 (which initially provided for the adoption of the Model Provisions under that Act) was repealed by the Environmental Planning & Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005 (Gazette No 120, September 30, 2005). Essentially, the Model Provisions were removed from use by this amendment.

However, Schedule 6 (Savings Transitional & Other Provisions) of the Environmental Planning & Assessment Act, 1979 includes provision to allow the continued use of the Model Provisions (as at September 2005).

Definition & Permissibility of the Proposed Development

The proposed development would be best described as a 'warehouse' to be used in conjunction with the approved 'industry' on the site:

In accordance with the Model Provisions, the following definitions are relevant.

'warehouse means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.'

'industry means:

(a) any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business, but does not include an extractive industry.'

The establishment of a 'warehouse' and 'industry' is permitted with development consent under the provisions of the current zone.

5.1.2.3 Clause 24 – Development Restricted Along Arterial Roads

Clause 24 of the LEP relates to development along arterial roads and states:

'(1) The Council shall not consent to an application to carry out development on land which has frontage to an arterial road unless, in the opinion of the Council, the safety and efficiency of the arterial road will not be adversely affected.

(2) The Council shall not consent to development specified in Schedule 4 on land within Zone No 1 (a), 1 (c) or 1 (e) if the development will require the provision of direct access to:

(a) an arterial road, or

(b) a road connecting with an arterial road, if the access to that road is within 90 metres (measured along the road alignment of the connecting road) of the alignment of the arterial road.'

Although the proposed development has frontage to Lowes Mount Road, the proposed development does not propose any alteration to vehicle movements, types or numbers and does not propose any alteration to these access locations or use.

5.1.2.4 Clause 36 – Heritage Items (including Archaeological Sites)

Clause 35 of the LEP relates to development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites and states:

'The Council must take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity.'

There are no items of European heritage significance which are affected by the proposed development.

In terms of potential Aboriginal Archaeological sites – there is nothing to indicate that any part of the land is

likely to have significance as an archaeological site. The land which is to be used for the erection of new buildings and hardstand areas have been used extensively for the past few decades for the uses associated with the industrial nature of development of the land - including the standing and loading of vehicles and the storage of materials.

The land which is proposed to be used for the new detention/wetland areas have been extensively cleared, used for a range of agricultural purposes and has also been the subject of earthworks to create the current system of water detention and treatment ponds.

There is no indication that any part of the site has the potential for any aboriginal archaeological significance.

5.1.3 Emerging/Draft LEP

Oberon Council staff have advised that they are currently working towards a new comprehensive Local Environmental Plan in accordance with the Standard Template. Staff have advised that the final revised LEP is somewhat off and is not likely to be completed until early 2012. The commencement of this process has resulted in the preparation of the *Draft Oberon Land Use Issues Paper* which has been previously dealt with in Section 2 of this Statement

5.2 Oberon Development Control Plan (DCP)

5.2.1 DCP Part D – ‘Commercial & Industrial Development’

The aims and objectives of this part of the DCP are:

‘(a) The aim of this plan is promote the development of a visually pleasing and appealing development of the Commercial Centre and industrial area.

(b) The objectives of this plan are to:

- i) control the material to be used in the façade of commercial and industrial development.*
- ii) apply specific controls for the setback of development.*
- iii) apply requirements for traffic management and parking.*
- iv) allow flexibility in the application of the controls.’*

At the conclusion of this DCP component, the ‘other matters’ noted state that all matters set out in the DCP are

‘... to be considered and provided for in each development where possible, having regard to site and surrounding circumstances. The design of the development should contribute to the enhancement of the Oberon’s visual amenity. The design should allow for the development to be neat and tidy.’

The proposed development achieves the underlying objectives of this component of the DCP. In this respect, it is reiterated here that one of the primary purposes of the proposal is to provide a more formalised location for storage of equipment/vehicles and for the loading/unloading. At the current time the large area between the existing buildings and Lowes Mount Road has become used as a vehicle parking/storage/loading area. The proposal will not only assist in the improvement of processes on the site, but will permit for a more ‘tidy’ appearance to the development – entirely consistent with the requirements of Part D of the DCP.

