

CM13.4. Development Application DA10.2020.37909.1 - Resource Management Facility - Plastic Recycling at 171 Gerogery Road, Ettamogah - Council consideration to make submission to Southern Regional Planning Panel

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CONFIDENTIAL	No		
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Summary

The purpose of this report is to inform Council of the findings of an independent assessment of a Development Application for the construction of a Resource Management Facility – PET Plastic Recycling on land described as Lot 11 DP 247805 and Lot 31 DP 121146 situated at 171 Gerogery Road, Ettamogah. It should be noted that the development site will be contained within a separate lot following registration of plans of subdivision (lot 8). The future lot will be created by the 12 lot subdivision (10.2019.36877.1) that was recently approved by Council at its 28 September 2020 meeting. The current subdivision status does not limit the ability of the consent authority to issue a development consent for the proposed development.

The development comprises:

- Construction of an industrial factory, warehouse and office:
 - Factory and warehouse of 6,483m²;
 - Viewing platform of 140m²;
 - Administrative office of 391m²; and
 - Laboratory office of 199m².
- Associated earthworks, landscaping, parking, manoeuvring areas, plant and equipment;
- Processing of approximately 29,000 tonnes of plastic waste per annum; and
- On-site storage of approximately 992 tonnes of plastic waste materials at any one time.

The application was received on 23 October 2020 and no submissions were received during the public notification period commencing on 28 October 2020 and ending 27 November 2020.

The proposed development constitutes integrated development owing to the EPA licensing requirement for the facility and triggers referral to the Southern Regional Planning Panel based on the value of the proposed development and AlburyCity's current interest as owner of the subject land.

This matter will be determined by the Southern Regional Planning Panel (Southern RPP) on 16 December 2020. The purpose of this report is for Councillors to determine whether Council wishes to make a submission to the Southern RPP regarding the application.

People

Circular Plastics Australia Pty Ltd (proponent) and Albury City Council (current landowner).

Cost

Estimated Construction Cost: \$11,715,000.

Background

Development Application 10.2020.37909.1 for a Resource Management Facility – PET Plastic Recycling was lodged on 23 October 2020.

The application was accompanied by:

- Development Plans including construction drawings, site plan and elevations, floor plan and section prepared by Nicholas + Alexander Architects; engineering drawings prepared by KD Engineering; landscape plan prepared by Site Image Landscape Architects;
- Statement of Environmental Effects prepared by Blueprint Planning incorporating:
 - Air Quality Impact Assessment report prepared by Todoroski Air Sciences;
 - Traffic Impact Assessment report prepared by Spotto Consulting;
 - Dangerous goods, quantities, storage and transportation screening threshold assessment prepared by Blueprint Planning;
 - Sign assessment prepared by Blueprint Planning;
 - Industrial process description prepared by Blueprint Planning;
 - Rainwater Harvesting Assessment report prepared by JHA; and
- Cost Summary report prepared by Rider Levett Bucknall.

The submitted plans and information are provided as attachment 1.

Owing to Council's current ownership of the site, there is a potential conflict of interest in the consideration of the application. To ensure probity in the assessment process, Council has engaged an independent planning consultant to undertake the assessment of the Development. This independent assessment was undertaken by Habitat Planning and is marked as attachment 2.

Council Plans and Council Policies

The following Council Policies are relevant to the application:

- Albury Local Environmental Plan (LEP) 2010;
- Albury Development Control Plan (DCP) 2010; and
- Community Participation Plan.

Environmental Assessment

An independent assessment of the Development Application has been undertaken and is presented with this report for consideration by Council. This independent assessment considers potential environmental impacts and assessment of the proposal against state and local planning policies and requirements. A copy of the Assessment Report by Habitat Planning is attached for the information of Councillors and marked as attachment 2.

As a waste management facility is considered a traffic generating development under SEPP (Infrastructure) 2007, comment was sought from Transport for New South Wales (TfNSW). TfNSW advised that it *does not anticipate that the proposal would lead to a detrimental impact on the Classified Road Network and hence does not have any objection to the proposed development.*

The Environmental Protection Agency provided comments based on their responsibilities under the Protection of the Environment Operations Act 1997. The agency's response included General Terms of Approval along with mandatory conditions for incorporation into a development consent.

Community Engagement

The application was notified in accordance with the Community Participation Plan, the requirements of the Environmental Planning and Assessment Act 1979, and the Environmental Planning and Assessment Regulations 2000. The notification period commenced on 27 October 2020 and concluded on 27 November 2020. No public submissions had been received at the time of writing this report.

Options

This report is provided for the information of Councillors. Council has the option to make a separate submission to the Southern Regional Planning Panel or note the report and make no further submission. Should Council wish to make a submission then this needs to be provided in writing to the Southern Regional Planning Panel.

Conclusion

An assessment of the proposed Resource Management Facility – PET Plastic Recycling on land described as Lot 11 DP 247805 and Lot 31 DP 121146 situated at 171 Gerogery Road, Ettamogah has been undertaken by an independent planning consultant (report included at attachment 2). The independent consultant has found that the proposed development is consistent with applicable state and local government requirements and will recommend approval of the development to the Southern Regional Planning Panel.

As outlined in this report, Council has the option to make a separate submission to the Panel and may elect to do so after considering this report.

Recommendation

That Council:

- a. Receives and notes the report; and
- b. Determines if Council is to make a separate submission to the Southern Regional Planning Panel in relation to Development Application 10.2020.37909.1 being for the Resource Management Facility – PET Plastic Recycling on land described as Lot 11 DP 247805 and Lot 31 DP 121146 situated at 171 Gerogery Road, Ettamogah.

Attachments

1. Development Plans and Statement of Environmental Effects (DOC20/254154).
2. Independent Assessment Report (DOC20/254162).