



File no: MOD-24-00581 to SPP-16-04464

12 February 2025

Emily Han
The Trustee for Plumpton SC Investment Trust
Suite 5.6, 55 Philip Street
Parramatta NSW 2150

Dear Mrs Han

Property: Lot 201 DP 1181255, Jersey Road, Plumpton

Proposal: Modification to Notice of Determination No. SPP-16-04464 under Section 4.56 of the Environmental Planning and Assessment Act 1979

Reference is made to the Section 4.56 application (MOD-24-00581) lodged with us on 25 November 2024 requesting a modification to Notice of Determination No. SPP-16-04464, dated 16 March 2018.

Please be advised that we have considered your request and, under Section 4.56 of the Environmental Planning and Assessment Act 1979, you are advised that the above determination is modified in the following manner.

Condition 2.7.2 is deleted and replaced with the following condition:

2.7.2 All works requiring approval under the Roads Act 1993 or Local Government Act 1993 must be approved PRIOR to the issue of relevant Construction Certificate.

Condition 3.6.1.1 is deleted and replaced with the following condition:

3.6.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent;

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council with any application for Construction Certificate, Road Act 1993 or Local Government Act 1993 approval.

Connect - Create - Celebrate

Council Chambers - 62 Flushcombe Road - Blacktown NSW 2148

Telephone: 02 9839 6000 - DX 8117 Blacktown

Email: council@blacktown.nsw.gov.au - Website: www.blacktown.nsw.gov.au

All correspondence to: The Chief Executive Officer - PO Box 63 - Blacktown NSW 2148

The relevant Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

Note: Any variations from these design requirements must be separately approved by Council.

Condition 4.2.1 is deleted and replaced with the following condition:

- 4.2.1** The applicant shall contact the Roads and Maritime Services regarding arrangements for the Signalised Intersection proposed for development under section 87(4) of the Roads Act 1993. Written evidence of such arrangements having been made is to be submitted with, or prior to, the issue of the relevant Construction Certification.

Condition 4.7.1 is deleted and replaced with the following condition:

- 4.7.1** A Construction Traffic Management Plan detailing construction vehicle routes, parking, number of trucks, hours of access, access arrangements, road safety and traffic control is to be submitted to Council prior to the issue of the relevant Construction Certificate.

Condition 4.8.1 is deleted and replaced with the following condition:

- 4.8.1** A Construction Environmental Management Plan is to be submitted to Council prior to the issue of the relevant Construction Certificate.

Condition 6.1.2 is deleted and replaced with the following condition:

- 6.1.2** All fees for Construction, Roads Act 1993 and Local Government Act 1993 approvals must be paid to Council prior to the issue of any of the above certificates or approvals. All fees for Compliance Certificates must be paid to Council prior to the relevant Construction Certificate works commencing.

Condition 7.1.1 is deleted and replaced with the following condition:

- 7.1.1** All fees for Compliance Certificates must be paid to Council prior to the relevant Construction Certificate works commencing.

Condition 14.1.5 is deleted and replaced with the following condition:

- 14.1.5** The hours of operation of the development are 7am to 12am, 7 days a week.

The above modification has been made under Section 4.56 of the *Environmental Planning and Assessment Act 1979*. In seeking this modification, we are satisfied that the development is substantially the same development as originally approved in SPP-16-04464.

Please note that all other conditions of SPP-16-04464 remain unaltered and therefore must be complied with.

Rights of Appeal:

If you are dissatisfied with this decision, Section 8.9 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged within 28 days and determined within six (6) months of the date on which you received this notice.

Note: To enable the Section 8.2 review to be considered within the six (6) months time frame prescribed by under the *Environmental Planning and Assessment Act 1979*, it is advisable to lodge the application for review under Section 8.2 within 28 days to facilitate the statutory timeframes.

Section 8.2 does not apply to a determination of an application to modify a complying development certificate, a determination in respect of designated development, a determination in respect of integrated development, a determination made by the council under section 4.33 in respect of an application by the Crown, or a determination that is taken to have been made because the council has failed to determine an application.

Note. Section 8.5 applies to a review under this section.

If you would like to discuss this matter further, contact our Senior Town Planner, Luma Aram, on 9839 6000.

Yours sincerely



Alan Middlemiss
Coordinator Planning Assessment