

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSWC-326
DA Number	Mod23/0058
LGA	Penrith City Council
Proposed Development	4.55(2) Modification to an Approved Waste Management Facility (Tyre Recycling Facility) to Increase Processing Capacity from 29,000t to 60,000t per year
Street Address	1-21 Grady Crescent Erskine Park, NSW, 2759
Applicant/Owner	Tyrecycle Pty Ltd / Fitzpatrick Investments Pty Ltd
Date of DA lodgement	22 nd March 2023
Number of Submissions	Zero (0) Submissions received
Recommendation	Approve
Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021)	<ul style="list-style-type: none"> waste or resource management facility with a capital investment value exceeding \$5 million
List of all relevant 4.15(1)(a) matters	<ul style="list-style-type: none"> Penrith Development Control Plan 2014 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Precincts—Western Parkland City) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> Attachment 1 – Statement of Environmental Effects Attachment 2 – 1st RFI Response Attachment 3 – 2nd RFI Response Attachment 4 – Legal Advice Attachment 5 – Supplementary Legal Advice Attachment 6 – Agency Determination Letter Attachment 7 – Traffic and Transport Impact Assessment Attachment 8 – Noise Impact Assessment Attachment 9 – Air Quality Impact Assessment Attachment 10 – Fire Risk Assessment Attachment 11 – Operational Plan of Management Attachment 12 – Continuity Plan Attachment 13 – SWCPP Kick off Record of Briefing at 1-21 Grady Crescent Erskine Park
Report prepared by	Jacqueline Klincke- Senior Development Assessment Planner
Report date	21st November 2023

Summary of s4.15 matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Not Applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

Not Applicable

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?

**Yes – awaiting
response**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report