

PCU017729

Name:

Address:

Samuel Hartigan  
2421 Glendonbrook Rd GretafordDepartment of Planning  
Received

13 DEC 2010

Scanning Room

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001**RE: COAL & ALLIED SOUTHERN ESTATES PROPOSAL FOR MIDDLE CAMP AT CATHERINE HILL BAY, specifically:**

- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT (SOUTHERN ESTATES): POTENTIAL STATE SIGNIFICANT SITE (2010)**
- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT (SOUTHERN ESTATES): CONCEPT PLAN (MP10\_OO89)**
- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT SOUTHERN ESTATES: MIDDLE CAMP SOUTHERN ESTATES (VPA)**

I object to all of the above Coal & Allied Southern Estates proposals in relation to Middle Camp at Catherine Hill Bay.

**The reasons for my objection are as follows:****POTENTIAL STATE SIGNIFICANT SITE (2010)**

The strategic justification for the project cited in the State Significant Site Listing Report is inadequate. Contrary to the statement on page 2 of the SSS Listing Report (Nov 2010), the proposed development for residential purposes is not "crucial in achieving the State Government's objective of securing major conservation corridors". Nor does the proposed listing "provide a robust long-term outcome" as suggested. The development of new housing in CHB does not address the housing needs of the Hunter region in a sustainable way. It is remote from services, jobs and will rely on private car ownership. The increase in population will not sustain viable public transport. Much of the application is inadequate or misleading.

The application is contradictory in relation to what is actually being proposed. In the Executive Summary and on p2, the Report states that the proposal is to develop 28.2ha for residential purposes with a maximum yield of 222 lots and that the balance of the site is proposed to be dedicated to NSW Government for conservation purposes. However this is contradicted elsewhere in the Report. Reference is made to other future uses: 1.6ha is to be dedicated to Lake Macquarie City Council for recreation purposes; and a substantial area of land is to be retained by Coal & Allied, with zoning proposed as E4. The E4 zoning is intended to 'provide for low impact residential development...' albeit on min. 6000sqm allotments. This type of development is arguably the worst possible outcome for such a significant site. Note that the proposed E4 development is in direct contradiction to the recommendations of the Independent Hearing and Assessment Panel (IHAP) that clearly and repeatedly stated that this area (then 'Precinct D') should **not** be developed.

The documentation suggests that the current application is likely to be only the first of a series of development proposals. The first is for 222 dwellings on two sites but subsequent applications are likely to be the development of the proposed pocket parks and the E4 environmental zone. This current application does not "provide a robust long-term outcome".

**CONCEPT PLAN (MP10\_OO89)****Objections to the detail of the current proposal:**

1. The significance of Catherine Hill Bay has been acknowledged through its inclusion on the State Heritage Register. The expert IHAP regard the Middle Camp village and its setting as representing "a precinct of exceptional aesthetic, landscape, social and cultural landscape heritage significance... it is unique, representing a largely intact 19<sup>th</sup> Century mining village characterized by development along a



single street with single storey cottages sited on either side. In addition to the cottages themselves the spaces between the cottages and the landscape setting are also significant.” They also recommend that “any development in the vicinity of Middle Camp should not prejudice the scenic, aesthetic and cultural heritage qualities of the area...” The large area on the eastern side of Middle Camp proposed to be zoned E4 is in direct conflict with this recommendation as the object of E4 zoning is to enable residential subdivision and development in an area which historically has been an open public common and green space dotted with a few unfenced miners cottages . I believe that this area should be zoned E2 which would preserve its environmental qualities.

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3. It is important that the buffer zone along Flowers Drive be 30m wide in order to adequately screen the proposed 2 storey new housing and to retain the significant rural character of the treed entry into the heritage township. The application is confused and misleading. It quotes figures varying of between 15-30m for such a buffer zone. While the SSS Listing Report commits to a 15m buffer zone on page 37, other experts suggest that the landscaped buffer is 23 – 30m wide (refer p32). The Concept Plan refers to a 20m buffer zone. I believe that a 30m buffer zone is essential to retain the existing mature trees and screening.

