

ITEM 2**REVIEW OF 7(D) LANDS - LADY CARRINGTON ESTATE NORTH, GARRAWARRA AND ISOLATED LOTS IN THE ROYAL NATIONAL PARK PRECINCTS**

Council at its meeting on 28 November 2011, resolved to prepare a draft Planning Proposal for a number of precincts formerly zoned 7(d) Hacking River Environmental Protection at Helensburgh, Otford and Stanwell Tops. The draft Planning Proposal has been exhibited. This report is one of a series of reports addressing the submissions received during the exhibition and addresses the Lady Carrington Estate North, Garrawarra and Royal National Park precincts.

It is recommended that the Planning Proposal for these precincts be progressed to finalisation with minor amendments.

Recommendation

- 1 The part of the Planning Proposal for Lot 1 DP 616230 (Lady Carrington Estate North) which is now part of Garrawarra State Conservation Area, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the land to E1 National Parks and Nature Reserves, be progressed to finalisation.
- 2 The part of the Planning Proposal for the Garrawarra precinct (excluding the Waterfall General (or Garrawarra) Cemetery) which seeks to amend the Wollongong Local Environment Plan 2009 by:
 - a Renaming the SP2 Infrastructure zone to SP2 Infrastructure “Health Service facility and Seniors Housing”;
 - b Making a minor adjustment to the SP2 Infrastructure zone boundary, on the north-east boundary, to reflect ownership;
 - c Removing the minimum lot size from the SP2 Infrastructure zoned land;
 - d Zoning the Sydney Catchment Authority land to E2 Environmental Conservation;
 - e Zoning the Crown Land to E2 Environmental Conservation, excluding Lot 1803 DP 822247 leased to the Sutherland Shire Sports Flying Association which will retain an E3 Environmental Management zone (as exhibited); and
 - f Zoning Lot 991 DP 723636 to E2 Environmental Conservationbe progressed to finalisation.
- 3 The part of the Planning Proposal for the isolated lots in the Royal National Park, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the following lots from E3 Environmental Management to E2 Environmental Conservation and not permit any additional dwelling houses:

- a Lot A DP 356469;
- b Lot 1 DP 335557;
- c Lot 1 DP 324239; and
- d Lot 1 DP 434564 and part Lot 30 DP 752018

be progressed to finalisation.

- 4 The proposed rezoning of Lot 4 DP 840501 Waterfall General (or Garrawarra) Cemetery (owned by Council) to E2 Environmental Conservation zone not proceed, and the Cemetery retain an E3 Environmental Management zone. A further report be submitted on this site following the completion and review of the draft Conservation Management Plan.

Attachments

There are no attachments for this report.

Report Authorisations

Report of: David Green, Land Use Planning Manager
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

Background

The separate report Review of 7(d) lands - Background Summary Report, provides the history of the 7(d) lands, the background of the review, and the community consultation undertaken to date.

As part of Council's review of the issues associated with the lands formerly zoned 7(d) Hacking River Environmental Protection, at Helensburgh, Otford and Stanwell Tops, this report addresses the Lady Carrington Estate North, Garrawarra Hospital and Royal National Park precincts.

Council at its meeting on 28 November 2011 resolved that:

- 1. *Council endorse the existing draft Planning Proposal for Lot 1 DP 616230 (Lady Carrington Estate North) which is now part of Garrawarra State Conservation Area, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the land to E1 National Parks and Nature Reserves.*
- 2. *Council endorse the existing draft Planning Proposal for the Garrawarra precinct, which seeks to:*
 - a *Rename to SP2 Infrastructure Health Service facility and Seniors Housing;*

- b Make a minor adjustment to the SP2 Infrastructure zone boundary, to reflect ownership;*
 - c Remove the minimum lot size from the SP2 Infrastructure land; and*
 - d Rezone the Crown Land and Sydney Catchment Authority land from E3 Environmental Management to E2 Environmental Conservation.*
- 3. Council endorse the existing draft Planning Proposal for the isolated lots in the Royal National Park, which seeks to rezone the following lots from E3 Environmental Management to E2 Environmental Conservation and not permit any additional dwelling houses:*
 - a Lot A DP 356469;*
 - b Lot 1 DP 335557;*
 - c Lot 1 DP 324239; and*
 - d Lot 1 DP 434564 and part Lot 30 DP 752018.*
- 4. The draft Planning Proposal be exhibited for community comment for a minimum period of twenty 28 days.*
- 5. A further report be prepared for Council in light of the implications of the Cemetery's significance.*

The draft Planning Proposal was exhibited from 6 August to 26 October 2012. This report addresses the issues raised in the submissions for these precincts.

