

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	20 November 2024
DATE OF PANEL DECISION	20 November 2024
DATE OF PANEL BRIEFING	15 November 2024
PANEL MEMBERS	Louise Camenzuli (Chair), Susan Budd, Graham Brown, Ninos Khoshaba
APOLOGIES	Justin Doyle, David Kitto
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 15 November 2024.

MATTER DETERMINED

PPSSWC-380 – Fairfield – DA 350.1/2023 – 6 Sleigh Place, Wetherill Park - Increase volume of waste from 29,500 to 65,000 tonnes per annum at existing waste management facility. The development is Designated under Schedule 3, Part 2, Clause 45 of the EP&A 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.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 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.

In particular, the Panel is satisfied that the proposed development 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 compliance with the conditions of consent.

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

The Panel previously raised issues at the Panel meeting on 4 March 2024 regarding the street sweeping component of the development. This component has been withdrawn from the application. The application also 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 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.


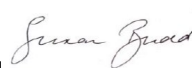


CONDITIONS

The development application was approved subject to the conditions in the council assessment report, with the following requested changes to be incorporated by the Council in the final conditions to be uploaded on the portal:

- A new condition setting out the complaints procedure presently set out in the plan of management.
- An amendment to condition 17 to make clear that this consent will prevail to the extent of any inconsistency with the previous development consent applicable to the site.
- A minor amendment to condition 18 to make clear that the “attached” Environment Protection Authority General Terms of Approval referred to in that condition are those set out in the letter to the Council dated 7 November 2024, including Attachments A and B to that letter.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Louise Camenzuli (Chair)	 Susan Budd
 Graham Brown	 Ninos Khoshaba

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-380 – Fairfield – DA 350.1/2023
2	PROPOSED DEVELOPMENT	Increase volume of waste from 29,500 to 65,000 tonnes per annum at existing waste management facility. The development is Designated under Schedule 3, Part 2, Clause 45 of the EP&A 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	STREET ADDRESS	6 Sleigh Place, Wetherill Park
4	APPLICANT/OWNER	Applicant: Wild Environment/Mainstream Recycling Pty Limited Owner: Milana Corporated Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Fairfield Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Fairfield City Wide Development Control Plan 2024 Planning agreements: Nil 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.
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 14 November 2024 Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Preliminary Briefing: 4 March 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Louise Camenzuli, Hugo Morvillo, Kevin Lam <u>Council assessment staff</u>: Mason Shute, Liam Hawke, Sunnee Cullen <u>Applicant representatives</u>: Andrew Wild, Tiaan Reader Final briefing to discuss council's recommendation: 19 November 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Louise Camenzuli (Chair), Susan Budd, Graham Brown, Kevin Lam, Ninos Khoshaba <u>Council assessment staff</u>: Mason Shute, Liam Hawke, Sunnee Cullen <u>Applicant representatives</u>: Andrew Wild, Tiaan Reader
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

