

# PENRITH CITY COUNCIL

## NOTICE OF DETERMINATION

### DESCRIPTION OF DEVELOPMENT

JRPP Ref. No.:	2016SWT004
Application number:	DA16/1278
Description of development:	Occupation of an Existing Waste Management Facility for a Community Recycling Centre
Classification of development:	Class 8

### DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 300 DP 1143213
Property address:	42 - 46 Charles Street, ST MARYS NSW 2760

### DETAILS OF THE APPLICANT

Name & Address:	Worth Recycling PO Box 585 SANS SOUCI NSW 2219
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### DECISION OF CONSENT AUTHORITY

In accordance with Section 23G and 81(1) (a) of the Environmental Planning and Assessment Act 1979 (as amended), consent is granted subject to the conditions implementation 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	7 March 2017
Date the consent expires	7 March 2019
Date of this decision	7 March 2017

## POINT OF CONTACT

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

Assessing Officer:	Donna Clarke
Contact telephone number:	(02) 4732 7991

## 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 plans listed below and 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.

Plan	Prepared by	Dated
A000 Cover Sheet	CK Architects	Issue Date
A100 Location Sheet	CK Architects	Issue Date
A101 Site Plan	CK Architects	Issue Date
A102 Ground Floor Plan	CK Architects	Issue Date
A103 Roof Plan	CK Architects	Issue Date
A104 Elevations	CK Architects	Issue Date
A105 Detail Sections	CK Architects	Issue Date

- 2 The development is to be in accordance with the General Terms of Approval No.1547853, dated 13 January 2017, issued by the Environment Protection Authority under the Protection of the Environment Operations Act 1997.

- 3 The operating hours of the proposed Community Recycling Centre is to be in keeping with the approved hours of operation of the existing Waste Facility, being:

Monday – Friday: 9am-3pm,  
Saturday: 9am-12 noon.

- 4 Lighting is to be directed in such a manner so as not to create a nuisance to surrounding landuses. The lighting shall be in accordance with AS 4282 “Control of the obtrusive effects of outdoor lighting” (1997).
- 5 Appropriate signage is to be erected at the exit to the site warning motorists to exit the site with care due to existing traffic flows on Dunheved Circuit.
- 6 Coloured arrow markings are to be indicated on the pavement within the site to indicate the direction of movement of vehicles within the site.
- 7 The installation of signage associated with the Community Recycling Facility within Dunheved Business Park is limited to one sign at the intersection of Links Road and Dunheved Circuit.

A separate development application for the erection of any other sign or advertising structure, unless directional or safety signage within the site, or an advertisement listed as exempt development, is to be submitted to Penrith City Council, complying with the requirements of Penrith Development Control Plan-Advertising Signs.

- 8 Two trees be planted within the Council nature strip (15metre wide frontage) to Dunheved Circuit in order to enhance the street scape which is in accordance with the Dunheved Business Park Revitalisation Strategy.
- 9 Activities on the premises must be carried out in accordance with an Environment Protection Licence issued by the Environment Protection Authority. Should this licence be revoked, suspended or surrendered, an

application is to be submitted to Council for consideration of matters contained in the licence.

A copy of the Environment Protection Licence issued by the NSW Environment Protection Authority under the *Protection of the Environment Operations Act 1997* shall be submitted to the Principal Certifying Authority before the commencement of the development. A copy of this document shall also be submitted to Penrith City Council before the commencement of the development if Council is not the Principal Certifying Authority.

## SIGNATURE

Name:	Donna Clarke
Signature:	

For the Development Services Manager