



DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	22 May 2018
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Bruce McDonald, Ross Fowler, Glenn McCarthy
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 16 May 2018 and 22 May 2018.

MATTER DETERMINED

2017SWT017 – Penrith – DA17/1063 at 81-85 Christie Street 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 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 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

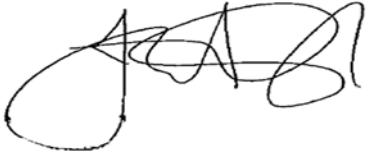




REASONS FOR THE DECISION

The Panel approved the application for the following reasons:

- The proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies including 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 and Sydney Regional Environmental Plan No.20 Hawkesbury Nepean River.
- The proposal adequately satisfies the applicable provisions of Penrith Local Environmental Plan 2010 and Penrith Development Control Plan 2014. The Panel notes that the provisions of State Environmental Planning Policy (Infrastructure) 2007 prevail over those of the Penrith Local Environmental Plan to permit the proposed use on the subject land.
- The proposed development will expand waste management and resource recovery facilities to the Sydney Western City District
- The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the quality of local water system, the operation of the local road system or the amenity of residential premises in the locality due to noise or odour emissions. Further, the Panel notes that the EPA's General Terms of Approval have been included in the conditions of consent.
- The proposed development is a suitable use of the site and approval is in the public interest.

CONDITIONS

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

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Bruce McDonald	 Glenn McCarthy
 Ross Fowler	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWT017 – Penrith – DA17/1063
2	PROPOSED DEVELOPMENT	Expansion of an existing tyre recycling facility
3	STREET ADDRESS	81-85 Christie Street, St Marys
4	APPLICANT OWNER	Tyrecycle Pty Ltd C/o Damien Wigley of Equilibrium Ostaday Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	<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 Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River (Deemed SEPP) Penrith Local Environmental Plan 2010 (Amendment 4) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Penrith Development Control Plan 2014 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 16 May 2018 Written submissions during public exhibition: nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting: 24 January 2018
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report