

## Record of Preliminary Briefing Sydney Western City Planning Panel

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSWC-390 – Fairfield – DA 3.1/2024 - 68 Victoria Street, Smithfield
<b>APPLICANT / OWNER</b>	Applicant: Mod Urban/Tyrex Australia Owner: Edwards Ea-monn Foley, Matthew O'Donnell
<b>APPLICATION TYPE</b>	Alterations and additions to the existing industrial building and the use of the premises as a waste or resource transfer station for the shredding of 30,000 tonnes of tyres and 520 tonnes of wire annually. The proposal is defined as designated development and is also Integrated development.
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Designated Development - Waste Facility
<b>CIV</b>	\$ 81,000 (excluding GST)
<b>BRIEFING DATE</b>	8 April 2024

### ATTENDEES

<b>APPLICANT</b>	Matthew O'Donnell, Zafar Mahmood, Trent De Maria, Paul Delaney, Aleks Todoroski
<b>PANEL</b>	Justin Doyle (Chair), David Kitto, Louise Camenzuli, Kevin Lam, Hugo Morvillo
<b>COUNCIL OFFICER</b>	Mason Shute, Liam Hawke, Sunnee Cullen
<b>CASE MANAGER</b>	Renah Givney
<b>PLANNING PANELS SECRETARIAT</b>	Tim Mahoney

**DA LODGED: 11 January 2024**

**DAYS SINCE LODGEMENT: 88 days**

**TENTATIVE PANEL BRIEFING DATE: Not currently anticipated**

**TENTATIVE PANEL DETERMINATION DATE: Within 250 day target**

Chair reviewed attendance and introduced Preliminary Briefing purpose and process.

### **Applicant**

- The Applicant provided an overview of the proposed development, involving a Designated Development for the alterations and additions and use of the site for the purpose of a 'waste or resource transfer station'. Specifically:
  - receiving, consolidating and onforwarding of approximately 30,000 tons of waste tyres (rubber) per annum. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel), which will be collected via magnets during processing and taken to the steel mills for further processing
  - tyre shredding and crumbing operations, including the installation of new shredding equipment
  - installation of weighbridge operations
  - storage of a maximum of 256 tonnes (at any one time) of rubber material
  - operation 24 hours/7 days per week
  - eight (8) employees on site at any one time.
- The Applicant advised that product is received by utes and trucks at the facility. Regular delivery activities to be via 12.5m long Heavy Rigid Vehicles. The largest vehicle to access the site will be a 13.9m semi-trailer.
- The Applicant advised that the site was formerly used for steel fabrication, steel engineering and welding.
- The Applicant advised that they undertook a letterbox drop on 4 June 2023 to surrounding businesses and residents (within a radius of 250m of the site). No written responses were received. The Applicant also held a meeting on site on 27 June 2023 to which no one from surrounding businesses, residential properties and landowners attended.
- The Applicant advised that the external storage of material is essential to the proposed operations and that a proposed awning is intended to protect the storage area.
- The Applicant advised that processing at night does not involve any machinery – this will stop at 11pm, after which cleaning only will occur until 6am.

### **Council**

- Council advised that the subject premises is currently operating as a tyre recycling facility without development consent. A tyre recycling facility currently exists at No 66 Victoria Street, Smithfield (D & N Rubber). The Applicant seeks to move the facility to the subject premises (Tyrex) as it is a larger property and capable of supporting the intended operating capacities.
- Council advised that the Applicant has since obtained Secretary's Environmental Assessment Requirements and prepared an Environmental Impact Statement.
- Council confirmed that the development is Designated Development for several reasons, being development in proximity to waterbody, a floodplain, and residential land uses, as well as the volume of material.

- The application is also Integrated Development, requiring approval under the Protection of the Environment and Operations Act 1997. Application was referred to the Environment Protection Authority which has raised issues relating to air quality, surface water management, traffic movements, waste storage and waste classification.
- The application has been referred externally and internally. The Council is still waiting on comments from TfNSW.
- Council's preliminary review has identified issues relating to:
  - loading/unloading
  - hours of operation
  - storage activities
  - site sealing
  - perimeter fencing
  - owner's consent
- The application was notified to adjoining I adjacent property owners and occupiers and advertised. Two (2) submissions were received, which both objected to the application.
- Council anticipates that the application can be determined at the end of July 2024.

#### **Panel**

- Panel noted that TfNSW has raised any issues in relation to the proposed two driveways, but was informed that further correspondence and provision of information had resolved the issue.
- The Panel queried whether the Applicant intends to seal the site.
- The Panel queried whether the external storage of materials is essential to the proposed operations.
- The Panel queried what processing at night will involve.
- The panel targets determination of RSDAs within 250 days. The chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment. The panel may determine development in the form it is presented at or prior to 250 days.

#### **Note:**

Council is yet to undertake its full application assessment, so this record is not a final list of the issues it will need to consider in order to draft its recommendation.

The application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within.