

*Our References: TRIM 4985, 6454, 6969, 7553, 7236, 7884 & 8055, 9657*

Ann-Maree Carruthers  
Director, Sydney Region West  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

27 March, 2019

Dear Ms Carruthers,

**REQUEST FOR EXTENSION TO TIMEFRAMES OF VARIOUS PLANNING PROPOSALS**

Council would like to seek extensions to the specified gateway determination timeframes for the following eight (8) planning proposals:

- |  |                        |
|--|------------------------|
| 1. Macquariedale Road Appin                    | (PP_2011_WOLLY_014_00) |
| 2. North Silverdale                            | (PP_2013_WOLLY_005_00) |
| 3. Land Adjoining Oakdale Sportsfields         | (PP_2013_WOLLY_006_00) |
| 4. Burragorang and Steveys Forest Road Oakdale | (PP_2013_WOLLY_014_00) |
| 5. Argyle Street Business lands                | (PP_2013_WOLLY_007_00) |
| 6. Cross Street Tahmoor                        | (PP_2014_WOLLY_003_00) |
| 7. Land Adjacent Mushroom Tunnel Picton        | (PP_2015_WOLLY_001_00) |
| 8. 2471 Silverdale Road, Silverdale            | (PP_2017_WOLLY_003_00) |

Further information related to each request is provided below:

**1. Macquariedale Road, Appin (PP\_2011\_WOLLY\_014\_00)**

Gateway Determination: 25 October 2011

Current Finalisation Date: 2 July 2018

Current Status:

This proposal was reported to the November 2018 Council Meeting where the matter was deferred to enable outstanding matters related to flora and fauna and koala habitat on the site to be addressed, and also to investigate measures to establish a dwelling cap on the site.

Further specialist studies were completed and the proposal was amended following discussions between Council and the proponent. The matter was reported to Council for consideration at its Ordinary Meeting in February 2019. At this meeting Council considered reports on the following three matters:

1. The Planning Proposal;

2. Voluntary Planning Agreement;
3. Biodiversity Certification Strategy

At the Ordinary Meeting, Council resolved not to support the Planning Proposal and not to proceed with any action on the matters relating to the Voluntary Planning Agreement and Biocertification Strategy.

As Council has not been issued delegation for the making of this local environmental plan, a request was made to DPE to undertake the necessary steps so that the proposal no longer proceeds and the land is not rezoned.

Expected timeline for completion:

<b><i>Project detail</i></b>	<b><i>Timeframe</i></b>	<b><i>Timeline</i></b>
Timeframe for consideration by DPE of Council's request to undertake necessary steps so that the proposal no longer proceeds and the land is not rezoned.	3 months	June 2019

Requested Gateway Extension:

In view of the above Council requests an extension until 30 June 2019 so that the planning proposal can be completed.

Council Contact: Mark Ruddiman, 4677 9592 or [mark.ruddiman@wollondilly.nsw.gov.au](mailto:mark.ruddiman@wollondilly.nsw.gov.au)

## **2. North Silverdale (PP\_2013\_WOLLY\_005\_00)**

Gateway Determination: 1 May 2013

Current Finalisation Date: 30 July 2018

Current Status:

DPE wrote to the proponent and Council advising that they had not supported Council's amendments to the planning proposal and advising the proponent to contact Council to confirm and make necessary arrangements to provide for local infrastructure to support the proposal including road widening and provision of public open space.

A draft Letter of Offer was made to Council includes provision for local infrastructure but does not make any reference to land, works, monetary contributions and maintenance contributions that would be required. This was raised with the proponent in December 2018 following Council's review of their revised Traffic Study and Letter of Offer and their response (attached) states that they will not be providing any further information and that the remaining matters can be dealt with as part of any Voluntary Planning Agreement lodged with a future development application following the finalisation of the Planning Proposal.

The matter was reported to Council in February, 2019 and Council resolved that the proposal be forwarded to DPE for the finalisation of the commercial component only, and that the residential component be deferred from the proposal due to outstanding issues relating to provision of local infrastructure and rural land use conflict with the neighbouring poultry farm to the north. The resolution included the need to obtain legal advice on the deferred land, and once received, Council expect to forward the proposal to the Department for finalisation in accordance with the resolution.

Expected timeline for completion:

<b><i>Project detail</i></b>	<b><i>Timeframe</i></b>	<b><i>Timeline</i></b>
Legal advice to be obtained by Council in relation to deferred land.	3 months	May 2019
Anticipated date Council will forward Draft LEP Amendment to PC and to the Department.	2 months	July 2019
Anticipated date the Department will finalise the LEP Amendment and it is notified on the website.	1 month	August 2019

Requested Gateway Extension:

In view of the above, Council requests an extension until 31 August 2019 to complete the planning proposal.

