

8 September 2017

Katrine O'Flaherty  
Director Regions, Western  
Planning Services  
NSW Department of Planning and Environment  
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Email: [Katrine.OFlaherty@planning.nsw.gov.au](mailto:Katrine.OFlaherty@planning.nsw.gov.au)

Dear Ms O'Flaherty

**RE: Planning Proposal to amend Murray Local Environmental Plan 2011 – to rezone land at 'Kooyong Park'**

Council acknowledges receipt of your letter on this matter dated 6 September 2017 advising that the NSW Department of Planning and Environment (DPE) has assessed the planning proposal as submitted by Council on 21 August 2017.

Council also acknowledges that your letter advises that DPE has returned the planning proposal to Council as a result of numerous matters specified within the letter. From the information contained in this letter it is very evident to Council that DPE has not considered all of the information submitted to your office via both post and email. In particular, it is not evident that DPE has considered the full content of the Planning Proposal as prepared by the independent planning consultant, EDM Group, the site specific flood study or the related documentation from NSW Office of Environment and Heritage (OEH)

Following receipt of your letter, Council staff contacted DPE on 6 September 2017 in relation to this matter and were advised that DPE had not received all documents associated with the planning proposal. Consequently, Council resubmitted, via email, all of the relevant documentation to allow DPE to undertake a full assessment of the application taking into account all of the full set of supporting documentation.

Council subsequently received an email response from DPE on 7 September 2017 outlining that all supporting documentation has now been received, including the site-specific flood study and relevant correspondence from NSW OEH. DPE also has advised the following *'the planning proposal is to be resubmitted with the complete information and the additional information as requested as a single package'*. This is despite the email submission indicating that the documents would be submitted in several parts due to the size of files and electronic limitations. The complete package was initially sent by post including an electronic copy on CD.


It is important to note that Council engaged independent consulting planner (EDM Group) to manage all aspects of the preparation of this planning proposal to ensure that it would meet DPE requirements. EDM Group has provided a very detailed Planning Proposal with supporting documentation that states that all relevant matters have been addressed for DPE to support the Planning Proposal. Further to this Council has also resolved to support the completed Planning Proposal in its current format.

Council has submitted the Planning Proposal to DPE with what is believed to be complete and comprehensive information and documentation to support its approval.

As DPE appear not to have assessed all submitted documentation, Council formally requests that DPE review their decision advised to Council on 6 September 2017 and provide an amended response. It is imperative that this response takes into account all information which has been submitted to support the Planning Proposal as originally sent by post to your office and subsequently emailed.

Should you require further information, please contact Glenn Bulmer, Council's Manager Development Services – East on 03 5884 3400.

Yours sincerely



Des Bilske  
**Acting General Manager**