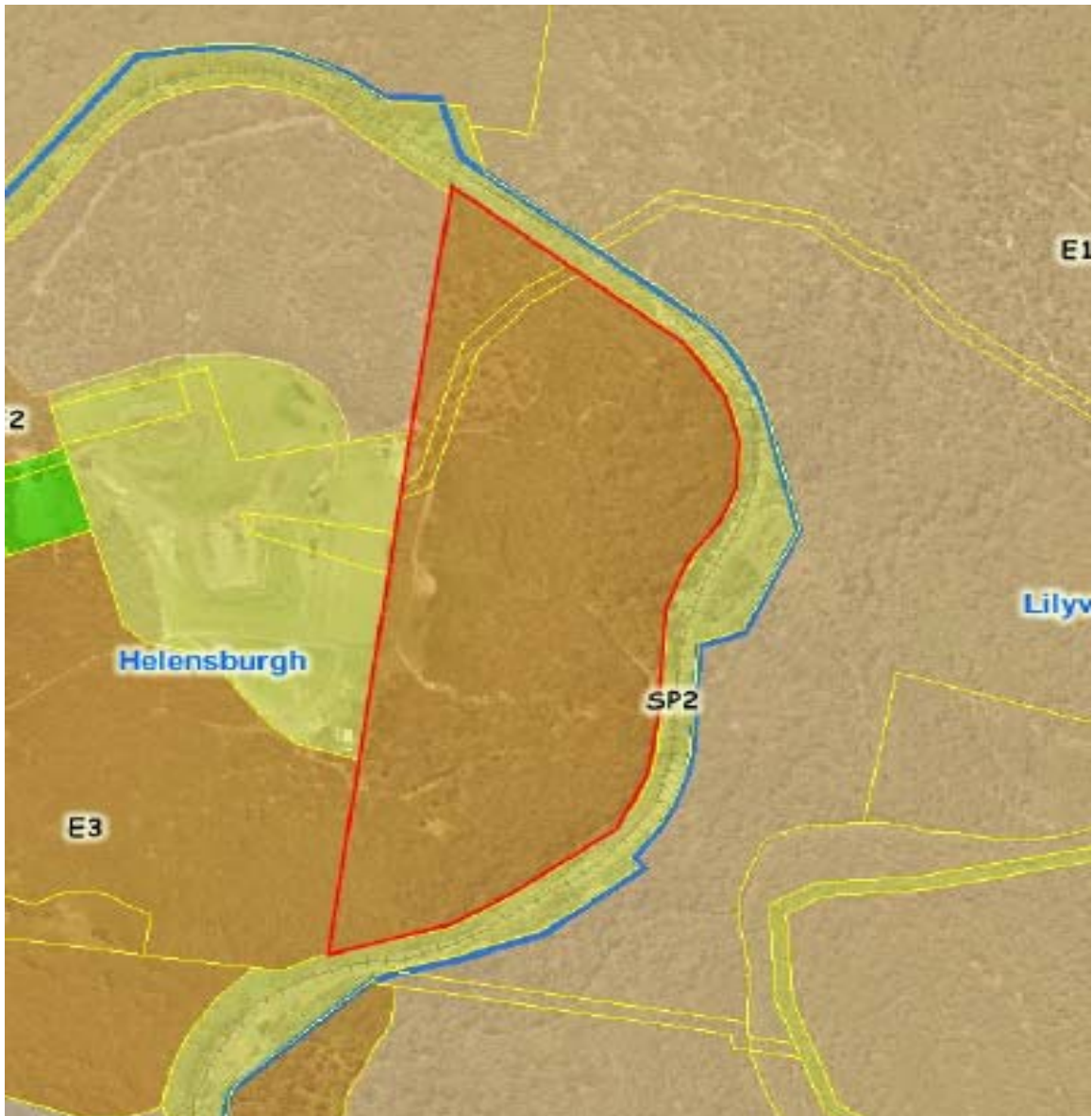
Proposal

Lady Carrington Estate North Precinct

The Lady Carrington Estate North Precinct consists of one lot, Lot 1 DP 616230 which is located to the east of the Helensburgh Waste Depot and has an area of 32.46 hectares. The lot was referred to in the Helensburgh Commission of Inquiry report as Lady Carrington Estate North. The property has legal access via a road reserve from Lady Wakehurst Drive, through the Royal National Park. An access easement also exists from Nixon Place past the waste depot. The lot contains a number of access tracks to the railway line.

In 2010, this property was purchased by the (then) NSW Department of Environment, Climate Change and Water (DECCW), and now forms part of the Garrawarra State Conservation Area. The Department, now known as the Office of Environment and Heritage (OEH), has advised that the property can be zoned E1 National Parks and Nature Reserves, to reflect its incorporation into the Garrawarra State Conservation Area.

The Lady Carrington Estate North precinct location and current zoning map 1



Council at its meeting on 28 November 2011 resolved (in part) that:

- 1 Council endorse the existing draft Planning Proposal for Lot 1 DP 616230 (Lady Carrington Estate North) which is now part of Garrawarra State Conservation Area, which seeks to amend the Wollongong Local Environmental Plan 2009 by rezoning the land to E1 National Parks and Nature Reserves.

As a consequence of the exhibition the following registered submissions were received commenting on the draft Planning Proposal for the precinct:

Landowner submissions:

Property	Submission	Comment
Office of Environment and Heritage (OEH)	<ul style="list-style-type: none"> Did not specifically comment on the proposed E1 National Parks and Nature Reserves zoning for the precinct. However, previous submissions from OEH have supported the change. 	Propose to proceed with E1 based on previous advice.
	<ul style="list-style-type: none"> Supported Council's initiatives to zone 7(d) land E2 Environment Conservation, as the land will provide a significant contribution to recognition of landscapes that provide valuable habitats for threatened and regionally significant fauna and flora and towards establishment of biodiversity corridors between the Royal National Park, Garrawarra State Conservation Area, Illawarra Escarpment State Conservation Area, Woronora catchment and Heathcote National Park. 	Noted.