4. From their reports, it appears that Coal & Allied see the heritage significance of the State Listed Heritage Township only in terms of streetscape and fail to understand the relational nature of heritage places and their settings. It is absolutely necessary that the land known as Slack Alley and the common land behind the houses on the eastern side of Flowers Drive be owned and managed by either DECCW, NPWS or the Lake Macquarie City Council. While this land is retained by Coal and Allied, its future is uncertain. Clearly C&A is not a conservation land management organization and it is only a question of time until they come back with the proposal to develop the area for housing. Other viable alternative land management options include a Trust established under the Nature Conservation Trust Act or a Voluntary Conservation Agreement with NPWS.

Over many decades, C&A have drawn very substantial profits from mining the land at Middle Camp. It can reasonably be concluded that they have an obligation to remediate the land both underground and above ground at their own cost. The current development proposals aim to reduce their remediation expenditure via returns on residential development. This is an unreasonable expectation and avoidance of obligations associated with mining despoliation.

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Address: 2421 Glendonbrook Rd Gressford 2311

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TH



Name: Louise Whyte  
Address: 2421 Glendalbrook Rd Gresford 2311

Director, Strategic Assessments  
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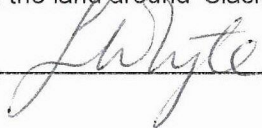
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Address: 20 Morton St Wollstonecraft 2065

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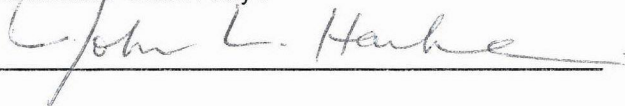
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Address: 20 Morton St Wollstonecraft 2065

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

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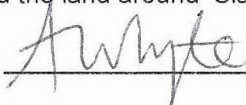
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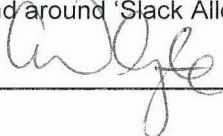
Over many decades, C&A have drawn very substantial profits from mining the land at Middle Camp. It can reasonably be concluded that they have an obligation to remediate the land both underground and above ground at their own cost. The current development proposals aim to reduce their remediation expenditure via returns on residential development. This is an unreasonable expectation and avoidance of obligations associated with mining despoliation.

5. The Complying Development Codes SEPP was developed largely to facilitate the building of project homes in metropolitan Sydney. Catherine Hill Bay and its setting are areas of major scenic, built and environmental heritage significance. The Complying Codes should not be applicable in the isolated, environmentally sensitive areas that are the setting for Middle Camp. Further, the Urban Design Guidelines proposed in the application are totally inadequate (they provide guidance predominantly on road design) and are incapable of delivering a sympathetic built outcome. I suggest that a detailed Development Control Plan is required to set higher standards for design of roads, parks and buildings.

#### **MIDDLE CAMP SOUTHERN ESTATES (VPA)**

As mentioned above under point 4, C&A have drawn very substantial profits over many decades from mining the land at Middle Camp. The VPA is inadequate as it fails to take the remediation obligations into account and presumes a ‘right’ to develop and profit from despoiled land despite unacceptable impacts. The Statement of Commitments inadequately addresses the need to ameliorate the traffic impacts on existing residents and the conservation of common land behind houses on the eastern side of Flowers Drive and the land around ‘Slack Alley’.

Signed: \_\_\_\_\_





Name: SIMON PAUL MORRISSEY  
Address: 4 BAILEY AVENUE. GREENWELL POINT NSW 2540

---

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**RE: COAL & ALLIED SOUTHERN ESTATES PROPOSAL FOR MIDDLE CAMP AT CATHERINE HILL BAY, specifically:**

- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT (SOUTHERN ESTATES): POTENTIAL STATE SIGNIFICANT SITE (2010)**
- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT (SOUTHERN ESTATES): CONCEPT PLAN (MP10\_OO89)**
- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT SOUTHERN ESTATES: MIDDLE CAMP SOUTHERN ESTATES (VPA)**

I object to all of the above Coal & Allied Southern Estates proposals in relation to Middle Camp at Catherine Hill Bay.

