

# PENRITH CITY COUNCIL

## NOTICE OF DETERMINATION

### DESCRIPTION OF DEVELOPMENT

Application number:	DA18/0838
Description of development:	Business Identification Signage for Data Centre
Classification of development:	Class 10b

### DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 3 DP 1160603
Property address:	15 Templar Road, ERSKINE PARK NSW 2759

### DETAILS OF THE APPLICANT

Name & Address:	Greenbox Architecture 40 King Street SYDNEY NSW 2000
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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.

Date from which consent operates	24 September 2018
Date the consent expires	24 September 2020
Date of this decision	13 September 2018

### POINT OF CONTACT

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

Assessing Officer:	Lauren Van Etten
Contact telephone number:	+612 4732 8222

## NOTES

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### **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 Sydney West 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.

### **Sydney West Planning Panels**

If the application was decided by the Sydney West Planning Panel, please refer to Section 18 of the Greater Sydney Commission Act 2015 and 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 approved site plan drawn by ARUP, dated 21/08/18, numbered DA002, Reference Number 150317 and any supporting information received with the application, except as may be amended in red on the approved plan and by the following conditions.
- 2 The finishes of all signage structures are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
- 3 The approved signage shall not be fitted with any flashing or moving lights or elements and shall not distract passing motorists or impact on visual amenity.
- 4 All signage is to be wholly contained within the site and shall not extend beyond property boundaries.
- 5 Any wiring or installation fixtures associated with the signage or internal illumination shall be contained wholly within the body of the signage and/or not be visible from the public domain.
- 6 Erection of the signage shall not unduly reduce or compromise the structural integrity of the existing building.

## **Environmental Matters**

- 7 All waste materials stored on-site during the works are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

## **BCA Issues**

- 8 All aspects of the signage 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).

## Construction

- 9 The approved signage is to be installed strictly in accordance with the manufacturer's specifications. **A statement from the signage contractor shall be submitted to Penrith City Council in this regard upon completion of the signage installation.**

## SIGNATURE

Name:	Lauren Van Etten
Signature:	

For the Development Services Manager