

## SYDNEY WESTERN CITY PLANNING PANEL

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**TO:** Sydney Western City Planning Panel (SWCPP)

**REPORT:** SWCPP Report

**FILE No:** DA No. 350.1/2023  
PAN-390263  
PPSSWC-380

**SUBJECT:**

<b>Property:</b>	Lot No. 78, DP 845746 No. 6 Sleigh Place, Wetherill Park
<b>Application lodged</b>	20.11.2023
<b>Applicant</b>	Mainstream Recycling Pty Limited
<b>Owner</b>	Milana Corporated Pty Ltd
<b>Application No.</b>	DA 350.1/2023
<b>NSW Planning Portal Application No.</b>	PAN-390263
<b>Planning Panel Reference No.</b>	PPSSWC-380
<b>Proposed Development</b>	Alterations and additions to an existing waste management facility, including an increase in volume of stormwater/gross pollutant trap waste processed from 29,500 to 65,000 tonnes per annum and extended hours of operation to twenty-four (24) hours per day, seven (7) days a week. The development is Designated under Schedule 3, Part 2, Clause 45 of the Environmental Planning & Assessment Regulation 2021 and is Nominated Integrated Development requiring approval and a license from the NSW Environment Protection Authority under Protection of the Environment Operations Act 1997.
<b>Cost of Works</b>	\$98,450.00
<b>Zoning</b>	E4 – General Industrial, pursuant to the Fairfield Local Environmental Plan 2013 (FLEP 2013).
<b>Primary Planning Issues</b>	<ul style="list-style-type: none"> <li>• Acoustic impacts</li> <li>• Odour impacts</li> <li>• Waste management</li> <li>• Traffic impacts</li> </ul>

**Assessing Officer:** Mason Shute – Development Planner

**Date of Report:** 14.11.2024

## **ATTACHMENTS**

**ATTACHMENT A – Site Plan**  
**ATTACHMENT B – Environmental Impact Statement**  
**ATTACHMENT C – Operations Management Plan**  
**ATTACHMENT D – Traffic and Transport Assessment Report**  
**ATTACHMENT E – Waste Management Plan**  
**ATTACHMENT F – Acoustic Assessment**  
**ATTACHMENT G – Environment Protection Authority (EPA) Recommendation**  
**ATTACHMENT H – Transport for New South Wales (TfNSW) Response**  
**ATTACHMENT I – Odour Assessment**  
**ATTACHMENT J – Response to NSW EPA RFI**  
**ATTACHMENT K – Response to NSW EPA RFI 2**  
**ATTACHMENT L – Response to NSW EPA RFI 3**  
**ATTACHMENT M – Response to RFI**  
**ATTACHMENT N – Response to RFI 2**  
**ATTACHMENT O – Draft Conditions of Consent**

## **SUMMARY**

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1. *Development Application No. 350.1/2023 (PAN-390263) was lodged on 20 November 2023, proposing alterations and additions to an existing waste management facility, including an increase in volume of stormwater/gross pollutant trap waste processed from 29,500 to 65,000 tonnes per annum and extended hours of operation to twenty-four (24) hours per day, seven (7) days a week.*
2. *The development is Designated under Schedule 3, Part 2, Clause 45 of the Environmental Planning & Assessment Regulation 2021 and is Nominated Integrated Development requiring approval and a license from the NSW Environment Protection Authority under Protection of the Environment Operations Act 1997.*
3. *The development is Nominated Integrated Development under Clause 4.46 of the Environmental Planning and Assessment Act 1979 and Schedule 1 of the Protection of the Environment Operations Act 1997. The application was referred to the Environment Protection Authority (EPA) who have provided modified General Terms of Approval (GTAs).*
4. *The subject site is zoned E4 – General Industrial, pursuant to the Fairfield Local Environmental Plan (FLEP 2013). The proposal is permitted with consent and is considered to have regard to the objectives of the zone.*
5. *The application was assessed against the applicable controls within the State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021 and State Environmental Planning Policy (Resilience and Hazards) 2021. The application was found to be satisfactory against the applicable legislation.*
6. *The application was assessed against the applicable controls within Chapter 9 – Industrial Development and Chapter 12 – Car Parking, Vehicle and Access Management of the Fairfield City Wide Development Control Plan 2024. The application was found to be satisfactory against the applicable controls.*

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7. *The application was publicly notified in writing to occupants and owners of the adjoining properties and was publicly notified on Council's website for a period of twenty-eight (28) days between 24 January 2024 and 21 February 2024. No submissions were received.*
8. *The application was referred to Council's Public Health and Environment, Engineering Assessment, Building Control and Traffic Section Branches. As amended, no concerns were raised, subject to conditions of consent. The application was externally referred to the Environment Protection Authority (EPA) and Transport for New South Wales (TfNSW). As amended, no concerns were raised, subject to conditions of consent.*
9. *The subject Development Application is considered to meet the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). Based on the assessment of the application, it is recommended that the application be approved, in accordance with **Attachment O** of this report.*

## 1. EXECUTIVE SUMMARY

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Council is in receipt of Development Application No. 350.1/2023 (PAN-390263), proposing to increase the volume of waste processed from 29,500 to 65,000 tonnes per annum at an existing Waste Management Facility at No. 6 Sleigh Place, Wetherill Park. The application also proposes to increase operating hours to twenty-four (24) hours per day, seven (7) days a week. The premises is operated by Mainstream Recycling, who receive and treat stormwater and other waste material which is then transported to another facility for recycling/reuse, sent to landfill or discharged as trade waste. The premises has been operating since 2015, under Development Consent No. 803.1/2014 which approved the fitout and use of an existing factory building for the purpose of a waste recycling facility for the removal of waste materials from gross pollutant traps on 27 July 2015. A number of subsequent modification applications have since been approved by Council for alterations and additions to the premises. The premises is currently operating under an Environment Protection License (EPL). The application is reflective of increased demand for the treatment of gross pollutant trap and stormwater waste. Currently, the premises is operating at 35% capacity, with the potential to increase the processing capacity to approximately 75% as a result of the application.

The development is Designated under Schedule 3, Part 2, Clause 45 of the Environmental Planning and Assessment Regulation 2021 and is Nominated Integrated Development requiring approval and a license from the NSW Environment Protection Authority under the Protection of the Environment Operations Act 1997.

The application is referred to the Sydney Western City Planning Panel (SWCPP) for consideration, pursuant to Clause 7(1)(c) of Schedule 6 Regionally Significant Development of the State Environmental Planning Policy (Planning Systems) 2021, as the development is for the purpose of 'waste management facilities or works' that meet the requirements for Designated Development under the Environmental Planning and Assessment Regulation 2021, Schedule 3, Section 45. Accordingly, the matter is required to be determined by the Sydney Western City Planning Panel (SWCPP).

Pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, the development is defined as Nominated Integrated Development. Accordingly, the development also requires the approval of the Environment Protection Authority (EPA) under Sections 41 and 42 of the Protection of the Environment Operations Act 1997. The application was referred to the EPA and amended General Terms of Approval have been issued.