**The reasons for my objection are as follows:**  
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The strategic justification for the project cited in the State Significant Site Listing Report is inadequate. Contrary to the statement on page 2 of the SSS Listing Report (Nov 2010), the proposed development for residential purposes is not "crucial in achieving the State Government's objective of securing major conservation corridors". Nor does the proposed listing "provide a robust long-term outcome" as suggested. The development of new housing in CHB does not address the housing needs of the Hunter region in a sustainable way. It is remote from services, jobs and will rely on private car ownership. The increase in population will not sustain viable public transport. Much of the application is inadequate or misleading.

The application is contradictory in relation to what is actually being proposed. In the Executive Summary and on p2, the Report states that the proposal is to develop 28.2ha for residential purposes with a maximum yield of 222 lots and that the balance of the site is proposed to be dedicated to NSW Government for conservation purposes. However this is contradicted elsewhere in the Report. Reference is made to other future uses: 1.6ha is to be dedicated to Lake Macquarie City Council for recreation purposes; and a substantial area of land is to be retained by Coal & Allied, with zoning proposed as E4. The E4 zoning is intended to 'provide for low impact residential development...' albeit on min. 6000sqm allotments. This type of development is arguably the worst possible outcome for such a significant site. Note that the proposed E4 development is in direct contradiction to the recommendations of the Independent Hearing and Assessment Panel (IHAP) that clearly and repeatedly stated that this area (then 'Precinct D') should **not** be developed.

The documentation suggests that the current application is likely to be only the first of a series of development proposals. The first is for 222 dwellings on two sites but subsequent applications are likely to be the development of the proposed pocket parks and the E4 environmental zone. This current application does not "provide a robust long-term outcome".

**CONCEPT PLAN (MP10\_OO89)**

**Objections to the detail of the current proposal:**

1. The significance of Catherine Hill Bay has been acknowledged through its inclusion on the State Heritage Register. The expert IHAP regard the Middle Camp village and its setting as representing "a precinct of exceptional aesthetic, landscape, social and cultural landscape heritage significance... it is unique, representing a largely intact 19<sup>th</sup> Century mining village characterized by development along a single street with single storey cottages sited on either side. In addition to the cottages themselves the



spaces between the cottages and the landscape setting are also significant." They also recommend that "any development in the vicinity of Middle Camp should not prejudice the scenic, aesthetic and cultural heritage qualities of the area..." The large area on the eastern side of Middle Camp proposed to be zoned E4 is in direct conflict with this recommendation as the object of E4 zoning is to enable residential subdivision and development in an area which historically has been an open public common and green space dotted with a few unfenced miners cottages. I believe that this area should be zoned E2 which would preserve its environmental qualities.

2. The application incorrectly addresses the impact of traffic on the Heritage village and on the safety and amenity of its residents. Flowers Drive clearly has the characteristics of a local road. The RTA standards have been posited in response to urban conditions but this rural context does not fit the 'standard template'. Given that the characteristics of Flowers Drive accord with a local road classification (see Table 1.2.5 of RTA Design Guide – Factors for Implementation of Road Hierarchy), acceptable traffic numbers and acoustic standards are exceeded. Also, studies carried out on behalf of Coal & Allied show that there was a 40% increase in traffic on the weekend but only 10% has been allowed in their calculations. The acoustic study by Renzo Tonin was based on an estimated 40km speed, yet nothing in the application commits to any traffic calming measures. Indeed, current road configuration encourages the current 50km/hr speed limit to be frequently exceeded. While the Statement of Commitments does suggest that LATM would be implemented "if required", both traffic and acoustic reports incorrectly argue that nothing is required.

