

# PENRITH CITY COUNCIL

## NOTICE OF DETERMINATION

### DESCRIPTION OF DEVELOPMENT

Application number:	DA15/1069
Description of development:	Strata Title Subdivision x 2 Lots
Classification of development:	N/A

### DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 93 DP 16478
Property address:	45 Wedmore Road, EMU HEIGHTS NSW 2750

### DETAILS OF THE APPLICANT

Name & Address:	M Sarkis 163 Wilbur Street GREENACRE NSW 2190
-----------------	---

### 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.

Date from which consent operates	29 October 2015
Date the consent expires	29 October 2017
Date of this decision	21 October 2015

## POINT OF CONTACT

---

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

Assessing Officer:	Brooke Levingston
Contact telephone number:	+612 4732 8622

## 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.

### **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 plans numbered C3708-2 (Sheets 1-2), drawn by Mark Joseph Castelletti, dated 08.08.2015 and stamped approved by Council, the application form and any supporting information received with the application.

## Utility Services

- 2 A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.

## Subdivision

- 3 Prior to the issue of a Subdivision Certificate, submission of the original Linen Plan and ten (10) copies shall be made.

All drainage easements, rights of way, restrictions and covenants are to be included on the linen plan.

All dedications of roads/drainage are to be undertaken at no cost to Penrith City Council.

The following information is to be shown on one (1) copy of the plan.

- The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council’s resolutions.
- All existing services are wholly contained within the lot served and/orcovered by an appropriate easement.

## Certification

- 4 A Strata Certificate shall be obtained from the Principal Certifying Authority prior to lodgement of the strata plan with the Land and Property Information division of the Department of Lands. The Strata Certificate will not be issued if any of the conditions in this consent or the development consent DA940472 are outstanding.

## SIGNATURE

---

Name:	Robert Craig Principal Planner
Signature:	

For the Development Services Manager