

Wednesday, 15th April 2015

The General Manager
Penrith City Council
PO Box 60,
Penrith NSW 2751

Attention: Robert Craig



Dear Sir,

Re: Proposed Section 96 Application to DA 14/1152 – Lot 1197 DP 1171491 –

Attached Dwellings x 9 (Proposed Lot 2391, Hudson Street)

We are writing to Council to request a Section 96 amendment to the Notice of Determination for DA 14/1152 to more accurately reflect the proposed development sequence.

There is no amendment proposed to the works as documented in the application simply the method of construction and the sequencing of the land subdivision. The subdivision will occur prior to the commencement of construction of the dwellings not after completion. Therefore the dwellings will be constructed on individual lots and will need to be 'independently' constructed with individual slabs and built to the boundary walls on both boundaries, not party walls or common slabs. They will be 'abutting' dwellings not 'attached' dwellings.

SUBDIVISION – Already Consented

Unfortunately the Statement of Environmental Effects (SEE) that was provided with the Development Application was confusing as it incorrectly requested approval for the subdivision of Lot 2391 as per DA 14/0923, which was already approved. Therefore no consent is required with this DA 14/1152 for further subdivision as consent has already been granted in DA 14/0923 to subdivide Lot 2391 into 9 lots.

The proposed subdivision works in DA 14/1923 are now complete and the subdivision certificate is with Council with registration of this subdivision is expected in May 2015.

9 x DWELLINGS – 'Abutting' not 'Attached'

The SEE also referred to this DA seeking approval for the construction of 9 x abutting dwellings and associated landscaping and parking. This is correct and it should be on proposed Lots 169 – 177 in the approved plan of subdivision of Lot 2391 (ref: DA 120923). However, the Notice of Determination and Conditions of Consent refer to attached dwellings and therefore assume 9 x dwellings in on single building. This should be amended to be 9 x individual dwellings on 9 x individual lots.

As a result Conditions of Consent 12, 13, 14, 15, 16 and 17 will need to be amended or deleted as these BCA and Utility Services matters will be different for 9 x individual dwellings on 9 x individual lots than one multi-dwelling building on a single lot.

Conditions of Consent 18 and 44 should also be amended to allow for the issue of 9 x individual Occupation Certificates as there are 9 x individual buildings and not one single building.

If you need any further information on this matter please contact Mike Scott (0418) 223 969 or mikescott@treadstone.net.au

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Michael Scott', with a horizontal line extending to the right.

Michael Scott

(0418) 223 969