Other submissions:

Submitter	Submission
Resident Helensburgh	Lady Carrington Estate North – agree, close to National Park.
Resident Helensburgh	Lady Carrington Estate North – support.
Resident Helensburgh	Lady Carrington Estate North – agree, close to National Park.
Email – suburb unknown	Lady Carrington Estate North – support E2 Environmental Conservation zone, the consent for a dwelling house should be rescinded.

Form letter/email submissions:

Group / property	Submission
Otford Protection Society	<p>One form letter submitted by 239 persons supporting the proposed rezoning of the precinct to E1 National Parks and Nature Reserves.</p> <p>(refer Attachment 5 of Background report)</p>
OtfordEco	<ul style="list-style-type: none"> • One form letter submitted by 41 persons supporting the proposed rezoning of the precinct to E1 E1 National Parks and Nature Reserves (or E2 Environmental Conservation). • One form letter submitted by 136, persons making a conservation based submission on all precincts. • Two form letters submitted by 79 and 123 persons supporting E2 Environmental Conservation for all 23/24 precincts, respectively. • One form letter submitted by 10 persons supporting E2 Environmental Conservation for all bushland precincts. <p>(refer Attachment 5 of Background report)</p>

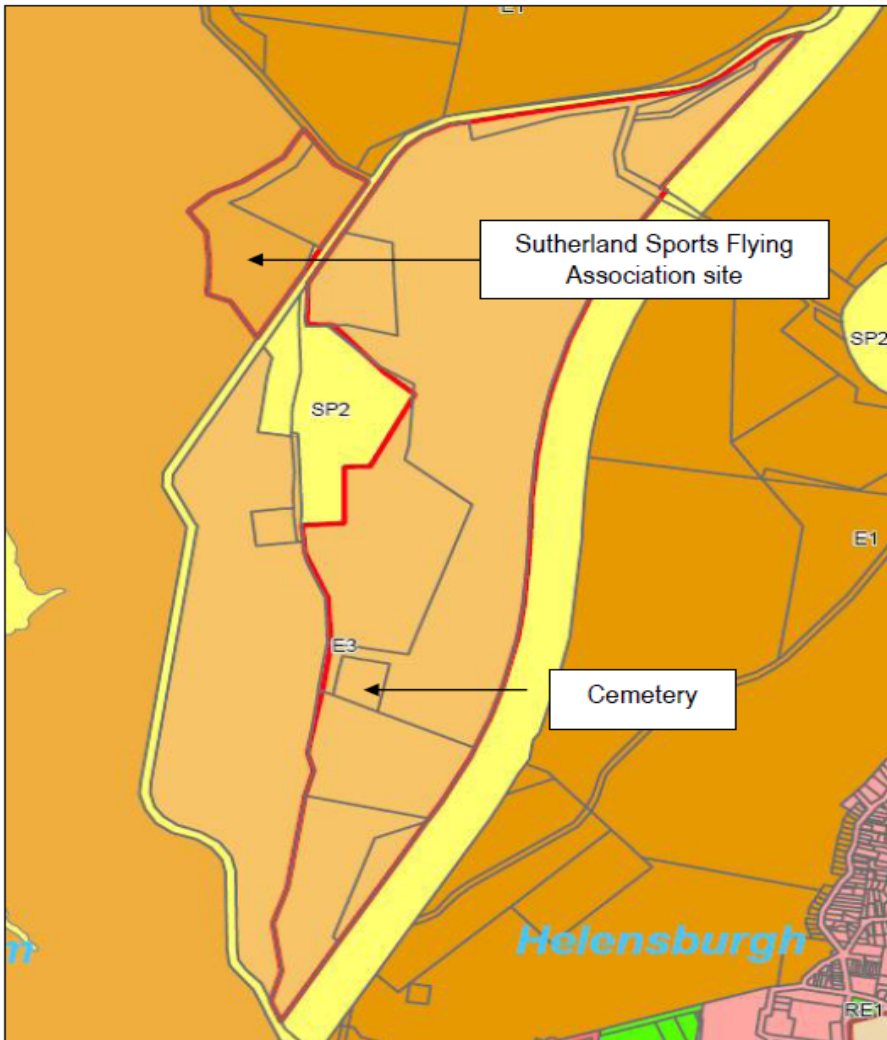
There are no issues with this precinct. The rezoning of the site to E1 National Parks and Nature Reserves to reflect the land being part of the Garrawarra State Conservation Area is widely supported.

Recommendation: *It is recommended that the rezoning of Lot 1 DP 616230 Lady Carrington Estate North to the E1 National Parks and Nature Reserves zone be progressed as part of the final Planning Proposal.*

Garrawarra Precinct

The Garrawarra precinct is located north of Helensburgh between the F6 Freeway and the Princes Highway. Land on the western side of the precinct drains to the Woronora Catchment and is managed by the Sydney Catchment Authority. This land was not zoned 7(d) and is not part of the study area. However it was inadvertently zoned E3 Environmental Management by the Wollongong Local Environmental Plan (LEP) 2009 and the Sydney Catchment Authority have requested that it be rezoned to E2 Environmental Conservation consistent with the other Sydney Catchment Authority land.

