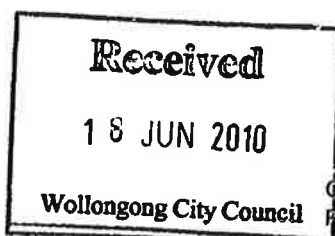




Planning



Contact: Graham Towers
Phone: 4224 9467
Fax: 4224 9470
Email: graham.towers@planning.nsw.gov.au
Your ref: Z10/69891

Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
Wollongong NSW 2500

Dear Mr Farmer

Subject: Draft Review of 7(d) lands at Helensburgh, Otford and Stanwell Tops

I refer to your letter dated 26 May 2010 concerning Council's review of the planning controls for the former 7(d) zoned lands in the areas mentioned above. Council has requested the Department to provide advice on the requirements for a Planning Proposal and whether the sustainability criteria of the Illawarra Regional Strategy would need to be satisfied.

Should Council decide to prepare a Planning Proposal for these lands, the Department's publication *A guide to preparing planning proposals* should be followed by Council in the preparation of a planning proposal. In addition, Council will need to address the s.117 Directions, the Illawarra Regional Strategy and the Helensburgh Commission of Inquiry (1994) in the preparation of the proposal.

In regards to the Illawarra Regional Strategy, the sustainability criteria will be relevant if urban development is proposed outside of the areas identified in the strategy.

You may be aware that the Department has received requests for the initiation of a Planning Proposal for the former 7(d) lands from groups including the Otford Protection Society, Friends for Stanwell Park, and the Stanwell Tops Residents Awareness Association. Attached for Council's information is a copy of the Department's reply to the Otford Protection Society.

The Department would be happy to discuss the issues that need to be addressed in a planning proposal in more detail with Council. Should you wish to discuss this matter further, please contact me on 4224 9455.

Yours sincerely

Brett Whitworth
Regional Director
Southern Region

15 June 2010



Planning

Contact: Graham Towers
Phone: 4224 9467
Fax: 4224 9470
Email: graham.towers@planning.nsw.gov.au
Our ref: 10/10025

N Watson
Secretary Otford Protection Society Incorporated
22 Lady Wakehurst Drive
OTFORD NSW 2508

Dear Sir/Madam

Subject: Planning Proposal for the former 7(d) zoned lands at Helensburgh & Otford

I refer to your letters to the Director General of the Department of Planning and to myself dated 30 April 2010 requesting the initiation of a Planning Proposal for lands formerly zoned 7(d) Hacking River Environmental Protection zone under Wollongong Local Environmental Plan 1990.

I note that you have requested the Minister to direct that the Director General is the Responsible Planning Authority for the Planning Proposal under section 54(2) of the Environmental Planning and Assessment Act 1979. The Department's Practice Note titled 'Requesting that the Minister facilitate the preparation of a local environmental plan' (PN 09-004) dated 20 August 2009 sets out the procedures to be followed in such instances. I have attached a copy of the practice note for your information.

I have reviewed your request and have formed the opinion that in its current form, that the request does not satisfy the Department's requirements as stated in the practice note for the following reasons:

- The land that would be affected by the proposal is not sufficiently identified.
- There is insufficient justification as to why the Minister should form the opinion that the matter is of State or regional environmental planning significance.
- You have not justified why the planning proposal should be prepared by someone other than Wollongong City Council.
- It has not been demonstrated that a request for your proposal has been made to Wollongong City Council.

In relation to the last two dot points, I am aware that Wollongong City Council has exhibited a review of the 7(d) zone for public comment and has recently resolved to exhibit a report on the submissions received. Council also resolved to hold discussions with the Department of Planning concerning a potential draft planning proposal should Council resolve to prepare one. In light of the above it appears that Council is taking steps towards preparing its own Planning Proposal for this area.

I would like to meet with you to discuss your proposal further. Could you please contact me on 4224 9455 to arrange a suitable time to meet to discuss this matter.

Yours sincerely

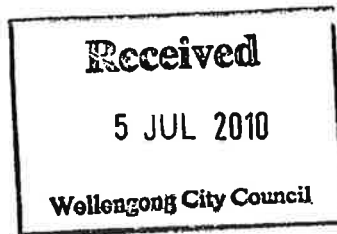
Brett Whitworth
Regional Director
Southern Region

7 June 2010

210 | 91210

28 June 2010

David Green
Wollongong Council
Locked Bag 8821
Wollongong NSW 2500



Sydney
WATER

Dear Mr Green,

Re: Draft Review of 7(D) Lands at Helensburgh, Otford and Stanwell Tops

Thank you for your letter of 26 May 2010 regarding the draft review of 7(D) lands at Helensburgh, Otford and Stanwell Tops. Sydney Water has reviewed the proposal and provides the following comments for Council's consideration.

The areas identified are located adjacent to the townships are not currently provided with reticulated water or sewer mains. The existing water and sewer assets for Helensburgh, Otford and Stanwell Tops are shown on the two attached plans. Water pipes are shown in blue and gravity sewer pipes in brown, pressure sewer (Priority Sewerage Program) shown in red and sewer transfer pressure mains shown in broken red.

Water

The Helensburgh District System is part of the Woronora Water Delivery System, and is comprised of Helensburgh, Hargraves and Stanwell Park supply zones. Water is supplied by two dual-purpose mains (300mm and 200mm mains).

To serve the proposed development, amplification of Sydney Water assets may be required:

- Replacement of a section of the twin 200mm/300mm trunk supply mains to Helensburgh reservoir with a section of single 375mm main
- Amplification of the trunk water pumping station at Woronora Dam
- Local up-sized reticulation mains within the Helensburgh township and new mains to serve these developments where necessary

The developer will need to deliver the works under a commercial agreement with Sydney Water.

Wastewater

Helensburgh and Otford drain to the Cronulla Ocean Outfall Sewer System. The Helensburgh township is sewered by a conventional gravity system. Flows are then transferred to Engadine via a 450mm pressure main and then to Cronulla Sewerage Treatment Plant by gravity. The sewerage system for Otford is a pressure sewerage system that was funded by the State Government through the Priority Sewerage Program with defined boundaries. The sewerage pumping station at Otford transfers sewerage to Helensburgh. The sewerage pumping station also transfers flows from Coalcliff, Stanwell park and Stanwell Tops via a 200mm pressure main.

To serve the proposed development, amplification of Sydney Water assets may be required:

Sydney Water Corporation ABN 49 776 225 038

1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | DX 14 Sydney | T 13 20 92 | www.sydneywater.com.au

Delivering essential and sustainable water services for the benefit of the community

- Extension of the existing sewerage system, consistent to existing local technology
- New sewerage pumping stations may be required for the expansion of the existing service boundary of Helensburgh and Otford townships
- Existing local pumping stations may require upsizing

The developer will need to deliver the works under a commercial agreement with Sydney Water.

Funding

The developer should be advised that:

- The development will be serviced by new water and wastewater systems which have a minimum acceptable standards of service under the Sydney Water Operating Licence
- There is no funding on Sydney Water's Growth Servicing Plan for these works. Sydney Water is unable to fund any works or provide detailed planning services. If the developer wishes to proceed independently through a commercial agreement with Sydney water, a developer instigated servicing study shall demonstrate the feasibility and effectiveness of full servicing and all interim servicing measures. The study shall co-ordinate a consideration of the existing and future demands and the integration of the new development within the existing systems, to the satisfaction of Sydney Water
- All new reticulation shall conform to the applicable standards and codes to the satisfaction of Sydney Water
- Sydney Water will refund the cost of all works in line with the commercial principles, which are outlined in the commercial agreement.

Sydney Water Servicing

Sydney Water will further assess the impact of the development when the proponent applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of the development and to assess if amplification and/or changes to the system are applicable. Sydney Water requests Council continue to instruct proponents to obtain a Section 73 Certificate from Sydney Water.

The proponent must fund any adjustments needed to Sydney Water infrastructure as a result of any development. The proponent should engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at www.sydneywater.com.au.

