

6 October 2017

Penrith City Council
PO Box 60
Penrith NSW 2751



Attention: Clare Aslanis

Dear Clare

Proposed Section 95 Request to Extend Lapsing Period of Development Consent DA15/0542 for a 14 Lot Subdivision at 94 – 100 Explorers Way, St.Clair

1.1 Purpose of this application

This application is submitted to Penrith City Council on behalf of Silky Property Group to support an application under Section 95A of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to extend the Lapsing Period of development consent DA15/0542 granted on the 24 February 2016 and which relates to a proposed Torrens Title Subdivision for 14 residential Lots and Public Road.

The proposed request relates to an extension of one (1) year after the lapsing date of 24 February 2018 of the existing development consent to 24 February 2019.

This letter has been prepared in accordance with Section 95A of the EPA& Act and provides:

- » An overview of the previous development consent and statutory context
- » A description of the site and the proposed development
- » Description of request.

1.2 Previous development consent

Penrith City Council granted development consent DA15/0542 on the 24 February 2016 a proposed Torrens Title Subdivision for 14 residential Lots and Public Road. A copy of this consent is provided at Appendix A.

1.3 Subject site and proposed development

The subject site is located at 94-100 Explorers Way, St Clair, adjacent to the M4 Western Motorway and is also known as Lot 36 DP 239502. The site is bounded by Explorers Way to the south, residential houses to the east and west, adjoins a road reserve along part of the western boundary and adjoins the drainage reserve along the M4 Western Motorway.



The site is approximately 1.057ha and generally has a 2-3% fall from north east towards the M4 Western Motorway. The site currently comprises a single two-storied dwelling, with a number of ancillary out buildings and sparse vegetation.

The proposed development is for a 14 lot Torrens Title subdivision with public road and associated landscaping. A copy of the approved plans are provided at Appendix B.

1.4 Request to Extend Lapsing Period of Development Consent

In accordance with Section 95A of the Environmental Planning and Assessment Act the following is requested to extend the Expiry date of DA15/0542 as follows:

From: 24 February 2018

To: 24 February **2019**

1.5 Reason for Request

Commencement in preparing detailed information to meet the Construction Certificate had been delayed due to financial constraints of the applicant.

The applicant is now presently preparing the detailed design and attempting to meet the conditions of consent to obtain a Construction Certificate.

However, the time to obtain a Construction Certificate and to commence construction will not be possible with the present development consent which lapses on 24 February 2018 and therefore requests an extension of one (1) year to Development Consent DA15/0542.

1.6 Impact of the proposal

The proposed request will have no environmental impact as:

- » The request to extend the lapsing of the development consent is one (1) year only.
- » There are no other changes to the proposed development.

1.7 Conclusion

This submission has been prepared to support an application to extend the development consent, DA15/0542 to extend the currency of the consent to lapse on 24 February 2019.



The documentation has been prepared in accordance with Section 95A of the EP&A Act and demonstrates that the proposed time extension of one (1) year is appropriate because it:

- » will result in no environmental impacts to local amenity
- » does not materially change the approved development
- » is only an administrative change with no additional impact from the proposed subdivision; and
- » will provide a much-needed time and financial reprieve to meet the requirements for the Construction Certificate

Please don't hesitate to contact the undersigned if you have any queries regarding this request.

Yours sincerely

Scott Alcorn
Senior Project Manager
scott.alcorn@elton.com.au

Attachments:

A: Existing development consent

B: Approved Plans