Garrawarra precinct location and current zoning map 2



The precinct contains 11 lots within five sub-precincts. These five sub-precincts include:

Sub-precinct 1: Garrawarra Hospital Centre

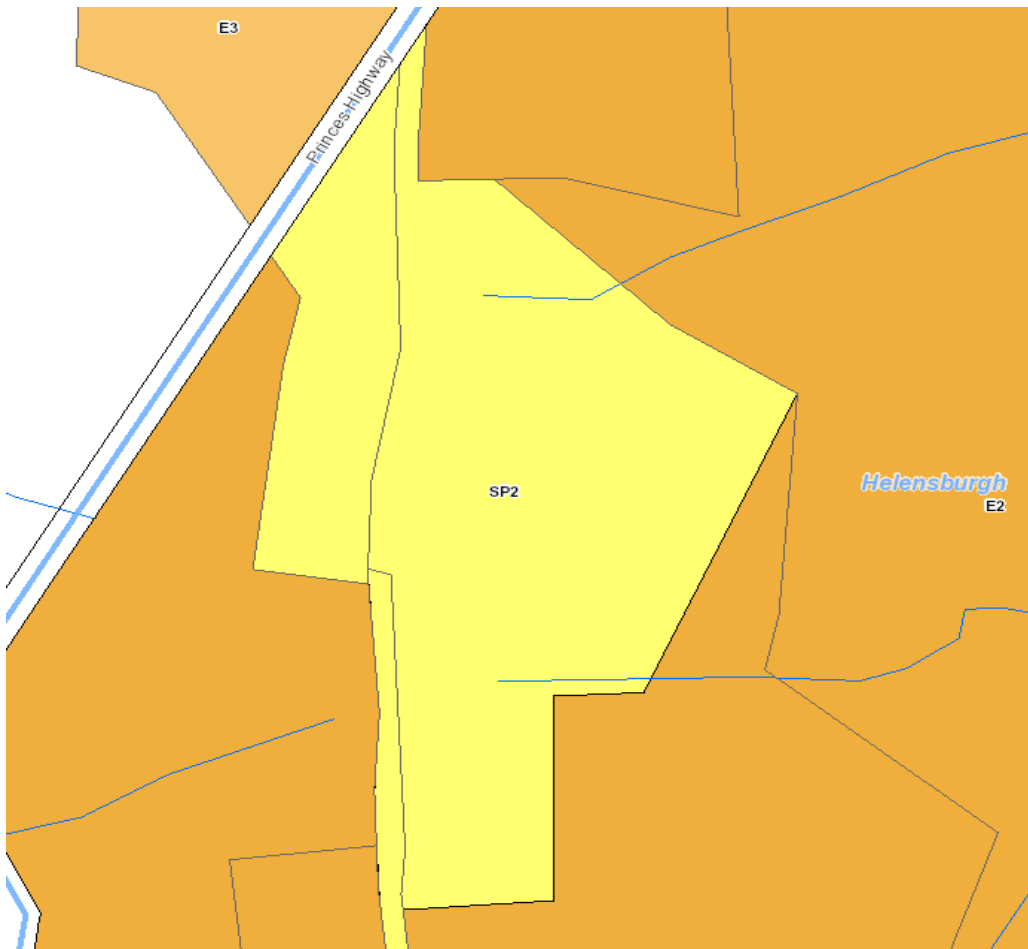
Four lots within the precinct form the Garrawarra Hospital Centre. The Garrawarra Hospital Centre provides dementia services, aged, respite and long term care services and outreach services. The Centre is zoned SP2 Infrastructure – Hospital and Seniors Housing and is listed as a heritage item of local heritage significance and as a Heritage Conservation Area.

The Garrawarra Centre is currently zoned SP2 Infrastructure – Hospital and Seniors Housing. However, the Centre provides more than Hospital and Aged Care Services and the current zoning map description does not accurately reflect the services provided on-site at the Centre. The 7(d) Review proposed that the term “hospital” be replaced with the group definition of “health service facility”, which incorporates the land uses of hospitals, medical centres and community health service facilities.

It is understood that NSW Health are looking at disposing of part or all of the Garrawarra facility. Consultants on their behalf have made enquiries about minimum lot size requirements, and the ability to subdivide off small support service sites from the main facility.

The Wollongong Local Environmental Plan 2009 includes a minimum lot size of 40 hectares for the precinct. This standard is appropriate for the sensitive bushland areas, but limits the options for the ongoing operations of the health care precinct. It is proposed that the minimum lot size be removed from the land zoned SP2 Infrastructure - Seniors Housing and Hospital. It is noted that a minimum lot size did not apply under the Wollongong Local Environmental Plan 1990 for this site, and it was introduced as part of the Wollongong Local Environmental Plan 2009.

