

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	11 September 2025
DATE OF PANEL DECISION	11 September 2025
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Kevin Lam, Ninos Khoshaba
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 8 August 2025.

MATTER DETERMINED

PPSSWC-484 - Fairfield - DA250.1/2024 - 31 The Promenade, Yennora - Use of premises for the purpose of a resource transfer station, processing a maximum of 606 tonnes of scrap metal per year.

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 (DA) 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 which have been summarised below:

The Panel accepts and agrees with the conclusion of the Council assessment staff that the application has demonstrated that the business is capable of operating without any unreasonable environmental impacts, subject to strict compliance with conditions of consent.

Particular matters considered include:

- The proposed use is permissible in the applicable E4 – General Industrial Zone under Fairfield Local Environmental Plan 2013 ('LEP 2013'), the use would be consistent with the zone objectives, and the Applicant has sufficiently addressed the relevant provisions of the Fairfield City Wide DCP.
- The matters for consideration arising under Section 3.12 of the Resilience and Hazards SEPP concerning the appropriateness of locating the use on this site given that it is a use which is potentially hazardous and offensive have been reviewed. Given that the site is in the middle of the established Yennora Industrial Estate, it has been deemed to be appropriate in that regard.
- A Preliminary Hazard Analysis (PHA) accompanied the DA, which has satisfied Council's Public Health and Environment Branch that the premises can operate with an acceptable level of risk, subject to the implementation of mitigation measures. Section 4.6 of the Resilience and Hazards SEPP is thereby satisfied.
- Council has assessed the 9 car spaces provided to be adequate for employees and likely attendances by the public. Previous undesirable parking and/or storage in the front setback will be addressed by new landscaping in that area within 120 days from the date of the consent.

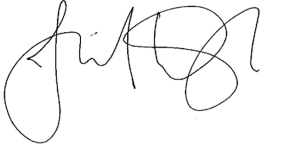
- e) An air quality report was submitted with the DA, which concludes that the proposal is unlikely to generate any unreasonable environmental impacts if the recommendations of the report are complied with as required by the conditions.

CONDITIONS

The DA was approved subject to the conditions in the Council assessment report.

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	
 Justin Doyle (Chair)	 Louise Camenzuli
 David Kitto	 Kevin Lam
 Ninos Khoshaba	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-484 - Fairfield - DA250.1/2024
2	PROPOSED DEVELOPMENT	Use of an existing industrial premises for the purposes of a resource transfer station, involving the collection, sorting and transfer of a maximum of six-hundred and six (606) tonnes of scrap metal per annum
3	STREET ADDRESS	Lots 45 and 46, DP 1625, No. 31 The Promenade, Yennora
4	APPLICANT/OWNER	Applicant: Andrew Hajjar Owner: Prime Bam Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - Fairfield Local Environmental Plan 2013 - Draft environmental planning instruments: Nil - Development control plans: - Fairfield City Wide Development Control Plan 2024 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil - 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	- Council assessment report: 7 August 2025 - Written submissions during public exhibition: 0 - Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 16 December 2024 <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Louise Camenzuli, Kevin Lam, Ninos Khoshaba <u>Council assessment staff</u>: Mason Shute, Liam Hawke <u>Applicant representatives</u>: Andrew Hajjar - Briefing: 2 June 2025 <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Louise Camenzuli, Kevin Lam, Ninos Khoshaba <u>Council assessment staff</u>: Sunnee Cullen, Mason Shute <u>Applicant representatives</u>: David Lodder
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report