Table 1: Evaluation of DCP (Part D) Requirements

DCP Component	Requirement	Complies?	Comments
D4.1 – Building Setback	Provide a building setback minimum of 6 metres from the Street and 4.5 metres from any side street. Where there is an existing development which is built to the front boundary along the Street, the Plan does not require that building to be set back upon redevelopment or extension.	Y	The proposed development provides a significant setback from the front boundary and setbacks are maintained to all other property boundaries. In addition, the existing disused railway corridor in this location has the effect of providing additional setback (with semi-mature landscape species) between the road formation and the proposed building.
D4.2 – Building Facade	The building facade should be designed to enhance the visual amenity of the area. The building designer will be required to give special consideration to the building facade and the site landscaping.	Y	The proposed development is consistent with the existing development on the site and makes a significant overall improvement in terms of site aesthetics. As previously stated, a significant reason for the development is to 'tidy up' the existing outdoor area situated between the current building and the Lower Mount Road which is used for overflow storage of various items, parking of trucks and the like. The development will make significant improvements to the overall visual amenity of the locality.
D4.3 – Setback Area Use	Each development will be considered on its merits and having regard to the adjoining development and the development when considered within the existing streetscape.	Y	The setback area will include a proposed swale/stormwater detention infrastructure. The specific Stormwater Management Strategy has been prepared by Parsons Brinckerhoff. Appropriate landscaping will be provided with suitable species in selected locations.
D4.4 - Parking	The use of lots adjoining the rear of a commercial lot, for car parking is permissible. The use of these lots or the use of an existing rear lane is encouraged so as to reduce the number of driveways, which would otherwise cross the footpath. Disabled carparking is required on each development site. Signposting indicating the availability and location of car parking on the site is to be provided at the front of the site.		Note that, at the current time, around 150 formalised, bitumen sealed and line marked parking spaces are provided to the west of the administration building for parking by employees. In addition there is a large amount of 'informal' parking for vehicles around the site at various hard stand locations. At present, truck/heavy vehicle parking is generally provided at informal locations (depending on site requirements and other site activities). Part of the proposed development is to make more appropriate provision for hard stand truck parking/waiting areas as well as improved access/loading/egress arrangements. Provision is provided for heavy vehicle parking as shown on the submitted plans.. In addition, separate designated loading areas fully contained and enclosed within the proposed warehouse will be provided.
D4.5 – Access Driveways	The access driveways must be designed in accordance with appropriate Engineering Specifications at full cost to the Developer to Councils satisfaction. The access crossing over the footpath from the kerb of the road/street to the gateway of the development is to be concreted.	Y	The proposed development will not result in any alteration to the existing access points. The proposed development will not lead to any additional vehicular traffic over and above that which is already approved to the site.
D4.6 – Site Access	The design of the driveways and manoeuvring areas are to be, wherever possible, accessible to rigid trucks for loading and unloading and will enable on site reversing movements for the forwards direction entry and exit of all vehicles, including the rigid trucks. Council will require turning circles to be detailed on the site plan.	Y	All internal access areas, hard stand areas and the like have been appropriately designed to allow for turning of heavy vehicles. All vehicles will enter and exit the site in a forward direction.

D4.7 - Signs	The development will be required to ensure that no sign is projecting over the front boundary of the lot. Refer to State Environmental Planning Policy 64 – Advertising and Signage for the requirements for signage. The SEPP 64 provides for business and building identification signs.	N/A	No new signage is proposed as part of this development.
D4.8 - Awnings	Council will require all commercial development in the Oberon Street to provide awnings over the adjacent footpath to provide weather protection for pedestrians.	N/A	Not relevant to the proposed development.

5.2.2 DCP Part F – ‘Vehicle Circulation & Parking’

Objectives of Part F of the DCP are:

- To outline the vehicle parking requirements relating to all forms of development.
- To encourage the creation of car parking and service vehicle areas that enhances the function and appearance of the development.
- To ensure that adequate provision is made for off street parking and vehicle access in accordance with the volume and turnover of traffic likely to be generated by the development.
- To assist those involved in the design of service and parking areas to provide efficient, useable space for those activities.
- To preserve the safety and efficiency of the existing road system as a carrier of through traffic.

The proposed development does not propose to make any alteration to the number of vehicles entering/leaving the site – as such, no additional demand for parking of vehicles will be made.

Once of the primary considerations for the proposed development is to improve vehicular movement throughout the site and to provide safer areas for loading and unloading of trucks. In this respect, a number of hard stand areas will be provided for truck waiting/parking, in addition to internal loading and unloading areas.