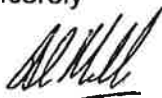
Sydney Water e-planning

Sydney Water has created a new email address for planning authorities to use to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au. The use of this email will help Sydney Water provide advice on planning projects faster, in line with current planning reforms. It will also reduce the amount of printed material being produced. This email should be used for:

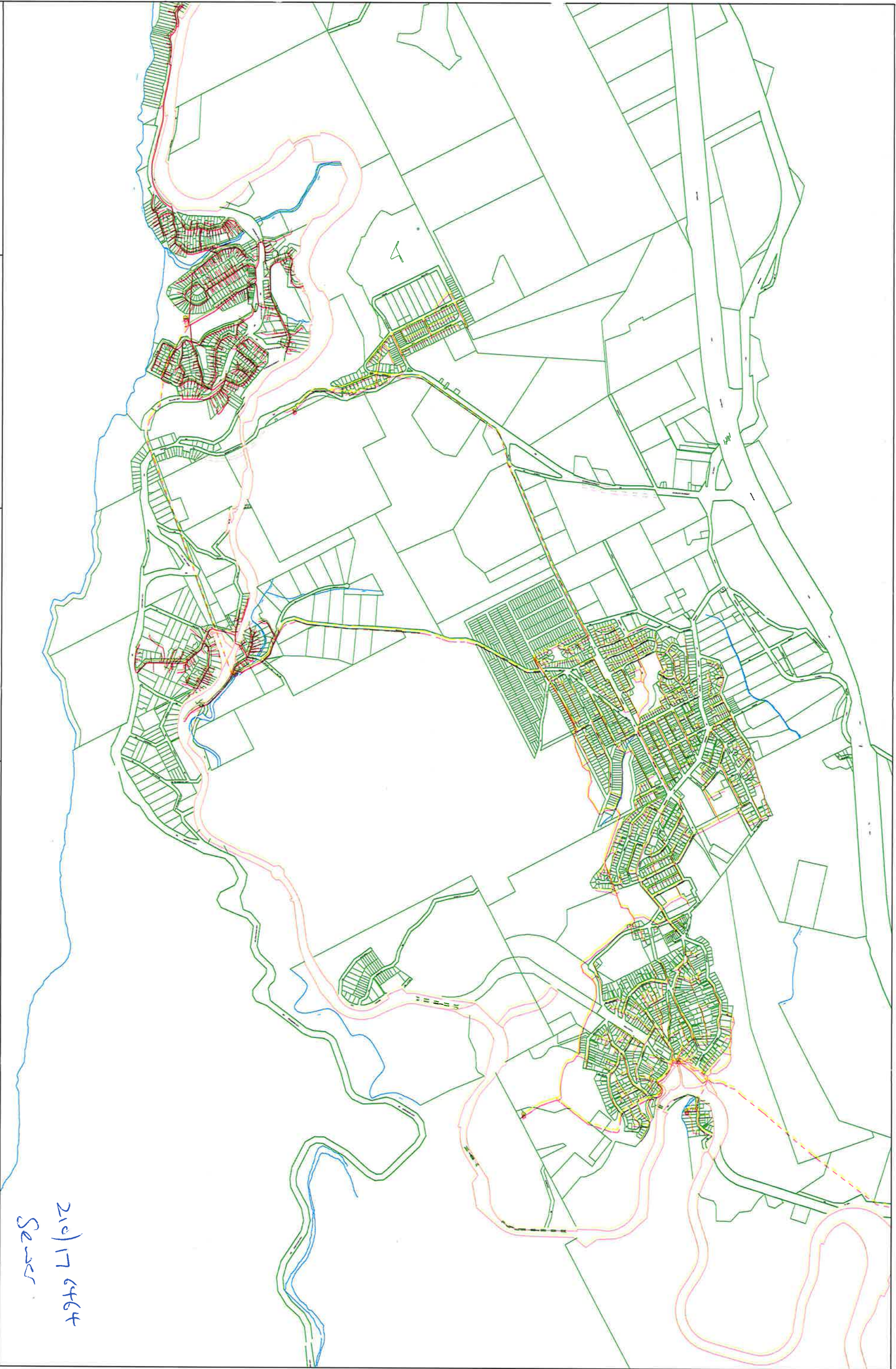
- Section 62 consultations under the *Environmental Planning and Assessment Act 1979*
- consultations where Sydney Water is an adjoining land owner to a proposed development
- Major Project applications under Part 3A of the *Environmental Planning and Assessment Act 1979*
- consultations and referrals required under any Environmental Planning Instrument
- draft LEPs, SEPPs or other planning controls, such as DCPs
- any proposed development or rezoning within a 400m radius of a Sydney Water Sewage Treatment Plant
- any proposed planning reforms or other general planning or development inquiries

If you require any further information, please contact Alexandra Plumb of the Urban Growth Branch on 02 8849 6066 or e-mail alexandra.plumb@sydneywater.com.au

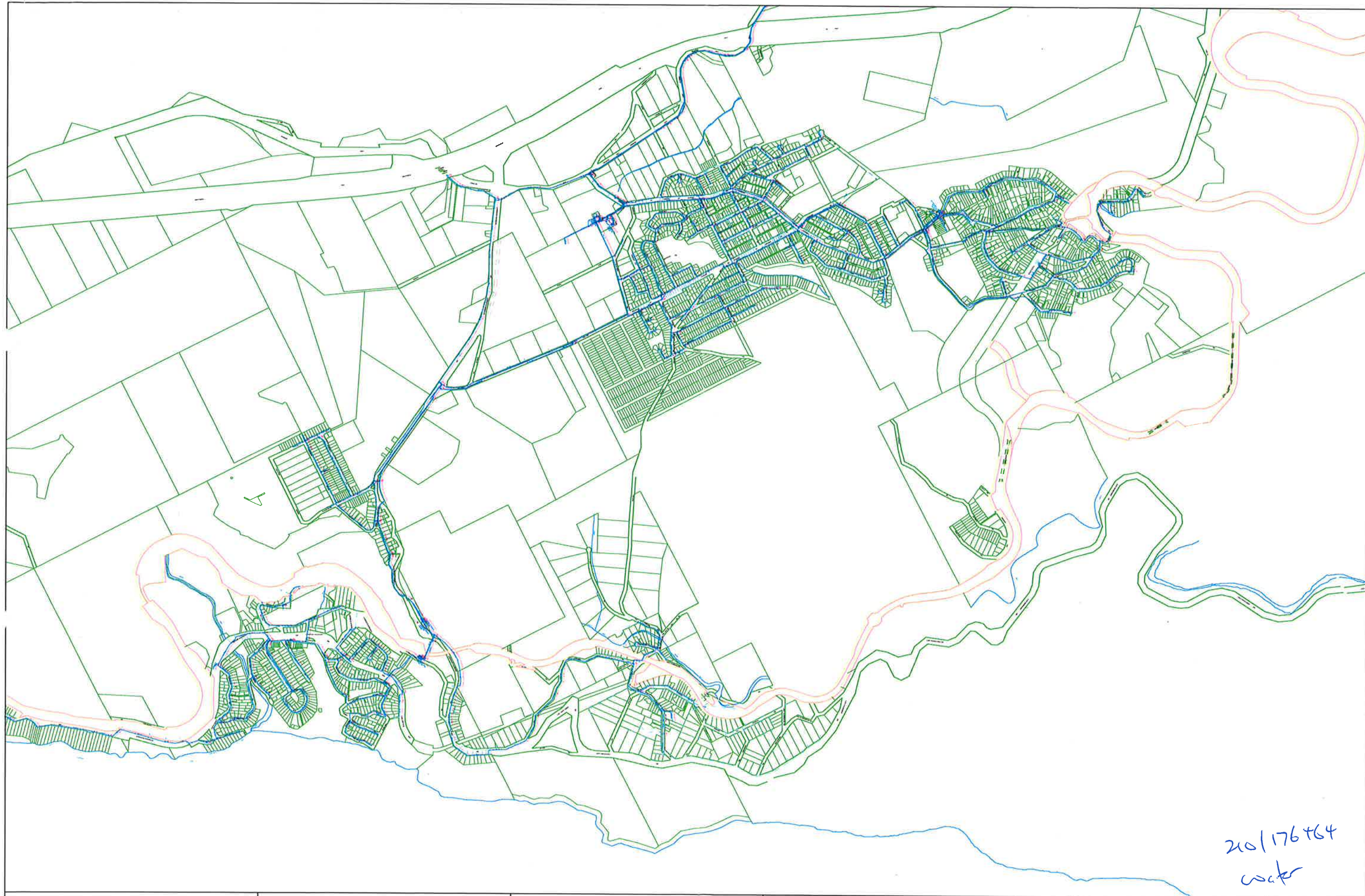
Yours sincerely



Adrian Miller
Manager Urban Growth Strategy and Planning



210/17 6464
Sewer



Helensburgh, Otford, Stanwell Tops
Water
MGA Zone 56 (m) Central Co-ord: 314799 6213485

Suburb: HELENSBURGH
Map: 12 Grid: A15 Edition: Wollongong Edition 17
CMA Sheet: 9107-32-34

Scale: 1:21229
Produced By: Greg Dever
Date: 17/06/2010

Plot Theme: None
Plot Request: None

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SYDNEY WATER CORPORATION



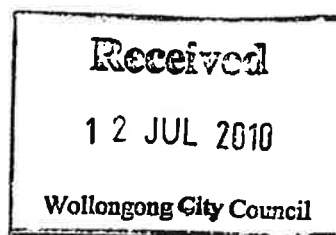
Page



Environment, Climate Change & Water

Your reference: ESP.LUP.DG / SU26444
Our reference: DOC10/23609

Mr David Green
Manager Land Use Planning
Wollongong City Council
Locked Bag 8821
Wollongong NSW 2500



Dear Mr Green

Re: Draft review of 7(d) lands at Helensburgh, Otford and Stanwell Tops in the upper Hacking Catchment.

