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SECTION 4.55(1A) MODIFICATION APPLICATION (SSD 7173 MOD 8) FOR PROPOSED AMENDMENT TO THE SUBDIVISION PLAN

PROPERTY AT: 11-19 DISTRIBUTION DRIVE, ORCHARD HILLS (LOT 16 DP 271141)

Dear Shaun,

Reference is made in relation to the subject Modification Application (SSD 7173 MOD 8) that was lodged with the NSW Department of Planning, Industry & Environment (DPIE) on 27 April 2020 for the proposed amendments to the Subdivision Plan (as approved under SSD 7173 MOD 7) at the identified Subject Site – proposed Lots 17 & 18, 11-19 Distribution Drive, Orchard Hills (Lot 16 DP 271141).

Following a review of the NSW DPIEs request for the Response to Submissions (RTS) dated 21 May 2020, the matters raised have been taken into consideration and are accurately addressed in the response matrix, that is attached to this letter. It is considered that this information now provides NSW DPIE with all the necessary facts and relevant particulars in relation to the proposed development subject to this Modification Application; therefore, enabling the assessment to be finalised and the proposal determined

We look forward to the NSW DPIEs feedback on the information provided and look forward to progressing with the assessment of this Modification Application.

Should you wish to discuss further, please contact the undersigned.

Yours Faithfully,

Andrew Cowan
Director
Willowtree Planning Pty Ltd
CAN 146 035 707

Section 4.55(1A) – SSD 7173 MOD 8

Proposed Amendment to the Subdivision Plan

11-19 Distribution Drive, Orchard Hills (Lot 16 DP 271141)

Enclosed:

- **Appendix 1 – Amended Subdivision Plan**

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Table 1: Response Matrix	
Relevant Entities Response to Submissions	Formalised Response
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)	
<i>It would appear that the SSD modification seeks to respond to the recent approval of DA 19/0897 and proposes to establish a subdivision pattern that reflects the lease boundaries of the subject land as indicated in that Development Consent. There are however discrepancies between the detail approved within the DA and the proposed plan of subdivision that need to be rectified.</i> <i>The indicated dividing boundary between Proposed Lot 17 and 18 is depicted within the SSD Mod 8 as a straight alignment. However, DA19/0897 as approved does not set up a straight regular boundary alignment and this is required to ensure clearances of the approved driveways to each development. Refer to the stamped approved plans attached to this letter.</i> <i>The proposed plan of subdivision should be amended to reflect the allotment / lease boundaries established within DA19/0987, as the current boundary dissects the perimeter driveway for the built form on Proposed Lot 18 which is not appropriate. The proposed plan of subdivision and dividing boundary between Proposed Lot 17 and Lot 18 must be consistent with the boundaries established within DA19/0897 and clear of works approved. The stamped approved Site Plan best reflects the required boundary dimensions and allotment shape for Proposed Lots 17 and 18.</i>	The Subdivision Plan proposed has been amended accordingly to ameliorate any inconsistencies with the boundaries in accordance with the Stamped Plans approved under DA19/0897 (refer to Appendix 1).
<i>In addition, if the proposed amended subdivision occurs and divides existing Lot 16, then the registration of a drainage easement through proposed Lot 17 to the benefit of Proposed Lot 18 will need to be established and conditioned accordingly.</i>	Noted and agreed.

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WaterNSW (Alison Kniha – Catchment Protection Planning Manager)	
<i>WaterNSW has reviewed the proposal and based on this information has no objection to the modification.</i>	Noted and agreed.

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Appendix 1
Amended Subdivision Plan