



Mr Luke Nicholls
General Manager
Bankstown City Council
PO Box 8
BANKSTOWN NSW 1885

10/22559

Dear Mr Nicholls

Re: Planning Proposal for Draft Bankstown LEP 2001 – Amendment 44 Wattle Street, Punchbowl

I refer to the letter from Bankstown City Council dated 22 October 2010 concerning the Planning Proposal for the Draft Bankstown LEP 2001 Amendment 44 – Wattle Street, Greenacre and a request for an extension of time for the Planning Proposal to be finalised.

I am concerned at the length of time that this Planning Proposal, formerly draft LEP, is taking to be progressed. Nevertheless, I concur that where Council is working cooperatively with the land owner, the requirements of *State Environmental Planning Policy 55 – Remediation of Land* need to be properly addressed to determine whether the site is suitable for residential development.

However, there appears to be no evidence of action taken by the Council or landowners of a number of the properties subject to the rezoning to undertake relevant studies that would allow the Planning Proposal (for these sites) to proceed to exhibition.

In this light, under section 56 (7) of the *EP&A Act 1979*, I am now acting to remove the following properties from the Planning Proposal:

Lots 1 – 7, DP13933 known as 91-103 Wattle Street, Punchbowl.

For the remainder of the Planning Proposal I agree to an extension of time for completion of the Planning Proposal to 30 June 2011. However, I request that Council provide to the Department, within 2 weeks of receipt of this correspondence, a timeline of commitments in respect of the following:

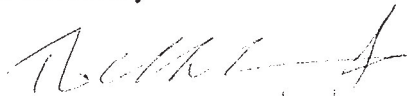
1. Proposed Inception and Completion date of site audit;
2. Copies of correspondence to the proponent making clear their investigation obligations and timeframes for completion;

3. Proposed date of report to Council and proposed date for commencement of exhibition; and
4. Proposed date for report to Council on outcomes of exhibition.

As per previous correspondence in relation this Planning Proposal, Council should proceed directly to exhibition once all relevant studies have been completed. In light of my decision to excise certain sites from the Planning Proposal, Council should ensure that the Planning Proposal is amended accordingly prior to exhibition.

Should you have any queries in regard to this matter, please contact Michael Druce of the Sydney West Office of the Department on 9783 8564.

Yours sincerely



Tom Gellibrand

15/12/10

Deputy Director General
Plan Making and Urban Renewal