

12/1/2011

RECEIVED

18 JAN 2011

Director-General

Bill Hancock
57 Shoalhaven Street
Nowra NSW 2541
0244217186
20th January 2011.

Mr Sam Haddad
Director General
NSW Department of Planning
GPO Box 39
Sydney NSW 2001.

Dear Sir.

Re; Objection to the rezoning application for a section of Nowra Park.

The first major planning mistake was in 2002 by allowing the turning of Shoalhaven Memorial Hospital around to face and encourage entry by Scenic Drive extensively developing inside the Riparian Zone.

Then the subsequent removal of hundreds of old growth trees for a car park on top of the Shoalhaven River Escarpment also inside the Riparian Zone and the failure to enforce restitution and landscaping as required in the development approvals.

At the same time New South Wales Government Sydney Catchment Authority provides funds and practical help promoting good Riparian Zone Management by private landowners, claiming a total of 97.5 kilometres of waterways have been protected under the program to date.

Is this not self contradictory and self defeating by authorities operating under the same regulations but heading in different directions, what is the purpose of a standard if the governing authority flaunts the standard? Mistakes do not mean the standard has been abandoned. If this rezoning was granted claiming precedent, matters of significance for State, regional and public benefit of maintaining the planning controls will be in question.

During all the time taken in research never have I found an Act, regulation, policy, survey, review, advisory notes, discussion paper, submission, strategic planning document, committee report or update, government, private or commercial that would support the rezoning of the "Recreation Area".

Especially for tree removal and a development that because of its nature is exempt from building height regulations and controls on a river escarpment.

"I think the applicants are dreaming" the application is not well founded, compliance with regulations protecting the land are not unreasonable or unnecessary

I strenuously oppose any proposed rezoning or development on this site and urge you not to approve it. There are very many undesirable features to the proposal, but the over-riding one is the totally unacceptable intrusion into the Riparian Zone.

Further objections are spelt out in more detail with the attached document.

Yours Faithfully,



OBJECTION TO REZONING OF 1.4 HECTARES OF CROWN LAND WITHIN NOWRA PARK

- This scenic setting is in a very public place, the resource base for much of the tourist and recreation activity within the city. A high tourist and visitor area seen from many locations and appreciated for its scenic qualities by a high volume of people. Retention of planning controls conserving visual qualities of areas of high visual importance must be maintained, the zoning is reasonable and appropriate. Planning controls generally result in greater social benefits.
- Granting consent to the rezoning would not be consistent with the aims and objectives of the present zoning for that whole scenic protection area. Shoalhaven River, Nowra Creek, Showground, Golf Course and Recreation Area over which National, State and Regional heritage significance is claimed must be protected. An approval would have substantial scenic and environmental impacts on the surrounding natural entities each relying on the values of adjoining spaces to make them work.
- The public benefits of maintaining the planning controls adopted by the environmental planning instrument far outweigh the location of the Cancer Centre on this site, there are at least five alternative acceptable site options not being canvassed but available for the development, therefore the underlying objective of a cancer centre is not defeated by compliance to the present zoning.
- Retention of a proper Riparian Zone requires that the entry to any development be located elsewhere, present access via North Street and Scenic Drive with continual use by vehicles is having enormous negative visual, noise and environmental impacts to the area.
- The rezoning is not supported by any standard or specification, the underlying object of purpose would be defeated or thwarted if compliance was not maintained.
- By supporting this rezoning application the present Council have departed from traditional conservation/environment standards built up by all layers of government over the past 208 years. Virtually abandoning and destroying environmental standards creating an adverse planning precedent. As trustees according to the Act they are in contempt of their duties to protect and not in any way dispose or alienate any part of said land granted, this rezoning application must not be supported.
- The lack of community consultation, availability of reports and other relevant documents, how to make submissions and opportunity to express community concerns has left this process with an unacceptable democratic deficit, resident and local community interests go unheard.
- My objections are well founded compliance with standards is not unreasonable they are necessary in the circumstances of the case.

“RECREATION AREA” UNDER CONSIDERATION FOR RE ZONING:

The South Coasts striking landform and natural beauty has long been a source of awe and admiration, recorded in enthusiastic accounts by residents and visitors from earliest times, it contains some of the highest scenic values anywhere in Australia.

In particular the Shoalhaven River and the escarpment being described as “One of the most beautiful spots in the World” the inspiration for many, including internationally renowned artist Arthur Boyd whose paintings of the Shoalhaven River have been sold to collections around the World.