Reference is made to your letter dated the 26th May 2010 requesting information on lands of interest to the State (Department of Environment Climate Change and Water, DECCW) for inclusion into the State Reserve system within the area covered by the above review undertaken by Wollongong City Council.

Potential additions to DECCW reserve system

DECCW considers that much of the land of the upper Hacking catchment is of very high conservation value providing valuable habitats for threatened and regionally significant fauna and flora, very valuable contiguous wildlife corridors between the Royal National Park and Garawarra State Conservation Area to the forests of the Illawarra Escarpment, including the Illawarra Escarpment State Conservation Area and the Woronora catchment and Heathcote National Park. Protection of the forests and woodlands of the upper Hacking catchment maintain high water quality in the Hacking River, a protected stream, which flows through the Royal National Park. DECCW has outlined these values to you in its previous response to the review on the 26th November 2009.

The attached map shows lands of high conservation value in the upper Hacking catchment which would make potential valuable additions to the DECCW reserve system (yellow hatching) for addition to Royal National Park, Garawarra State Conservation Area and Illawarra Escarpment State Conservation Area. The lands shown include both crown and freehold lands although the majority of lands are freehold. Some crown lands have been identified by DECCW for addition (yellow dotting) and have been referred to other government departments for their comment. One high priority freehold parcel Lot 1 DP 616230 (pink cross hatching) was recently acquired by DECCW.

The acquisition of land for inclusion in the reserve system is dependent on the lands being on offer for sale, DECCW having sufficient funding for purchase and management of the lands and the purchase of the lands being considered a high priority in a state wide context. The potential acquisition of suitable lands is likely to be a long term programme taking several years to decades to achieve. As previously advised, land owners who wish to dedicate or sell land to DECCW, should contact DECCW.

Draft Review of 7(d) lands at Helensburgh, Otford and Stanwell Tops – Preliminary Review of submissions report.

DECCW notes that the recommendations for some precincts have changed, in particular, the Land Pooling area, Land Carrington Estate South and Gilles Creek precinct. In regard to the Land Pooling area and Lady Carrington Estate South precincts, it is understood that it is now proposed to retain the E3 Environmental Management zone. DECCW supports the retention of the E3 zone for these lands.

In regard to the Gilles Creek precinct, it is understood that Council will proceed to prepare a planning proposal to rezone land on both sides of Baines Place to IN2 Light Industrial and rezone the bushland area E2 Environmental Conservation. DECCW will provide further comments on relevant specific issues including biodiversity, Aboriginal cultural, water quality and broader catchment matters during this process.

On a specific matter, section 6.10.6 Central Bushland Area includes a recommendation that the planning proposal include the identification of the land on the Land Reservation Acquisition Map. DECCW seeks clarification from Council on who will be the nominated acquisition authority for the lands. As indicated above, DECCW cannot commit to become the nominated authority for this land.

In our previous correspondence, DECCW recommended that Lt 1 DP 324239 east of the railway line in Camp Creek and within the Lady Carrington Estate North and Colliery Precinct be zoned E2 given its position east of the railway line and immediately adjacent to Garawarra State Conservation Area, and that it is largely forested. It is noted that the submissions report is silent on this recommendation, however, figures 6.18 and 6.27 appear to depict an E2 zone. DECCW seeks clarification from Council on the proposed zoning of this site.

Should council require further information or assistance please do not hesitate to contact me on 9585 6903 or 0439 695 174.

Yours sincerely

Handwritten signature of Tom Celebrezze in black ink, followed by the date 9/7/10.




TOM CELEBREZZE

A/Director Metropolitan Branch

Environment Protection & Regulation

High Conservation Value Lands of the Upper Hacking Valley and northern Illawarra Escarpment - lands suitable for reservation



-  High Conservation Value Lands suitable for reservation under the NPW Act.
-  Crown Lands referenced for addition to NPWS Reserves
-  Other Crown Lands suitable for addition to reserves

 Acquired by DECCW

 NPWS Reserves



Department of Environment and Climate Change NSW

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PROJECT: ASO Zone 65 / AS 646

20 June 2010

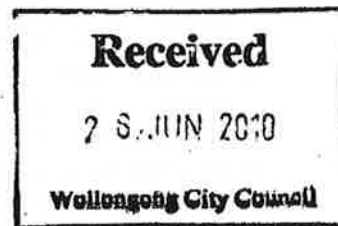
Location map of the project area in NSW



PO Box 323 Penrith NSW 2750
Level 4, 2-6 Station Street
Penrith NSW 2750
Tel 1300 722 468 Fax 02 4725 2599
Email info@sca.nsw.gov.au
Website www.sca.nsw.gov.au

Ref: D2010/02250 and D2010/02132
Your Ref: Z10/71761 and Z10/71700

Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG NSW 2500



Dear Mr Farmer

Preliminary Report on Submissions – 7(D) Lands Review

Thank you for your letter in regard to the *Preliminary Report on Submissions - 7(D) Lands Review* (the Preliminary Report). Small areas of land included in the 7(D) Lands Review are located within the drinking water catchments of Sydney and adjacent regional centres, as defined under the *Drinking Water Catchments Regional Environmental Plan No 1* (the REP) (see the attached Maps 1 and 2). This includes small areas of land in the Garrawarra, Wilsons Creek, Princes Highway Gateway and Princes Highway west of F6 Precincts. The provisions of the REP as well as the associated *Local Planning Direction 5.2 Sydney Drinking Water Catchments* (Planning Direction 5.2) therefore apply to parts of the 7(D) Lands Review. Any future planning proposal arising from the recommendations in the *Preliminary Report on Submissions - 7(D) Lands Review*, which includes land within the drinking water catchments, needs to be developed in accordance with the provisions of the Local Planning Direction 5.2. These provisions include, but are not limited to, ensuring water quality within the hydrological catchment is protected, that new development within the hydrological catchment will have a neutral or beneficial effect on water quality, that the planning proposal considers the strategic land and water capability assessments prepared by the Sydney Catchment Authority (SCA), and that consultation occurs with the SCA, which includes describing the means by which the planning proposal gives effect to the Direction.

In addition, the Preliminary Report makes some recommendations in terms of SCA owned and managed land within the Woronora Special Area, which is not included but directly adjacent to, the 7(D) Lands under review. As identified in previous correspondence, this SCA owned land was zoned E3 Environmental Management in the *Wollongong Local Environmental Plan (LEP) 2010*, which is inconsistent with the requirements of the Planning Direction 5.2.

The Sydney Catchment Authority (SCA) has reviewed the Preliminary Report and has the following comments.

Garrawarra Precinct

This precinct includes a small portion of private land (part of the Garrawarra Hospital and Aged Care Services) that is within the drinking water catchments, and is adjacent to some SCA owned land within the Woronora Special Area incorrectly zoned E3. The SCA supports the following recommendations of the Preliminary Report:

- Rezone the SCA owned land adjacent to this Precinct (Lot 1 DP 219640, and Lot 1 DP 830604) E2 Environmental Conservation consistent with the requirements of the Planning Direction 5.2.
- Rezone the balance of Crown land and Department of Health land, not zoned SP2 Infrastructure, as E2 Environmental Conservation.