3. It is important that the buffer zone along Flowers Drive be 30m wide in order to adequately screen the proposed 2 storey new housing and to retain the significant rural character of the treed entry into the heritage township. The application is confused and misleading. It quotes figures varying of between 15-30m for such a buffer zone. While the SSS Listing Report commits to a 15m buffer zone on page 37, other experts suggest that the landscaped buffer is 23 – 30m wide (refer p32). The Concept Plan refers to a 20m buffer zone. I believe that a 30m buffer zone is essential to retain the existing mature trees and screening.

4. From their reports, it appears that Coal & Allied see the heritage significance of the State Listed Heritage Township only in terms of streetscape and fail to understand the relational nature of heritage places and their settings. It is absolutely necessary that the land known as Slack Alley and the common land behind the houses on the eastern side of Flowers Drive be owned and managed by either DECCW, NPWS or the Lake Macquarie City Council. While this land is retained by Coal and Allied, its future is uncertain. Clearly C&A is not a conservation land management organization and it is only a question of time until they come back with the proposal to develop the area for housing. Other viable alternative land management options include a Trust established under the Nature Conservation Trust Act or a Voluntary Conservation Agreement with NPWS.

Over many decades, C&A have drawn very substantial profits from mining the land at Middle Camp. It can reasonably be concluded that they have an obligation to remediate the land both underground and above ground at their own cost. The current development proposals aim to reduce their remediation expenditure via returns on residential development. This is an unreasonable expectation and avoidance of obligations associated with mining despoliation.

5. The Complying Development Codes SEPP was developed largely to facilitate the building of project homes in metropolitan Sydney. Catherine Hill Bay and its setting are areas of major scenic, built and environmental heritage significance. The Complying Codes should not be applicable in the isolated, environmentally sensitive areas that are the setting for Middle Camp. Further, the Urban Design Guidelines proposed in the application are totally inadequate (they provide guidance predominantly on road design) and are incapable of delivering a sympathetic built outcome. I suggest that a detailed Development Control Plan is required to set higher standards for design of roads, parks and buildings.

#### MIDDLE CAMP SOUTHERN ESTATES (VPA)

As mentioned above under point 4, C&A have drawn very substantial profits over many decades from mining the land at Middle Camp. The VPA is inadequate as it fails to take the remediation obligations into account and presumes a 'right' to develop and profit from despoiled land despite unacceptable impacts. The Statement of Commitments inadequately addresses the need to ameliorate the traffic impacts on existing residents and the conservation of common land behind houses on the eastern side of Flowers Drive and the land around 'Slack Alley'.

Signed: Shumway

*One has only to note the appalling despoliation of numerous heritage and scenically significant sites on the NSW Coast to understand that future generations of Australians will rightly execrate any authority which brings this ill-considered, badly thought-out and muddled proposal into actuality. Paragraphs 4 and 5, above are particularly cogent.*

*Alan*



## TALLMAN NOMINEES PTY LIMITED

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AUSTRALIA

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9 December 2010

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir/Madam,

**RE: COAL & ALLIED SOUTHERN ESTATES PROPOSAL FOR MIDDLE CAMP  
AT CATHERINE HILL BAY, specifically:**

- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT (SOUTHERN ESTATES): POTENTIAL STATE SIGNIFICANT SITE (2010)**
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- **MIDDLE CAMP RESIDENTIAL DEVELOPMENT SOUTHERN ESTATES: MIDDLE CAMP SOUTHERN ESTATES (VPA)**

I object to all of the above Coal & Allied Southern Estates proposals in relation to Middle Camp at Catherine Hill Bay.

I am particularly concerned about the area of land proposed to be zoned E4 and the impact of traffic generally on Northwood Street. The zoning should be E2. Northwood Street needs special attention.

