

DETERMINATION AND STATEMENT OF REASONS
SYDNEY SOUTH WEST PLANNING PANEL

DATE OF DETERMINATION	1 May 2017
PANEL MEMBERS	Sheridan Dudley (Chair), Bruce McDonald, Stuart McDonald
APOLOGIES	Nicole Gurran, Darcy Lound, George Greiss
DECLARATIONS OF INTEREST	None

Public meeting held at Campbelltown City Council on Monday 1 May 2017, opened at 3:43 PM and closed at 4:45 pm.

MATTER DETERMINED

2016SYW108 – Campbelltown – 1650/2016/DA-DE – 7 Pembury Road, Minto (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 the matters observed at site inspections listed at item 8 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 Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was Unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

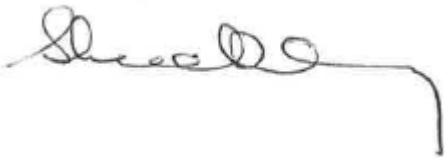
1. The proposed development will provide specialist waste management and resource recovery facilities to the South West District adding to those now available on the site.
2. The proposed development adequately satisfies the relevant State legislation and State Environmental Planning Policies including the Protection of the Environment Operations Act, SEPP 33 – Hazardous and Offensive Development and SEPP (Infrastructure) 2007.
3. The proposal adequately satisfies the applicable provisions and objectives of Campbelltown LEP 2015 and Campbelltown Sustainable City DCP 2015.
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the riparian systems, the operation of the local road system or the amenity of the locality due to dust, noise or odour emissions. In this regard it is noted that the conditions imposed include conditions specifically directed to the regulation of this category of land use required by the NSW Department of Planning and Environment and General Terms of Approval required by the NSW Environmental Protection Authority.

5. In consideration of conclusions 1-4 above the Panel considers the proposed development is suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report with the following amendments:

- The following to become Condition 3(d):
 - o The largest vehicle permitted to service the site is a semi-trailer with a maximum length of 19 metres. Semi-trailers shall access the site a maximum of 2 times per day up to a maximum of 10 times per week.
 - o When reversing to access the site, the semi-trailers shall be controlled in the manner specified by the approved Traffic Management Plan prepared in accordance with RMS 'Traffic Control at Worksites'.
- In condition 13, under the heading "Operating Conditions" which is under "General Conditions", delete the following first 9 words: "activities must be carried out in a competent manner".

PANEL MEMBERS	
	
Sheridan Dudley (Chair)	Bruce McDonald
	
Stuart McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW108 – Campbelltown – 1650/2016/DA-DE
2	PROPOSED DEVELOPMENT	Use of Premises as a waste transfer facility.
3	STREET ADDRESS	7 Pembury Road, Minto
4	APPLICANT/OWNER	Environmental Treatment Solutions / Bonview Holdings Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	6. Environmental planning instruments: - o State Environmental Planning Policy 33 – Hazardous and Offensive Development - o State Environmental Planning Policy (Infrastructure) 2007 - o Protection of the Environment Operations Act 1997 - o Campbelltown Local Environmental Plan 2015 7. Draft environmental planning instruments: Nil 8. Development control plans: - o Campbelltown Sustainable City Development Control Plan 2015 9. Planning agreements: Nil 10. Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> : - o Designated Development Provisions of Environmental Planning and Assessment Regulation 2000 11. Coastal zone management plan: Nil 12. The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality 13. The suitability of the site for the development 14. Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations 15. The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council assessment report: 18 April 2017 • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: - o Support – Nil - o Object – Russell K Findlay - o On behalf of the applicant – Jock Germany
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	• Site Inspection conducted on 1 May 2017 • Final Briefing Meeting conducted on 1 May 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report