The Recreation Area is on the western edge of the main town street grid and is part of the highest point in town overlooking the Shoalhaven River. Originally preserved as a Crown Reserve by Surveyor General John Oxley as early as 1826, and reserved from sub division by Surveyor General Thomas Mitchell in 1854, it has been reserved as community land for over 185 years.

Two areas one 640 acres and the other 320 acres dedicated as Recreation Area by Colonial Governor General Sir Charles Augustus Fitz Roy in 1855, put aside by the Crown (HMR 55-19 Approved 15th Feb. 1855 CSL 55-115 mis 80-4235). “The first dedicated park in Australia”.

The site commands fine views over the river to the west and also commands fine views over the town and coastal land to the east. The site adjoins and is continuous with Shoalhaven City Council’s Heritage Local Environment Plan listed “Nowra Showground and Sporting Complex”. According to Otto Cserhalmi & Partners in the Conservation Plan of Management scenic values are “exceptional”.

The Recreation Area / Nowra Park forms part of a corridor of old growth and commemorative trees along the escarpment and are an important visual backdrop to the Commercial business District. Public land that extends along the Shoalhaven River foreshores and south along Nowra Creek to include the Nowra Raceways and Rugby Oval.

The Heritage listed “Ben’s Walk” that starts at the Nowra Bridge passes through this reserve where “Site No3 Nowra Golf Course Lookout” is located. “Ben’s Walk” then continues south through the Nowra Showground, to site four “Hanging Rock Lookout” and then out along Nowra Creek.

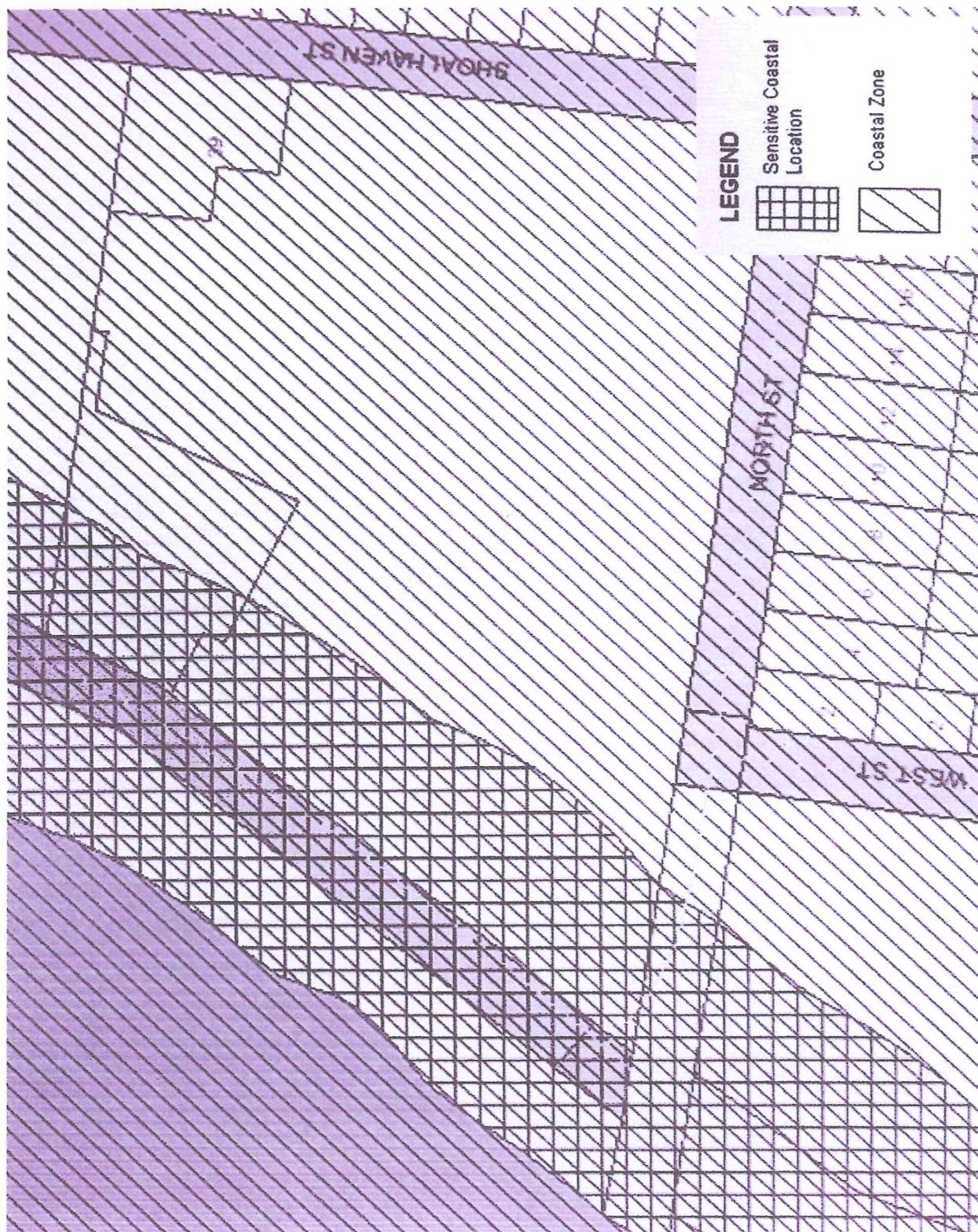
This open space is within walking distance of the town centre through relatively quiet, low density residential streets and forms an important passive recreation area, two schools adjoin the reserve.

