

Mr Gavin Cherry
Development Assessment Coordinator
Penrith City Council
PO Box 60
PENRITH NSW 2751

Our ref: SEAR 1239
Your ref: DA19/0470

Attention: Mr Paul Anzellotti

Dear Mr Cherry

**DA19/0470 – Alterations to an Existing Waste Management Facility
1725A Elizabeth Drive, Badgerys Creek (Lot 1 DP 542395 and Lot 740 DP 810111)
Review of Designated Development Application Submissions**

Thank you for your email dated 4 June 2020, which forwarded copies of submissions received during the period of public exhibition for the above proposal in accordance with clause 81 of the Environmental Planning and Assessment Regulation 2000.

The Department of Planning, Industry and Environment (the Department) notes the Sydney Western City Planning Panel (SWCPP) is the determining authority for the proposal, in accordance with Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011.

The Department has reviewed the submissions received by Penrith City Council (Council) to date and understands the site is located in close proximity to the Western Sydney International (Nancy-Bird Walton) Airport (WSIA) and below the flight approach path to Runway 23R.

The Department notes the concerns raised by the Department of Infrastructure, Transport, Cities and Regional Development and WSA Co Limited regarding potential impacts to the future operation of the WSIA.

Several submissions were also received from the University of Sydney, Mirvac Projects Pty Ltd and the general public during the exhibition period. These submissions raised a number of concerns in relation to the proposal including, but not limited to:

- the alignment of the proposal with the objectives of the proposed Western Sydney Aerotropolis and the draft Stage 1 Land Use and Infrastructure Implementation Plan
- potential visual impacts associated with the increase in the finished height of the landfill
- potential social and economic impacts upon adjoining landowners
- potential noise, air quality and traffic impacts upon surrounding sensitive receivers.

Subject to Council and the SWCPP ensuring the concerns raised during the public exhibition period are adequately and appropriately addressed, I hereby waive the timing requirements specified under section 4.16(9)(b) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), pursuant to section 4.16(10) of the EP&A Act.

It would be appreciated if a copy of the SWCPP's determination could be forwarded to the Department for our records. Should you have any enquiries, please contact Patrick Copas on (02) 9274 6273 or via email at patrick.copas@planning.nsw.gov.au.

Yours sincerely



12 June 2020

Chris Ritchie
Director
Industry Assessments
as delegate of the Planning Secretary