Garrawarra Centre SP2 Infrastructure zoning map 3



Council at its meeting on 28 November 2011 resolved (in part) that:

- 2 Council endorse the existing draft Planning Proposal for the Garrawarra precinct, which seeks to:
 - a Rename to SP2 – Infrastructure - Health Service facility and Seniors Housing;

- b Make a minor adjustment to the SP2 Infrastructure zone boundary, to reflect ownership; and*
- c Remove the minimum lot size from the SP2 Infrastructure land.*

As a consequence of the exhibition, the following registered submissions were received commenting the draft Planning Proposal for the Garrawarra Hospital sub-precinct.

Landowner submissions

Property	Submission	Comment
NSW Health, and NSW Health – South Eastern Sydney Local Health District (same submission)	<ul style="list-style-type: none"> Support the rezoning of the Lot 4 DP 840501 and part of Lot 2 DP 840501, containing the health facility, to SP2 Infrastructure - Health Service facility and Seniors Housing. 	Noted.
	<ul style="list-style-type: none"> Request that the balance of Lot 2 DP 840501, the bushland area, also be zoned SP2 Infrastructure - Health Service facility and Seniors Housing, rather than E2 Environmental Conservation zone, to allow the NSW Health or the Government to consider other uses for the land. 	The draft Planning Proposal amended the north-east zone boundary to reflect the cadastral boundary. The rezoning of the southern end of Lot 2 DP 840501 was not included in the draft Planning Proposal. While this area is part of the Hospital land, it is largely bushland and the E2 Environmental Conservation zone remains appropriate.
	<ul style="list-style-type: none"> Request the following uses should be permitted with development consent: Health Services, Aged care, Community facilities and Recreation facility (outdoor). 	<p>No amendment required as, Health Service facility and Seniors Housing will be listed as permissible on the zoning map.</p> <p>Community facilities and Recreation facility (outdoor) are permissible via the zone land use table.</p>

Form letter/email submissions:

Group / property	Submission
Otford Protection Society	One form letter submitted by 250 persons opposing the proposed rezoning of the precinct and suggesting it all be zoned E2 Environmental Conservation or E1 National Parks and Nature Reserves.
OtfordEco	<ul style="list-style-type: none"> One form letter submitted by 40 persons opposing the proposed rezoning of the precinct and suggesting it all be zoned E2 Environmental Conservation or E1 National Parks and Nature Reserves. One form letter submitted by 136 persons making a conservation based submission on all precincts. Two form letters submitted by 79 and 123 persons supporting E2 National Parks and Nature Reserves for all 23/24 precincts, respectively. One form letter submitted by 10 persons supporting E2 National Parks and Nature Reserves for all bushland precincts. <p>(refer Attachment 5 of Background report)</p>

It is noted that NSW Health supports the rezoning of the precinct, although they requested additional land to be zoned SP2 Infrastructure, which is not possible after the exhibition. The rezoning of the bushland areas to the south of the Hospital complex is not supported.

Options

- 1 Proceed with the rezoning of the renaming of the SP2 Infrastructure zone to SP2 Infrastructure Health Service facility and Seniors Housing, adjust the zone boundary and remove the minimum lot size, as exhibited in the draft Planning Proposal.
- 2 Not proceed with the amendments and retain the current controls.

Recommendation: *It is recommended that the rezoning of Garrawarra Hospital sub-precinct be progressed as part of the final Planning Proposal, by:*

- a Renaming the SP2 Infrastructure zone to SP2 Infrastructure "Health Service facility and Seniors Housing";*
- b Making a minor adjustment to the SP2 Infrastructure zone boundary, on the north-east boundary to reflect ownership; and*
- c Removing the minimum lot size from the SP2 Infrastructure land.*

Sub-precinct 2: Waterfall General (or Garrawarra) Cemetery

Lot 4 DP 840501 is Waterfall General (or Garrawarra) Cemetery which was historically used for the burial of former patients of the Garrawarra Hospital. The cemetery was transferred from the State to Council in 1967, however Council's records did not reflect the transfer and the cemetery has not been maintained. Council was reminded of its ownership/management responsibilities in 2011. The Cemetery is zoned E3 Environmental Management and is listed as a heritage item of local heritage significance.

Since becoming aware of Council's ownership/management responsibilities, the site has been inspected by Council officers. The site is overgrown and the graves and headstones are in poor condition. Cemetery records have been obtained which indicate that some 2,000 persons were buried.

The draft Planning Proposal proposed that the lot be zoned E2 Environmental Conservation and the zoning be reviewed upon the completion of further investigations.

The submissions from NSW Health and the NSW Health – South Eastern Sydney Local Health District noted that the cemetery was transferred to Council on 1 October 1967.

No other submissions commented on the cemetery. As noted in the previous section some submissions and form letters supported the rezoning of the entire Garrawarra precinct to E2 Environmental Conservation.

In 2012, a consultant was engaged to prepare a draft Conservation Management Plan to guide future activities. The Conservation Management Plan will guide whether the site should be cleared and the cemetery restored to allow visitation by descendants and relatives. Some relatives have contacted Council requesting access, which has been denied at this stage due to the unsafe nature of the site. Additionally, Council does not have access to the site as it is landlocked, following the closure of the Old Illawarra Road. The northern end of the fire trail is part of the Garrawarra Hospital Centre site controlled by NSW Health and the southern end by the Sydney Catchment Authority. A right-of-way or other access arrangements would need to be established in Council's favour.