**The reasons for my objection are as follows:**

1. The application is contradictory in relation to what is actually being proposed. In the Executive Summary and on p2, the Report states that the proposal is to develop 28.2ha for residential purposes with a maximum yield of 222 lots and that the balance of the site is proposed to be dedicated to NSW Government for conservation purposes.
2. However this is contradicted elsewhere in the Report. Reference is made to other future uses: 1.6ha is to be dedicated to Lake Macquarie City



Council for recreation purposes and a substantial area of land is to be retained by Coal & Allied, with zoning proposed as E4. The E4 zoning is intended to 'provide for low impact residential development...' albeit on min. 6000sqm allotments.

3. This type of development is arguably the worst possible outcome for such a significant site. The proposed E4 development is in direct contradiction to the recommendations of the Independent Hearing and Assessment Panel (IHAP) that clearly and repeatedly stated that this area (then 'Precinct D') should **not** be developed.
4. In fact the documentation suggests that the current application is likely to be only the first of a series of development proposals. The first is for 222 dwellings on two sites but subsequent applications are likely to be the development of the proposed pocket parks and the E4 environmental zone.
5. The significance of Catherine Hill Bay has been acknowledged through its inclusion on the State Heritage Register. The expert IHAP regards the Middle Camp village and its setting as representing:

*"a precinct of exceptional aesthetic, landscape, social and cultural landscape heritage significance... it is unique, representing a largely intact 19<sup>th</sup> Century mining village characterized by development along a single street with single storey cottages sited on either side. In addition to the cottages themselves the spaces between the cottages and the landscape setting are also significant."*

It also recommended that:

*"any development in the vicinity of Middle Camp should not prejudice the scenic, aesthetic and cultural heritage qualities of the area..."*

6. The large area on the eastern side of Middle Camp proposed to be zoned E4 is in direct conflict with this recommendation as the object of E4 zoning is to enable residential subdivision and development in an area which historically has been an open public common and green space dotted with a few unfenced miners cottages .
7. I believe that the proposed E4 area should be zoned E2 which would preserve its environmental qualities.

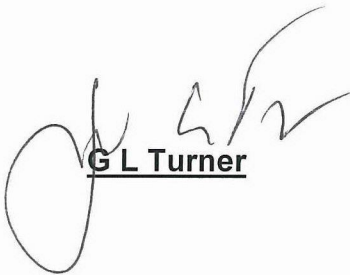


8. The application incorrectly addresses the impact of traffic on the Middle Camp village and on the safety and amenity of its residents. Flowers Drive and Northwood Street clearly have the characteristics of local roads. The RTA standards have been posited in response to urban conditions but this rural context does not fit the 'standard template'.
9. Given that the characteristics of Flowers Drive and Northwood Street accord with a local road classification (*see Table 1.2.5 of RTA Design Guide – Factors for Implementation of Road Hierarchy*), acceptable traffic numbers and acoustic standards are exceeded.
10. Also, studies carried out on behalf of Coal & Allied show that there was a 40% increase in traffic on the weekend but only 10% has been allowed in their calculations.
11. The acoustic study by Renzo Tonin was based on an estimated 40km speed, yet nothing in the application commits to any traffic calming measures.
12. Indeed, current road configuration encourages the current 50km/hr speed limit to be frequently exceeded.
13. While the Statement of Commitments does suggest that LATM would be implemented "if required", both traffic and acoustic reports for Flowers Drive incorrectly argue that nothing is required.
14. It is important that the buffer zone along Flowers Drive be 30m wide in order to adequately screen the proposed 2 storey new housing and to retain the significant rural character of the treed entry into the heritage township. The application is confused and misleading. It quotes figures varying of between 15-30m for such a buffer zone. While the SSS Listing Report commits to a 15m buffer zone on page 37, other experts suggest that the landscaped buffer is 23 – 30m wide (refer p32). The Concept Plan refers to a 20m buffer zone. I believe that a 30m buffer zone is essential to retain the existing mature trees and screening.
15. Northwood Street needs special attention. It should be closed at the intersection of Flowers Drive and traffic to the beach re-routed around the oval.



