



Lake Illawarra
Authority



PCU036862

17 August 2012

Director Metropolitan & Regional Projects South
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Sir

**Submission on Exhibition of Preferred Project Report
for Tallawarra Lands, Princes Highway, Yallah – MP09-0131**

Reference is made to the exhibition of the Preferred Project Report for the Tallawarra lands by TRUenergy.

The Lake Illawarra Authority (LIA) has reviewed the information on exhibition and makes the following comments.

1. The LIA supports the protection and revegetation of foreshore reserve areas along Lake Illawarra and bringing them into public ownership. The LIA also supports the retention and revegetation of riparian corridors and wetland areas (18a Statement of Commitments).
2. The LIA generally supports the implementation of a Voluntary Planning Agreement (18b Statement of Commitments) or other such agreement that clarifies responsibilities for the proposed transfer of land ownership to the public and provision of infrastructure, prior to approval of the future superlot subdivision.
3. As the LIA has been nominated as a possible future owner of foreshore and riparian public lands the LIA should be included in any negotiations for a possible future Voluntary Planning Agreement (VPA) or any other such agreement regarding commitments by the developer(s). The costs for revegetation and infrastructure works on the proposed public areas should be addressed in a VPA or other such agreement and should not cause an unnecessary burden on the LIA as an agency of the State Government.
4. The LIA raises an issue of possible concern regarding the potential for future development of the Tallawarra lands to increase pollution of Lake Illawarra. The lake is a nitrogen limited system and any flows with nitrogen such as ammonia hold the potential to cause harm to the lake by initiating algal blooms and eutrophication. The lake is also home to a variety of aquatic organisms which are readily caught and consumed through both recreational and commercial fisheries. Any heavy metal flows into Lake Illawarra need to be contained in order to limit harm to the general public who consume seafood caught in the lake.

Given the above, strict conditions must be included in any future consent for development on the Tallawarra lands that address these issues. Measures to prevent groundwater flows from the ash ponds and any concerns regarding contaminated lands should be addressed to prevent groundwater flows from this area leaking pollutants into Lake Illawarra. Any requirements for remediation of these areas of environmental concern should also be addressed by TRUenergy or future developers in some way such as via a VPA or other agreement prior to the land being transferred to public ownership.

The LIA as a state public authority would need to be confident that there would be no potential for ongoing risks to the Lake Illawarra environment and to the health of the general public from previous contamination before finally supporting transfer of the ownership of the land.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'B' and 'D' followed by a long, wavy horizontal line that tapers to the right.

Brian Dooley
Executive Officer