Council Contact: Mark Ruddiman, 4677 9592 or [mark.ruddiman@wollondilly.nsw.gov.au](mailto:mark.ruddiman@wollondilly.nsw.gov.au)

**3. Land Adjoining Oakdale Sportsfields (PP\_2013\_WOLLY\_006\_00)**

Gateway Determination: 15 May 2013

Current Finalisation Date: 22 April 2018

Current Status:

After significant delay, the final Aboriginal Heritage Study was provided to Council on 8 February 2019. The study is currently being reviewed by Council staff. There are also existing issues with regard to wastewater/sewer capacity in Oakdale and it is understood that DPE is currently preparing a report to address this.

Once these matters have been resolved, Council will endeavour to liaise with the proponent regarding the desired final form of the planning proposal before proceeding to public exhibition.

Expected timeline for completion:

<b><i>Project detail</i></b>	<b><i>Timeframe</i></b>	<b><i>Timeline</i></b>
Timeframe to review specialist studies, receive advice from DPE on the sewer capacity issue and make any amendments to the Planning Proposal or Specialist Studies as a result.	4 months	July 2019
Commencement and completion dates for public exhibition – including preparation of updated planning proposal and generation of maps	3 months	October 2019
Timeframe for consideration of submissions.	2 months	December 2019

<b><i>Project detail</i></b>	<b><i>Timeframe</i></b>	<b><i>Timeline</i></b>
Timeframe for consideration of proposal post exhibition including amendments, maps and report to Council.	4 months	April 2020
Anticipated date Council will forward Draft LEP Amendment to PC.	2 months	June 2020
Anticipated date DPE will finalise the LEP Amendment and it is notified on the website.	1 month	July 2020

**Requested Gateway Extension:**

In view of the above, Council requests an extension until 31 July 2020.

Council Contact: Mark Ruddiman, 4677 9592 or [mark.ruddiman@wollondilly.nsw.gov.au](mailto:mark.ruddiman@wollondilly.nsw.gov.au)

**4. Burragorang and Steveys Forest Road Oakdale (PP\_2013\_WOLLY\_014\_00)**

Gateway Determination: 23 February 2014

Current Finalisation Date: 1 October 2018

**Current Status:**

The final Aboriginal Heritage Study was provided to Council by the proponent in January, 2019. There are also existing issues with regard to wastewater/sewer capacity in Oakdale and DPE is currently preparing a report to address this. There are also existing issues with regard to wastewater/sewer capacity in Oakdale and it is understood that DPE is currently preparing a report to address this. Council will prepare the proposal for public exhibition once the advice from DPE is received.

**Expected timeline for completion:**

<b><i>Project detail</i></b>	<b><i>Timeframe</i></b>	<b><i>Timeline</i></b>
Receive report from Department of Planning and Environment regarding sewer capacity and finalise proposal for public exhibition.	3 months	May 2019
Commencement and completion dates for public exhibition – after amending the Planning Proposal if required, preparation of maps and DCP provisions.	3 months	August 2019
Timeframe for consideration of submissions	2 month	October 2019
Timeframe for consideration of a proposal post exhibition including amendments, maps and report to Council.	2 months	December 2019
Anticipated date Council will forward Draft LEP Amendment to PC and to the Department.	3 months	March 2020

<b>Project detail</b>	<b>Timeframe</b>	<b>Timeline</b>
Anticipated date the Department will finalise the LEP Amendment and it is notified on the website.	1 month	April 2020

Requested Gateway Extension:

In view of the above, Council requests an extension until 30 April 2020.

Council Contact: Mark Ruddiman, 4677 9592 or [mark.ruddiman@wollondilly.nsw.gov.au](mailto:mark.ruddiman@wollondilly.nsw.gov.au)

**5. Argyle Street Business lands (PP\_2013\_WOLLY\_007\_00)**

Gateway Determination: 20 June 2013

Current Finalisation Date: 1 October 2018

Current Status:

Council has been waiting some time for the proponent to provide specialist studies. The scope of the specialist studies was agreed to with the proponent in October 2013. Since that time there have been a number of issues to address including mine subsidence issues and recently the possibility that there will be limited sewer and water capacity to service the development.

The proponent has been requested on several occasions since late last year to update Council on the progress of this matter however, no response has been received. A letter will be sent to the proponent shortly advising that Council will not be proceeding with the proposal due to a lack of progress and that the matter will be reported to Council with a recommendation not to proceed with the proposal.

Expected timeline for completion:

<b>Project detail</b>	<b>Timeframe</b>	<b>Timeline</b>
Timeframe to report the matter to Council with a recommendation not to proceed and obtain a resolution of Council.	3 months	May 2019

Requested Gateway Extension:

In view of the above, Council requests an extension until 31 May 2019.