The proposed development has been designed with appropriate vehicle turning capacity.

5.2.3 DCP Part H – ‘Notification’

Part H of the DCP relates to notification and advertising of Development Applications. The Department of Planning and Infrastructure (on behalf of the Minister for Planning) will exercise its duties in respect to this component of the DCP as part of its assessment of the application.

5.3 Likely Impacts of Development

5.3.1 Context and Setting

The proposed development is consistent with the regional and local context of the locality. In this respect, the site is situated within a precinct where there are a range of industrial uses for timber/wood products manufacture. These uses compliment each other and there are efficiencies/inter-relationships between a number of these separate businesses.

In terms of the regional context, the existing MDF manufacturing plant (along with adjoining and nearby similar uses) has become an influential part of the Oberon community – supporting a significant proportion

of the workforce and providing the impetus for a range of other industries which are important for the community (including plantation timber growing).

A significant component of the proposed development is to make some long overdue improvements to the visual amenity of the site and the character of the area. At the current time, the proposed development and activities on the site create a number of inefficiencies and there is a shortage of internal floor space. For this reason many activities have been let to 'overflow' onto the hard stand areas which are directly viewed from public areas including Lowes Mount Road.

The proposed development will be constructed of materials which are consistent with other materials used on the site. Overall the proposed development will assist in maintaining the amenity of the area by providing internal storage/warehousing, facilities for loading and unloading vehicles as well as space for ancillary uses.

5.3.2 Access, Transport and Traffic

The proposed development does not involve the amendment that would result in additional vehicles entering or exiting the site. Within the site, however, the proposal will make a number of significant improvements.

The parking area near the office/administration centre will remain and will continue to provide for around 150 small vehicle parking spaces for staff. In addition, the informal vehicle turning/waiting area (currently shared as overflow storage and loading area) will be replaced by designated hard stand truck waiting/parking areas. This will be complimented by designated loading and unloading areas within the new warehouse.

This will provide for an overall safer and more efficient vehicle movement within the site. Currently, the development involves heavy vehicles and visitors cars, contractors, tradesmen and the like all sharing one vehicular access point. Each of these vehicles must then traverse across the same, essentially uncontrolled area which is used for a range of uses (including storage and vehicle loading). There is an obvious conflict here which will be rectified by a more controlled flow of traffic, a designated heavy vehicle parking/waiting area and a more formalised truck loading arrangement.

5.3.3 Public domain

The proposed development will make overall improvements to the public domain.

Externally, the proposal will replace an unsightly in poorly managed outdoor product storage, parking, and loading area, which will have obvious benefits in terms of site amenity and visual aspects.

5.3.4 Utilities

The proposed development will have no impact on utilities. The development will not result in any alteration to production techniques or methods and will not require any alteration to existing utility connections.

5.3.5 Heritage

The proposed development will not have any impact on any item of European or Aboriginal Archaeological heritage. In this respect the subject land is significantly disturbed and has been extensively used for a range of uses over the last few decades.

5.3.6 Water

The proposed development will result in an alteration to the stormwater regime and will involve amendment to the existing water detention ponds (through the creation of new, specifically designed water settling/treatment ponds and wetland areas.

Please see the formal Stormwater Management Strategy as prepared by Parsons Brinckerhoff.

5.3.7 Soils

The proposed development will not have any adverse impact in terms of loss of productive agricultural soils. In addition, the proposed development will not result in significant problems as a result of instability, erosion or the like. Appropriate erosion and sediment control devices will be installed for the life of the construction activities and will remain in place until such times as any exposed soils are revegetated.

A significant component of the proposed development is the reconstruction of appropriate sedimentation/settlement ponds and constructed wetlands to ensure appropriate water quality.

5.3.8 Flora and Fauna

The proposed development will not have any adverse impact on flora or fauna. The significant component of the site has been significantly disturbed and is completely devoid of any vegetation – especially those areas which are currently used for vehicular parking/storage.

The areas which are to be the site of the newly constructed water settling ponds/wetland areas are also significantly disturbed and clear from vegetation. This area has been used for previous agricultural activities.

The existing sediment ponds are unlikely to have any significant ecological potential. They are man-made structures which do not have a regular water flow. In addition, these ponds are subject to 'cleaning' activities and regular disturbance as part of their maintenance regime.