The SCA notes the intention to amend the minimum lot size from the current 40 ha for the area zoned SP2 Infrastructure (Garrawarra Hospital and Aged Care Services), to assist the future development of the site by NSW Health, which may include subdivision and sale of parts of the site for private health support services and facilities. It is unclear from the planning proposal what new minimum lot size is proposed if the current 40 ha minimum lot size is removed. Part of the area zoned SP2 Infrastructure is within the drinking water catchments. It should be noted by Council that any future development of land within the Garrawarra Precinct which is within the drinking water catchment must occur consistent with the requirements of the REP, which includes that the development must have a neutral or beneficial effect on water quality within the drinking water catchments. This should be considered in determining any new minimum lot size for the area within the drinking water catchments, if the proposal to remove the 40 ha minimum lot size proceeds. Inappropriate and/or poorly designed subdivision, especially in areas not connected to reticulated sewer, can pose a risk to water quality within the drinking water catchment.

Wilson's Creek Precinct

This precinct includes a number of privately held lots that are partly within the drinking water catchments, and is adjacent to some SCA owned land within the Woronora Special Area incorrectly zoned E3. The SCA supports the recommendation in the Preliminary Report to rezone the SCA owned land adjacent to this Precinct (Lot 1 DP 830604) to E2 Environmental Conservation consistent with the requirements of Planning Direction 5.2.

The Preliminary Report also recommends that the privately held lots in this precinct which are partly within the drinking water catchments, should remain zoned E3 Environmental Management. The SCA supports the retention of the E3 zone for the privately held lots in this precinct. However, the Report recommends that the current prohibition for the erection of dwelling houses on these lots be removed to allow residential development of any remaining vacant lots. The Preliminary Report recommends that as a result of this change that any resulting new residential development must be required to be connected to the reticulated sewerage system. The Report also notes that further residential development in this area will result in the clearing of native vegetation and this could have an "adverse impact on downstream water quality".

It should be noted by Council that any future development on land within the drinking water catchments within the Wilsons Creek Precinct must occur consistent with the requirements of the REP, which includes that the development must have a neutral or beneficial effect on water quality within the drinking water catchments. In light of this the SCA supports the requirement that any future residential development must be connected to the reticulated sewerage system, as disposal of wastewater on-site can pose a risk to water quality within the drinking water catchment. The current lot size for the privately held lots in this precinct that are partly within the drinking water catchment is 40 ha. The Preliminary Report is silent on the issue of changes to the minimum lot size in this precinct and the SCA assumes that, while the intention is to allow residential development on any vacant lots, that there will be no change to the minimum lot size and therefore no intention to allow further residential subdivision in the precinct. The SCA supports this approach in terms of the lots within the drinking

water catchments as inappropriate and/or poorly designed small lot residential subdivision can pose a risk to water quality within the drinking water catchments.

Princes Highway Gateway Precinct

This precinct includes a small number of privately held lots along the Princes Highway that are partly within the drinking water catchments, and is adjacent to some SCA owned land within the Woronora Special Area incorrectly zoned E3. The SCA supports the recommendation of the Preliminary Report to rezone the SCA owned land adjacent to this precinct (Lot 4 DP 1000975) to E2 Environmental Conservation consistent with the requirements of the Planning Direction 5.2. The SCA notes that the Preliminary Report recommends rezoning the Precinct (excluding the SCA owned land identified above) from E3 to B6 Enterprise Corridor. The land within the privately held lots along the Princes Highway that are within the drinking water catchment are substantially cleared and developed for commercial purposes, and as a consequence an E3 zone for this area does not appear to be appropriate. The SCA therefore has no objection to the proposal to rezone the precinct to B6. However, it should be noted by Council that any future development on land within the Precinct that is within the drinking water catchments must occur consistent with the requirements of the REP, which includes that the development must have a neutral or beneficial effect on water quality within the drinking water catchments.

Princes Highway west of F6 Precinct

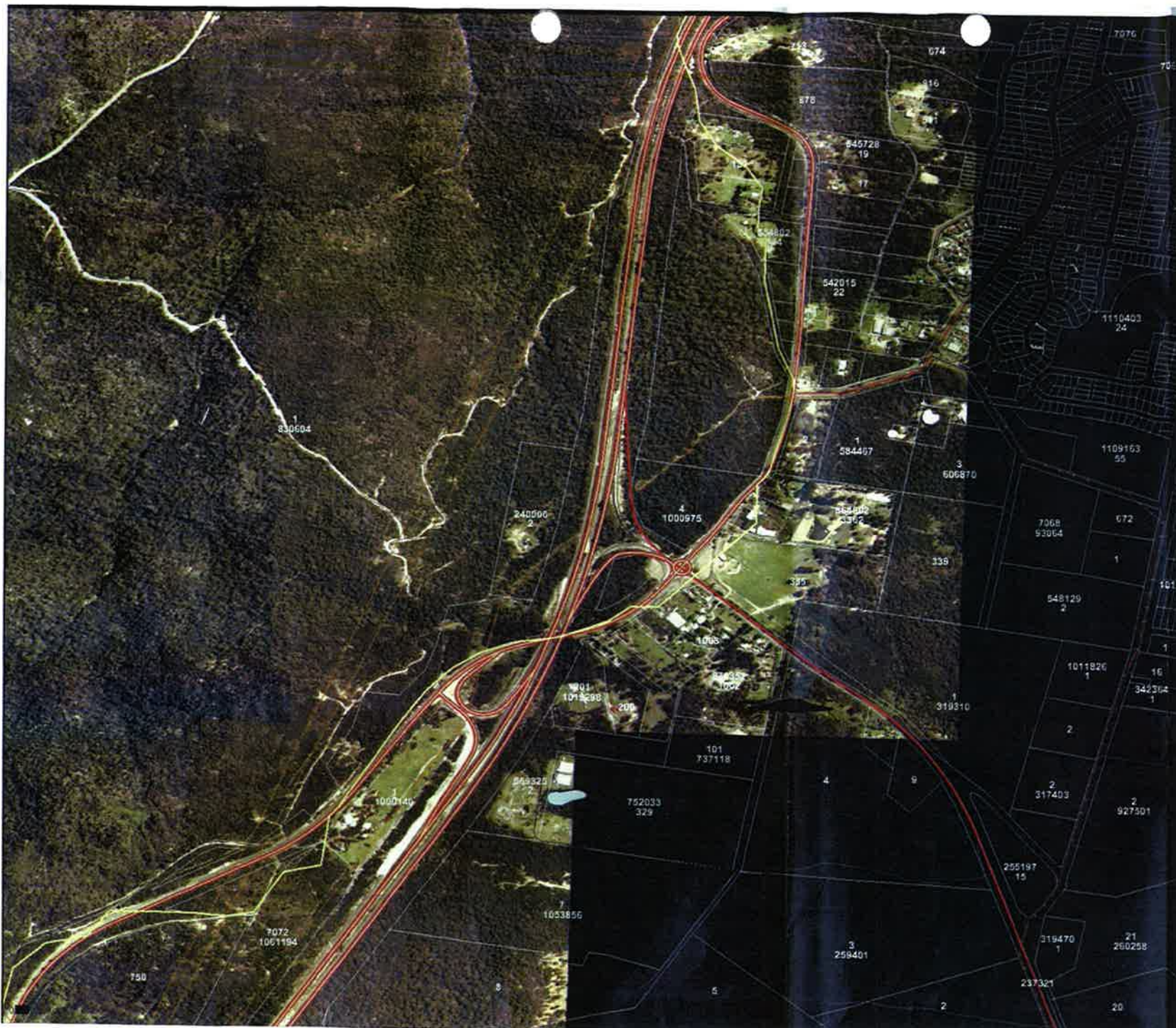
This precinct includes a privately held lot that is partly within the drinking water catchments, and is adjacent to some SCA owned land within the Woronora Special Area incorrectly zoned E3. The SCA supports the recommendation of the Preliminary Report to rezone the SCA owned land adjacent to this Precinct (Lot 1 DP 830604) to E2 Environmental Conservation consistent with the requirements of the Planning Direction 5.2. The SCA also supports the Preliminary Report recommendation to zone E2 Environmental Conservation the privately held lot which is partly within the drinking water catchment.

The SCA thanks you once again for the opportunity to comment on the *Preliminary Report on Submissions - 7(D) Lands Review*. If you wish to discuss any matter raised in this letter please do not hesitate to contact Angela Langdon, Strategic Land Use Planner on ph 4725-2449 or email angela.langdon@sca.nsw.gov.au (please note Angela works part-time on Monday, Thursdays and Friday).

