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NSW Department of Planning & Infrastructure
Southern Region
PO Box 5475
WOLLONGONG NSW 2520
Attention: Mr Brett Whitworth



Our Ref:
File:
Date:

Z12/28977 & Z12/35389
ESP-100.01.040
28 February 2012

Dear Mr Whitworth

REVISED PLANNING PROPOSAL FOR FORMER 7(D) LANDS AT HELENSBURGH, OTFORD AND STANWELL TOPS

Reference is made to your letter dated 13 February 2012 seeking further information on the lands proposed to be zoned E2 Environmental Conservation as part of the revised Planning Proposal.

As advised, the boundaries of the previous Planning Proposal have been extended to cover the area that was proposed to be subject of a draft Planning Agreement and a possible second Planning Proposal. The Council report of 5 July 2011 noted that land within the Lloyd Place, Lady Carrington Estate, Lilyvale, Central Bushland and Camp Creek precincts as being suitable for an E2 Environmental Conservation zone. These precincts contain steep bush covered slopes that are within the Illawarra Escarpment Moist Corridor Forest Corridor – which is identified as a regionally important corridor. Additionally, some of the ridge top lands within these precincts do contain the Southern Sydney Sheltered Forest EEC (refer Figure 2.1 of 5 July 2011 report – page 39).

At that time, Council was considering the options of allowing some development in the Lady Carrington Estate South and Land Pooling precincts. Council on 28 November 2011 determined not to pursue this option and resolved that these precincts should also be zoned E2 Environmental Conservation. A large part of the Lady Carrington Estate South precinct is cleared, while the Land Pooling precinct is covered in bushland.

Council on 28 November 2011 also resolved to rezone the Wilson Creek precinct to E2 Environmental Conservation. This precinct was previously proposed to be zoned E3 Environmental Management. This precinct also contains the Southern Sydney Sheltered Forest community and has been partially developed.

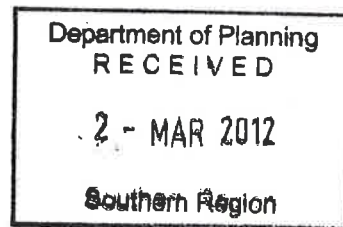
A mapping error has been identified in the Gateway precinct. Accordingly, a revised draft zoning map (southern sheet) and Executive Summary (which contains zone area information) is attached.

Please contact me should you require further information.

This letter is authorised by

David Green
Land Use Planning Manager
Wollongong City Council
Direct Line (02) 4227 7465

Attachments.



Review of 7(d) lands at Helensburgh, Otford and Stanwell Tops – Executive Summary

Wollongong City Council at its meeting on 28 November 2011 considered 12 reports reviewing the decisions made by the previous Council on the former 7(d) lands at Helensburgh, Otford and Stanwell Tops.

Council has reviewed the decisions made by the previous Council through:

- Councillor briefing and site tour on 7 November 2011;
- Councillor site tour and Public Information Session attended by 248 persons on 21 November 2011;
- Consideration of submissions and Feedback Forms submitted during or after the Public Information Session; and
- Consideration of the 12 reports.

Background

The lands formerly zoned 7(d) Hacking River – Environmental Protection under the Wollongong Local Environmental Plan 1990 covered 1,556 hectares, surrounding Helensburgh, Otford and Stanwell Tops, within the Hacking River Catchment (see attached map). There were 777 lots zoned 7(d) Hacking River Environmental Protection, which were owned by 303 persons, companies and Statutory Authorities. The properties are now zoned E3 Environmental Management under the Wollongong LEP 2009.

The 7(d) lands contain significant bushland which is connected to the Woronora Catchment area, Royal National Park and Illawarra Escarpment. The area is also the head waters of the Hacking River. The extensive bushland results in a high bushfire risk. Conversely, some of the 7(d) lands have been historically cleared for farming, tourism, coal mining, industrial uses and housing.

The future of the 7(d) lands surrounding Helensburgh, Otford and Stanwell Park has been subject to debate for over 30 years.

