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SECTION 4.55(1A) MODIFICATION APPLICATION (SSD 7173 MOD 6) FOR PROPOSED AMENDMENT TO THE SUBDIVISION PLAN

PROPERTY AT: 585-649 MAMRE ROAD, ORCHARD HILLS (LOT 2171 DP 1153854)

Dear Shaun,

Reference is made in relation to the subject Modification Application (SSD 7173 MOD 6) that was lodged with the NSW Department of Planning & Environment (DP&E) on 9 November 2018 for the proposed amendments to the Subdivision Plan (as approved under SSD 7173 MOD 2) at the identified Subject Site – proposed Lots 13, 14, 15 & 16, 585-649 Mamre Road, Orchard Hills (First Estate – Lot 2171 DP 1153854).

Following a review of the NSW DP&Es request for the Response to Submissions (RTS) dated 3 December 2018, 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 DP&E with all the necessary facts and relevant particulars related 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 DP&Es 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 on 0413 555 638.

Yours Faithfully,

Andrew Cowan
Director
Willowtree Planning Pty Ltd
ACN 146 035 70

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Enclosed:

- **Appendix 1 – Civil Engineering (Stormwater) Letter of Support**
- **Appendix 2 – Contour Levels Plans**
- **Appendix 3 – Early Works Package Plans**

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Table 1: Response Matrix

Relevant Entities Response to Submissions	Formalised Response
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)	
<p><i>Engineering and Drainage Design Detail</i></p> <p><i>The proposed Civil & Stormwater Plans as submitted are not civil design drawings and appear to be a copy of subdivision plans with hand written drainage notes.</i></p> <p><i>Detailed civil design drawings indicating all proposed drainage works with level notations and associated contours is required to be submitted to enable adequate assessment of the modification application in accordance with Council's 'Design Guidelines for Engineering Works for Submission and Developments'.</i></p>	<p>The Civil Engineering (Stormwater) Letter of Support (refer to Appendix 1), provided by Costin Roe Consulting has been amended to remove any hand-written drainage notes, for which detailed civil engineering plans have been incorporated accordingly. Appendix 1 is considered to satisfactorily address the proposed amendments to the Subdivision Plan with regard to proposed Lots 13-16.</p> <p>Under this Modification Application there are no drainage works proposed. Proposed lots 15 & 16 will operate as previously approved by Council with regard DA18/0628 (proposed Lot 16) and DA18/0689 (proposed Lot 15). Furthermore, proposed Lots 13 & 14 will remain as previously approved under SSD 7173 MOD 2 (refer to Appendix 3).</p> <p>Additionally, there will be no changes to the contours and levels on Lot 8 (proposed Lots 13-16) (refer to Appendix 2).</p> <p>No further consideration is considered warranted.</p>
WaterNSW (Malcolm Hughes – Manager Catchment Protection)	
<p><i>WaterNSW has previously responded to the original application and subsequent MOD 3 for this site. No requests to provide comment on MODs 1, 2, 4 or 5 were received by WaterNSW, however it is noted the nature and locations of the Modifications were such that the potential to impact the Pipelines corridor was low.</i></p> <p><i>In our response to the original SSD (31 May 2016; D2016/41889) the south-west corner of the site was to be excluded from development as a result of flood concerns. It was noted this area is currently used to convey stormwater from the Pipelines corridor, which forms the southern boundary of the site. WaterNSW requires that the flow of stormwater from the Pipelines corridor must not be impeded or caused to flow back to the corridor. The determination conditions C25, C26 and C27 reflected</i></p>	<p>Noted and agreed. No further action required.</p>

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WaterNSW's concerns relating to stormwater management and erosion and sediment control.

For this Modification (MOD 6) it is noted all stormwater management outcomes will be generally consistent with that approved under SSD 7173. It is important these conditions are fully implemented in the areas immediately adjacent to the Pipelines corridor, and the area notated (F) on the amended subdivision plan (Sheet 2; Plan No. 73535.008 Ver 7; 31/10/2018) continues to be identified as being restricted in use.

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Appendix 1
Civil Engineering (Stormwater) Letter of Support

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Appendix 2 Contour Levels Plans

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Appendix 3 Early Works Package Plans