5.3.9 Waste

In April 2008 DECC (now DECCW) replaced the *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes* with the *Waste Classification Guidelines*. This document outlines a simple step-by-step process for waste generators to follow to classify their waste for disposal.

Classifying wastes into groups that pose similar risks to the environment and human health facilitates their management and appropriate disposal.

Six waste classes are used:

- Special waste
- Liquid waste
- Hazardous waste
- Restricted solid waste
- General solid waste (putrescible)
- General solid waste (non-putrescible)

Each of these waste types are defined within the *Waste Classification Guidelines*.

A review the *Waste Classification Guidelines* reveals that waste from the site would be best defined as **General solid waste (non-putrescible)**.

As such, a vast proportion of the waste produced during the construction of the development is capable of being sorted and recycled or re-used. It is expected that the construction process will result in the production of very little waste. Such wastes will be sorted and recycled where appropriate.

Any waste that cannot be recycled will be disposed of via an appropriate contractor

5.3.10 Oils and Petroleum Wastes/Storage

The proposed development includes a small area which will be used for the servicing of on-site equipment. This includes forklifts and the like. Please note that there is no intention to service heavy vehicles on the site

The servicing of site equipment will result in the need to store a small amount of oils, fuels, grease and the like. The storage for these items will be in an undercover location, in a bunded area (with bunding capable of containing not less than 110% of the capacity of the largest container contained therein).

All waste oils will be regularly removed from the site by an appropriate waste contractor.

5.3.11 Safety, Security & Crime Prevention

The proposed development has been designed to take into account safety, site security and crime prevention. The site already has a well established security presence and all visitors must pass through a secure entry gate in order to access the site. The site is completely fenced by appropriate security fencing and provision is made for security camera's and the like. Many areas of the site have views and/or overlook other areas to provide casual surveillance (the security entry points have views of the Lowes Mount Road frontage, the administration building looks over the carparking areas). The site is suitably designed in terms of security

In terms of safety on site, all personnel must undertake an Occupational Health and Safety induction before entering, must wear appropriate safety equipment (goggles, hard hat, ear protection, high visibility vests etc). All visitors are accompanied by a site employee at all times. The site office keeps records of all visitors and appropriate markings/safety signage is provided where appropriate and in accordance with legislative requirements.

5.3.12 Noise & Vibration

At the current time, the operation of the site results in significant component of site activities being undertaken either outside of the existing buildings, or involving transition of materials between buildings (through outdoor areas). This involves the generation of noise and vibration which, although minimal, is undertaken in an environment where there is no barrier to prevent escape of noise from the site. The majority of fixed equipment and plant is contained within existing buildings, although the current building configuration requires that moveable plant (including forklifts and the like) are required to travel either between buildings or in areas where they operation outside of existing structures.

The proposed development aims to enclose a number of open spaces in between existing buildings, as well as providing a new indoor storage and loading area. This will result in permitting for more of the sites operations to be undertaken entirely within the building structure, which obviously provides for far superior noise and vibration attenuation.

5.3.13 Dust & Air Quality

At the current time, the operation of vehicles outside of the existing buildings creates the opportunity for unnecessary dust and air quality impacts. Although no particular concerns in relation to dust have been made, it is noted that there is an existing unsealed hard surface used for various site activities which are not capable of being accommodated within buildings on the site. This includes parking and turning of large vehicles, storage of materials, loading and unloading of goods and various other ancillary site activities.

The proposed development aims to provide additional hardstand in these areas, as well as new buildings to enclose the hard stand areas. This will have the benefit of reducing on-going noise and air quality issues, as well as providing for an overall improved aesthetic environment towards the front of the site.

5.3.14 Social & Economic Impact

The proposed development is likely to have a number of positive social and economic impacts. The proposal is entirely consistent with the intended direction taken by Council's policy and in resolutions by Council. It is clear that the Borg's site is an important part of the fabric of the community – both by virtue of its prominent location and by the significant contribution that it makes to local employment. This employment includes not just full time employees but also other associated industries (including plantation forestry, local suppliers, as well as employment of contractors, cleaners and the like). The significant direct employment provided by the plant has obvious flow on benefits for the community. In this regard the contribution made by the plant to the town of Oberon and the community of the entire LGA is well known (and includes extensive employment of local contractors/tradespersons, use of local hotels and catering facilities, local suppliers and other specialist staff as well as a general reliance on the Oberon township for a range of support activities).

