



File no: MOD-25-00208 to JRPP-16-00002

17 June 2025

Universal Property Group Pty Ltd
137 Gilba Road
Girraween NSW 21454

Dear Sir/Madam,

Property: Lot 11 DP 1235321 Boundary Road. Tallawong

Proposal: Modification to Notice of Determination No. JRPP-16-00002 under Section 4.56 of the Environmental Planning & Assessment Act 1979

Reference is made to the Section 4.56 application MOD-25-00208 lodged with us on 23 April 2025 requesting modification to Notice of Determination No. JRPP-16-00002 at the above property.

The application to modify Condition 5.1.1, which relates to the timing of payment of Section 7.11 development contributions is not supported and this application is **refused** for the following reasons:

1. Planning Circular PS 20-003 does provide for the interim deferral of the payment of Section 7.11 contributions to Occupation Certificate stage if a Construction Certificate had been issued prior to 25 September 2022. JRPP-16-00002 has not met this requirement as there is no Construction Certificate issued for JRPP-16-00002.
2. That granting approval to the modification application under the circumstances would not be in the public interest.

Right 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.

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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

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 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 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 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: Sections 8.5 apply to a review under this section.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan Middlemiss', written in a cursive style.

Alan Middlemiss
Coordinator Planning Assessment