

Gwandalan/Summerland Point Action Group Inc

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15th December, 2010

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

Dear Sir/Madam,

Re State Significant Site and Concept Plan Proposal MP 10 0084 Gwandalan

On behalf of the residents of Gwandalan and Summerland Point we object to the above proposal. You will appreciate that this project and the previous one, has had a high degree of negative interest from the community.

Due to the fact that there is no information on who will be assessing this proposal we are concerned that it won't be looked at properly, with the decision already having been made. The previous proposal was assessed by the Independent Hearing and Assessment Panel which we understand has been replaced with the Planning Assessment Commission (PAC), to be appointed on the discretion of the Minister of Planning. We have been told by representatives of the Department of Planning that the IHAP reports will be used again but we do not believe this is in the best interests of the community.

Justification for the project:

Coal and Allied state that the justification for the project is that it is included in the Lower Hunter Regional Strategy (LHRS). Whilst the map of land to be developed shows Coal and Allied land at Gwandalan it must be pointed out that Gwandalan is in the Wyong Shire and therefore the proposed home sites are not included in the total 69,200 for new release areas. In any case the 623 home sites in this proposed development represent only .9% of the new release area.

We know that this project has been included in the LHRS because of prior negotiations with major landholders, including Coal and Allied and the release of the LHRS coinciding with the signing of Memoranda of Understanding (MOU) to transfer land to the Department of Conservation and Water on allowing development rights on the remainder of this land. The court case against the Minister for Planning and Rose Group made these MOU's illegal and that is why we are looking at this proposal again.

Alternatives Considered:

The "do nothing" alternative had been considered by Coal and Allied and was dismissed as it would not achieve the environmental outcomes set out in the LHRS. (Or a healthy profit for Coal and Allied)

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Documents from various “Calls for Papers” also indicate that these various landowner deals were more important to the Government in terms of what it could get for free, instead of placing development in appropriate locations. In the “**Review of Major Landholders Development and Conservation Proposals**” we read (in relation to the Wallarah Peninsula; and between Stockrington and Hexham – “*Acquisition of these lands will be a priority for the Department of Environment and Conservation to be funded from a range of mechanisms including Biobanking and the use of Special Contribution levies*”. Regarding the Southern Lands – “*The southern peninsular lands of Coal and Allied are located in a highly strategic position in terms of conservation. The Wallarah Peninsula is rich in biodiversity, as well as providing keystone conservation landscapes that link two sets of coastal habitat (littoral and estuarine).*” And “*The Gwandalan conservation land links neatly to the Lake Macquarie State Conservation Area, while the Catherine Hill Bay lands provide the opportunity for a continuous reservation from the Pacific Ocean to Lake Macquarie*” and “Gwandalan Peninsula is within the Wyong Council area and technically outside the region.” (Lower Hunter)

This information shows that the Government had considered acquisition of these lands, which although more costly would not have been the compromise we have now. i.e. putting development in an area where demand is low and destroying high conservation value bushland.

Need and cumulative impacts:

Gwandalan is a small town, not even given the status of “Village” in the Central Coast Regional Strategy (CCRS), with just over 1300 dwellings (2006 census) and a population of 2,940 people. There is not a high demand for housing in the area and as shown on the attached real estate report (Attachment A) only 24 properties were sold in the 6 months ending November, 2010. The average price for housing in the area is \$338,394 with the highest price paid being \$520,000 for a waterfront reserve home. There are currently 68 properties for sale in Gwandalan which would be more than 1 years supply.

While these are not all new properties, or land for building new homes, at the 2006 census there were 257 unoccupied houses many of which have potential of becoming permanent dwellings in the future. As well as this the Rose Group property has already been rezoned and although the concept plan has not been approved, this land should be developed first before any release of Coal and Allied land.

The draft Northern Wyong Shire Structure Plan, recently released by the Department of Planning shows the Coal and Allied development as a long term project to be commenced **after 2020** as development should occur at the Warnervale Town Centre first. This would be sensible planning.