Council Contact: Mark Ruddiman, 4677 9592 or [mark.ruddiman@wollondilly.nsw.gov.au](mailto:mark.ruddiman@wollondilly.nsw.gov.au)

**6. Cross Street Tahmoor (PP\_2014\_WOLLY\_003\_00)**

Gateway Determination: 17 July, 2014

Current Finalisation Date: 24 September 2018

Current Status:

This matter was considered by Council at its February 2019 ordinary meeting where Council resolved to support the proposal, however, the Minister for Planning be requested not to make the plan until after Council is satisfied that suitable arrangements have been

made in respect of local infrastructure. Council is of the view that this will be the point at which the Voluntary Planning Agreement (VPA) is at a stage where it is ready to go to public exhibition. Although we have not reached that stage yet, Council is close to reporting on the Letter of Offer provided by the owner and how they intend to deal with local infrastructure requirements. The proposal is also supported by a Biocertification Application which has been previously supported by Council.

Expected timeline for completion:

<b>Project detail</b>	<b>Timeframe</b>	<b>Timeline</b>
Anticipated date Council will forward Draft LEP Amendment to PC and to the Department.	2 months	May 2019
Anticipated date at which a VPA which details satisfactory local infrastructure arrangements will be exhibited and DPE will be in a position to finalise the LEP Amendment and notify on the website.	4 months	September 2019

Requested Gateway Extension:

In view of the above, Council requests an extension until 30 September 2019.

Council Contact: Mark Ruddiman, 4677 9592 or [mark.ruddiman@wollondilly.nsw.gov.au](mailto:mark.ruddiman@wollondilly.nsw.gov.au)

**7. Land Adjacent to the Mushroom Tunnel Picton (PP\_2015\_WOLLY\_001\_00)**

Gateway Determination: 23 March 2015

Current Finalisation Date: 31 October 2018

Current Status:

Council is currently working through mine subsidence issues and also issues to do with limited water and sewer capacity in Picton. The site is located within a short-term mining lease area and thus development cannot occur until after 2023. The proposal is also reliant on the release of the Picton Traffic Study which is expected to be placed on public exhibition shortly. Council is also currently attempting to resolve issues relating to heritage and the best lot layout and design of the proposal in the context of the area.

Expected timeline for completion:

<b>Project detail</b>	<b>Timeframe</b>	<b>Timeline</b>
Timeframe to resolve sewer capacity issues and the completion of the Picton Traffic Study and Masterplan exhibition. The final form of the proposal and local infrastructure arrangements required to support the proposal being finalised.	8 months	November 2019
Commencement and completion dates for public exhibition – after amending the Planning Proposal if required,	4 months	March 2020

<b>Project detail</b>	<b>Timeframe</b>	<b>Timeline</b>
preparation of maps and DCP provisions.		
Timeframe for consideration of submissions	2 month	May 2020
Timeframe for consideration of a proposal post exhibition including amendments, maps and report to Council.	3 months	August 2020
Anticipated date Council will forward Draft LEP Amendment to PC and to the Department.	2 months	October 2020
Anticipated date the Department will finalise the LEP Amendment and it is notified on the website.	1 month	November 2020

Requested Gateway Extension:

In view of the above, Council requests an extension until 30 November 2020.

Council Contact: Kylie Fairhall, 4677 9562, [kylie.fairhall@wollondilly.nsw.gov.au](mailto:kylie.fairhall@wollondilly.nsw.gov.au)

## 8. 2471 Silverdale Road, Silverdale (PP\_2017\_WOLLY\_003\_00)

Gateway Determination: 25 October 2017

Current Finalisation Date: 28 February 2019

Current Status:

Public exhibition of the planning proposal was recently undertaken in September and October 2018. Following requests to place the proposal on hold by the landowner, we have been in contact with the proponent and confirmed that the proposal will proceed unchanged. A post public exhibition Council report is currently being prepared for the May council meeting.

Expected timeline for completion:

<b>Project detail</b>	<b>Timeframe</b>	<b>Timeline</b>
Timeframe for consideration of a proposal post exhibition including amendments, maps and report to Council.	3 months	May 2019
Anticipated date Council will forward Draft LEP Amendment to PC and to the Department.	2 months	July 2019
Anticipated date the Department will finalise the LEP Amendment and it is notified on the website.	1 month	August 2019

Requested Gateway Extension:

In view of the above, Council requests an extension until 31 August 2019.

TRIM 4985, 6454, 6969, 7236, 6895, 7553, 7884, 7325 & 8055

Council Contact: Patrick Lopez, 4677 9552, [patrick.lopez@wollondilly.nsw.gov.au](mailto:patrick.lopez@wollondilly.nsw.gov.au)

Should you require any further information please do not hesitate to contact me directly on phone (02) 4677 9624 or via email [stephen.gardiner@wollondilly.nsw.gov.au](mailto:stephen.gardiner@wollondilly.nsw.gov.au)

Yours faithfully



Stephen Gardiner  
**Manager Sustainable Growth**