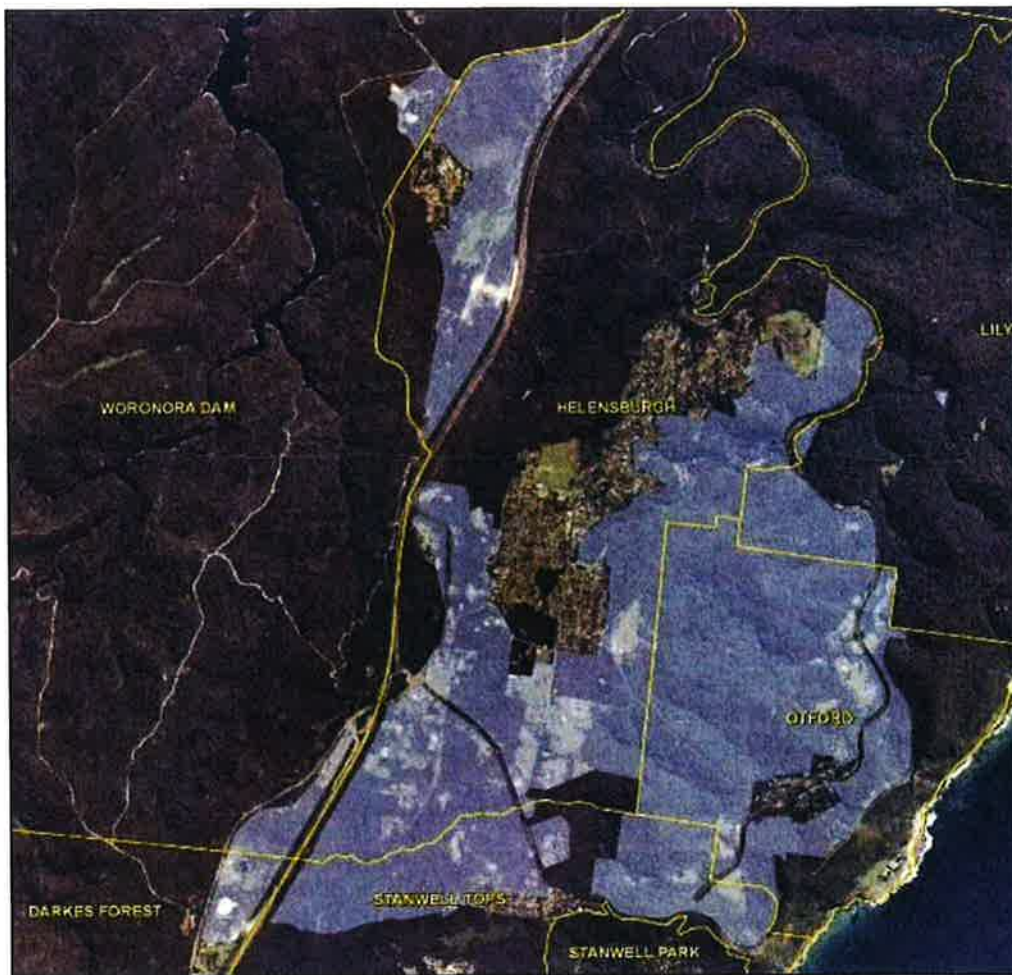
In 1984, Environmental Conservation zones were introduced to protect land with conservation or scenic values within the City. Helensburgh and Otford are in the upper catchment of the Hacking River which drains into the Royal National Park. The protection of the catchment and National Park remain important values.

In 1994, the Helensburgh Commission of Inquiry examined a number of urban expansion proposals, including land in the Land Pooling precinct, Gills Creek catchment and the Lady Carrington Estates. Instead of being released for housing, the Inquiry recommended the rezoning of some to strengthen Environmental Protection zones.

The conflicting issues of the 1980s and 1990s remain relevant, including:

- The need to protect/improve the water quality of the Hacking River;
- The need to provide a buffer to the Royal National Park and Garrawarra State Conservation Area, to protect their values;
- The need to conserve endangered ecological communities, significant bushland, habitats and linkages;
- The need to manage bushfire impacts;

- Resolving the final development footprint of the Helensburgh suburb area, and its population level;
- Whether there is future population growth within and / or surrounding Helensburgh;
- Whether there should be additional local employment opportunities within Helensburgh;
- Whether significant bushland areas should remain in private ownership or be brought into public ownership; and
- Whether landowners can build a dwelling house on vacant lots.