The Shoalhaven River is a relatively non-degraded resource, non-sustainable resource uses should be progressively phased out to slow or halt the overall rate of degradation. Promoting the maintenance and restoration of the functions which the Riparian Zone performs including habitat, scenic values and buffer functions. Communities taking action on a cooperative basis like land care programs or individuals to halt degradation by carrying out remedial work should be supported.

Bill Hancock
57 Shoalhaven
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OBJECTION TO PROPOSED SHOALHAVEN CANCER
CARE CENTRE PLANNING PROPOSAL FILE 39730E
Part of Lot 7300 in DP 1132679 Scenic Drive Nowra 2541
Bill Hancock 57 Shoalhaven Street Nowra NSW 2541

State Environment Protection Plan indicating half of proposed
site "Sensitive Coastal Location" the remainder "Coastal Zone"



Revegetating the Riparian Zone

To maximise the benefits of a riparian zone a revegetation program should aim at establishing a range of native plant species including groundcovers, shrubs and trees. Types of vegetation which are suitable to plant along the riparian zone are illustrated in the diagram below.

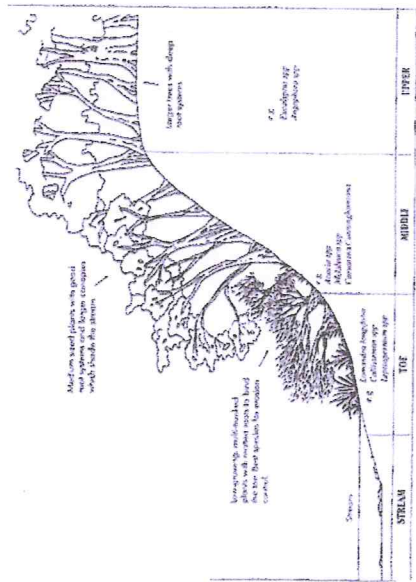
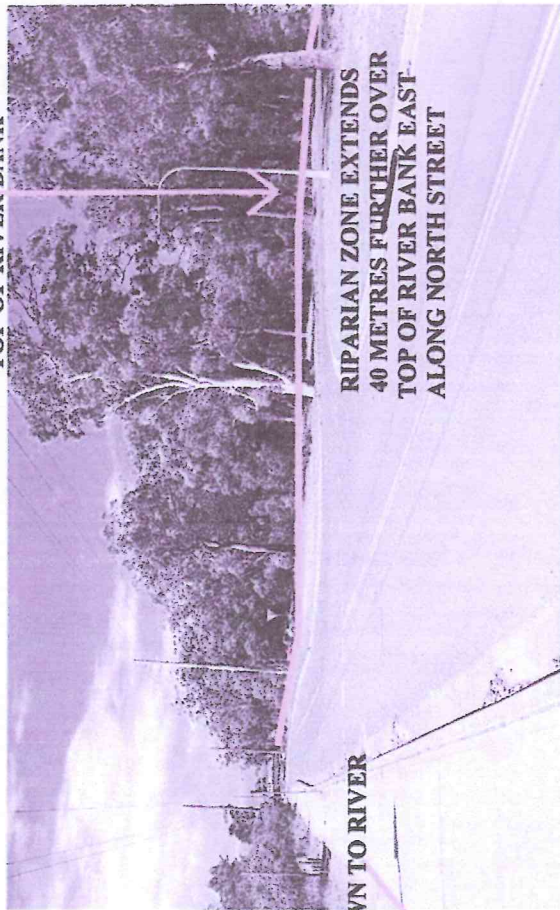


