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12 November 2013

The General Manager
Penrith City Council
P.O. Box 60
PENRITH NSW 2751

Surveying
Urban Planning
Project Management
Tenancy & Building
Strata Certification
Engineering
Spatial

Attention: Hannah Van De Wreff

Dear Hannah,

**DA 12/0786 - PROPERTY AT 86-94 ANDROMEDA DRIVE CRANEBROOK
PROPOSED TORRENS TITLE SUBDIVISION AND ASSOCIATED WORKS (LOT 1 DP 1144668)
S96(1A) APPLICATION FORM MINOR VARIATION OF CENTRAL COMMON BOUNDARY**

Further to recent discussions, we are pleased to provide additional information to support an application to modify Development Consent DA 12/0786 under Section 96(1A) of the *Environmental Planning and Assessment Act 1979*.

Planning Context

Development Application 12/0786 provided consent for re-subdivision of landholdings at 86-94 Andromeda Drive, Cranebrook, to separately delineate land comprising the Corpus Christi Primary School site from the residue parcel previously occupied, on a temporary basis, by demountable buildings accommodating students of Xavier College. Approval of this application was issued by Council on 12 November 2012.

Variation Sought

As a result of recent discussions with Council regarding proposed residential development within the eastern component of the site, a minor adjustment to the internal boundary between Proposed Lot 100 and Proposed Lot 101 is now intended, to ensure consistency with the preferred residential subdivision layout.

Accordingly, approval is now sought under Section 96(1A) of the Environmental Planning & Assessment Act to modify development consent 12/0786 granted on 12 November 2012 in the following manner:

Condition 1

The development is to be implemented substantially in accordance with Plan of Proposed Subdivision I117 P14-1 and I117P14-2.

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Condition 6

- 6 The linen plan of subdivision is to be supported by an 88B instrument creating a Restriction as to User or easement regarding the following:
- a) Access to The Northern Road is prohibited.
 - b) No further development of Lot 101 can occur unless appropriate provision is made for access, services and drainage
 - c) Vegetation areas are to be retained and managed in accordance with the Vegetation Management Plan prepared by SLR Consultants dated 22 October 2013.

Justification for Proposed Variations

The subdivision line is proposed to be amended in accordance with the enclosed plan Ref I117 P14-1 and I117 P14-2, to reflect a consistent alignment with the adjacent residential subdivision layout currently being assessed by Penrith City Council under DA 13/0288. In this regard, the proposed amended layout is a direct outcome of negotiations with Penrith City Council officers finalised during the assessment process associated with DA 13/0288. The proposed S96 (A) amendment will provide consistency with this agreed outcome.

Condition 6(c) of the current Development Consent (DA 12/0786) refers to a Site Management Plan prepared in 2000 by Gunnenah Environmental Consultants. This is an historical document which related to a previous use of the site, which has now ceased. A fresh Vegetation Management Plan has therefore been prepared by SLR Consulting Australia Pty Ltd to address vegetation issues which remain of interest to Council, in the context of the now proposed adjacent residential use. The updated Vegetation Management Plan specifically addresses the maintenance, protection and enhancement of the vegetation on the site during and post residential development on the site.

It is therefore requested that Condition 6(c) of the current development consent be modified to read as follows:

- c) *The vegetation areas are to be managed in accordance with the Vegetation Management Plan prepared by SLR Consulting Australia Pty Ltd dated November 2013.*

We look forward to Council's favourable consideration of these matters, and Council's future support in achieving a viable and environmentally sustainable outcome for this site.

Yours faithfully,



Myall Stevens
INSITES