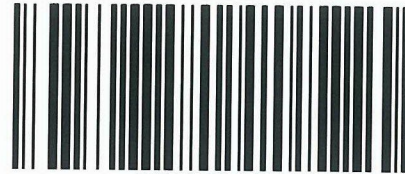


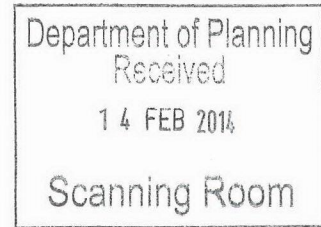


Transport
for NSW



PCU51324

Mr Chris Ritchie
Acting Director, Industry, Social Projects and Key Sites
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001



Attention: Jane Flanagan

EXHIBITION OF MODIFICATION REQUEST – PITT TOWN CONCEPT PLAN MOD3

Dear Mr Ritchie

Thank you for your letter of 14 November 2013 inviting Transport for NSW to comment in response to the exhibition of Major Project modification request for the Pitt Town Concept Plan twelve lot subdivision. Please accept my apologies for the delay in replying.

Transport for NSW has reviewed the *Subdivision of Lot 12 DP1021340 Hall Street, Pitt Town Traffic Assessment*. The very marginal differences in traffic generation are noted (225 instead of 203 vehicles generated per day and 28 vehicles in the peak one hour versus 25 vehicles previously). Transport for NSW has no issues with the modification from a transport impact perspective.

The 23 October 2013 Section 94 Contributions Plan for Hawkesbury City Council makes provision for "Additional State and Regional Transport Infrastructure". The proponent's *Section 75W Modification Assessment, Proposed 12 lot Subdivision No. 21 Hall Street Pitt Town* references State and Regional infrastructure contributions on page 18, commenting:

Therefore there is no requirement to refer the proposal to the Director-General as any contributions payable etc is provided within the current S94 plan.

The proponent's assessment was prepared in September 2013. It is therefore likely this submission was prepared prior to the formal local direction of the Minister for Planning and Infrastructure on this issue dated 24 September 2013 (**Tab A**). This direction states that the Hawkesbury City Council cannot impose a contribution towards the cost of State and Regional Infrastructure.

As State and Regional contributions cannot be collected within the Hawkesbury Section 94 Plan, Transport for NSW suggests that Hawkesbury Council to seek written confirmation from the Director General of the Department of Planning and Infrastructure, regarding arrangements for contributions to State Infrastructure. This should be undertaken prior to any consideration by Council to consent to the subdivision of the land.

The contact officer for this matter is Tim Dewey Senior, Transport Planner who may be contacted on 8202-2188.

Yours sincerely



10/2/14

Mark Ozinga
Land Use Planning and Development Manager
Land Use and Integrated Transport

CD13/22541

Environmental Planning and Assessment (Local Infrastructure Contributions - Hawkesbury City Council) Direction 2013

I, the Minister for Planning and Infrastructure, in pursuance of section 94E (1) (a) of the *Environmental Planning and Assessment Act 1979*, direct Hawkesbury City Council that it may not impose a condition under section 94 of that Act, in respect of development within Catchment 5 (Pitt Town Residential Precinct), that requires contributions towards the cost of the State and Regional transport infrastructure identified in section 7A.12, and the table on page 34, of the Council's *Section 94 Contributions Plan 2008* (being Pitt Town Bypass, Mulgrave Railway Station parking and the 2 year interim bus service).

Note:

Section 94EC (1A) of the *Environmental Planning and Assessment Act 1979* provides as follows:

The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.



Minister for Planning and Infrastructure

Dated: **24 SEP 2013**