Diagram from: Raine, A.W. & Gardner, J.N. (1995), *Revegetation: Guidelines for Ecologically Sustainable Management of Rivers and Riparian Landscapes*, I.W.R.R.I.C., Canberra.
Prepared by: Marcelle Burger, Rivercare Officer, Department of Land & Water Conservation, 2-10 Wentworth St, PO Box 3935, Parramatta NSW 2124, ph (02) 9885 7206, January 1998.

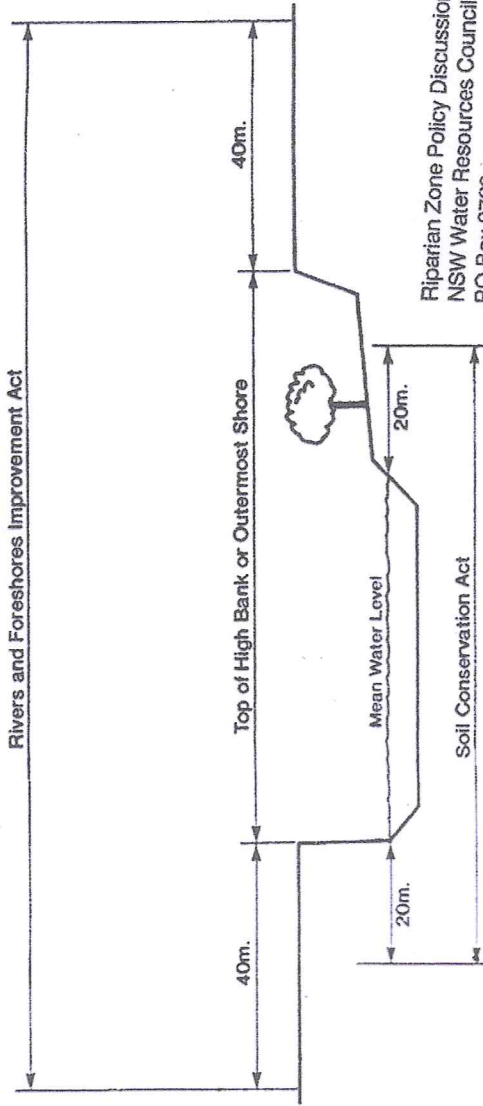
TOP OF RIVER BANK



DOWN TO RIVER

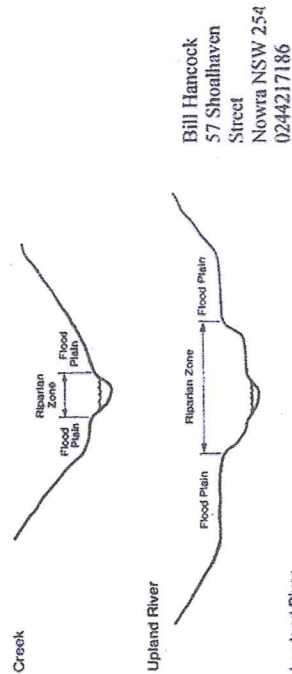
Proposed site in red looking north along Scenic Drive, road to right North Street. All the trees inside the red are marked with white dots to be removed, including commemorative plantings. The Rivers and Foreshores Improvement Act 1948 NSW specifically limits activities within 40 metres of the top of the river bank.