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On 4 March 2024, a preliminary briefing was held via teleconference between the Sydney Western City Planning Panel, Fairfield City Council and the Applicant regarding the subject Development Application. During the meeting, the Panel noted the Applicant's advice concerning the approvals for the existing street-sweeping. The applicant has since withdrawn the street-sweeping component from the application. The Panel suggested that the Applicant clearly state precisely what activities are sought to be covered by the planning approval sought, how they will add to the present impacts, and any previously approved activities which are presently dormant but might be revived in the future. The application clearly now states that the premises will only accept stormwater/gross pollutant trap (gpt) material and woodwaste (sawdust) material, that being 64,000 tonnes and 1,000 tonnes per annum respectively. The application also includes technical documentation, including an acoustic report, odour report and traffic report which details the existing and proposed impacts of the development. The documentation demonstrates that the proposed increase in waste processing activities can be satisfactorily accommodated onsite, subject to conditions of consent. The Panel also asked Council to clarify what further information it is seeking in relation to traffic movements. Further information was initially sought in relation to the types of heavy vehicles and the total number of vehicles accessing the site on an hourly basis throughout the day. In response, the applicant provided additional information/clarification. Council's Traffic Section raised no further concerns, subject to conditions of consent.

During the assessment of the application, a number of issues were initially raised with respect to traffic management, lack of BCA report, lack of detail on architectural plans, insufficient operational details and environmental management measures. Amended information was submitted to Council, including the submission of amended architectural plans, an environmental impact statement and further clarification regarding the operation of the premises. Council raised no further concerns, subject to conditions of consent. However, with respect to the environmental impacts, the Environment Protection Authority (EPA) raised concerns with respect to acoustic impacts, quantities and processing of waste material. The environmental matters are discussed below as follows.

The subject Development Application was referred to the Environment Protection Authority (EPA) pursuant to Schedule 1 of the Protection of the Environment Operations Act 1997. The EPA initially raised concerns regarding the processing of streetsweeper waste and inadequate information submitted in relation to the types, quantities, storage and processing of other waste materials onsite. In response, the applicant submitted amended information, including the withdrawal of the street sweeping waste component. The EPA considered the amended information unsatisfactory, requiring evidence of the Sydney Water Trade Waste Agreement, maintenance of the new odour management system, details regarding waste quantities and consistent technical documentation. In response, the applicant submitted further documentation. Whilst some matters had been addressed, the EPA considered the amended information insufficient and required further clarification regarding the volumes of waste to be stored onsite, the dimensions of storage bays, frequency of vehicle movements, treatment of waste and updated acoustic levels. A final package was submitted and as amended, the EPA raised no further concerns, and issued amended General Terms of Approval (GTAs).

The application was referred to Council's Public Health and Environment, Engineering Assessment, Building Control and Traffic Section Branches. As amended, no concerns were raised, subject to conditions of consent. The application was externally referred to Transport for New South Wales (TfNSW). As amended, no concerns were raised, subject to conditions of consent.

In accordance with the Environmental Planning and Assessment Regulation 2021, the application was notified for a period of twenty-eight (28) days in accordance with the Regulations. No submissions were received.



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This report summarises the key issues associated with the development application and provides an assessment of the relevant matters of consideration in accordance with the Environmental Planning and Assessment Act 1979, the Fairfield Local Environmental Plan 2013 and the Fairfield City Wide Development Control Plan 2024.

By increasing the waste processing capacity onsite, the application is considered to have regard to the objectives of the NSW Government's Waste Avoidance and Resource Recovery Act 2001 and the NSW Waste and Sustainable Material Strategy 2041 by further aiding waste recovery and beneficial reuse of materials.

Based on an assessment of the application, the proposed development is considered to be suitable for the subject site, provided the recommendations made within the submitted EIS and attached reports are implemented and strictly adhered to at all times. As such, it is recommended that the application be approved, subject to conditions as outlined in **Attachment O** of this report.

## 2. SUBJECT SITE AND SURROUNDING AREA

The subject Development Application is located at No. 6 Sleigh Place, Wetherill Park, and is formally referred to as Lot No. 78, DP 845746. The site is currently occupied by Mainstream Recycling. The site currently consists of a single-storey industrial warehouse building, inclusive of a mezzanine floor and associated landscaping and at-grade car parking spaces. Two (2) vehicle crossings currently exist onsite; one (1) for entry and one (1) for egress.

The site is located approximately 200m from the nearest residential receiver along Cowpasture Road, which is located within the Western Sydney Parklands. The site is located within the Wetherill Park Industrial Estate and is surrounded by a variety of general industrial land-uses. Victoria Street is located approximately 440m south of the site.



**Figure 1:** Site Aerial Image.



**Figure 2: Site Locality Plan.**

### 3. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The subject Development Application proposes to increase volume of waste processed from 29,500 to 65,000 tonnes per annum at an existing Waste Management Facility. To facilitate the additional waste processing capacities, the application proposes the following:

	Existing	Proposed
<b>Waste Volume</b>	<p>29,500 tonnes per annum:</p> <ul style="list-style-type: none"> <li>Street sweeping: 4,000</li> <li>Stormwater / GPT Material: 25,500</li> </ul> <p><b>Note:</b> The EPA did not issue an environment protection license for the processing of street sweeping waste.</p>	<p>65,000 tonnes per annum:</p> <ul style="list-style-type: none"> <li>Stormwater / Gross Pollutant Trap (GPT) Material: 64,000</li> <li>Wood Waste (Sawdust): 1,000 (to enhance processing of stormwater)</li> </ul> <p><b>Note:</b> No street sweeping waste is proposed.</p>
<b>Hours of Operation</b>	<p>Monday to Friday: 6:00am – 6:00pm</p> <p>Saturday: 6:00am – 1:00pm</p> <p>Sundays and Public Holidays: No operation</p>	<p>Monday to Sunday: 24 hours</p> <p>Core processing hours are from 5:00am – 10:00pm, Monday to Saturday, with additional processing overnight, Sundays and Public Holidays when required i.e. succeeding heavy rain events.</p>



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<b>Waste Deliveries (10.3m Vehicle)</b>	<b>HRV</b>	Fifteen (15) per day	Thirty-three (33) per day
<b>Maximum Staff</b>		Fifteen (15)	Twenty (20)
<b>Waste Removal (19m Articulated Vehicle)</b>	<b>Articulated</b>	One (1) day per week	Four (4) days per week

- A summary of the processes to occur onsite are as follows:
  - 1) Heavy-rigid vehicles and vacuum road tankers deliver waste material to the site via the unloading bays inside the building.
  - 2) Vehicles will discharge waste into inground waste receival pits to help settle out majority of the solid waste.
  - 3) Supernatant liquid is transferred to large holding tanks, which is then treated by a plate separator. The treated water is then discharged to sewer.
  - 4) Solid or oversize residual material is removed from the receival pits and stored to be transferred to landfill.
  - 5) Remaining solids are dewatered, then separated and sized using a rotating trommel screen. The solids are mixed with organic material to then be transported to an appropriately licensed facility.

