



**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY WESTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	30 April 2018
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Ross Fowler, Glen McCarthy
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 13 April 2018 and 30 April 2018.

**MATTER DETERMINED**

2017SWY018 – Penrith – DA17/1089 at 33-37 Plasser Crescent North 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**

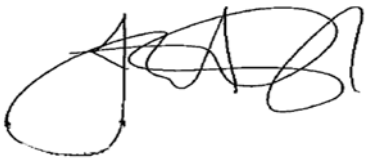




The reasons for the decision of the Panel were:

- While the proposed development is not permissible in the IN1 zone, it is permitted by way of the overriding provisions of Clause 121 of the Infrastructure SEPP.
- The alterations and additions will add to the existing waste recycling and resource recover activities presently conducted on the site;
- The proposed development is reported to be acceptable in terms of acoustic impact, access and circulation, traffic and parking, and air quality.
- The proposed development application adequately satisfies the relevant State Legislation and State Environmental Planning Policies including the Protection of the Environment Operations Act, State Environmental Planning Policy No.33 Hazardous and Offensive Development, State Environmental Planning Policy No.55 Remediation of Land and State Environmental Planning Policy (Infrastructure).
- The proposed development adequately satisfies the provisions of Penrith Local Environmental Plan 2010 Amendment 4 and Penrith Development Control Plan 2014.

- The issue of flooding has been found by the assessing Council staff to have been adequately addressed.
- The development will have no unacceptable environmental impacts on the natural or built environments including air quality, the local stormwater management system, noise or odour impacts on the locality or the operation of the local road system.

## CONDITIONS

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

PANEL MEMBERS	
 <p>Justin Doyle (Chair)</p>	 <p>Bruce McDonald</p>
 <p>Nicole Gurran</p>	 <p>Ross Fowler</p>
 <p>Glenn McCarthy</p>	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWT018 – Penrith – DA17/1089
2	PROPOSED DEVELOPMENT	Alterations and Additions to an Existing Waste Recycling Facility
3	STREET ADDRESS	33-37 Plassers Crescent North St Marys
4	APPLICANT/OWNER	A & J Maclean Holdings Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No.55 Remediation of Land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No.33 – Hazardous and Offensive Development</li> <li>○ Sydney Regional Environmental Plan No.20 Hawkesbury-Nepean River (Deemed SEPP)</li> <li>○ Penrith Local Environmental Plan 2010 (Amendment 4)</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Penrith Development Control Plan 2014</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <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	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 4 April 2018</li> <li>• Written submissions during public exhibition: nil</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection and briefing meeting: 24 January 2018</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report