The proposed development aims to make better use of the site and to reorganise the way that some site activities are carried out. This will result in a more aesthetically pleasing site, and a more efficient site in terms of its internal activities. The addition of warehousing and relatively small building extension will make significant differences to operational efficiencies – and are potentially the difference which will ensure that the site remains economically viable.

The proposed development will no doubt provide significant immediate employment of contractors from the building industry for the construction and associated tasks. And whilst the current works are unlikely to increase productive capacity, they are an investment in the plant that will provide for the economic viability of the current operation, with the possibility of future expansion.

5.4 Suitability of the site for the Development

The subject land is suited to the proposed development. The proposed development aims to make relatively minor additions/alterations to an existing well established industrial use which is consistent with the nature of the current activities on the site. In fact, the proposed development will make improvements to the existing use by rationalising storage and vehicular loading areas and providing aesthetic improvements by moving a number of activities indoors (rather than in outdoor locations as is currently occurring)

The proposed development does not propose any alteration to site activities - but simply provides for the re-organisation of some site uses to provide a safer, more efficient operation as well as providing for a more economically viable operation

5.5 Submissions

As part of the Department of Planning & Infrastructure's assessment of the application in accordance with the *Environmental Planning & Assessment Act, 1979*, the Department is bound to consider any submissions made during the required consultation/notification process.

5.6 Public Interest

The proposed development will make a number of relatively minor additions to the existing Oberon MDF factory. The proposal will assist in the more efficient operation of the plant as well as providing for aesthetic improvements – especially from the Lowes Mount Road frontage.

The proposal will assist in ensuring the commercial viability of the MDF plant, and will pave the way for potential future expansion to manufacturing process. The economic importance of the plant to the Oberon town (and region) is widely known. The timber/wood manufacturing industries contribute approximately \$111million to the local economy each year with the Borg plant being an important part of this industry.

This has obvious flow on effects for the local economy for a range of ancillary staff as well as those involved in plantations timbers across the region.

Given the importance of the industry to the local economy, and the role that the Borg plant plays in that industry, it is clear that the public interest is best served by approval of the application.



6. CONCLUSIONS

In summary, the following matters are relevant in considering the proposed development:

- The proposed development includes relatively minor alteration and additions to an existing business which operates under a previously issued Ministerial approval. For this reason, this application has been made under the provisions of Section 75W of the *Environmental Planning & Assessment Act 1979* (which relates to modification of Ministerial approvals). As such, the proposed development will be determined by the Minister for Planning.
- The subject land has a current zoning of 2(v) – ‘Village’ zoning under the provisions of the *Oberon Local Environmental Plan, 1998* (LEP)

The proposed development would be best described as a ‘warehouse’ to be used in conjunction with the approved ‘industry’ on the site:

In accordance with the Model Provisions, the following definitions are relevant.

‘warehouse means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.’

‘industry means:

(a) any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business, but does not include an extractive industry.’

The establishment of a ‘warehouse’ and ‘industry’ is permitted with development consent under the provisions of the current zone.

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- The proposed development is consistent with the provisions of Council's Development Control Plan, including Part D – 'Commercial & Industrial Development',
 - The proposed development is consistent with the context and setting of the locality, being consistent with the existing development on the site and appropriately set back from the front boundary.
 - The development will provide for an overall safer and more efficient vehicle movement within the site, by a more controlled flow of traffic, a designated heavy vehicle parking/waiting area and a more formalised truck loading arrangement.
 - The proposed development will not have any adverse impacts in terms of flora/fauna, soils, water heritage or other impacts.
 - Appropriate arrangements have been made for dealing with wastes from the construction process.

The proposed development will make a number of relatively minor additions to the existing Oberon MDF factory. The proposal will assist in the more efficient operation of the plant as well as providing for aesthetic improvements – especially from the Lowes Mount Road frontage.

The economic importance of the plant to the Oberon town (and region) is widely known. The timber/wood manufacturing industries contribute approximately \$111million to the local economy each year with the Borg plant being an important part of this industry. The proposal will assist in ensuring the commercial viability of the MDF plant, and will pave the way for potential future expansion to manufacturing process.