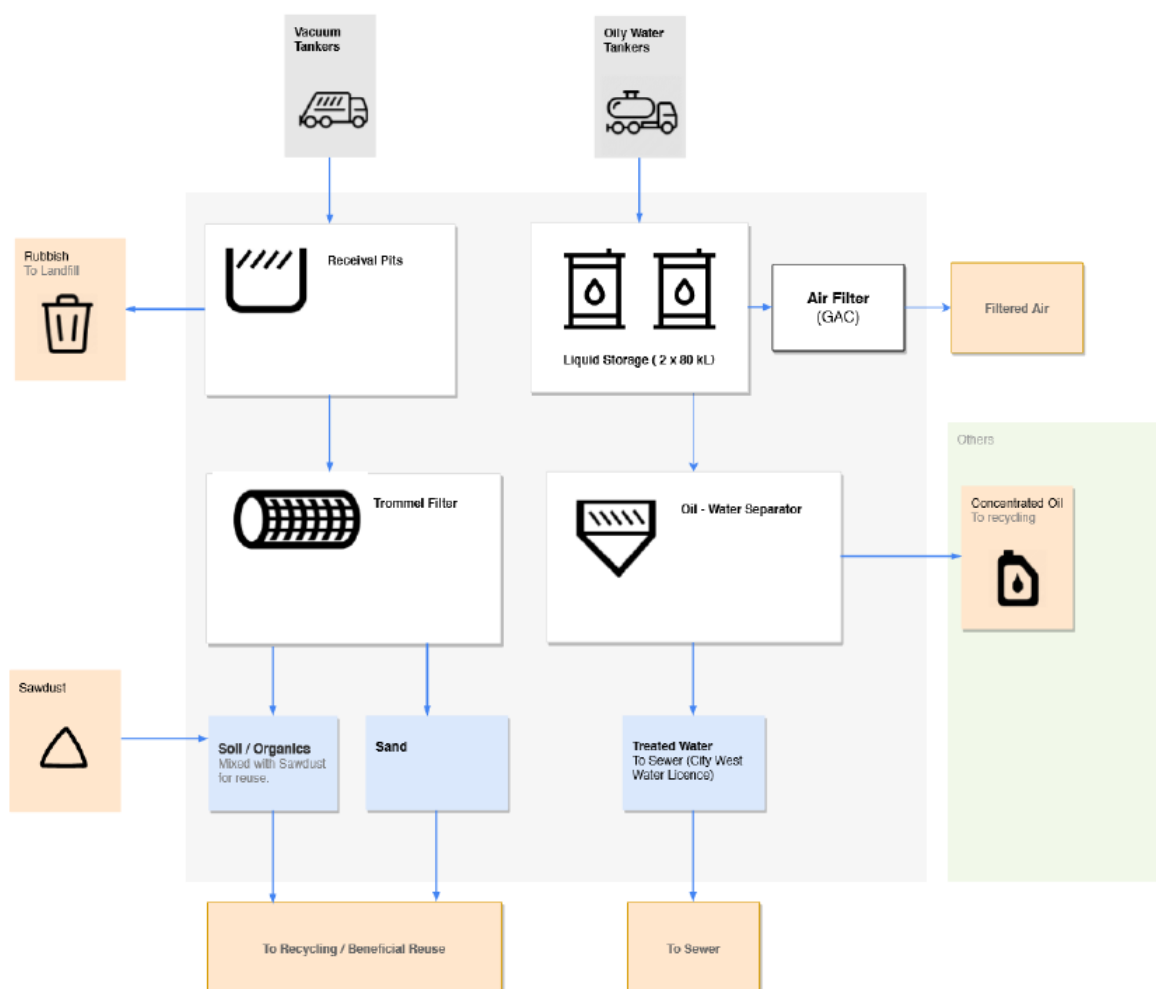


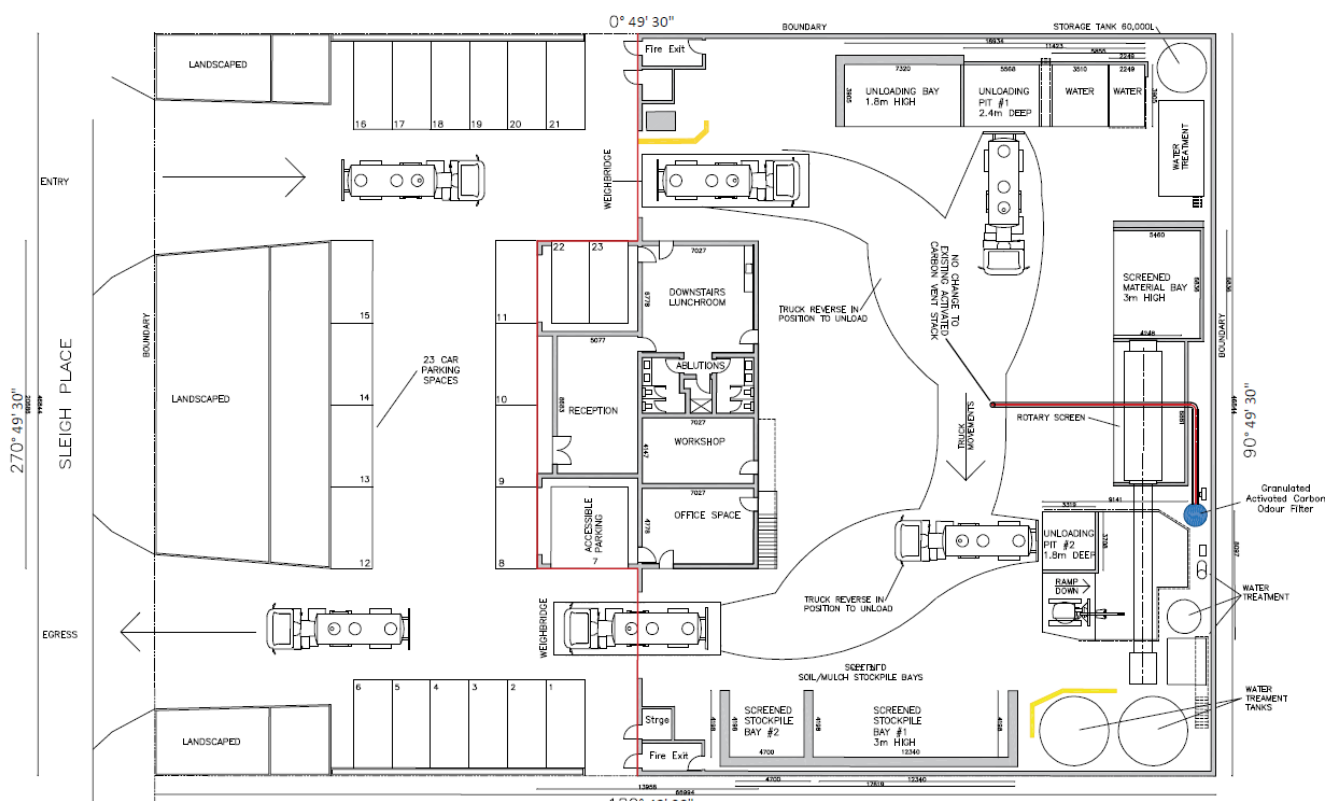
Figure 3: Process Flow Diagram.

The application also proposes the following:

- Installation of an additional carbon air filtration unit. This will enable the premises to achieve five (5) air changes per hour inside.
- A maximum of 3,000 litres of waste sump oil and oil from stormwater will be stored onsite at any given time.
- A maximum of 3,000 tonnes per annum of waste oil/water mixtures will be generated per annum.
- No more than 1,250 tonnes of waste material will be stored onsite at any given time.
- Reduction in the number of accessible parking spaces from two (2) to one (1). A total of twenty-three (23) at-grade car parking spaces are onsite, inclusive of one (1) accessible space.
- No building works are proposed as part of the application. Accordingly, no construction certificate or occupation certificate will be required for the development.
- The following activities/processes are to remain the same, consistent with Modification Consent No. 803.6/2014:
  - The size of vehicles servicing the premises:
    - 15x 10.3m HRV tankers;
    - 1x 11m HRV tipper; and
    - 1x 19m Articulated Vehicle (truck and dog trailer).
  - No delivery trucks will be parked onsite overnight. All vehicles will be parked at Unit No. 2 / 193 Cowpasture Road, Wetherill Park.
  - Two (2) weighbridges currently exist onsite; one (1) for vehicles prior to unloading and one (1) for vehicles after unloading.
  - A maximum of two (2) visitors onsite at any given time.
  - Use of one (1) unloading bay, measuring 1.8m in height and two (2) unloading pits, measuring 2.4m and 1.8m in depth.
  - The roller doors of the facility will be kept open during operation.