Yours sincerely



GREG GREENE 25/06/10
A/Manager, Statutory Planning



LEGEND

	Motorways		Watertank
	Arterial Roads		Wharf
	Distributor Roads		SCA Offices
	Local Roads		Urban Area
	Tracks/Trails		Property (photo)
	Heavy Rail		Freehold Land
	Light Rail		Strata Land
	Spur Line		Suburb
	Tunnel		Wide Reserve
	Pipeline - Gas		Unidentified Land
	Pipeline - Water		Rail Corridor
	Water Canal		Road Corridor
	Rivers		Waterbodies
	Creeks		SCA Area
	Runoff		Special Area - 1
	Channel		Special Area - 2
	Transmission Line		LGA Boundaries
	Breakwater		Forest/Woodland
	Cableway		Heath
	Conveyor Belt		Rainforest
	Launching Ramp		Sparse
	Landing Strip		Wetland
	Spillway		State Forest

Map Description

Map 1 Drinking Water Catchment Boundary and Wollongong Council 7(d) Land Review



Map Properties

Scale: 1 : 8,693
Projection: Geographic
Datum: GDA 94
Produced: 18/06/2010
Author: SCA/ALA

Data Sources

Land & Property Information (LPI)
Geoscience Australia



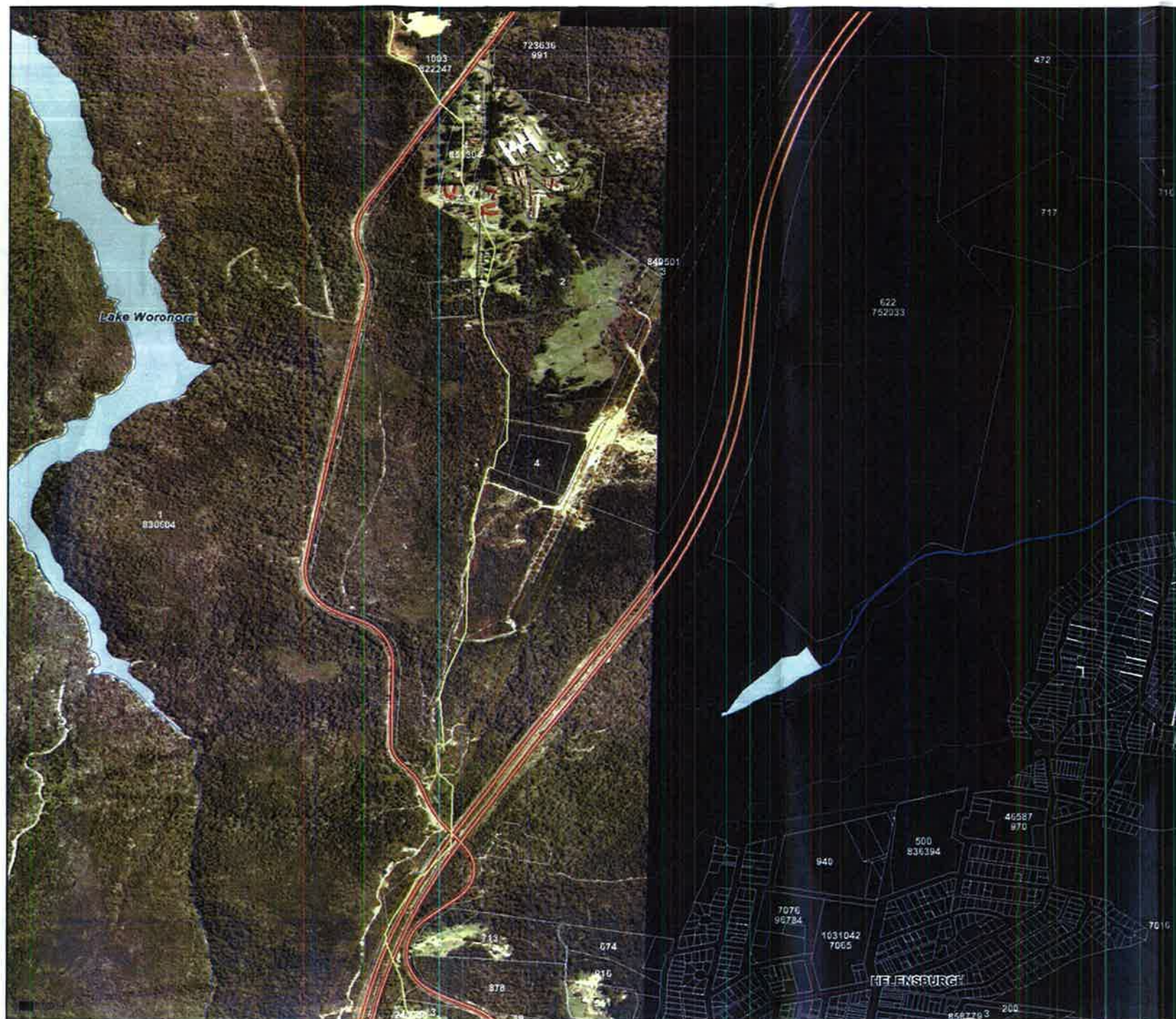
SYDNEY CATCHMENT AUTHORITY

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Special Areas defined on SCA maps are portions of land specified by "Schedule 1 Areas", on maps deposited in the offices of the Authority. These special area boundaries do not conform to the distance of 3 kilometres specified in the Sydney Water Catchment Management (General) Regulation 2000.

Sydney Catchment Authority
Catchment Information Group
P.O. Box 323
Penrith, NSW, 2751
<http://www.sca.nsw.gov.au>





LEGEND

	Motorways		Watertank
	Arterial Roads		Wharf
	Distributor Roads		SCA Offices
	Local Roads		Urban Area
	Tracks/Trails		Property (photo)
	Heavy Rail		Freehold Land
	Light Rail		Strata Land
	Spur Line		Suburb
	Tunnel		Wide Reserve
	Pipeline - Gas		Unidentified Land
	Pipeline - Water		Rail Corridor
	Water Canal		Road Corridor
	Rivers		Waterbodies
	Creeks		SCA Area
	Runoff		Special Area - 1
	Channel		Special Area - 2
	Transmission Line		LGA Boundaries
	Breakwater		Forest/Woodland
	Cableway		Heath
	Conveyor Belt		Rainforest
	Launching Ramp		Sparse
	Landing Strip		Wetland
	Spillway		State Forest

Map Description

Map 2 Drinking Water Catchment Boundary and Wokongong Council 7(d) Land Review



Map Properties

Scale: 1:10,141
Projection: Geographic
Datum: GDA 94
Produced: 21/06/2010
Author: SCAVALA

Data Sources

Land & Property Information (LPI)
Geoscience Australia



SYDNEY CATCHMENT AUTHORITY

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Special areas defined on SCA maps are portions of land specified by "Schedule 1 Areas", on maps deposited in the offices of the Authority. These special area boundaries do not conform to the distance of 3 kilometres specified in the Sydney Water Catchment Management (General) Regulation 2000.

Sydney Catchment Authority
Catchment Information Group
P.O. Box 321
Penrith, NSW, 2751
<http://www.sca.nsw.gov.au>



210 98835

Our Ref: 497.5351-21 (10/794) STH10/00127
Contact: Tim Webster (4221 2769)
Your Ref: Z10/71761



Received

16 JUL 2010

Wollongong City Council

14 JUL 2010

The General Manager
Wollongong City Council
Locked Bag 8821
South Coast Mail Centre 2521

Attention: Jon Bridge

WOLLONGONG CITY COUNCIL - 7 (D) LANDS - PRELIMINARY REVIEW OF SUBMISSIONS: HELENSBURGH, OTFORD AND STANWELL TOPS

Dear Sir

Reference is made to correspondence sent to the RTA dated 9 June 2010 regarding the Preliminary Review of Submissions on 7(d) Lands at Helensburgh, Otford and Stanwell Tops.

The RTA has reviewed the information provided and maintains its position as per previous correspondence dated 18 November 2009. It is noted that after reviewing submissions on the subject land Council has recommended the rezoning of lands either side of Baines Place to IN2 Light Industry. The RTA would not object to this rezoning subject to access options being investigated prior to any rezoning of the land that allows an intensification of traffic generating development within the precinct. This includes investigation options to minimise direct access to the Princes Highway and Lawrence Hargrave Drive through provision of local roads etc. The RTA will not permit direct access to F6 Southern Freeway. The impact of the traffic generated by the potential rezoning on existing junctions should also be considered. The RTA would not support access to the State Road Network for lots that cannot meet minimum safe intersection sight distance requirements as per AUSTRROADS Standards.

