

DATE OF DETERMINATION	01 March 2019
PANEL MEMBERS	Paul Mitchell (Acting Chair), Paul Moulds, Peter Brennan and Paul Stein
APOLOGIES	Mary-Lynne Taylor
DECLARATIONS OF INTEREST	None

Papers circulated electronically between 13 February 2019 and 01 March 2019.

MATTER DETERMINED

Panel Ref – 2018CCI020 – LGA – Cumberland – DA2015/529/3 at 7 Long Street, Smithfield (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 meeting listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with amendment to Condition 84a.

Condition 84a to read as follows –

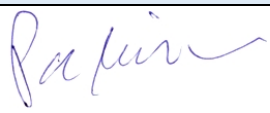
In accordance with the General Terms of Approval (GTA) provided by the NSW Environmental Protection Authority, the applicant shall implement measures to limit the noise impacts of reverse tones of on-site plant, in order to reduce the effects of sleep disturbance on the neighbouring community.

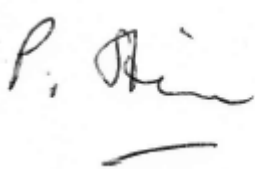
All other conditions of Development Consent 2015/529/1 and as amended remain unchanged.

Note: This determination notice is strictly for the changes sought under the modification application 2015/529/3. No approval is implied or granted for any other works/changes proposed to the subject development.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that they were no written submissions made during public exhibition.

PANEL MEMBERS	
	

Paul Mitchell (Acting Chair)	Peter Brennan
 Paul Stein	 Paul Moulds

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2018CCI020 – LGA – Cumberland – DA2015/529/3
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to allow for truck movements 24 hours a day seven (7) days a week in association with the sludge dewatering plant
3	STREET ADDRESS	7 Long Street, Smithfield
4	APPLICANT/OWNER	Applicant – Mr Brad King Owner – Mark Haugh and Debbie Theo
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55 (2) modification – designated development – waste management facility
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Infrastructure) 2007 - Holroyd Local Environmental Plan 2013 - Draft environmental planning instruments: Nil - Development control plans: - Holroyd Development Control Plan 2013 - 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	- Council assessment report: 11 February 2019 - Written submissions during public exhibition: 0

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	Papers circulated electronically between 13 February 2019 and 01 March 2019
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report