Rivers and Foreshores Improvement Act



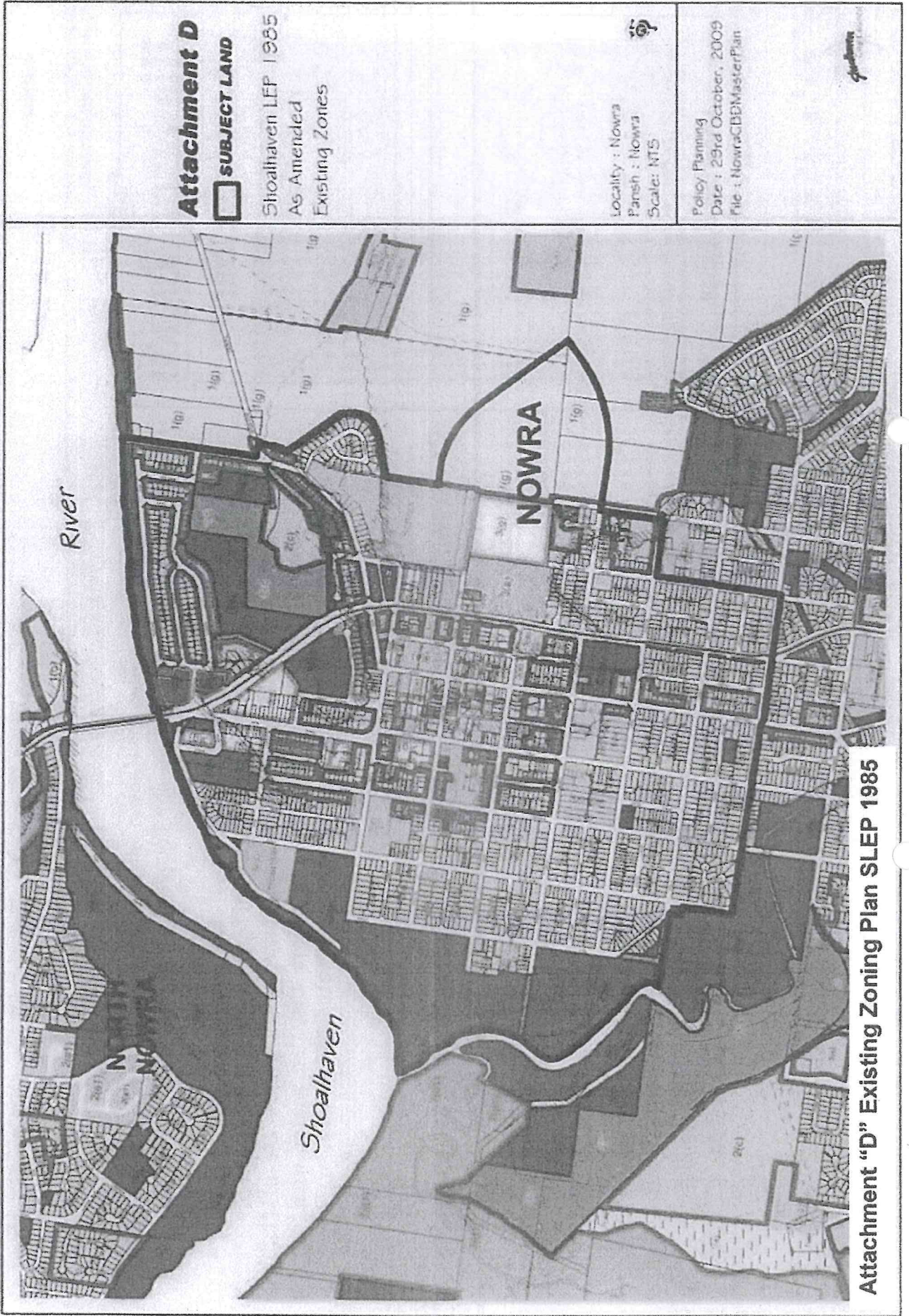
2.2 Landform Definitions

These are based on the cross sectional shape of the channel. The riparian zone is that area between the low flow level of the watercourse and the high bank (the highest point of transition between the channel and floodplain).



Riparian Zone Policy Discussion Paper
NSW Water Resources Council
PO Box 3720
Parramatta NSW 2124

OBJECTION TO PROPOSED SHOALHAVEN CANCER CARE CENTRE PLANNING PROPOSAL FILE 39730E
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Bill Hancock 57 Shoalhaven Street Nowra NSW 2541



City Administrative Centre
Bridge Road, Nowra NSW Australia 2541
Phone: (02) 4429 3111 • Fax: (02) 4422 1816 • DX 5323 Nowra
Address all correspondence to
The General Manager, PO Box 42, Nowra NSW Australia 2541



REPORT OF GENERAL MANAGER

POLICY AND PLANNING COMMITTEE

TUESDAY, 20 APRIL, 2004

COMMUNITY AND OPERATIONS

COUNCIL REFERENCE: 2254-02
CONTACT PERSON: John Flett

13 September 2007

W. F. Hancock
57 Shoalhaven Street
NOWRA NSW 2541

Dear Mr Hancock

Nowra Recreational Park

I apologise for the delay in replying to you concerning further information you have obtained regarding the Nowra Recreation Park.

