

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

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| Application number: | DA16/0267 |
| Description of development: | Installation of Solar Power System |
| Classification of development: | Class 6 |

DETAILS OF THE LAND TO BE DEVELOPED

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|--------------------|---|
| Legal description: | Lot 10 DP 1105007 |
| Property address: | 137 - 147 Lethbridge Street, PENRITH NSW 2750 |

DETAILS OF THE APPLICANT

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|-----------------|---|
| Name & Address: | Solar PV Commercial Pty Ltd 4/113 Wisemans Ferry Road SOMERSBY NSW 2250 |
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DECISION OF CONSENT AUTHORITY

In accordance with Section 81(1) (a) of the Environmental Planning and Assessment Act 1979, consent is granted subject to the conditions listed in attachment 1.

Please note that this consent will lapse on the expiry date unless the development has commenced in that time.

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| Date from which consent operates | 11 April 2016 |
| Date the consent expires | 11 April 2018 |
| Date of this decision | 31 March 2016 |

POINT OF CONTACT

If you have any questions regarding this determination you should contact:

| | |
|---------------------------|----------------|
| Assessing Officer: | Sufyan Nguyen |
| Contact telephone number: | +612 4732 8568 |

NOTES

Reasons

The conditions in the attached schedule have been imposed in accordance with Section 80A of the Environmental Planning and Assessment Act 1979 as amended.

Conditions

Your attention is drawn to the attached conditions of consent in attachment 1.

Certification and advisory notes

You should also check if this type of development requires a construction certificate in addition to this development consent

It is recommended that you read any Advisory Note enclosed with this notice of determination.

Review of determination

The applicant may request Council to review its determination pursuant to Section 82A of the Environmental Planning and Assessment Act 1979 within 6 months of receiving this Notice of Determination.

You cannot make this request if the development is Designated Development, Integrated Development or State Significant development or if the application was decided by a Joint Regional Planning Panel.

Appeals in the Land and Environment Court

The applicant can appeal against this decision in the Land and Environment Court within six (6) months of receiving this Notice of Determination.

You cannot appeal if a Commission of Inquiry was held for the subject development application, or if the development is a State Significant Development.

An appeal to the Land and Environment Court is made by lodging an application to the Court in accordance with the Rules of the Court.

Designated development

If the application was for designated development and a written objection was made in respect to the application, the objector can appeal against this decision to the Land and Environment Court within 28 days after the date of this notice. The objector cannot appeal if a Commission of Inquiry was held.

If the applicant appeals against this decision, objector(s) will be given a notice of the appeal and the objector(s) can apply to the Land and Environment Court within 28 days after the date of this appeal notice to attend the appeal and make submissions at that appeal.

Joint Regional Planning Panels

If the application was decided by a Joint Regional Planning Panel, please refer to Section 23H of the Environmental Planning and Assessment Act, 1979 (as amended) for any further regulations.

ATTACHMENT 1: CONDITIONS OF CONSENT

General

- 1 The development must be implemented substantially in accordance with the following plans stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

| Drawing Title | Plan # | Prepared By | Dated | Revision |
|------------------------|--------|---------------------|------------|----------|
| Penrith RSL SLD Layout | - | Solar PV Commercial | 30/05/2015 | E |
| Photo for installation | 1 & 2 | Solar PV Commercial | 14/04/2015 | - |

- 2 The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
- 3 A Compliance Certificate certifying shall be obtained within 3 months from the date of this consent notice ensuring that the development has complied fully with the development consent.
- 4 The additional solar panels shall be installed accordance with the manufacturer's and/or structural engineer's specifications.

BCA Issues

- 5 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:
 - (a) complying with the deemed to satisfy provisions, or
 - (b) formulating an alternative solution which complies with:
 - the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
 - (c) a combination of (a) and (b).

Certification

- 6 A Compliance Certificate is to be obtained from the Principal Certifying Authority certifying compliance that all conditions of the development consent required to be met has in fact been met. The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Compliance Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the certifier who issued the Compliance Certificate.

SIGNATURE

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| Name: | Sufyan Nguyen |
| Signature: | |

For the Development Services Manager