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**Figure 4: Proposed Ground Floor Plan.**

### 4. HISTORY AND BACKGROUND

A review of Council's Records has identified the following approvals issued to the premises:

- On 27 July 2015, Council approved Development Application No. 803.1/2014 for the fitout and use of an existing factory building for the purpose of a waste recycling facility for the removal of waste materials from gross pollutant traps. The approved hours of operation were as follows:

Monday to Friday: 6:00am – 6:00pm  
Saturday: 6:00am – 1:00pm  
Sundays and Public Holidays: No operation

- On 3 December 2018, Council approved Modification Application No. 803.2/2014 to modify the existing consent for an approved waste recycling facility to allow the roller doors of the building opened at all times during the operation of the premises. The application was approved on a twelve (12) month trial period.
- On 23 November 2018, Modification Application No. 803.3/2014, proposing the expansion of existing gross pollution trap waste recycling facility to enable the facility to increase the waste handling capacity was rejected. The application was rejected as insufficient information was submitted.
- On 28 February 2020, Council approved Modification Application No. 803.4/2014 to increase the handling capacity of recycled stormwater cleaning waste at an approved waste recycling

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- facility from 20,000 tonnes per annum to 29,500 tonnes per annum. The application also approved to keep the roller doors open for a further twelve (12) month trial period.
- On 4 July 2019, Modification Application No. 803.5/2014, proposing to increase the handling capacity of recycling stormwater cleaning waste at an approved waste recycling facility (Mainstream) from 20,000 tonnes per annum to 65,000 tonnes per annum was withdrawn. The application was withdrawn as the development was not considered substantially the same as initially approved, pursuant to Section 4.55(2)(a) of the Environmental Planning and Assessment Act 1979.
  - On 1 July 2021, Council approved Modification Application No. 803.6/2014 to modify the existing consent for an approved waste recycling facility to incorporate 4,000 tonnes of street sweeper material within the existing approved throughput limit of 29,500 tonnes per annum.

## 5. SYDNEY WESTERN CITY PLANNING PANEL PRELIMINARY BRIEFING NOTES

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On 4 March 2024, a preliminary briefing was held via teleconference between the Sydney Western City Planning Panel, Fairfield City Council and the applicant regarding the subject Development Application. The following provides a response to each of the comments raised by the Panel.

1. *The Panel noted the Applicant's advice concerning the approvals for the existing street-sweeping.*

**Response:** The applicant has since withdrawn the street-sweeping component from the application. The premises will not process street-sweeping waste.

2. *The Panel suggested that the Applicant clearly state (if it has not done so) precisely what activities are sought to be covered by the planning approval sought, how they will add to the present impacts, and any previously approved activities which are presently dormant but might be revived in the future.*

**Response:** The application now clearly states that the premises will only accept stormwater/gross pollutant trap (gpt) material and woodwaste (sawdust) material, that being 64,000 tonnes and 1,000 tonnes per annum respectively. The applicant has also submitted technical documentation, including an acoustic report, odour report and traffic report which details the existing and proposed impacts of the development. It has been demonstrated that the proposed increase in waste processing activities can be satisfactorily accommodated onsite, subject to conditions of consent.

3. *The Panel asked Council to clarify what further information it is seeking in relation to traffic movements.*

**Response:** Further information was initially sought in relation to the types of heavy vehicles and the total number of vehicles accessing the site on an hourly basis throughout the day. In response, the applicant provided additional information/clarification. Council's Traffic Section raised no further concerns, subject to conditions of consent.

## **6. INTERNAL REFERRALS**

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### Engineering Assessment Branch

The subject Development Application was referred to Council's Engineering Assessment Branch for assessment. No concerns were raised.

### Building Control Branch

The subject Development Application was referred to Council's Building Control Branch for assessment. Concern was initially raised regarding the lack of BCA Compliance Report submitted. Amended justification was submitted by the applicant, detailing that no additional works had been conducted onsite. Council's Building Control Branch raised no further concerns.

### Public Health and Environment Branch

The subject Development Application was referred to Council's Public Health and Environment Branch for assessment. No concerns were raised, subject to conditions of consent.

### Traffic Section Branch

The subject Development Application was referred to Council's Traffic Section Branch for assessment. Further information was initially sought in relation to the types of heavy vehicles and the total number of vehicles accessing the site on an hourly basis throughout the day. In response, the applicant provided additional information/clarification. Council's Traffic Section raised no further concerns, subject to conditions of consent.

## **7. EXTERNAL REFERRALS**

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### Environment Protection Authority (EPA)

The subject Development Application was referred to the Environment Protection Authority (EPA) pursuant to Schedule 1 of the Protection of the Environment Operations Act 1997. The EPA initially raised concerns regarding the processing of streetsweeper waste and inadequate information submitted in relation to the types, quantities, storage and processing of other waste materials onsite. In response, the applicant submitted amended information, including the withdrawal of the street sweeping waste component. The EPA considered the amended information unsatisfactory, requiring evidence of the Sydney Water Trade Waste Agreement, maintenance of the new odour management system, details regarding waste quantities and consistent technical documentation. In response, the applicant submitted further documentation. Whilst some matters had been addressed, the EPA considered the amended information insufficient and required further clarification regarding the volumes of waste to be stored onsite, the dimensions of storage bays, frequency of vehicle movements, treatment of waste and updated acoustic levels. A final package was submitted and as amended, the EPA raised no further concerns, and issued amended General Terms of Approval (GTAs).

Transport for New South Wales (TfNSW)

The subject Development Application was referred to Transport for New South Wales (TfNSW), pursuant to s2.122 (Traffic-generating development) of the State Environmental Planning Policy (Transport and Infrastructure) 2021. No concerns were raised.

