



15/16783

Mr Luke Johnson
General Manager
Wollondilly Shire Council
PO Box 21
Picton NSW 2571

Dear Mr Johnson

PP_2011_WOLLY_007_00 - Clearview Site, Picton

I refer to Council's letter which provides Council's request to proceed with the above Planning Proposal.

As delegate of the Greater Sydney Commission, I have decided, in accordance with section 59(2)(b) of the *Environmental Planning and Assessment Act 1979*, not to make the proposed local environmental plan for the following reasons:

- the proposal to rezone the land is subject to outstanding objections from State agencies relating to imminent underground mining operations and subsidence risk in the short to medium term;
- these State agency objections cannot be resolved under the current planning proposal;
- the proposal is inconsistent with S117 Direction 1.3 Mining, Petroleum and Extractive industries and the determination that the inconsistency with this Direction is not of minor significance; and
- any development of the site during mining operations has a high risk of land subsidence of at least 1000mm leading to high cost to the government and community.

Should you have any further enquiries about this matter, I have arranged for Mrs Catherine Van Laeren, Director, Sydney West Region of the Department of Planning and Environment to assist you. Mrs Van Laeren can be contacted on (02) 9860 1520.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services
04/05/2016