

DATE OF DETERMINATION	30 November 2023
DATE OF PANEL DECISION	30 November 2023
PANEL MEMBERS	Carl Scully (Chair), Amelia Thorpe, Michael Ryan, and Fiona Prodromou
APOLOGIES	Alice Spizzo
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 15 November 2023.

MATTER DETERMINED

PPSSEC-286 – Strathfield – DA2015.177.3 – 40-42 Madeline Street Strathfield South – S4.55(2) Modification Application to temporarily change hours of operation and enable the processing of additional throughput for the materials recycling facility at the site to 120,000 tonnes per annum (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 briefings and the matters listed at item 8 in Schedule 1.

Application for modification of consent

The Panel is satisfied that the application is substantially the same development and the reasons for the original approval have been taken into consideration for this determination. The Panel has also had regard to the submissions received.

The Panel determined to approve the modification application pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

The modification application was approved subject to the conditions in the Council Assessment Report and revised conditions with the following amendments.

- Amend Condition 9(c) to include the following at the end of the last sentence:
A copy of the reports are to be provided to Council's Director of Planning within fourteen (14) days from the completion of each audit.

CONSIDERATION OF COMMUNITY VIEWS





In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Hours of operation
- Noise impacts
- Traffic impacts and road network
- Hours of operation – adjacent sites
- Designated development requirements
- Waste impacts

- Previous consent conditions
- Compliance with conditions of consent
- Air quality impacts

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report. The outside storage of waste was noted as a condition of consent and a matter of non-compliance to be considered by Council in their regulatory function.

The Panel notes that in addressing these, appropriate conditions have been imposed. The outside storage of waste was noted in Condition 38 of DA2015.177 and reinforced in Condition 100(a) of these conditions.

PANEL MEMBERS	
 Carl Scully (Chair)	 Amelia Thorpe
 Michael Ryan	 Fiona Prodromou

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-286 – Strathfield – DA2015.177.3
2	PROPOSED DEVELOPMENT	S4.55 (2) Modification Application to temporarily change hours of operation and enable the processing of additional throughput for the materials recycling facility at the site to 120,000 tonnes per annum.
3	STREET ADDRESS	40-42 Madeline Street Strathfield South - LOT 24 DP 1200563
4	APPLICANT/OWNER	Maya Deacock (Polytrade Operations Pty Ltd) Louie Cheng
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 (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Strathfield Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Strathfield Consolidated Development Control Plan 2005 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 8 November 2023 Amended Conditions set: 29 November 2023 Rev B Written submissions during public exhibition: Eight (8) Total number of unique submissions received by way of objection: eight (8)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 5 October 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Michael Ryan, and Fiona Prodromou <u>Council assessment staff</u>: Joseph Gillies, Dylan Porter <u>Applicant representative</u>: Clair Hodgson, Maya Deacock, Jacqueline Ong, Romily Webster, Gath Lamb <u>Department staff</u>: Carolyn Hunt, Lisa Ellis Site inspection: 29 November 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Michael Ryan and Fiona Prodromou <u>Council assessment staff</u>: Joseph Gillies and Dylan Porter <u>Applicant representatives</u>: Maya Deacock, Jacqueline Ong and Garth Lamb Applicant Briefing: 29 November 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Michael Ryan, and Fiona Prodromou

		<ul style="list-style-type: none"> ○ <u>Applicant representatives</u>: Maya Deacock, Jacqueline Ong and Garth Lamb ○ <u>Council assessment staff</u>: Joseph Gillies and Dylan Porter ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare and Lisa Ellis <ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 29 November 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Michael Ryan and Fiona Prodromou ○ <u>Council assessment staff</u>: Joseph Gillies and Dylan Porter ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare and Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report