"The early date for the park is indeed highly significant, both for the State and the Nation as you point out in your correspondence and should be legally recognised at all tiers of government ie Local State and National."

It is clear that remnants of the original park are still being used for the purposes that it was dedicated, including Nowra Park, Nowra Showground, Nowra Swimming Pool, Shoalhaven River foreshore areas and possibly the Shoalhaven Memorial Hospital. Although the terms of this dedication would need to be researched more thoroughly to determine how this component of the park was excised, I would believe that the listing criteria for its inclusion on the State Register could readily be accomplished, and in the meantime, management of the extant area of the park should be carried out so that any further diminution of its values does not occur. In this respect you should be aware that the Plan of Management for the Nowra Showground is currently on exhibition at the Council Administrative offices in Nowra. If you would like further information about the Plan of Management for the Showground, I would advise you to contact Mr Peter Dalmazzo on (02) 4429 3380.

Furthermore, Council is currently revising the Local Environmental Plan for Nowra-Bomaderry, and through this process, heritage items of Local and State significance can be nominated for protection under the Environmental Planning and Assessment Act. The senior Strategic Planner dealing with this project is Ms Marie-Louise Clark and she can be contacted on (02) 4429 3559.

Given the National Significance of this space, I would also suggest that the State Government be contacted with the view to placing it on the State Register.

If I can be of further assistance please do not hesitate to contact me during normal office hours on (02) 4429 3485.

Yours faithfully,

John Flett
Senior Strategic Planner - Urban Design

File 279

1. Shoalhaven Hospital

At its meeting of 25 November, 2003, Council adopted the following resolution concerning the Shoalhaven Memorial Hospital:

"(a) Shoalhaven City Council lobby the Minister for Health, the Hon Morris Iemma MP, and the Illawarra Area Health Service to ensure that any future development of Shoalhaven Hospital be constrained within the existing site.

(b) Shoalhaven City Council offer reassurances to Nowra residents, especially the living in Shoalhaven Street, that it will do all it can to ensure the preservation of the remaining reserve area adjacent to the hospital."

This resolution followed expressions of concern by a number of Nowra residents that the Hospital might, over time, expand into adjacent parkland areas and particularly the Nowra Recreation grounds.

As a result of Council's resolution representations were made to the Hon Morris Iemma Minister for Health and Dr Liz Gale, Chief Executive Officer of the Illawarra Area Health Service in the terms of the letter shown at Attachment "A". Council's letter to the Minister noted that the Shoalhaven Memorial Hospital site was subject to a number of spatial constraints and that it might be appropriate to engage in a dialogue to identify a new less inhibitive site, to develop a major hospital facility to service our City over the next century.

A response has now been received from the Parliamentary Secretary for Health in terms of the letter shown at Attachment "B". It is noted from that letter that the Minister for Health advises that there has been no formal planning to extend the Shoalhaven Hospital beyond its current boundaries.

It is noted that the State Government's response does not address the issue of identifying alternative sites which might have the potential to service Shoalhaven's Hospital needs over the next century.

SUBMITTED for information.

J J Wells

DIRECTOR COMMUNITY & OPERATIONS

R.D.P.
GENERAL MANAGER

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Bill Hancock
57 Shoalhaven Street
Nowra NSW 2541
22 December 2010

FROM: NSW STATE RECORDS REEL No 2806

December 2nd 1854 HMR 55/19 this is the dedication number for "Nowra Recreation Area" in 1855, according to the surveyor George Legg's description two areas made up the total.

The first area of 640 acres would be the Archer Raceways Block across to the Highway.
The second area of 320 acres would be all that area from Paringa on the Shoalhaven River,
Nowra Showground, Depot Reserve and out along Nowra Creek to adjoin the Nowra Raceways.

The total of 960 acres Dedicated Recreation Area under Act No XXXIII an Act for the
Regulation and Protection of Parks.

The "Recreation Area" has been in community trust for over 155 years.
The "Recreation Area" is the only park in Australia to have been dedicated
by Australia's only Colonial Governor General.