Many of the documents from the various Calls for Papers we have seen, talked about the gain of obtaining this land for National Park at no cost to the Government but we found only one which looked at the suitability of the land at Crangan Bay for development and this was the Multi-criteria Analysis (MCA). This gave the Crangan Bay site an MCA ranking of 33 (Lowest score most desirable for development) but noted it was in the **Wyong LGA**; was **opposed by Environmental Coalition and had High Conservation Value vegetation**. The score should have been much higher because there was no score in the column for state significant vegetation even though 43 ha (at that time) of native vegetation would be destroyed.

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The recommendations of this analysis for including greenfield sites were:

- Be in close proximity to employment opportunities (existing or proposed employment land)
- Score well on the MCA
- Not be substantially constrained with flooding, mineral resources etc

If sites met one of the following categories they **should not** be considered any further:

- Sites that are generally less than 50 hectares
- **Sites outside the LHRS**
- Sites that fell within the existing urban footprint as these are also matters for local planning.

For all the above reasons, this project should not have been considered.

If the Coal and Allied development is approved and the projected increase in population is achieved then Gwandalan will have a 6% increase in population per annum for 10 years, which is much higher than the rest of Australia (between 1.8 and 2%). We can see no reason why this project should go ahead earlier than the time stated in the North Wyong Structure Plan (long term) or before the Rose Group proposal is complete. The Rose Group proposal had been considered previously by Wyong Council but was not to be rezoned until 2011.

Public Benefits:

The benefits listed include such things as upgrading the roundabout on the corner of Summerland and Kanangra Drive; upgrading the intersection of the Pacific Highway; protection of the lake foreshore and the aboriginal middens. We believe that none of these things would be necessary without the development and are of no benefit to the existing residents of Gwandalan and Summerland Point. The fact that access is at present minimal along the foreshore helps to protect the area from human degradation.

Urban design and built form:

If this development and the Rose Group development are approved it will mean the Gwandalan area will be stretch from the Sport and Recreation Camp at Point Wolstoncroft and along Kanangra Drive to the end of Coal and Allied's subdivision – a distance of 3.5 kms. There is no reason why existing residents would have a need to enter into either of these estates as they are completely separate with the only connection being Kanangra Drive. There may be a bike path in the new estate but this does not link with the old area. It will also create a "haves and have nots" situation. There is limited infrastructure in Gwandalan at present, with all recreation and social facilities being used to the max.

Public Access to Foreshore:

Currently limited access to the foreshore is via boat and we note that Coal and Allied plan to build a walkway giving further access to this area. We ask that no further bushland be removed to do this as it is important that this area remains in its natural state. Coal and Allied state that the residents asked for a shared pathway along the foreshore. This is incorrect. Residents did indicate at the charette

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that a path would be desirable but it should be on Coal and Allied's development land. A foreshore path will lead to degradation of the reserve.

Biodiversity Impacts:

The reason we are looking at this proposal is supposedly for the Government to gain land at no cost to them for National Park or Conservation reserves. To allow this development to occur is a compromise as it will cause fragmentation to the bushland and loss of threatened species even though this is regarded as "acceptable" to the decision makers. "Acceptable" is neither good nor excellent – it is just ok. Coal and Allied advise that they are environmentally aware and rehabilitate mining sites after use. This project will destroy much of the bushland to allow housing in an area where demand is low.

The following extract from the IHAP report for the last proposal shows how important this bushland at Gwandalan is.

The IHAP considers that the Gwandalan site is of a very high biodiversity value and therefore represents of all the Concept Plan proposals the greatest potential environmental impact due to the amount of vegetation to be cleared, subsequent loss of diversity of flora and fauna habitat features, and the potential for impacts on the natural values of Crangan Bay

We know that Crangan Bay is important to the Government and should be maintained and improved however this cannot be guaranteed if this development and the increased population use the area for boating and other recreation uses. The new houses will need top soil to grow lawns and gardens, and fertilizers will be used as well as detergents for washing cars etc. Can we absolutely guarantee that these products will not reach the lake?

The loss of heath land growing among the scribbly gum woodland contains the correct conditions for growing native orchids – this will be lost.