With regard to the rezoning of the Gateway Precinct to B6 Enterprise Corridor the RTA would like to reinforce its position with regard to access to the Princes Highway and requests that the following clause from State Environmental Planning Policy (Infrastructure) 2007 be added to any amended Wollongong Local Environmental Plan.

The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

Roads and Traffic Authority

Level 4, 90 Crown St Wollongong NSW 2500
PO Box 477 Wollongong NSW 2520 DX 5178 Wollongong
www.rta.nsw.gov.au | 02 4221 2460

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ANSWERED 30 JUL 2010

The RTA further requests that any development fronting a classified road is referred to the RTA for comment. Should you require any clarification on the above please contact Tim Webster on 4221 2769.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Trish McClure', written in a cursive style.

Trish McClure
Manager, Road Safety and Traffic Management
Southern Operations and Engineering Services



Land and Property
Management Authority

84 Crown Street
Wollongong NSW 2500

PO Box 5368
Wollongong NSW 2520

Ph: (02) 4275 9422

Fax: (02) 4225 7390

Email: ken.sullivan@lands.nsw.gov.au

www.lands.nsw.gov.au

Received

22 JUL 2010

Wollongong City Council

21 July 2010

Wollongong City Council
Locked Bag 8821
Wollongong DC
NSW 2520
records@wollongong.nsw.gov.au
Attn: David Green, Manager Land Use Planning

Our Ref: DOC10/43954

Dear Mr Green

Re: Submission - Draft Review of 7(d) lands at Helensburgh, Otford and Stanwell Tops

Thank you for the opportunity to comment on the proposed rezoning of lands currently zoned 7(d) at Helensburgh, Otford and Stanwell Tops. The Land and Property Management Authority (LPMA) provides the following comments:

Crown land occupies 365ha of the study area and includes land variously referenced in the *Draft Review of 7(d) lands at Helensburgh, Otford and Stanwell Tops* (the Review) as 'owned' by Crown, NSW Department of lands, Metropolitan Coal, Ensile Pty Ltd, Department of health and 'all other values' (see Fig 6 of the Review). In future documentation this land should be shown and referenced as Crown land, and the title holder as the Land and Property Management Authority.

Significantly, Crown land comprises

- a) 151.7ha of land surrounding the Helensburgh Hospital at Lot 2 DP 840501 between the Princes Highway and the Freeway and in the study area, (ex Department of Health land), see map A below; and
- b) 72.5ha of land under Mineral Lease to the Metropolitan Colliery and surrounding land, (Metropolitan Coal has title to lot 1 DP 815356), see map B below.

As the Crown is a dominant landholder in the study area, the *Crown Lands Act 1989* and its Regulation (2006) are important planning instruments in the statutory framework of the study area. It should be noted in future reports that Crown land is subject to multiple uses to serve the state's and local communities needs and is managed according to and protected by the *Crown Lands Act 1989*.

This Act and its Regulation (2006) is the principle legislation in the management of Crown lands. The Principles of Crown Land management under s11 of the Act are:

- (a) *That environmental protection principles be observed in relation to the management and administration of Crown land;*



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ANSWERED 19 AUG 2010

- (b) *that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;*
- (c) *that public use and enjoyment of appropriate Crown land be encouraged;*
- (d) *that, where appropriate, multiple use of Crown land be encouraged;*
- (e) *that where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity; and*
- (f) *that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State, consistent with the above principles.*

General Crown land considerations

LPMA notes that Council propose to hold discussions with Department of Environment, Climate Change and Water (DECCW) regarding its interest in incorporating parts of the study area into its estate. The LPMA is currently assessing DECCW interest in a number of land parcels in the Helensburgh area through the Reserve Referral Process, including several parcels included in the review.

This process is an agreed and established process between the two agencies and no proposed additions will be considered outside of this process. Any interest expressed by DECCW in acquiring Crown lands is an expression by DECCW only. No Crown lands are to be zoned E1, or given a zoning that could indicate they are, or could, or should become, parts of the DECCW estate.

Specific Crown land considerations

LPMA does not object to the following proposed zonings as indicated in the Review:

1. E2 zoning over Crown land in review Area 1, shown on Map A below
2. E3 zoning over Crown land in the Review Area 1, shown on Map C below.
3. RU1 and E2 zonings over Crown land in Review Area 2, shown on Map B below with the exception of the areas shown as Proposed Residential Zone on Map E
4. RU2 and E2 zonings over Crown land in the Review Area 6, shown on Map D below.

LPMA does however object to the proposed E2 zoning for the area of Crown land bounded by Lukin and Parkes Streets and shown in Map E below. A zoning of E2 is incongruous with the surrounding residential land use zoning. The heritage, water quality and aesthetic objectives of an E2 zoning are inconsistent with this land in that:

- The water quality from this block is protected by established systems. Before entering Sydney's hydrological catchment, surface water flowing from this land flows into the established street stormwater system. In any un-guttered situation surface water would flow toward the colliery, which has strict water quality management arrangements in place.
- No heritage items are listed for this land in the current LEP.
- The Review correctly describes the colliery as 'the dominant feature of the landscape', hence scenic amenity for this area are low. Views from residences surrounding this Crown land are away from these parcels, to the north and to other larger tracts of vegetation.

LPMA considers a R1 zoning to allow residential development is more appropriate and suitable to the environmental qualities of the site, on the basis that:



- This is a substantial (7ha) area of developable land within the existing built area of Helensburgh, allowing for future urban expansion within the town boundary as required.
- There are existing services to support appropriate future development and zoning this area would be compatible with the zoning of the majority of the surrounding lands.
- Appropriate development of this area would decrease the area of Bushfire Prone Land and incorporate Asset Protection Zones that would reduce the bushfire hazard to existing residences in the vicinity and Helensburgh as a whole.

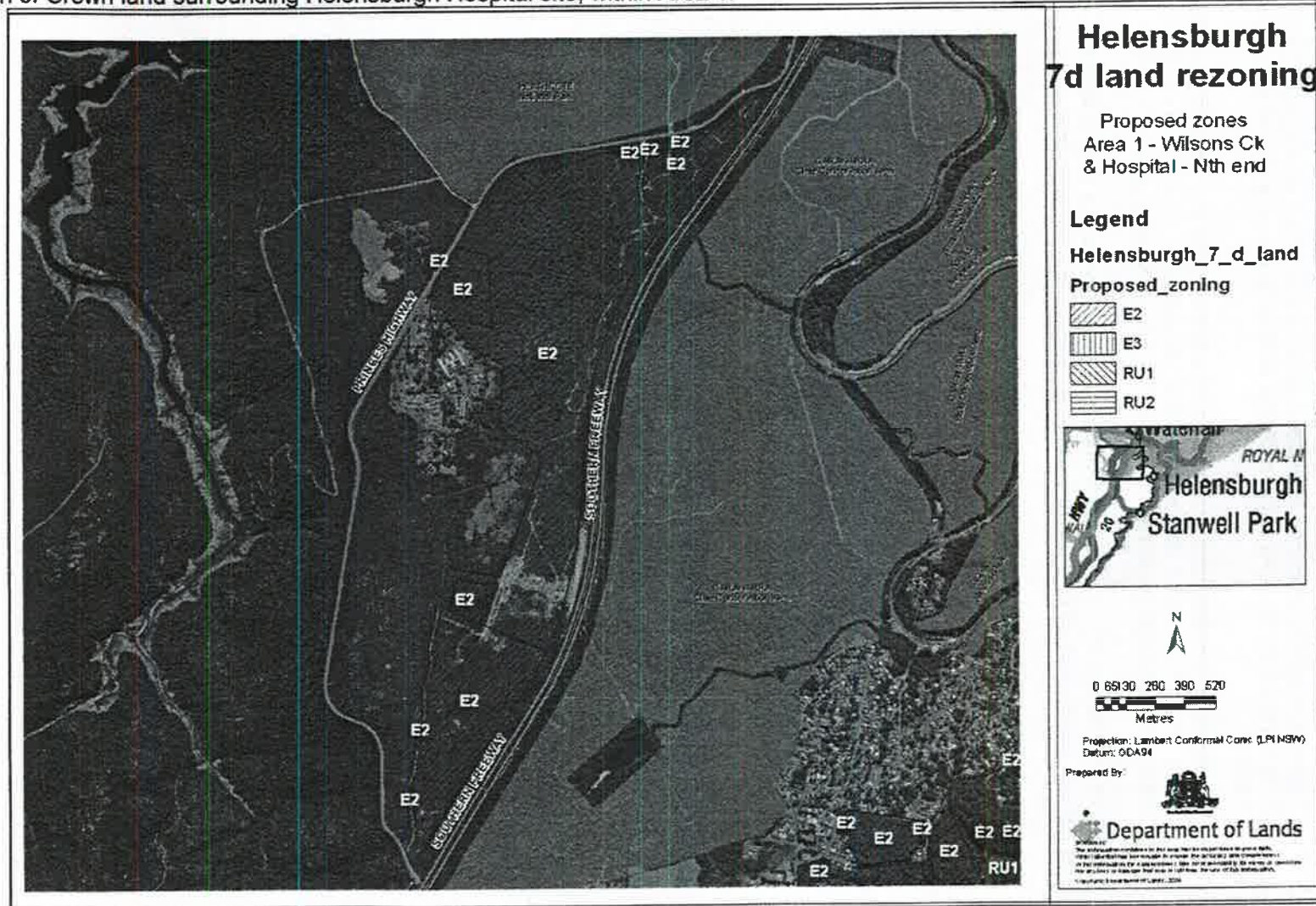
I welcome the opportunity to discuss these issues with you in the near future and request you contact me on (02) 4275 9422 to arrange a meeting at a suitable time.

