

JOHNSON WINTER & SLATTERY

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Our Ref:
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20 August 2019

Mr Hamish McNulty
General Manager
Cumberland Council
PO BOX 42
MERRYLANDS NSW 2160

BY EMAIL hamish.mcnulty@cumberland.nsw.gov.au

Dear Mr McNulty

Proposed draft condition of consent for SSD 8926, voluntary planning agreement for educational establishment 2 Percy Street, Auburn

We refer to our previous correspondence dated 15 August 2019.

On 16 August 2019, the Australian Turkish Maarif Foundation (**Maarif Foundation**) met with Cumberland Council (**Council**) to discuss the offer from the Maarif Foundation to enter into a Voluntary Planning Agreement (**VPA**) in relation to the State Significant Development Application (**SSDA**) (Reference: SSD 8926) for a new school at 2 Percy Street, Auburn.

It is proposed to establish a VPA under the terms of the SSDA, which would be given effect through the conditions of the consent granted by the Department of Planning, Industry and Environment (**DPIE**) under delegation by the Minister for Planning. Council has requested that the Maarif Foundation provide draft wording of this condition for its review .

Pursuant to those discussions, the Maarif Foundation has, in consultation with its project team, prepared the following draft wording for a proposed condition of consent relating to the requirement for execution of a VPA:

“Prior to the issuing of a Construction Certificate for Stage 2 of the approved development, a Planning Agreement must be executed between the Applicant and Cumberland Council that is in the terms of the offer made by the Applicant to Cumberland Council on 15 August 2019 and summarised in Appendix X of this consent. A copy of the executed Planning Agreement is to be forwarded to the Secretary.”

Our client requests that Council confirm its agreement to the above draft wording for a condition of consent before the proposed condition is submitted to DPIE as part of the SSDA material. We would appreciate your response within 7 days of the date of this letter.

Please contact Samantha Daly at our office should you wish to discuss the matter further.

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Yours Sincerely,

A handwritten signature in blue ink that reads "Johnson Winter & Slattery". The signature is written in a cursive style with a long, sweeping tail that ends in a downward-pointing arrowhead.