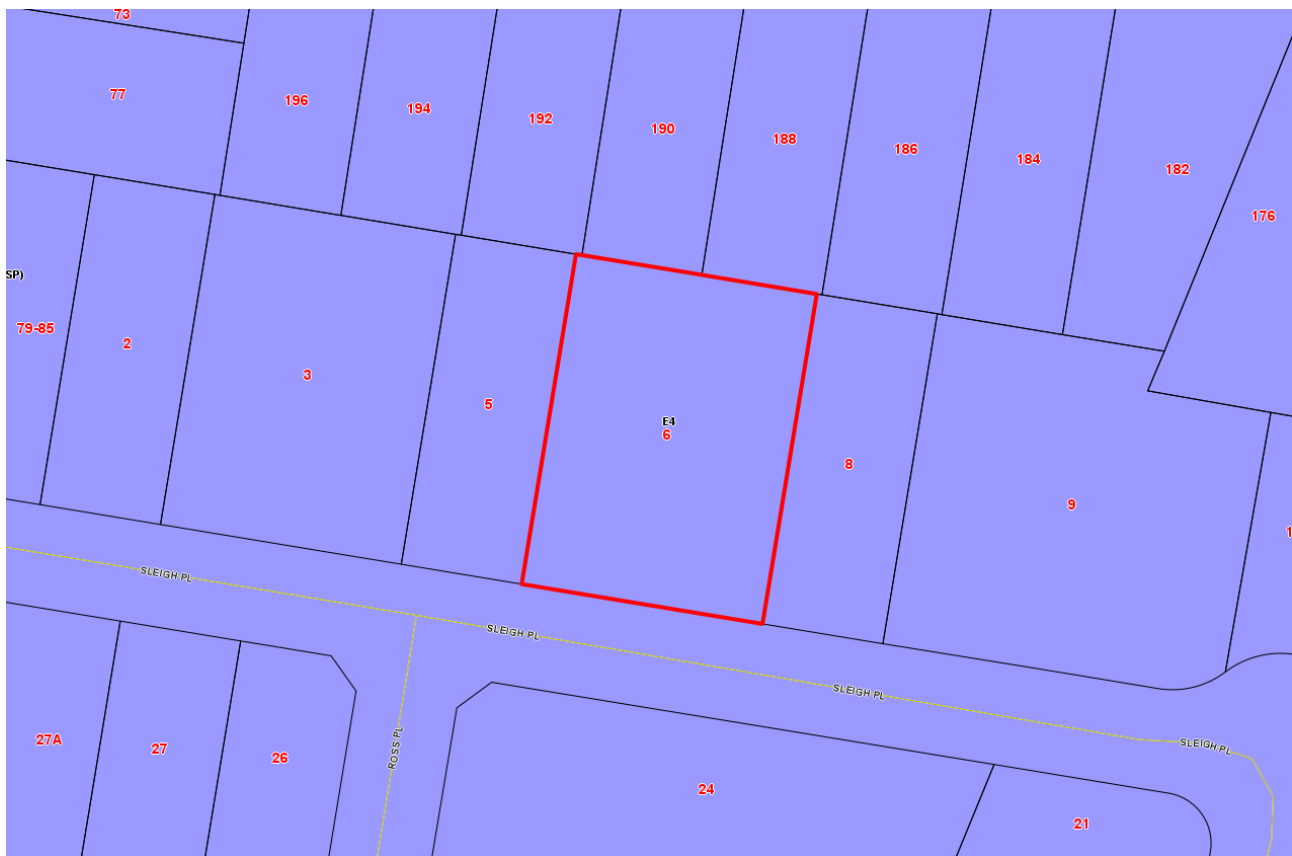
**8. PUBLIC NOTIFICATION**

In accordance with the Environmental Planning and Assessment Regulation 2021, the application was notified for a period of twenty-eight (28) days in writing to surrounding properties, on Council's website and a notice was displayed at the site in accordance with the requirements of the Regulations. No submissions were received.

**9. STATUTORY REQUIREMENTS**

**Fairfield Local Environmental Plan 2013 (FLEP 2013)**

The subject site is zoned E4 – General Industrial, pursuant to the Fairfield Local Environmental Plan 2013 (FLEP 2013).



**Figure 5:** Land Zoning Map.

The proposed development involves the receiving and treatment of stormwater and other waste material which is then transported to another facility for recycling/reuse, sent to landfill or discharged



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as trade waste. In accordance with the FLEP 2013, the proposal can be characterised as a 'waste or resource management facility' which is defined as follows:

***“waste or resource management facility means any of the following—***

- (a) a resource recovery facility,*
- (b) a waste disposal facility,*
- (c) a waste or resource transfer station,*
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).”*

Pursuant to paragraph (d), the application is considered to be for a combination of paragraphs (a)–(c).

A 'resource recovery facility' is defined as follows:

***“resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.***

**Note—**

Resource recovery facilities are a type of ***waste or resource management facility***”

A 'waste disposal facility' is defined as follows:

***“waste disposal facility means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.***

**Note—**

Waste disposal facilities are a type of ***waste or resource management facility***”

A 'waste or resource transfer station' is defined as follows:

***“waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.***

**Note—**

Waste or resource transfer stations are a type of ***waste or resource management facility***”

A “waste or resource management facility” is permitted with consent in the E4 – General Industrial Zone.

The objectives of the E4 – General Industrial Zone are as follows:

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*

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- *To ensure development is not likely to detrimentally affect the viability of nearby business centres.*

The proposal is considered to have regard to the objectives of the E4 – General Industrial Zone.

Other relevant matters to be considered under the Fairfield LEP 2013 for the proposed development are summarised below.

Control	Prescribed	Comment	Compliance
<b>Clause 5.21 – Flood Planning</b>	(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	A small portion of the front setback of the site is located within the low-risk precinct due to overland flooding. The application was referred to Council's Engineering Assessment Branch who raised no concerns to the application, subject to conditions of consent. Accordingly, it is considered that the proposal satisfies the provisions contained within Clause 5.21 (2).	Yes
<b>Clause 6.9 – Essential Services</b>	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage,	The site is existing and is currently operating for the purposes of a waste management facility. No construction certificate or occupation certificate is required for the development. It is considered that essential services are made available onsite.	Yes

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	(d) stormwater drainage or on-site conservation, (e) suitable vehicular access.		
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### Environmental Planning and Assessment Regulation 2021

The subject Development Application was assessed against the relevant provisions within the Environmental Planning and Assessment Regulation 2021 and was found to satisfy the provisions in Schedule 3 Designated Development, thus, the proposal is Designated Development. In accordance with the Environmental Planning and Assessment Regulation 2021, an Environmental Impact Statement (EIS) was prepared and submitted in support of the application. The Application, together with the EIS, was placed on public exhibition for a period of 28 days in accordance with the Regulation.

Clause	Prescribed	Assessment	Compliance
<b>Schedule 3</b> <b>Designated Development</b>  <b>Part 2 Designated Development</b>	<b>45 Waste management facilities or works</b>  (2) Development for the purposes of a waste management facility or works is designated development if— (a) the facility or works sorts, consolidates or temporarily stores waste at a transfer station or material recycling facility for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse, and (b) the facility or works— (i) handle substances classified in the ADG Code or medical, cytotoxic or quarantine waste, or (ii) have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or (iii) have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood,	The application proposes to increase the handling capacity of waste processing to 65,000 tonnes per annum. Accordingly, the application is identified as Designated Development.	Yes

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	<p>metal, rubber or building demolition material.</p> <p><b>waste management facility or works</b> means a facility or works that— stores, treats, purifies or disposes of waste, or sorts, processes, recycles, recovers, uses or reuses material from waste.</p>		
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### Protection of the Environment Operations Act 1997

The subject Development Application is considered to satisfy the requirements under Schedule 1 Scheduled Activities of the Protection of the Environment Operations Act 1997, thus, is a form of Integrated Development, requiring approval from the Environment Protection Authority (EPA).

