

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Department of Planning & Environment on Thursday 18 February 2016 at 2.00 pm

Panel Members: Garry Fielding (Chair), Kara Krason, Jason Perica, Cr Brad Luke and Cr Sharon Waterhouse

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015HCC014 – DA2015/0291 – Newcastle City Council, Recycling facility and associated site works, 80 Tourle Street, Mayfield West, Lot 1 DP874109.

Date of meeting: 18 February 2016

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the Panel Decision:

- The proposed development is permissible with consent under State Environmental Planning Policy (Infrastructure) 2007.
- The proposed development is consistent with the objectives of the IN1 General Industrial zone under Newcastle LEP 2012.
- All environmental issues including air, dust and acoustics impacts were considered to be acceptable for the site and to be appropriately addressed in the EIS and the DA assessment report.
- All engineering issues associated with the proposed development, including traffic, stormwater and water quality, were considered to be acceptable and appropriately addressed in the EIS and the DA assessment report.
- The proposed development was considered an appropriate use for the site and would result in environmental benefits through recycling of waste material.
- The statutory public notification and advertising requirements for the proposed development were appropriately satisfied.

Conditions: Consent to the development application is granted subject to conditions recommended in the Council Assessment Report with the changes to Condition F3 and an additional condition H21 with respect to the approval for an application being sought under S68 of the Local Government Act for an alternative temporary human waste system with a 12 month period to connect to sewer:

Condition F3 to read as follows:

An approved human waste storage facility is to be installed until such time the premises are connected to the reticulated sewerage system. A Section 68 application in this regard is to be submitted for Council's approval prior to construction works commencing.




An additional Condition H21 to read as follows:

H21 Site amenities shall be connected to the Hunter Water sewer within twelve (12) months of the occupation of the site and/or issue of any occupation certificate.

Advisory Note:

The applicant is to negotiate with the Environment Protection Authority regarding any variation to the classification of waste sources.

Panel members:

 Garry Fielding (Chair)	 Jason Perica	 Kara Krason
 Cr Brad Luke	 Cr Sharon Waterhouse	

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SCHEDULE 1

1	JRPP Reference – 2015HCC014, LGA – Newcastle City Council, DA2015/0291
2	Proposed development: Recycling facility and associated site works.
3	Street address: 80 Tourle Street, Mayfield West, Lot 1 DP874109.
4	Applicant/Owner: (Applicant) Benedict Industries Pty Limited.
5	Type of Regional development: The proposal involves a 'waste management facility' under Clause 32(b) of Schedule 3 of the EPAA Regulation 2000.
6	<p>Relevant mandatory considerations</p> <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No. 33 Hazardous and Offensive Development ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 71 – Coastal Protection ○ State Environmental Planning Policy (Three Ports) 2013 ○ State Environmental Planning Policy (State & Regional Development) 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Newcastle Local Environmental Plan 2012 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	<p>Material considered by the panel:</p> <p>At the meeting on 5 November 2015, the Panel deferred the determination of the application to allow for the application to be appropriately notified in accordance with the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Original Council assessment report with recommended conditions.</p> <p>Addendum Council report with draft conditions of consent, EPA response to requested condition amendments, Applicant's request to EPA for condition amendments, Applicant's request to Council for condition amendments, Applicant's confirmation of applicant's elements.</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> • Mr Hayes • Mr Banyard • Dayne Steggles on behalf of Benedict Recycling - the future Facility Manager • Philip Towler on behalf of EMM Consulting, lead EIS Author • The 2 community group speakers, Mr Hayes and Mr Banyard, were invited by the Chair to respond to the applicant's address to the Panel and to the amended conditions recommended by Council's Officers. They both responded accordingly.
8	<p>Meetings and site inspections by the panel:</p> <p>5 November 2015 - Site Inspection and Final Briefing.</p> <p>18 February 2016 – Final Briefing Meeting.</p>
9	Council recommendation: Approval
10	Reasons: Attached to council assessment report