Previous review process

The previous Council undertook a review of the lands formerly zoned 7(d) Hacking River – Environmental Protection at Helensburgh, Otford and Stanwell Tops. The review included the following stages:

- Draft Review of 7(d) lands at Helensburgh, Otford and Stanwell Tops (Willana, 2009) [also known as the Willana Report], considered by Council on 28 July 2009;
- Exhibition of the Draft Review Report (first community consultation period) from 10 August to 9 October 2010, which resulted in 3,447 submissions;
- A Preliminary report on submissions, considered by Council on 25 May 2010; and

- Exhibition of the Preliminary Report on submissions (second community consultation period) from 2 June to 16 August 2010, which resulted in 19,395 submissions.
- The Final Report on Submissions was considered at the Council meeting on 5 July 2011. In summary, Council resolved:
 - (1) To prepare a draft Planning Proposal now to rezone the land or amend the planning controls in 16 precincts.
The NSW Department of Planning and Infrastructure has issued Gateway determination to allow the Planning Proposal to be exhibited. Exhibition is on-hold pending review by the new Council.
 - (2) To exhibit a draft Planning Agreement which proposes the dedication of a large area of private land to the public in exchange for urban development in the Lady Carrington Estate South and Land Pooling Precincts. The exhibition did not occur.
 - (3) No change to the current planning controls within 3 precincts:

Current review process

The new Council has undertaken a review of the previous Council decisions, which has included site visits and a Public Information Session. The Public Information Session held at Helensburgh Public School on 21 November 2011 was attended by 248 persons (based on the attendance sheets). Thirty nine (39) persons registered to speak at the meeting. The opportunity was also provided for an additional eleven (11) persons to make short statements and comments.

Council at its meeting on 28 November 2011 considered 12 reports on the former 7(d) lands. Table 1 provides a summary of the Council resolutions and possible additional dwellings.

In some instances, Council resolved to endorse the previous recommendation, for other precincts Council resolved to revised the previous recommendations or commence the preparation of a new planning proposal.

Table 2 provides a summary of the proposed zone areas and possible additional dwellings.

Next steps

As a consequence of the Council resolution on 28 November 2011, the current draft Planning Proposal and Gateway Determination cannot be progressed, and a new Gateway determination reflecting the extended area and revised set of recommendations needs to be sought.

Accordingly, the revised draft Planning Proposal will be referred to the NSW Department of Planning and Infrastructure for a new Gateway determination.

If endorsed by the Department, the draft Planning Proposal will be exhibited for a 2 month period in 2012. Following the exhibition period, submissions will be reviewed and reported to Council.

Table 1 – Summary of Precincts proposed to be subject to a draft Planning Proposal

Report / Precinct	Recommendation	Existing dwellings	Est. Additional dwellings
Item 2 - Report 1			
Background information	Note the report	NA	NA
Item 3 - Report 2			
Lady Carrington Estate north	Rezone to E1 National Parks, as the land is now part of Garrawarra State Conservation Area.	0	0
Garrawarra precinct	- Rezone the Crown Land and SCA land to E2 Environmental Conservation - Rename the SP2 - Infrastructure zone for Garrawarra Centre to SP2 – Infrastructure – Health Service facility and Seniors Housing, and remove the minimum lot size	0 Hospital	0
Isolated lots in the Royal National Park	Rezone to E2 Environmental Conservation and not permit any additional dwelling houses.	4	0
Item 4 - Report 3			
Otford north precinct	Rezone to E2 Environmental Conservation	4	0
Otford central precinct	- Rezone to E4 Environmental Living - Rezone 5 lots in Station Road to E2 Environmental Conservation. - Rezone 2A Domville Rd and 24 Lady Wakehurst Drive to E2 Environmental Conservation	21	6
Otford south precinct	- Rezone the precinct to E2 Environmental Conservation, except Lot 2 DP 512270 - Allow a dwelling house on Lot 2 DP 512270 Otford Road	7	1
Otford West - Govinda retreat (note separate resolution)	Rezone part of the site to E2 Environmental Conservation, retaining the E3 Environmental Management zone on the balance	1	0
Item 5 - Report 4			
Gills Creek precinct	- Rezone: 237-261 Princes Highway to RU2 Rural Landscapes. - Part Lot 4 DP 25940 – to RE2 Private Recreation – corner of Baines Place and Lawrence Hargrave Drive - to allow a “restaurant or café” - Rezone Gills Creek adjacent to the RE2 land, E2 Environmental Conservation.	19	0