Yours Sincerely



Ken Sullivan
A/Director South
Crown Lands Division

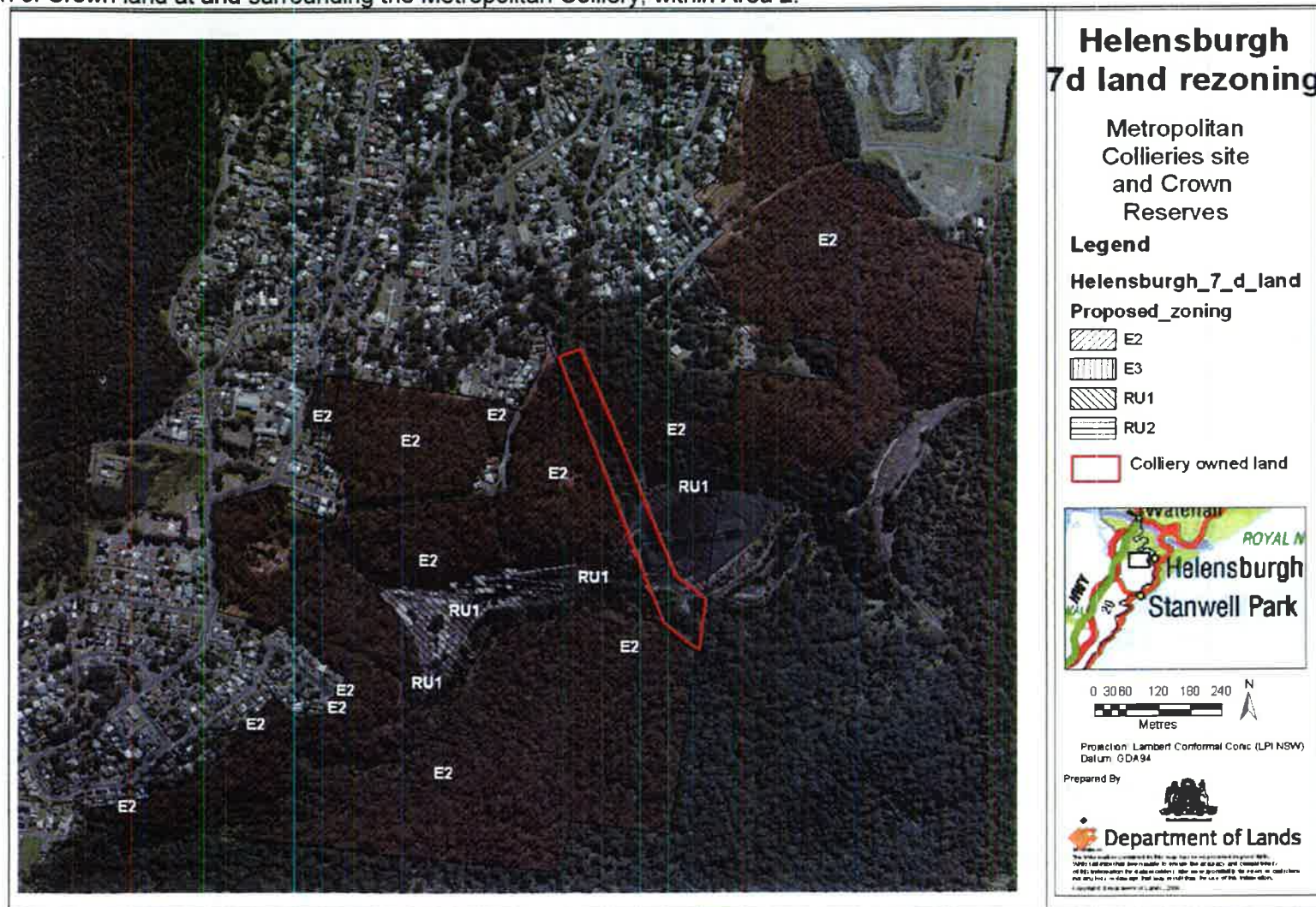
Map A – Location of Crown land surrounding Helensburgh Hospital site, within Area 1.



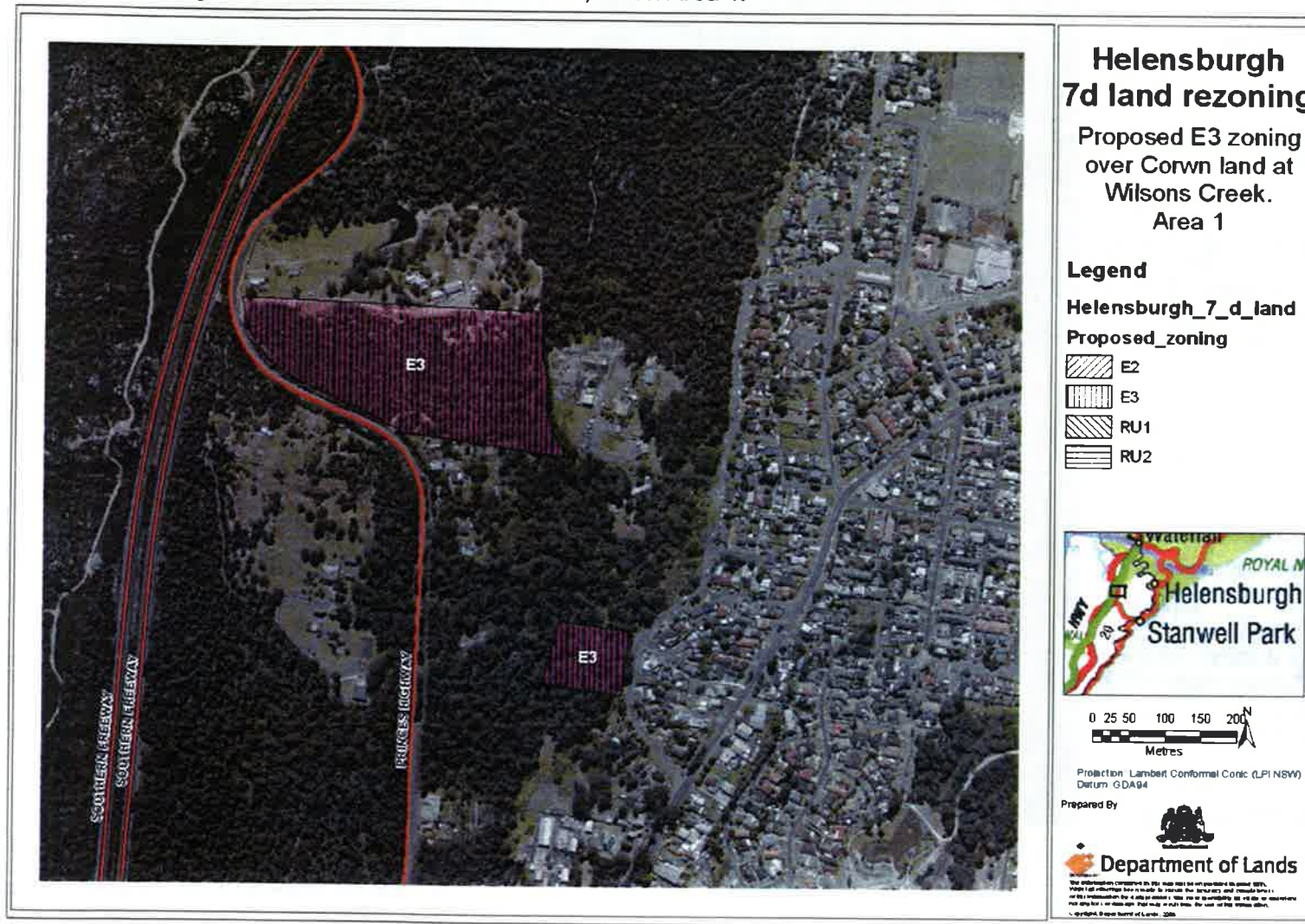
Map A – Location of Crown land surrounding Helensburgh Hospital site, within Area 1.