The draft Conservation Management Plan will be reported to Council separately, however it is likely the Plan will recommend some vegetation removal, limited access, a memorial and the installation of some fencing and gates.

The E2 Environmental Management zone will limit the on-going management of the cemetery and it is proposed that the E3 Environmental Management zone be retained. It is noted that Cemeteries are typically zoned either SP1 Special Activity – Cemetery or SP2 Infrastructure - Cemetery. A change to either zone would depend on the recommendations of the Conservation Management Plan and would be subject to a separate Planning Proposal.

Options

- 1 Proceed with the rezoning of the Cemetery to and E2 Environmental Conservation as exhibited in the draft Planning Proposal.
- 2 Not proceed with the rezoning to E2 Environmental Conservation and retain the current E3 Environmental Management zone.
- 3 Resolve to prepare a new Planning Proposal to rezone the precinct to another zone, for example SP2 Infrastructure Cemetery, and undertake further community consultation.

Recommendation: *It is recommended that the rezoning of Lot 4 DP 840501, Waterfall General (or Garrawarra) Cemetery managed by Council, not proceed and the cemetery retain a E3 Environmental Management zone.*

Sub-precinct 3: Sydney Catchment Authority land

Lot 1 DP 219640 and Lot 1 DP 830604 drain to the west to the Hacking River catchment and are managed by the Sydney Catchment Authority. The Authority had requested that these lots be zoned E2 Environmental Conservation. The draft Planning Proposal proposed that the lot be zoned E2 Environmental Conservation.

As a consequence of the exhibition the following registered submissions were received commenting on the draft Planning Proposal for the precinct:

Landowner submissions:

Property	Submission	Comment
Sydney Catchment Authority	Support its land being zoned E2 Environmental Conservation.	Noted

Other submissions:

Submitter	Submission
Stanwell Tops Residents Association	Support E2 Environmental Conservation zone.
Stop CSG Illawarra	Support E2 Environmental Conservation zone.
Email – suburb unknown	Garrawarra – support E2 Environmental Conservation.

Form letter/email submissions:

Group / property	Submission
Otford Protection Society	One form letter submitted by 239 persons supporting the proposed rezoning of the precinct to E2 Environmental Conservation. (refer Attachment 5 of Background report)

Group / property	Submission
OtfordEco	<ul style="list-style-type: none"> One form letter submitted by 40 persons supporting the proposed rezoning of the precinct to E2 Environmental Conservation. One form letter submitted by 136 persons making a conservation based submission on all precincts. Two form letters submitted by 79 and 123 persons supporting E2 for all 23/24 precincts, respectively. One form letter submitted by 10 persons supporting E2 Environmental Conservation for all bushland precincts. <p>(refer Attachment 5 of Background report)</p>

There are no issues with this sub-precinct, it is recommended that the rezoning be progressed.

Recommendation: *It is recommended that the rezoning of Lot 1 DP 219640 and Lot 1 DP 830604 managed by the Sydney Catchment Authority to the E2 Environmental Conservation zone be progressed as part of the final Planning Proposal.*

Sub-precinct 4: Crown land

Lot 622 DP 752033, Lot 3 DP 840501, Lots 7324 and 7325 Crown ID 1161647 and Lot 1002 DP 822247 are Crown land controlled by the NSW Department of Primary Industries – Catchment and Lands. The draft Planning Proposal proposed that these lots be rezoned to E2 Environmental Conservation zone.

Lot 1803 DP 822247 is leased by the Crown to the Sutherland Shire Sports Flying Association. The site is a mixture of bushland and cleared land used for model aircraft flying. The draft Planning Proposal proposed that this lot retain an E3 Environmental Management zone.

As a consequence of the exhibition the following registered submissions were received commenting on the draft Planning Proposal for the precinct:

Landowner submissions:

Property	Submission	Comment
NSW Department of Primary Industries – Catchment and Lands	The Authority's submission did not specifically comment on this precinct. Previously they indicated support for the recommendations	Noted.

Other submissions:

Submitter	Submission
Stanwell Tops Residents Association	Support E2 Environmental Conservation zone.
Stop CSG Illawarra	Support E2 Environmental Conservation zone.
Resident Helensburgh	Garrawarra precinct – agree, except for the E3 Environmental Management area on the west of the old highway which should also be zoned E2 Environmental Conservation.
Resident Helensburgh	Garrawarra – support rezoning from E3 Environmental Management to E2 Environmental Conservation especially Crown land and Sydney Catchment Authority (SCA) land.

Form letter/email submissions:

Group / property	Submission
Otford Protection Society	One form letter submitted by 239 persons supporting the proposed rezoning of the precinct to E2 Environmental Conservation. (refer Attachment 5 of Background report)
OtfordEco	<ul style="list-style-type: none"> One form letter submitted by 40 persons supporting the proposed rezoning of the precinct E2 Environmental Conservation. One form letter submitted by 136, persons making a conservation based submission on all precincts. Two form letters submitted by 79 and 123 persons supporting E2 Environmental Conservation zone for all 23/24 precincts, respectively. One form letter submitted by 10 persons supporting E2 Environmental Conservation zone for all bushland precincts. (refer Attachment 5 of Background report)

Options

- 1 Proceed with the rezoning of the Crown Land to E2 Environmental Conservation (excluding Lot 1803 DP 822247) as exhibited in the draft Planning Proposal; and
- 2 Not proceed with the rezoning to E2 Environmental Conservation and retain the current E3 Environmental Management zone.