- 
16. The VPA is inadequate as it fails to take the remediation obligations into account and presumes a 'right' to develop and profit from despoiled land despite unacceptable impacts.
  17. The Statement of Commitments inadequately addresses the need to ameliorate the traffic impacts on existing residents of Flowers Drive and Northwood Street and the conservation of common land behind houses on the eastern side of Flowers Drive and the land around 'Slack Alley'.

Yours sincerely  
**Tallman Nominees Pty Limited by its Director**



G L Turner



Name:

Address:

Alexandra Whyte  
43 Augustus Rd ENMORE

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

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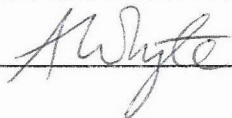
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Signed: \_\_\_\_\_





Name: ALYSON SMITH  
Address: 1/2 BENT ST WALLSEND 2287

---

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

RE: COAL & ALLIED SOUTHERN ESTATES PROPOSAL FOR MIDDLE CAMP AT CATHERINE HILL BAY, specifically:

- MIDDLE CAMP RESIDENTIAL DEVELOPMENT (SOUTHERN ESTATES): POTENTIAL STATE SIGNIFICANT SITE (2010)
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4. From their reports, it appears that Coal & Allied see the heritage significance of the State Listed Heritage Township only in terms of streetscape and fail to understand the relational nature of heritage places and their settings. It is absolutely necessary that the land known as Slack Alley and the common land behind the houses on the eastern side of Flowers Drive near the cemetery be owned and managed by either DECCW, NPWS or the Lake Macquarie City Council. While this land is retained by Coal and Allied, its future is uncertain. Clearly C&A is not a conservation land management organization and it is only a question of time until they come back with the proposal to develop the area for housing. Other viable alternative land management options include a Trust established under the Nature Conservation Trust Act or a Voluntary Conservation Agreement with NPWS.

Over many decades, C&A have drawn very substantial profits from mining the land at Middle Camp. It can reasonably be concluded that they have an obligation to remediate the land both underground and above ground at their own cost. The current development proposals aim to reduce their remediation expenditure via returns on residential development. This is an unreasonable expectation and avoidance of obligations associated with mining despoliation.

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Signed: \_\_\_\_\_



Name: CHRISTINE PLUMMER (MRS)  
Address: 32 FLOWERS DRIVE, CATHERINE HILL BAY (2251)

---

Director, Strategic Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

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GPO Box 39  
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2. The application incorrectly addresses the impact of traffic on the Heritage village and on the safety and amenity of its residents. Flowers Drive clearly has the characteristics of a local road. The RTA standards have been posited in response to urban conditions but this rural context does not fit the 'standard template'. Given that the characteristics of Flowers Drive accord with a local road classification (see Table 1.2.5 of RTA Design Guide – Factors for Implementation of Road Hierarchy), acceptable traffic numbers and acoustic standards are exceeded. Also, studies carried out on behalf of Coal & Allied show that there was a 40% increase in traffic on the weekend but only 10% has been allowed in their calculations. The acoustic study by Renzo Tonin was based on an estimated 40km speed, yet nothing in the application commits to any traffic calming measures. Indeed, current road configuration encourages the current 50km/hr speed limit to be frequently exceeded. While the Statement of Commitments does suggest that LATM would be implemented "if required", both traffic and acoustic reports incorrectly argue that nothing is required.

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Over many decades, C&A have drawn very substantial profits from mining the land at Middle Camp. It can reasonably be concluded that they have an obligation to remediate the land both underground and above ground at their own cost. The current development proposals aim to reduce their remediation expenditure via returns on residential development. This is an unreasonable expectation and avoidance of obligations associated with mining despoliation.

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Signed: D. S. Bennett



Name:

Address:

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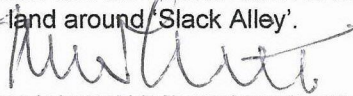
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