

<b>DATE OF DETERMINATION</b>	7 October 2016
<b>PANEL MEMBERS</b>	Mary-Lynne Taylor (Chair), Bruce McDonald, Paul Mitchell, Ross Fowler and Glenn McCarthy
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 30 September 2016 and 7 October 2016

**MATTER DETERMINED**

2016SYW006 – Penrith – DA15/1559 at 67-73 Links Road, St Marys (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 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

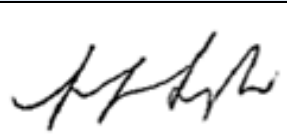

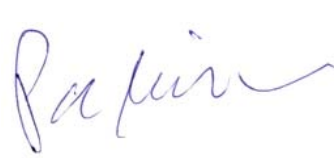
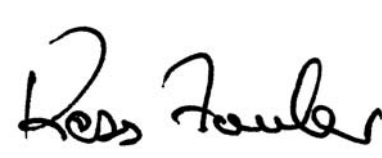

**REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

- the application adequately satisfies the relevant State Environmental Planning Policies noting in particular that SEPP Infrastructure allows this use and prevails over the provisions of the Penrith LEP
- the proposal satisfies the objectives of the local LEP and DCP . In particular, the variation contained in the LEP is considered satisfactory in the circumstances of this case
- subject to the conditions imposed, the development will have no unacceptable impacts on the built or natural environments

**CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report

<b>PANEL MEMBERS</b>	
 Mary-Lynne Taylor (Chair)	 Bruce McDonald
 Paul Mitchell	 Ross Fowler
 Glenn McCarthy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW006 – Penrith – DA15/1559
2	PROPOSED DEVELOPMENT	Partial Demolition of Existing Structures, Tree Removal, Construction and Operation of an Asphalt Plant and Associated Works including Installation of a Diesel Tank.
3	STREET ADDRESS	67-73 Links Road ST MARYS NSW 2760
4	APPLICANT/OWNER	Julieann Holdings Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Particular designated development - waste management facilities or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• SEPP (Infrastructure) 2007</li> <li>• SEPP 55 – Remediation of Land</li> <li>• SEPP 33 – Hazardous or Offensive Industries</li> <li>• SREP 20 – Hawkesbury Nepean River</li> <li>• Penrith LEP 2010</li> <li>• Penrith DCP 2014</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	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report 30 September 2016</li> <li>• Written submissions during public exhibition: none</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Electronic determination between 30 September 2016 and 7 October 2016</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report