Recommendation: *It is recommended that the rezoning of the Crown Land to the E2 Environmental Conservation zone be progressed as part of the final Planning Proposal, excluding Lot 1803 DP822247, which is to retain an E3 Environmental Management zone.*

Sub-precinct 5: Lot 991 DP 723636

Lot 991 DP 723636 located immediately to the north of the Garrawarra Centre is owned by the Macedonian Orthodox Monastery Trustees. The site has an area of 7.3ha and is covered in bushland. There does not appear to have been any development consents issued.

The draft Planning Proposal proposed that the site be zoned E2 Environmental Conservation.

No submission was received by the land owner.

As a consequence of the exhibition the following registered submissions were received commenting on the draft Planning Proposal for the precinct:

Form letter/email submissions:

Group / property	Submission
Otford Protection Society	One form letter submitted by 239 persons supporting the proposed rezoning of the precinct. (refer Attachment 5 of Background report)
OtfordEco	<ul style="list-style-type: none"> • One form letter submitted by 40 persons supporting the proposed rezoning of the precinct. • One form letter submitted by 136 persons making a conservation based submission on all precincts. • Two form letters submitted by 79 and 123 persons supporting E2 Environmental Conservation for all 23/24 precincts, respectively. • One form letter submitted by 10 persons supporting E2 Environmental Conservation for all bushland precincts. (refer Attachment 5 of Background report)

Options

- 1 Proceed with the rezoning of the lot to E2 Environmental Conservation as exhibited in the draft Planning Proposal.
- 2 Not proceed with the rezoning to E2 Environmental Conservation and retain the current E3 Environmental Management zone.

Recommendation: *It is recommended that the rezoning of Lot 991 DP 723636 to the E2 Environmental Conservation zone be progressed as part of the final Planning Proposal.*

Isolated lots in Royal National Park

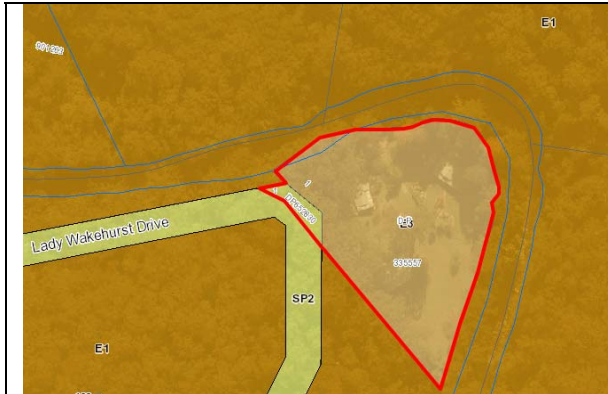
There are five privately owned lots, in four ownerships in the Royal National Park, which contain a dwelling house and have partially been cleared (see map 4). The lots are now zoned E3 Environmental Management.

- Lot A DP 356469;
- Lot 1 DP 335557;
- Lot 1 DP 324239; and
- Lot 1 DP 434564 and part Lot 30 DP 752018.

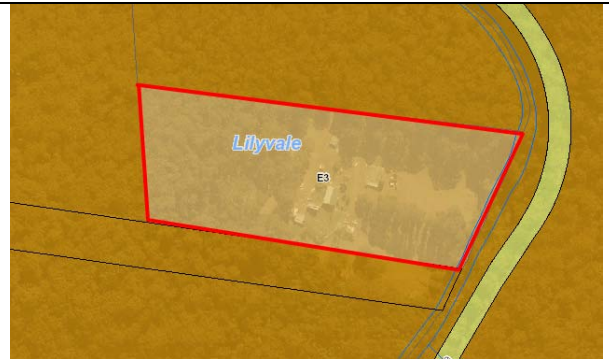
These properties are surrounded by the Royal National Park and in the long term should be incorporated into the Park. It is noted that the lots are not on program for acquisition. The lots are not fully serviced. The planning studies have proposed that development opportunities should be limited to prevent intensification of development. Council cannot identify these properties for inclusion in the National Park, without the agreement of the Office of Environment and Heritage.

Recently a function centre was found to be operating on Lot 1 DP 335557 (125 Lady Wakehurst Drive) without consent. Additionally, it is noted that the adjoining Lot 1 DP652830, which is owned by the same person is currently zone SP2 Infrastructure Road and was not proposed to change as part of the draft Planning Proposal. It had not been identified that the former section of road reserve was privately owned. It is understood that the current owners had taken over an existing business. The matter is subject to on-going investigations, and the owners planning consultant has indicated that a rezoning submission will be lodged in the future.