Clause	Prescribed	Assessment	Compliance								
<b>Schedule 1</b> <b>Scheduled Activities</b>  <b>Part 1 Premises-based Activities</b>	<b>41 Waste Processing (non-thermal treatment)</b>  (1) This clause applies to the following activities— <b><i>non-thermal treatment of general waste</i></b> , meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing otherwise than by thermal treatment.  <b><i>non-thermal treatment of liquid waste</i></b> , meaning the receiving of liquid waste (other than waste oil) from off site and its processing otherwise than by thermal treatment.  <table><tr><th>Table</th><th></th></tr><tr><th>Column 1</th><th>Column 2</th></tr><tr><th>Activity</th><th>Criteria</th></tr><tr><td>non-thermal treatment of general waste</td><td>if the premises are in the regulated area— (a) involves</td></tr></table>	Table		Column 1	Column 2	Activity	Criteria	non-thermal treatment of general waste	if the premises are in the regulated area— (a) involves	The application proposes to store a maximum of 1,250 tonnes of waste material onsite at any given time. Accordingly, the application was identified as Integrated Development. The application was referred to the Environment Protection Authority (EPA) who provided amended General Terms of Approval.	Yes
Table											
Column 1	Column 2										
Activity	Criteria										
non-thermal treatment of general waste	if the premises are in the regulated area— (a) involves										



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		having on site at any time more than 1,000 tonnes or 1,000 cubic metres of waste, or (b) involves processing more than 6,000 tonnes of waste per year if the premises are outside the regulated area— (a) involves having on site at any time more than 2,500 tonnes or 2,500 cubic metres of waste, or (b) involves processing more than 12,000 tonnes of waste per year		
	non-thermal treatment of liquid waste	involves having on site at any time more than 200 kilograms of liquid waste (other than clinical and		

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	<p>related waste), or involves having on site at any time any quantity of liquid waste that is clinical and related waste</p>		
	<p><b>42 Waste Storage</b></p> <p>(1) This clause applies to <b>waste storage</b>, meaning the receiving from off site and storing (including storage for transfer) of waste.</p> <p>(3) The activity to which this clause applies is declared to be a scheduled activity if—</p> <p>(a) more than the following amount of hazardous waste, restricted solid waste, liquid waste or special waste, other than waste tyres, is stored on the premises at any time—</p> <p>(i) for a community recycling centre—12 tonnes,</p> <p>(ii) for premises to which an environment protection licence does not otherwise apply, if the waste has been collected as part of a household chemical clean-out event—80 tonnes,</p> <p>(iii) otherwise—5 tonnes, or</p> <p>(c) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) are stored on the premises at any time—</p> <p>(i) in the case of premises in the regulated area—</p>		

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	<p>more than 1,000 tonnes or 1,000 cubic metres,</p> <p>(ii) in the case of premises outside the regulated area—more than 2,500 tonnes or 2,500 cubic metres, or</p> <p>(d) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) is received per year from off site—</p> <p>(i) in the case of premises in the regulated area—6,000 tonnes,</p> <p>(ii) in the case of premises outside the regulated area—12,000 tonnes.</p>		
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### State Environmental Planning Policy (Planning Systems) 2021

Pursuant to the State Environmental Planning Policy (Planning Systems) 2021, the application is a waste management facility which meets the Designated Development requirements, thus, is required to be determined by the Sydney Western City Planning Panel (SWCPP).

Clause	Prescribed	Assessment	Compliance
<b>Schedule 6</b> <b>Regionally significant development</b>	(1) Development for the purposes of—	The subject Development Application is for the purposes of a waste management facility that meets the requirements for Designated Development.	Yes
<b>7 Particular designated development</b>	(c) waste management facilities or works that meet the requirements for designated development under the <u>Environmental Planning and Assessment Regulation 2021</u> , Schedule 3, section 45.		

### State Environmental Planning Policy (Transport and Infrastructure) 2021

The subject Development Application was assessed against the relevant provisions within the State Environmental Planning Policy (Transport and Infrastructure) 2021. The application is considered satisfactory against the relevant provisions.

Clause	Prescribed	Assessment	Compliance
<b>Subdivision 2</b> <b>Development in or adjacent to road corridors and road reservations</b>	<p>(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—</p> <p>(a) new premises of the relevant size or capacity, or</p>	The subject Development Application was referred to Transport for New South Wales (TfNSW), as the proposal involves the	Yes

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<b>2.122 Traffic-generating development</b>	(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.			alteration to an existing waste or resource management facility. TfNSW raised no concerns to the proposal, subject to conditions of consent.	
	<b>Column 1</b> Purpose of development	<b>Column 2</b> Size or capacity—site with access to a road (generally)	<b>Column 3</b> Size or capacity—site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)		
	Waste or resource management facilities	Any size or capacity	Any size or capacity		

### State Environmental Planning Policy (Resilience and Hazards) 2021

The subject Development Application was assessed against the relevant provisions within the State Environmental Planning Policy (Resilience and Hazards) 2021. The application was considered satisfactory against the relevant provisions.

Clause	Prescribed	Assessment	Compliance
<b>Part 3 Potentially hazardous or potentially offensive development</b>  <b>3.11 Preparation of preliminary hazard analysis</b>	A person who proposes to make a development application to carry out development for the purposes of a potentially hazardous industry must prepare (or cause to be prepared) a preliminary hazard analysis in accordance with the current circulars or guidelines published by the Department of Planning and submit the analysis with the development application.	The application does not propose any building works, rather an intensification of the waste processing capacities onsite. A risk screening was included in the EIS, which determined that the proposed quantities do not deem potentially hazardous or offensive development and are below the thresholds. Based upon the preliminary risk screening and the assessment process, the proposal is not considered potentially hazardous and a Preliminary Hazard Analysis is not required. The application was referred to Council's Public Health and Environment Branch and the Environment Protection Authority (EPA) who raised no concerns to the application, as amended,	Yes



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		subject to conditions of consent.	
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### Fairfield City Wide Development Control Plan 2024: Chapter 9 – Industrial Development

The subject Development Application was assessed against the relevant provisions within Chapter 9 – Industrial Development of the Fairfield City Wide Development Control Plan 2024. The subject Development Application was found to be satisfactory against the relevant provisions.

Control	Prescribed	Comment	Compliance
<b>Clause 9.1.1.2 – Lot Frontage</b>	b) The minimum frontage to all other roads is to be 30 metres.	Sleigh Place frontage: = 46.844m	Yes
<b>Clause 9.1.2 – Building Setbacks</b>	a) The minimum setback for all land within Wetherill Park is to be 10m, all of which is to be landscaped.	Existing building setback: = 24m  Landscaping setback: = 11m  No changes are sought to the existing building setback.	Yes
<b>Clause 9.2.2.1 – Car Parks (General)</b>	a) Chapter 12 of this DCP outlines general advice and guidelines for the management of car parking, vehicle and access management. This appendix should be read in conjunction with this sub clause to assist in the overall development proposal.	Refer to assessment against Chapter 12.	Refer to assessment
<b>Clause 9.2.2.2 – Car Parking Requirements</b>	a) For general design information on car parking requirements, access and vehicle arrangements, refer to Chapter 12 of this DCP.		
<b>Clause 9.2.3 – Loading Facilities</b>	a) To ensure new development does not adversely intrude on pedestrian and vehicle amenity, applicants will need to demonstrate that loading for their activity can either be carried out:  a. on-site without interfering with the efficient operation of the premises (including its carpark); or  b. gain access to an on-street loading zone at the front or side of their premises.	No changes are sought to the existing loading facilities onsite. Notwithstanding this, the application proposes to increase the frequency of deliveries to and from the premises. The applicant has demonstrated that loading/unloading activities can occur onsite without interfering with the efficient operation of the premises.	Considered acceptable