Map B – Location of Crown land at and surrounding the Metropolitan Colliery, within Area 2.



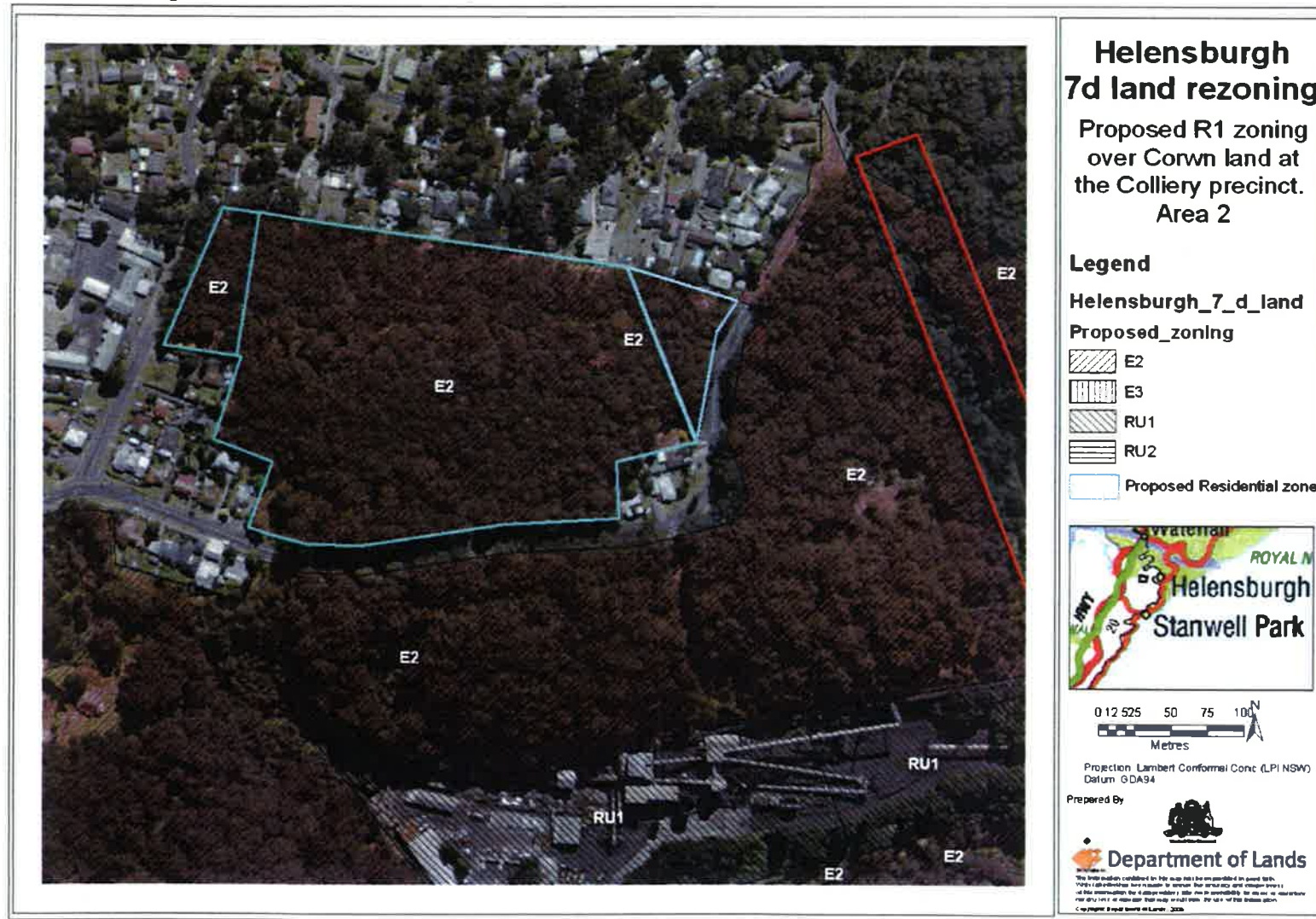
Map C – Area of proposed E3 zoning over Crown land at Wilsons Creek, within Area 1.



Map D – Area of proposed RU2 over Crown land in Area 6.



Map E – Site of proposal for R1 zoning over Crown land in Area 2.

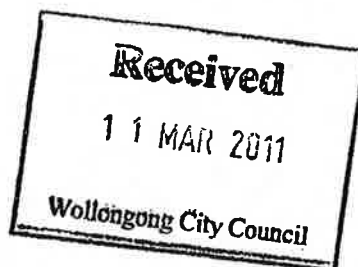




NSW **National Parks
and Wildlife Service**

Your reference: Z11/14038; File SU2644
Our reference: Doc11/7591; Fil10/13465
Contact: Mr Kevin Shanahan, 9585 6063

Mr Andrew Carfield
Director Planning and Environment
Wollongong City Council
Locked bag 8821
Wollongong DC NSW 2500



Dear Mr Carfield

Thank you for your letter of 2 February 2011 following our meeting on 25 January with Council's Administrators and representatives of Ensile Pty Ltd.

In your letter you inquire whether DECCW considers the dedication as national park of the land that Ensile identifies in its draft Planning Agreement is an appropriate and supportable action. In that regard I would refer you to a letter dated 9 July 2010, addressed to Council from Mr Tom Celebrezze, A/Director Metropolitan Branch, Environment Protection and Regulation Group in DECCW.

The diagram that accompanied that letter, entitled "High Conservation Lands of the Upper Hacking Valley and Northern Illawarra Escarpment – lands suitable for reservation", is attached. It identifies the land in the upper Hacking catchment assessed as suitable for reservation under the *National Parks and Wildlife Act 1974*. The areas identified include most, but not all, of the land owned by Ensile Pty Ltd, as well as the Thompson land and the Lloyd Place precinct. The two areas of Ensile land that are not depicted as suitable for reservation are the horse riding facility (the "leaseback back area" on the Ensile diagram) and an arm of land in the upper reach of Camp Creek.

I wish to reaffirm DECCW's assessment of the areas considered suitable for reservation as depicted on the map provided to Council in July 2010, including the exceptions noted above.

I note the processes and timing for Council's future decisions concerning the 7(d)/E3 lands outlined in your letter. Should Council determine to proceed with a Planning Proposal for rezoning of areas now zoned E3 and its referral to the Department of Planning for Gateway determination, DECCW will, as required by the *Environmental Planning & Assessment Act 1979*, provide comments to Council on a broad range of issues including any proposals to dedicate land for incorporation into the reserve system, park management, biodiversity, Aboriginal heritage, water quality, floodplain risk management and the draft zoning and land use controls.

Yours sincerely


9/3/11

SALLY BARNES
Deputy Director General
Head - National Parks and Wildlife

The Department of Environment and Climate Change NSW is now known as the Department of Environment, Climate Change and Water

Department of **Environment and Conservation** NSW

PO Box 1967 Hurstville NSW 2220
43 Bridge Street Hurstville NSW
Tel: (02) 9585 6444 Fax: (02) 9585 6555
ABN 30 841 387 271
www.environment.nsw.gov.au



High Conservation Value Lands of the Upper Hacking Valley and northern Illawarra Escarpment - lands suitable for reservation