The remaining Angophora Inopina along the reserve adjacent to Kanangra Drive will be subject to changed hydrology and edge effects, and may not survive. Is this acceptable?

Transport and Accessibility:

Perhaps the most talked about aspect of this project by residents of Gwandalan and Summerland Point is Kanangra Drive. This is the only access to the two communities (2006 census 5000 people) and everyone has to come via the roundabout at the corner of Kanangra Drive and Summerland Road. Kanangra Drive is narrow; windy and dangerous with a rough surface. If an accident or bush fire occurs north of the Link Road then Gwandalan and Summerland Point are closed off. The Link Road is located less than 1 km from the highway so it is likely that this can occur.

The transport report says that Kanangra Drive is adequate to take the increased traffic from the proposed development. This may be the case but it does not give the residents peace of mind that an accident will not occur.

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The existing roundabout at Summerland Road will become a 4 way intersection if the development occurs. There is no mention in the traffic report about the effect of the proposed industrial estate on the roundabout, and what impacts this will have especially in regard to heavy vehicles servicing this area.

There will also be an increase of heavy vehicles to the site, eg cranes; earthmoving equipment; trucks carrying building material, which will have a detrimental effect to the surface of Kanangra Drive thus causing the need to resurface the road. This should be the responsibility of the developer.

The widening of the intersection at the Pacific Highway may encroach on the area where many people “park and ride”. Will there be sufficient space in this area for additional parking?

Public Transport:

There is limited public transport in the area with only one bus per day going from Gwandalan to Charlestown – a journey that takes almost 1 hour. Other services go to Lake Haven and a new limited service is being trialled to go to Wyee and Morisset train station. These services are not popular as cars are needed in this area and the time it takes to arrive at your destination is time wasted.

Mining and Mine subsidence:

This land was acquired by Coal and Allied in 1957 (at that time being known as J & A Brown) for the purposes of Coal Mining and was covered by Consolidated Coal Lease 706. The surface land is relatively undisturbed and the DECC 2005 report “***Conservation Assessment of South Wallarah Peninsula***” states that there are “***limited development opportunities***” and “***it is the position of the DEC that the South Wallarah study area is of extremely high conservation value and that development opportunities across the site are limited due to the potential for incremental habitat loss and fragmentation***”.

Mining has occurred in two seams which has limited this development to single storey construction over a great area of the site. Buildings with large footprints would likely need to be heavily articulated or split into several separate structures.

It is essential that if the development is approved, prospective buyers are told of this restriction beforehand. Whilst Coal and Allied say that homes can be repaired should mine subsidence occur, this does not compensate for the pain of having a new home damaged.

LDO Lake Coal is proposing to extend their mining operations in the Great Northern and Fassifern seams below large parts of this proposed housing development. Coal and Allied believe they should be compensated if this delays the subdivision proposal. We believe Coal and Allied have already been rewarded by the extraction of coal below this land, and mining should be allowed to continue instead of the development, but not under existing homes in Gwandalan and Summerland Point. As advised above, the need for new housing in the area is low.

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Heritage:

The map on Figure 5.2 of the heritage report shows a green area of “Moderate Archaeological Potential”. We have overlaid this with the concept plan (Picture 1) and this shows that all this area will be developed. The NSW planning controls and Guidelines set out in the Heritage Report state that *the Wyong LEP 1991 includes a range of heritage protection provisions addressing both Aboriginal and European heritage sites, items and areas. The heritage objective of the LEP is to protect and conserve archaeological sites and places of Aboriginal, natural or European cultural significance.* It was a recommendation of the IHAP that the development footprint be moved back to protect this area and we believe this is essential.



Overlay showing how development will encroach on aboriginal significant land.

Open space; recreation facilities

Two parks are planned within the development site, one of which is illustrated as being cleared land adjacent to the waterfront. We believe this area is inappropriate for a park of this nature – it is part of the Narrabeen snappy gum forest and Coastal Sheltered Apple – Peppermint Forest both of which are significant to the Wyong Shire, and part of the moderate archaeological potential area of aborigine significance. The other park area has been reduced from the previous plan to include 5 extra lots, most probably to make up the numbers. It was more useful in the previous plan.

