

Our Ref: CCG:KLS:BSG:160255
Your Ref:

18 November 2016

The Chair
Sydney West Joint Regional Planning Panel
By email: Lisa.Foley@planning.nsw.gov.au

Dear Madam,

**Re: Cumberland Council and Sydney Constructions & Developments Pty Ltd
Property: 13 John Street, Lidcombe
JRPP Assessment: DA-24/2014**

We are the solicitors for Cumberland Council and have been asked to respond to the email to our client from Lisa Foley dated 3 November 2016.

The email related to Council's previous advice indicating that it had not given owner's consent to the development application. The email asked the following questions:

1. "Whether there was ever a Council resolution on [the] subject..." of owner's consent;
2. "Has Council staff searched and not found any document of consent from the Council;" and
3. "Did Council ever intend to give a written consent."

We are instructed to answer as follows:

1. No
2. Correct
3. This is not a matter of relevance for the JRPP in carrying out its functions. As the Panel would be aware, where a development application is made by a person who is not the owner of land, that owner's consent to the application must be in writing.

The email also indicates that "*the Chair believes that it [the Council] should be clearer about whether the Council gave their consent at any stage and about all the other owners involved.*"

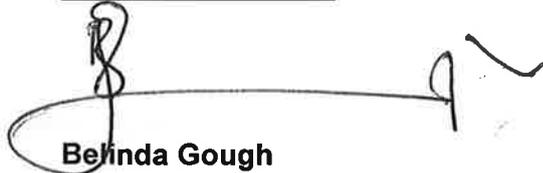
As we act only for Council, this letter can only provide information with respect to the Council's consent as owner, and the material on Council's files.

We are instructed that Council has not at any stage provided its consent as owner in writing to the development application presently before the JRPP.

Further, there is no document in the Council's records which indicate that the owners of 15 John Street, Lidcombe have given their consent in writing to the development application.

Please contact the writer if you have any queries.

Yours faithfully
STOREY & GOUGH

A handwritten signature in black ink, appearing to read 'Belinda Gough', with a large, sweeping flourish extending to the right.

Belinda Gough
Partner

Email: belinda@sglaw.com.au