

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY SOUTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Tuesday, 16 March 2021
<b>PANEL MEMBERS</b>	Helen Lochhead (Chair), Stuart McDonald, Susan Budd, Con Hindi, Nick Katris
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Heather Warton - I have a Conflict of interest (as I do work for the council on contract, also I am friends with the assessment planner).

#### MATTER DETERMINED

PPSSSH-19 – Georges River – DA2020/0017 at 2F The Crescent Kingsgrove NSW 2208 – Designated Development - Construction of an industrial building and gatehouse and use of premises as a resource recovery centre (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 3:2 in favour, Cllr Con Hindi and Cllr Nick Katris voted against the decision

#### REASONS FOR THE DECISION

The panel determined the application for the reasons outlined in the council assessment report.

Cllr Con Hindi and Cllr Nick Katris disagreed with the majority decision for the following reasons as they were not supportive of the extended hours of operation and the trial period.

#### CONDITIONS

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

- Condition 3.1 – to be amended to a 6-month trial for the extended hours
- A new condition to be added to require establishment of a Community Liaison Committee with representatives of Council, the operator and community, to act as a forum to address any ongoing operational issues of community concern during the 6-month trial period.
- Condition 24 – Operational Plan of Management to also address traffic management. A one-way loop for vehicular movement to be mandated to improve traffic management and avoid any potential traffic conflicts
- Condition 31 – to be amalgamated with Condition 24 to consolidate traffic management issues into the Operational Plan of Management


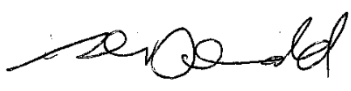

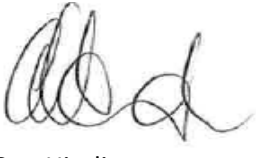

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition when it was originally exhibited. The panel notes that issues of concern included:

- traffic
- noise

- operating hours
- trees and landscape

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The panel notes that in addressing these issues a landscape plan provided and an additional traffic management study has been carried out in relation to traffic impacts and appropriate conditions have been imposed.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Stuart McDonald
 Susan Budd	 Con Hindi
 Nick Katris	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-19 – Georges River – DA2020/0017
2	PROPOSED DEVELOPMENT	<p>A Designated Development proposal seeking approval for the construction of a Resource Recovery Facility that will receive, sort and process a total of 35,000 tonnes of dry, general solid waste (non-putrescible) per annum as defined by the NSW Protection of the Environment Operations Act, 1997.</p> <p>The development involves the construction of a fully equipped, purpose built industrial warehouse to house recycling machinery including a weighbridge and a two-storey gatehouse containing offices and associated amenities along the eastern side of the entry. The western side of the site is to largely remain vacant for use as a waiting bay with the inclusion of a total of thirteen (13) on grade car parking spaces.</p> <p>A 24 hour operation is proposed with standard hours being 6am to 5.30pm Monday to Saturday. No operation is proposed on Sundays and Public Holidays. Some deliveries of waste are proposed after hours (5.30pm - 6am), however this waste will only be stored at the site not processed during these times.</p> <p>A total of ten (10) persons are proposed to be employed at the site and the proposal includes some tree loss and includes new replacement landscaping, fencing and associated site works.</p>
3	STREET ADDRESS	2F The Crescent, Kingsgrove
4	APPLICANT/OWNER	W & J Lee Property Investments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated Development - Waste Facility
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Environmental Planning and Assessment Act 1979.</li> <li>Environmental Planning and Assessment Regulation 2000.</li> <li>State Environmental Planning Policy No 55 – Remediation of Land.</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No.33 – Hazardous and Offensive Development</li> <li>State Environmental Planning Policy (Infrastructure)</li> <li>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>State Environmental Planning Policy No.64 (Advertising and Signage)</li> <li>State Regional Environmental Plan No 2 – Georges River Catchment.</li> <li>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.</li> <li>Hurstville Local Environmental Plan 2012.</li> <li>Georges River Section 94A Contribution Plan.</li> <li>Interim Georges River Development Control Plan</li> </ul> </li> <li>Draft environmental planning instruments: <ul style="list-style-type: none"> <li>Draft Environment State Environmental Planning Policy</li> <li>Draft Georges River Local Environmental Plan 2020</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Hurstville Development Control Plan 2013.</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> </ul>

		<ul style="list-style-type: none"> <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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Council assessment report: 20 January 2020</li> <li>Supplementary Council assessment report: 4 March 2021 <ul style="list-style-type: none"> <li>Updated Sediment and Erosion Plan and Site Management Plan, Drawing number DA-11E and dated February 2021;</li> <li>Letter of Advice prepared by McLaren Traffic Engineering and dated 2 March 2021;</li> <li>Amended Architectural Plans dated February 2021 (Revision E);</li> <li>Updated Site Plan Drawing No.DA-01E, dated March 2021;</li> <li>Cover letter prepared by EMM Consultants, dated 17 February 2021; and</li> <li>A detailed Landscape Plan prepared by Paul Scrivener and dated 12 February 2021.</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Briefing: 13 May 2020 <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Con Hindi, Nick Katris</li> <li><u>Council assessment staff</u>: Larissa Ozog</li> </ul> </li> <li>Briefing to discuss council's recommendation: 16 December 2020 <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Con Hindi, Nick Katris</li> <li><u>Council assessment staff</u>: Larissa Ozog</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 11 March 2021 <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd, Con Hindi, Nick Katris</li> <li><u>Council assessment staff</u>: Larissa Ozog</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report