Report / Precinct	Recommendation	Existing dwellings	Est. Additional dwellings
	○ Rezone 171-173 Lawrence Hargrave Drive to RU2 Rural Landscapes ○ Rezone part of the Baines Place “50 acre” lots to E2 Environmental Conservation, around Kellys Creek, retaining an E3 Environmental zone around the existing dwelling houses and development. ○ Rezone part of the Stanwell Tops lots to E2 Environmental Conservation, around Kellys Creek, retaining an E3 Environmental zone around the existing dwelling houses.		
Princes Highway – west of F6 precinct	● Rezone the Crown land and SCA land to E2 Environmental Conservation. ● Rezone the private land to RU2 Rural Landscapes, and E2 Environmental Conservation	2	0
Item 6 - Report 5			
Wilsons Creek precinct	● Rezone the precinct to E2 Environmental Conservation zone.	12	0
		0	
Item 7 - Report 6			
Gateway precinct, Princes Highway	● Rezone parts of the precinct to: ○ B6 Enterprise Corridor zone, with an FSR of 0.5:1, building height of 11m and min lot size of 2000m² ○ RU2 Rural Landscape zone. ○ RE2 Private Recreation zone (Golf Driving Range). ○ SP3 Tourist zone (Symbio)	10	0
Item 8 - Report 7			
Walker Street precinct	● Rezone to RU2 Rural Landscape. ● Rezone Blackwells to IN2	12	0
Frew Avenue precinct	● Retain E3 Environmental Management zone, allow a dwelling on the 3 vacant lots	1	3
Kelly Falls precinct	No change – the 2 properties retain an E3 Environmental Management zone.	2	0
Item 9 - Report 8			
Lukin Street precinct	● Rezone the Crown land to E2 Environmental Conservation. ● Rezone the 48-54 Parkes Street to E4 Environmental Living	3	0
Old Farm Road	● Rezone the precinct to E2 Environmental Conservation zone.	4	0

Report / Precinct	Recommendation	Existing dwellings	Est. Additional dwellings
Metropolitan Colliery	- Rezone the majority of the bushland to E2 Environmental Conservation. Retain some E3 Environmental Management - Retain an RU1 Primary Production for the coal mine	1	0
Item 10 - Report 9			
Undola Road sub-precinct	- Rezone 5,7,9 and 11 Undola Road to E4 Environmental Living - Rezone 3 Undola Road to E2 Environmental Conservation.	4	0
Walker Lane sub-precinct	Rezone to E2 Environmental Conservation	0	0
Camp Gully Creek	Rezone to E2 Environmental Conservation	0	0
Item 11 - Report 10			
Lloyd Place	Rezone to E2 Environmental Conservation	1	0
Item 12 - Report 11			
Lady Carrington Estate	Rezone to E2 Environmental Conservation	0	0
Lilyvale	Rezone to E2 Environmental Conservation	1	0
Central Bushland	Rezone to E2 Environmental Conservation	0	0
Oxford Valley farm	Retain E3 Environmental Management and rezone some to E2 Environmental Conservation	2	0
Item 13 - Report 12			
Land Pooling	Rezone to E2 Environmental Conservation	1	0
Lady Carrington Estate South	Rezone to E2 Environmental Conservation	0	0
		111	10

Table 2 - Proposed zone areas and additional dwellings

Zone	Area (ha)	Est. Additional dwellings
E1 National Parks	33.32	0
E2 Environmental Conservation	1256.55	0
E3 Environmental Management	198.43	4
E4 Environmental Living	14.75	6
RU1 Primary Production	33.94	0
RU2 Rural Landscapes	76.07	0
R2 Low Density Residential	0.46	0
B6 Enterprise Corridor	6.31	0

IN2 Light Industrial	8.44	0
RE1 Public Recreation	1.62	0
RE2 Private Recreation	9.44	0
SP2 Infrastructure	21.06	0
SP3 Tourist	6.63	0
Totals	1667.03	10

Figure 1 – 7(d) process