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	<p>b) Loading requirements for selected activities are detailed below:</p> <p><b>Other industry (including wholesaling) and small warehouse developments less than 3000m<sup>2</sup></b>          No. of loading facilities required:          1 space per 700m<sup>2</sup> GLA.          Size of loading bays:          Development up to:</p> <ul style="list-style-type: none"> <li>• 150m<sup>2</sup> GLA – medium rigid vehicle (3.5m x 8.8m)</li> <li>• 150m<sup>2</sup> – 700m<sup>2</sup> GLA – heavy rigid (3.5m x 12.5m)</li> <li>• 700m<sup>2</sup> – 3000m<sup>2</sup> – semi trailer (3.5m x 19m<sup>2</sup>)</li> </ul> <p><b>Large warehouse developments (greater than 3000m<sup>2</sup>)</b>          No. of loading facilities required:          Loading facilities for large warehouse developments will be assessed on merit and are to be justified on the basis of size, number and frequency of goods vehicles likely to visit the premises.          Size of loading bays:          3.5m x 19m (semi trailer)          (Where B-Doubles are proposed, additional clearance may be required).</p> <p><b>Bulky goods premises</b>          No. of loading facilities required:          A minimum of 1 dock for every 4000m<sup>2</sup> GLA of bulky goods floor space or part thereof; plus 1 additional dock for every additional 4000m<sup>2</sup> provided onsite. This could involve a complex of two or more units sharing a common dock area or where there is a stand along bulky goods unit on a site, it shall be provided with its own loading dock.</p>	<p>GLA:          = 2037.80m<sup>2</sup></p> <p>Required number of loading bays:          = 2037.80 ÷ 700          = 2.91          = 3</p> <p>Proposed number of loading bays:          = 1x unloading bay and 2x unloading pits</p> <p>Largest vehicle to service the premises:          = 19m semi-trailer</p> <p>No changes are sought to the existing loading/unloading arrangements onsite. The applicant has satisfactorily demonstrated that a semi-trailer can continue to service the premises.</p>	<p>Considered acceptable</p>
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	Size of loading bays: Internal loading area of 3.7m x 19m, signposted and separated from the remainder of the unit or building by bollards or other approved measures. If an internal loading area cannot be provided, an external loading area of the same dimensions is to be provided adjacent or in close proximity to the roller door entrance.		
<b>Clause 9.2.4 – Onsite Manoeuvring</b>	a) Adequate onsite manoeuvring is to be provided to enable a large rigid truck to enter and leave the site in a forward direction. Where this is not possible because of insufficient lot width then Council will restrict future use of buildings to those uses which do not require servicing by large rigid or articulated vehicles.	The subject Development Application was referred to Council's Engineering Assessment Branch who raised no concerns to the manoeuvrability onsite, subject to conditions of consent.	Yes
<b>Clause 9.2.6 – Pedestrian Movements</b>	a) Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by the use of raised and textured surfaces. b) As far as possible, pedestrian access through car parks should be kept separate from vehicle access ways.	No changes are sought to the existing pedestrian movements onsite. A site inspection by Council Officers has revealed that line markings and signage clearly indicate pedestrian routes around the facility.	Considered acceptable
<b>Clause 9.4.4 – Hours of Operation</b>	a) Where industrial properties are within 500m of residential properties, industrial operating hours will generally be restricted within the range of: a. Monday to Friday: 7:00 AM – 6:00 PM b. Saturday: 7:00 AM – 12:00 PM noon c. Sunday: no operations. d) Proposals to operate outside of either of these hours will be considered upon their merits and may be required to be supported by an Acoustic Engineer's Report.	The site is located approximately 200m from the nearest residential receiver along Cowpasture Road, which is located within the Western Sydney Parklands.  Proposed hours of operation: = Monday to Sunday – 24 Hours  An Acoustic Report was submitted as part of the Development Application, detailing the expected noise levelling and strategies to mitigate noise impacts. The application was referred to	Considered acceptable – refer to assessment of key planning issues

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		Council's Public Health and Environment Branch and the Environment Protection Authority, who as amended, raised no concerns, subject to conditions of consent.	
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### Fairfield City Wide Development Control Plan 2024: Chapter 12 – Car Parking, Vehicle and Access Management

The subject Development Application was assessed against the relevant provisions within Chapter 12 – Car Parking, Vehicle and Access Management of the Fairfield City Wide Development Control Plan 2024. The subject Development Application was found to be satisfactory against the relevant provisions.

Control	Prescribed		Comment	Compliance
Clause 12.1.1 – Car Parking Rates	Use / Activity	Minimum Number of Car Spaces Required	Although the subject Development Application is not exclusively for the purposes of a resource recovery facility, it is considered to be the most similar in terms of operation and car parking demand.	Considered acceptable
	Resource Recovery Facility	To be determined by a car parking survey of a comparable facility	A Traffic Impact Assessment was submitted as part of the application, which stipulated that there are twenty-three (23) car parking spaces (inclusive of one accessible space) made available for a maximum of twenty (20) staff and two (2) visitors onsite at any given time. When considering the worst-case scenario (maximum of twenty-two people onsite at any given time), there will be a surplus of one (1) car parking space. Given this, it has been demonstrated that there are adequate car parking spaces made available onsite.	

### TOWN PLANNING ASSESSMENT

In addition to the relevant provisions and requirements as discussed within this report, including those contained within the State Environmental Planning Policies, Fairfield Local Environmental Plan 2013 and Fairfield City Wide Development Control Plan 2024, the key planning consideration with the application are identified below.



### **Traffic Impacts**

During the assessment of the application, concern was initially raised regarding the increased traffic impacts as a result of the development. To support the increased waste processing capacity, the application proposed an additional eighteen (18) waste deliveries to the site from fifteen (15) and an increase in the number of waste removal movements from one (1) to four (4) per week. Concern was initially raised regarding the lack of loading information as well as the internal circulation impacts of increased number of vehicles onsite. Amended information was submitted to Council, including clarification regarding the number and types of vehicles servicing the premises.

Furthermore, the application seeks to remove one (1) accessible car parking space onsite. A Traffic Impact Assessment was submitted as part of the application, which stipulated that there are twenty-three (23) car parking spaces (inclusive of one accessible space) made available for a maximum of twenty (20) staff and two (2) visitors onsite at any given time. When considering the worst-case scenario (maximum of twenty-two people onsite at any given time), there will be a surplus of one (1) car parking space. Given this, it has been demonstrated that there are adequate car parking spaces made available onsite.

The application was referred to Council's Traffic Section Branch and Transport for New South Wales (TfNSW) who raised no concerns, subject to conditions of consent. Accordingly, it is considered that the proposed traffic and parking arrangements onsite are considered satisfactory in this circumstance.

### **Waste Management**

The subject Development Application was referred to the Environment Protection Authority (EPA) pursuant to Schedule 1 of the Protection of the Environment Operations Act 1997. The EPA initially raised concerns regarding the processing of streetsweeper waste and inadequate information submitted in relation to the types, quantities, storage and processing of other waste materials onsite. In response, the applicant submitted amended information, including the withdrawal of the street sweeping waste component. The EPA considered the amended information unsatisfactory, requiring evidence of the Sydney Water Trade Waste Agreement, maintenance of the new odour management system, details regarding waste quantities and consistent technical documentation. In response, the applicant submitted further documentation. Whilst some matters had been addressed, the EPA considered the amended information insufficient and required further clarification regarding the volumes of waste to be stored onsite, the dimensions of storage bays, frequency of vehicle movements, treatment of waste and updated acoustic levels. A final package was submitted and as amended, the EPA raised no further concerns, and issued amended General Terms of Approval (GTAs).

### **Odour / Air Quality Impacts**

Odour was identified as a potential issue during the assessment of the application as a result of increasing waste processing capacity. An Odour Assessment was submitted as part of the application, detailing the operational procedures of the premises and how potential impacts will be minimised. The report stipulated that the following measures will be implemented to help manage and treat any potential odour impacts onsite:

- All potential odours generated from the operational activities would be captured and passed through a scrubbing system (activated carbon unit) before venting into the atmosphere, thereby minimising the potential for any fugitive odours to leak from the facility.
- The stack exit velocity would be maintained at a minimum of 15 m/sec at all times during the operational hours, which will allow for better odour dispersion.