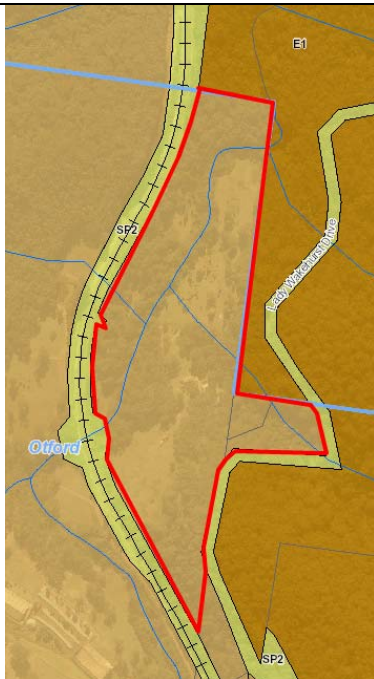
Location and current zoning of isolated lots in Royal National Park map 4



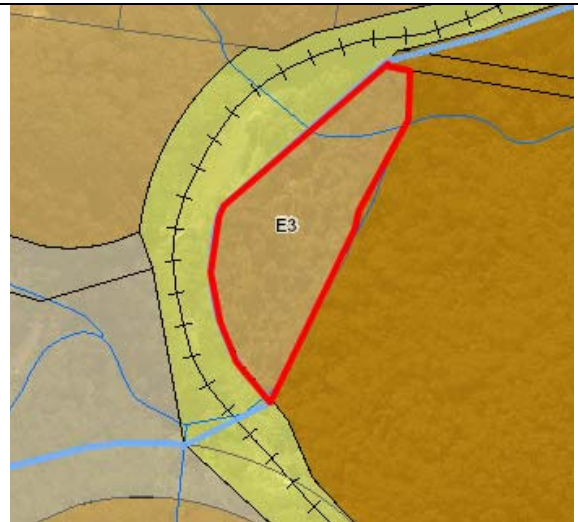
Lot 1 DP 335557



Lot A DP 356469



Lot 1 DP 434564 and part Lot 30 DP 752018



Lot 1 DP 324239

Council at its meeting on 28 November 2011 resolved (in part) that:

- 3 Council endorse the existing draft Planning Proposal for the isolated lots in the Royal National Park, which seeks to rezone the following lots from E3 Environmental Management to E2 Environmental Conservation and not permit any additional dwelling houses:
 - a Lot A DP 356469;
 - b Lot 1 DP 335557;
 - c Lot 1 DP 324239; and
 - d Lot 1 DP 434564 and part Lot 30 DP 752018.

The draft Planning Proposal proposed that the lots be zoned E2 Environmental Conservation, which may result in the existing dwelling houses obtaining existing use rights, if they were lawfully approved.

As a consequence of the exhibition the following registered submissions were received commenting on the draft Planning Proposal for the precinct:

No submissions from the landowners were received.

Other submissions:

Submitter	Submission
NSW Department of Environment, Climate Change and Water (now the Office of Environment and Heritage)	In a previous submission the Department supported the zoning of Lot 1 DP 324239 (located opposite the Metropolitan Colliery) as E2 Environmental Conservation.
Resident Helensburgh	Isolated lots in the Royal National Park – support rezoning from E3 Environmental Management to E2 Environmental Conservation.
Email – suburb unknown	Isolated lots in the Royal National Park – should be zoned E2 Environmental Conservation.

Form letter/email submissions:

Group / property	Submission
Otford Protection Society	One form letter submitted by 238 persons supporting the proposed rezoning of the precinct to E2 Environmental Conservation zone or E1 National Parks and Nature Reserves. (refer Attachment 5 of Background report)
OtfordEco	<ul style="list-style-type: none"> One form letter submitted by 136, persons making a conservation based submission on all precincts. Two form letters submitted by 79 and 123 persons supporting E2 Environmental Conservation zone for all 23/24 precincts, respectively. One form letter submitted by 10 persons supporting E2 Environmental Conservation zone for all bushland precincts. (refer Attachment 5 of Background report)

The rezoning of the sites from E3 Environmental Management to E2 Environmental Conservation will change the land uses permitted on the properties, notably dwelling

houses will no longer be permitted and alterations/rebuilding would rely on existing use rights. Even though the lots contain dwelling houses, they are surrounded by the Royal National Park, and should only permit limited development opportunities to minimise impacts on the Park. In this instance, the rezoning to E2 Environmental Conservation is considered to be consistent with the zone objectives and strategy for the area.

Options

- 1 Proceed with the rezoning of the lots to E2 Environmental Conservation as exhibited in the draft Planning Proposal.
- 2 Not proceed with the rezoning to E2 Environmental Conservation and retain the current E3 Environmental Management zone.

Recommendation: *It is recommended that the rezoning of Lot A DP 356469, Lot 1 DP 335557, Lot 1 DP 324239, Lot 1 DP 434564 and part Lot 30 DP 752018 to 2 Environmental Conservation be progressed as part of the final Planning Proposal.*

Conclusion

This report is one of a series of reports to assist Council in reviewing the issues raised in submissions following the exhibition of a draft Planning Proposal on the lands formerly zoned 7(d) Hacking River Environmental Protection. It is recommended that the draft Planning Proposal for the rezoning of Lady Carrington Estate North (now part of Garrawarra State Conservation Area), Garrawarra and Royal National Park precincts be progressed to finalisation with minor amendments.