

SUPPLEMENTARY AGENDA

of the
Ordinary Meeting of Council
held in
Council Chambers,
Wingecarribee Shire Council Civic Centre,
68 Elizabeth Street, Moss Vale
on

Wednesday 17 August 2022

The meeting will commence at **3:30 pm**

1 REPORTS.....	3
1.1 Moss Vale Plastics Recycling Facility - Community Update	3

1 REPORTS

1.1 Moss Vale Plastics Recycling Facility - Community Update

Report Author: Executive Manager Strategic Outcomes

Authoriser: General Manager

PURPOSE

To provide Council and the community with an update on the State Significant Development Application for the proposed Moss Vale Plastics Recycling Facility.

OFFICER'S RECOMMENDATION

THAT:

1. The report on the proposed Moss Vale Plastics Recycling Facility be received for information.
2. Council note the outcome/s of the Social Impact Assessment will be critical to understand before it can provide it can consider the applicant's request to enter into a Voluntary Planning Agreement and request for further information on water and sewer modelling.
3. That a copy of this report be sent to all residents who made a submission to Council on the proposed development as well as both State Members.

REPORT

BACKGROUND

A State Significant Development Application to construct and operate a plastic waste sorting and recycling facility in Moss Vale is currently being assessed by the State Government.

The proposed facility would extract mixed plastics from waste, sort the plastics into different types, and convert the various plastics to plastic flakes and pellets and polyester fibre and resins.

The facility is proposed on land at 74-76 Beaconsfield Road in Moss Vale, located on the south-eastern boundary of the Southern Highlands Innovation Park (SHIP). Information on the proposed development can be found on the State Significant Development website at: <https://www.planningportal.nsw.gov.au/major-projects/projects/moss-vale-plastics-recycling-facility>

An Environmental Impact Statement (EIS) was lodged with the NSW Department of Planning and Environment in January 2022 and the EIS and supporting technical studies were publicly exhibited throughout February and March 2022.

Council's submission on the proposed development and EIS was considered at the Ordinary Council meeting of 20 April 2022 where it was resolved that:

1. The report on the proposed Moss Vale Plastics Recycling Facility be received for information.

2. Council endorse the submission to the Department of Planning and Environment on the Moss Vale Plastics Recycling Facility Environmental Impact Statement as contained in the attachment to this report.

3. Council oppose the proposed development in its current proposed location and until such time as important infrastructure gaps are either resolved, or there is certainty about the completion dates for the necessary infrastructure projects.

4. Council advise the Department of Planning and Environment that a further thorough and transparent review of matters of key concern (e.g. air quality, noise, and other health and amenity issues) is required before a final planning decision is made, in order, to address community concern.

Following the public exhibition period, and feedback received from Council, Government agencies and the community, the applicant was requested to prepare a formal Response to Submissions. As part of the Response to Submissions, the applicant was required to prepare a Social Impact Assessment, as well as address concerns around access, traffic, noise, air and water quality, visual impact, infrastructure limitations and landowner's consent.

The applicant is currently preparing the Response to Submissions, which includes consultation with Council in relation to water and wastewater infrastructure, as well as the proposed east-west access road between the subject land and Lackey Road. The applicant is also preparing a Social Impact Assessment as per the Departments requirements.

REPORT

Social Impact Assessment

As part of the Response to Submissions, the applicant is required to prepare a Social Impact Assessment (SIA). A SIA provides an opportunity to identify and understand the social impacts of the proposed development and should help to inform responses / changes to the proposal that aim to avoid, mitigate or reduce negative impacts and enhance positive impacts.

It is Council's expectation that the SIA will be informed by detailed consultation with the local community, to assist in identifying, predicting and evaluating the likely social impacts arising from the proposal and propose responses / changes to those predicted impacts.

The outcomes of the SIA may lead to significant changes to the current proposal, to mitigate any social impacts associated with the proposed development.

Water and Sewer Modelling

In its submission, Council raised concerns about the capacity of the local infrastructure network to accommodate the proposed development, particularly water and sewer.

The applicant has since revised its plans, to reuse an increased portion of water on the site, and to tanker wastewater to the Berrima Sewerage Treatment Plant (STP) as a temporary measure until the Moss Vale STP upgrade is completed.

The applicant has sought feedback from Council on the revised plans and updated water and sewer modelling.

Voluntary Planning Agreement

As part of the Response to Submissions, the applicant is required to provide more detail on the proposed east-west access, including the need to provide landowners consent and demonstrate how the land will be acquired for the purpose of the access road.

In this regard, the applicant has made a formal request for Council to enter into a Voluntary Planning Agreement (VPA), that would commit Council to using its power of compulsory acquisition to acquire the land needed for access to the site (at the cost of the developer), should the developer be unsuccessful in its negotiations to acquire the land directly from the landowner/s.

The request to enter into a VPA will need to be reported to Council for its consideration at the appropriate time. However, to date, no commitment has been given to entering into any agreement with the applicant. It is noted that Council has complete discretion as to whether it chooses to enter into a VPA, and neither party (either Council or the applicant) can be made to enter into the VPA under duress.

Next Steps

Given the importance of the Social Impact Assessment, and the potential for it to result in significant changes to the proposed development, it is considered premature for Council to consider a VPA for the proposed development.

Rather, it is prudent for Council to properly understand any changes to the development, and the potential impacts associated with any changes, prior to considering the applicant's request to enter into a Voluntary Planning Agreement and to provide advice on the updated water and sewer modelling.

Council will undertake a detailed assessment of the Social Impact Assessment when it becomes available.

COMMUNICATION AND CONSULTATION

Community Engagement

No consultation with the local community occurred as part of the preparation of this report. However, it is recommended that a copy of this report be provided to all residents who made a submission to Council on the proposed development, to ensure they remain informed about the ongoing assessment of the application.

Internal Communication and Consultation

Not applicable in the context of this report.

External Communication and Consultation

Not applicable in the context of this report.

CONCLUSION

This report provides an update to Council and the community on the State Significant Development Application for the proposed Moss Vale Plastics Recycling Facility, and the work being undertaken as part of the applicant's Response to Submissions.

The applicant is preparing a Social Impact Assessment which may lead to significant changes to the proposed development. Council will undertake a detailed assessment of the Social Impact Assessment at the appropriate time and will consider the applicants request to enter into a Voluntary Planning Agreement following the completion of that assessment.

Council will continue to keep the community informed on the progress of the State Significant Development Application.

ATTACHMENTS

Nil