Therefore, no odours / leakage of odours are expected from the operational activities at the facility. The report concluded that the application would achieve compliance with the odour assessment criteria. The application was referred to Council's Public Health and Environment Branch and the Environment Protection Authority (EPA), who as amended, raised no concerns, subject to conditions of consent.

### **Acoustic Impacts**

The subject Development Application seeks to operate twenty-four (24) hours per day, seven (7) days a week. Pursuant to Clause 9.4.4 – Hours of Operation of the Fairfield City Wide Development Control Plan 2024, properties located within 500m of residential receivers will generally be restricted to the following hours of operation:

Monday to Friday: 7:00am – 6:00pm

Saturday: 7:00am – 12:00pm

Sunday: No operation

The site is located approximately 200m from the nearest residential receiver along Cowpasture Road, which is located within the Western Sydney Parklands.

Although the application does not strictly comply with this control, Clause 9.4.4(d) stipulates that proposals seeking to operate outside of these hours will be considered upon their merits and need to be supported by an Acoustic Engineer's Report. An Acoustic Report was submitted as part of the Development Application, detailing the expected noise levelling and strategies to mitigate noise impacts. The Acoustic Report included the following recommendations:

- 1. Between 10:00pm – 5:00am, Monday to Sunday, there shall be no more than six (6) trucks (standard 10.3m HRV's) incoming and outgoing. There shall only be one (1) delivery occurring at any given time.*
- 2. All trucks must enter and exit the site in a forward direction.*
- 3. There is no installation of any new external equipment for the proposed 24-hour operation.*

The proposed recommendations are considered satisfactory in terms of the management of any potential acoustic impacts. A condition of consent is recommended to be imposed, requiring compliance with the submitted Acoustic Report. Given the site is appropriately screened from residential land uses and all processing activities are to occur internally to the existing building, it is considered that the proposed hours of operation can be supported in this circumstance. Furthermore, the application was referred to Council's Public Health and Environment Branch who raised no concerns, subject to conditions of consent.

### **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – SECTION 4.15 EVALUATION**

The proposed development has been assessed and considered having regard to the matters for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment (EP&A) Act 1979 and no issues have arisen that would warrant the application being refused on planning grounds. The following is a brief assessment of the proposal regarding Section 4.15(1).

#### The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))

An assessment of the proposal against the following Environmental Planning Instruments identified as being of relevance to the proposal has been undertaken:

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- Fairfield Local Environmental Plan 2013 (FLEP 2013): Zone E4 – General Industrial
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environment Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Planning Systems) 2021

The subject Development Application has been considered against the abovementioned instruments and found to be satisfactory.

The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved) (EP& A Act s4.15 (1)(a)(ii))

Not applicable.

The provisions of any Development Control Plans (EP& A Act s4.15 (1)(a)(iii))

The proposed development was assessed against the applicable provisions within the Fairfield City Wide Development Control Plan 2024, Chapter 9 – Industrial Development and Chapter 12 – Car Parking, Vehicle Access and Management and was considered acceptable.

Any planning agreement that has been entered into under part 7.4, or any draft planning agreement that a developer has offered to enter into under part 7.4, (EP&A Act s4.15(1)(a)(iia))

Not applicable.

The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))

The proposed development is identified as a 'waste management facility' defined under clause 45 of Schedule 3 of the Environmental Planning and Assessment Regulation 2021. Given that the facility seeks to increase the amount of waste processed onsite to more than 30,000 tonnes per annum, the proposed development is defined as Designated Development.

Pursuant to Clause 4.10 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), a development application for the purpose of Designated Development is to be accompanied by an Environmental Impact Statement (EIS). The development application has been submitted with an EIS in accordance with the Secretary's Environmental Assessment Requirements (SEARs).

The Likely Environmental, Social or Economic Impacts (EP& A Act s4.15 (1)(b))

### **Social Impacts**

The subject Development Application is likely to have positive social impacts, by recycling waste material to be used for new purposes that would have normally been sent to landfill.

### **Environmental Impacts**

As demonstrated above, a number of potential negative environmental impacts have been taken into consideration in relation to the proposal, including odour and noise impacts. However, as amended, the applicant has demonstrated that any potential impacts can be contained within the site and are unlikely to occur if compliance with the conditions is strictly adhered to. Furthermore, the overall intent of the application is to reduce the amount of waste sent to landfill through the use of renewal

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practices. Therefore, it is considered that the development is unlikely to cause any adverse environmental impacts.

### Economic Impacts

The subject Development Application is considered to generate positive economic impacts upon the locality, through the direct employment of more staffing members and the decreased output of waste sent to landfill.

#### The suitability of the site for the development (EP&A Act s4.15 (1)(c))

The site is considered suitable for the proposed development,

#### Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))

In accordance with the Environmental Planning and Assessment Regulation 2021, the application was notified for a period of twenty-eight (28) days in accordance with the Regulations. No submissions were received.

#### The public interest (EP& A Act s4.15(1)(e))

Having regard to the assessment the proposed development, the development is considered to be in the public interest.

## 10. DEVELOPMENT CONTRIBUTIONS

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The applicant has indicated that the total cost of the development is less than \$100,000 (\$98,450.00), thus not requiring the payment of local development contributions to Council.

Pursuant to the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023, the application does not require the payment of any contributions as no new GFA is proposed.

## 11. RECOMMENDATION

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It is recommended that Development Application No. 350.1/2023, proposing the increase in volume of waste processed from 29,500 to 65,000 tonnes per annum at an existing Waste Management Facility, including 24-hour operation, at No. 6 Sleigh Place, Wetherill Park be approved, in accordance with **Attachment O** of this report for the following reasons:

1. The subject site is zoned E4 – General Industrial, pursuant to the Fairfield Local Environmental Plan (FLEP 2013). The proposal is permitted with consent and is considered to have regard to the objectives of the zone.
2. The application was assessed against the applicable controls within the State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Planning Systems) 2021 and the State Environmental Planning Policy (Resilience and Hazards) 2021. The application was found to be satisfactory against the applicable legislation.
3. The subject Development Application was assessed against the relevant provisions within Chapter 9 – Industrial Development and Chapter 12 – Car Parking, Vehicle and Access

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Management of the Fairfield City Wide Development Control Plan 2024. The application is considered acceptable against the relevant provisions and found to be satisfactory.

4. As amended, the proposed development satisfactorily addresses the key planning considerations raised, inclusive of odour impacts, air quality, traffic management, quantity of waste and acoustic impacts through the submission of technical reports and amended documentation. It is considered that the proposed development is unlikely to generate any adverse environmental impacts, subject to strict compliance with the conditions of consent.
5. The application was publicly notified in writing to occupants and owners of the adjoining properties and was publicly notified on Council's website for a period of twenty-eight (28) days. No submissions were received.
6. The application was referred to Council's Public Health and Environment, Engineering Assessment, Building Control and Traffic Section Branches. As amended, no concerns were raised, subject to conditions of consent. The application was externally referred to the Environment Protection Authority (EPA) and Transport for New South Wales (TfNSW). As amended, no concerns were raised, subject to conditions of consent.
7. The subject Development Application is considered within the public interest, as the proposal seeks to increase the waste processing capacity onsite, having regard to the objectives of the NSW Government's Waste Avoidance and Resource Recovery Act 2001 and the NSW Waste and Sustainable Material Strategy 2041 by further aiding waste recovery and beneficial reuse of materials.