There are no other recreation facilities planned although we consider it essential that the proposed retirement living has facilities suitable for this type of housing. There are other retirement living estates nearby and this would have to compete with these by offering an entertainment room; swimming pool; tennis courts or other sporting facilities etc.

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BASIX

Every new home built has to comply with BASIX so what Coal and Allied are offering in the BASIX package is standard. Wyong Council insists that all new homes have water tanks that are plumbed to both the laundry and toilets. The package on offer here is only for the toilets to be connected with the laundry being part of the “Beyond BASIX” package. Wyong Council also recommend 150 litres of water usage per person per day.

The “Beyond basix” package recommends the use of LPG gas for cooking and gas boosted solar hot water however nothing is mentioned about the amount of fuel used to deliver these bottles to homes and the amount of CO2 this will produce.

They also recommend PV cells on every house but to make this effective it would have to be a mandatory requirement for each dwelling.

One area that negates this is the travel from the estate to work. Already there are over 20,000 people who travel to Sydney from the Central Coast by train for employment. There are few jobs in the immediate vicinity and while Coal and Allied say they will encourage home based employment only 4% of the Australian population do this at present.

They also indicate that the 77% of the developable land will ensure that there is no net loss of high conservation value vegetation. (HCVV) However 23% or 60 ha containing HCVV will be removed and this will have a negative effect on the environment and CO2 preservation.

Carbon offsets need to sequester carbon and take it out of the atmosphere to contribute to a carbon neutral result. They may also have other benefits, eg. trees not only absorb carbon dioxide while they grow and trap it for years to come, they can also help to combat salinity, reduce soil erosion, clean underground water systems and provide habitat for wildlife.

For this reason and the fact that the subdivision is only 5 kms from Vales Point Power Station it is vital that all the trees be retained.

Subdivision:

Housing development is not Coal and Allied’s core business and we believe they will sell the land, once rezoned, to a developer. It will be worth substantially more if it is rezoned for development.

There is uncertainty regarding the subdivision plan as approval will not be sought under the Concept Plan for a specific lot or road layout. An indicative lot and road layout will indicate how the maximum dwelling yield of 623 dwellings could be achieved on the site.

Therefore the plan could be changed prior to commencement of the project. The proposed retirement living area is of concern because this is said to be subject to market appraisal. What happens if this is thought not to be a suitable location for retirement living? No alternative has been considered.

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The layout of the streets show many cross roads which could prove dangerous and the two north / south roads would be potential speedways.

As mentioned above, the “Village Green” is in an area of high quality vegetation which should not be removed, and the extra blocks in the other park are only there to make up the numbers.

Conclusion:

- We know that this proposal is being looked at because Coal and Allied have made an offer too good to refuse. This is backed up by the media release by Premier Iemma when the Strategy was released saying that “This is the biggest gain ever announced for the Lower Hunter - Two major green corridors would be locked in as new reserves.” Nothing about the need for housing in Gwandalan.
- The Government has been looking at this area for National Park for many years but to allow development where demand is low is a poor compromise.
- The North Wyong Structure Plan written by the Department of Planning shows this area for long term release. This would be sensible planning because Warnervale should be developed first.
- The Rose Group land north of Gwandalan has been rezoned and this should be developed first – not concurrently. It had always been on Wyong Council’s future development plans for Gwandalan although they wanted Warnervale to be developed first.
- While Coal and Allied’s offer to give 77% of their land for National Park seems generous the Company will make a substantial amount of money from this project.
- Coal and Allied are to pay for acquisition of property adjacent to the Public School and this should be done by the Department of Education on the Rose Group land before this is developed. This would also be cheaper than buying houses.

We hope that our concerns are taken seriously and that a PAC is appointed to look at this project as well as Catherine Hill Bay and Nord’s Wharf. We believe that the so called Voluntary Planning Agreement is still based on a “land bribe” and is no different than Political Party Donations. For this reason it should be examined by the Planning and Assessment Commission.

Yours faithfully,
GWANDALAN / SUMMERLAND POINT
ACTION GROUP INC.

Kevin Spencer
President.