Recreation Reserve
Dedicated under HMR 55-19
Approved 15 Feb 1855 CSL 55-115
MS 80-4235

Descriptions of 640 & 320 acres
of the Shoalhaven River
to the Shoalhaven River

Referring to	Date of answer.	No. of answer.
94/100	16 Mkt. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19
100/100	20 Dec. 21. Dec. 21. 1854	57/19

No.	Date.	Name.	Referring to	Date of answer.	No. of answer.	Subject.
57/19	16 Dec. 1854	Legg Acct. Shm.	94/100	16 Mkt. 1854	57/19	Nowra recreation ground. Bangs Plan and Description of 640 & 320 acres of the Shoalhaven River to the Shoalhaven River.
640	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
320	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
640	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
320	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
640	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
320	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
640	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
320	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"
640	"	"	100/100	20 Dec. 21. Dec. 21. 1854	57/19	"

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COUNCIL REFERENCE: 2254-02
CONTACT PERSON: Gordon Clark

Shoalhaven
City Council

11 October 2007

Bill Hancock
57 Shoalhaven Street
NOWRA NSW 2541

Dear Mr Hancock

Shoalhaven Hospital Issues

Thank you for your letters to Council and the Mayor, dated 28 August 2007 and 18 September 2007 respectively, and I apologise for the delay in responding. The following comments are offered on the issues raised in your letters:

Car Parking – Council wrote to the NSW Minister for Health, Reba Meagher MP, on 13 September 2007, with copies to all Local Members of Parliament, raising a range of issues associated with car parking and the hospital. This letter outlined some remediation options and indicated Council's concern regarding the shortage of car parking for the hospital. We are currently waiting on a response to this letter and our representations to our Local Members.

Hospital Expansion Plans – At this point Council is unaware of any expansion plans that the hospital may have that may involve a future linear accelerator or other uses.

As part of the Nowra-Bomaderry Structure Plan process, Council has been liaising with State Government agencies, including Southern Eastern Sydney and Illawarra Health Service (SESIAHS). The concerns you have raised in regards to the Hospital and the need to look at potential new sites are shared by SESIAHS and by Council. Further investigation into the matter, as well as further consultation with SESIAHS, will be undertaken as part of the preparation of the Nowra-Bomaderry Local Environmental Plan (NBLEP). Work on the NBLEP is currently progressing and it is envisaged that a draft will be placed on public exhibition early in the New Year.

Recreation Area Significance – Your comments regarding the heritage significance of this recreation area are noted. Should any future hospital expansion plans propose to use part of this area it's heritage significance would need to be given due consideration as part of this process.

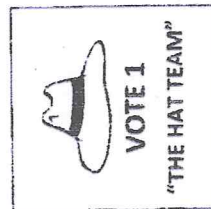
Thank you for your continued interest in this matter. Should you require any clarification please do not hesitate to contact me on (02) 4429 3355. Please quote Council's reference 2254-02 in any correspondence.

Yours faithfully

Gordon Clark

Gordon Clark
Acting Director, Strategic Planning

council@shoalhaven.nsw.gov.au • www.shoalhaven.nsw.gov.au

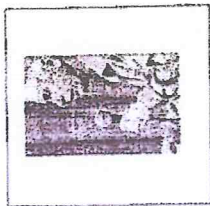


John Hatton's Independent Team

PO Box 120, Moss Vale, NSW, 2577

Email: office@johnhatton.com.au

Follow the link to our website www.johnhatton.com.au



ELECT JOHN HATTON'S INDEPENDENT TEAM FOR THE NSW UPPER HOUSE, 26 MARCH 2011

23 November 2010

The Hon Mr Rob Oakeshott MP
Independent Federal Minister for Lyne
Suite 1 / 75-77 Clarence Street
PORT MACQUARIE NSW 2444

Dear Rob,

I strongly support the excellent submission attached for funding under the Regional Australia Development Program for Health and Education.

Joanna Gash MP for Gilmore is supporting the application.

Over 50 years a resident of Shoalhaven and State MP for 20 years, I am very familiar with the sites and the issues.

Use of the current Shoalhaven Hospital Site to centralise community health services and to house a super clinic is a worthwhile initiative in itself.

The relocation of the Shoalhaven Hospital is essential to allow for future expansion, better location and to preserve priceless recreation areas facing the Shoalhaven River.

It is critical that a favourable decision is made urgently to forestall the proposed relocation of multimillion dollar Cancer Care Centre, which should be located close to any new site for the hospital.

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