

Table 1 – Submission Response Table

Author	Submission	Issue Summary	C&A Response
Ann Dalton	I have lived in the area for 48 years. As I came from Catherine Hill Bay I believe it should be left as it is, there are not many places that are virtually untouched and it should be left alone and preserved for future generations to appreciate, not spoilt by all these houses	The land should be left as it is	<p>The LHRS and LHRCP identify the subject land as proposed for urban development to cater to the housing needs of the Lower Hunter to 2031, as well as proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP.</p> <p>Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued to remain in the ownership of the State Government in perpetuity.</p>
	The roads in both Catherine Hill Bay and Nords Wharf will be unable to handle the extra traffic. We brought our home in Nords Wharf because it was a quiet peaceful village, but if this proposal goes ahead we will be living on the road that will be used as the main road, we have already over the past few years we have found it is becoming harder to reverse out of our driveway, with the extra traffic it would be a nightmare and this will create more hazards and noise pollution.	<p>The roads in both Catherine Hill Bay and Nords Wharf will be unable to handle the extra traffic.</p> <p>Extra traffic would will create more hazards and noise pollution</p>	<p>The traffic generation from the proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp) site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on location. The traffic influences on residential amenity would remain well below the RTA's environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards.</p> <p>A noise analysis has been undertaken based on the anticipated traffic generation. The results of the analysis showed that the forecast increased noise levels will fall within acceptable limits. The traffic and noise influences on residential amenity would remain satisfactory with the additional traffic.</p>
	The lake waterways will become more polluted with extra boats and rubbish, and it will also affect the wildlife in both the bushland and the water. The beaches will also suffer as the more people that live in the area the more rubbish will be left on them, which may harm the ocean wildlife and make our beaches less attractive. As it is we go to the beach most afternoons and collect rubbish to help keep our beaches clean. We believe with the amount of rubbish that is being left on the beach already, that this will more than triple, slowly making our pristine coast slowing into a place no-one will want to visit and our lake way will also become highly polluted.	There will be more pollution of the waterways and beaches with rubbish. Wildlife will be affected.	<p>An Ecological Assessment Report was prepared as part of the Environmental Assessment that identifies the protected flora and fauna in the area. The Report concludes that the Coal & Allied conservation dedications provide outcomes that contribute to meeting the Environmental Protection goals outlined in the Sustainability Criteria contained within the Lower Hunter Regional Strategy.</p> <p>In terms of increasing pollution and rubbish, in general, population numbers will continue to increase in line with natural increase and that for immigration in the area. Maintaining population numbers at current levels is not realistic based on Government requirements to coordinate accommodation and infrastructure needs to meet the expansion expectations</p>
Daniel Wheatley 15 Dec 2010	<p>There are multiple reasons why the proposed subdivision of Middle Camp should never be permitted.</p> <ul style="list-style-type: none"> ▪ Destruction of Historical relics, which have priceless value to the state- an inevitable consequence of the development, and <p>the fact that a development of the size proposed by Coal & Allied will dwarf the heritage protected village, overload the existing infrastructure such as roads and electricity network and destroy the value a recent State Heritage Register listing is intended to protect are major considerations that the Coal & Allied proposal ignores.</p>	<p>Proposal will result in destruction of historical relics</p> <p>Proposal will dwarf the heritage protected village</p> <p>Proposal will overload the existing infrastructure such as roads and electricity network</p> <p>Proposal will destroy the value a recent State Heritage Register listing is intended to protect</p>	<p>Areas of archaeological potential will be avoided.</p> <p>Archaeological investigation including excavation and salvage will be undertaken which will protect and interpret historic archaeology of CHB.</p> <p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p>
	Catherine Hill Bay (Middle Camp) is not a "State Significant Site" for the purposes of part 3A of the planning act as it is entirely inappropriate for a large scale development. Any development of the scale required to be considered a State Significant Site should never occur in the vicinity of Middle camp as it is one of the least suitable sites for development of the kind conceptualised by Coal & Allied of any in the Lower Hunter Region. The scale of the proposal and the likely housing yield make laughable any suggestion of state significance regardless of the Planning Department definition. In fact the contingency	Catherine Hill Bay (Middle Camp) is not a "State Significant Site" for the purposes of part 3A of the planning act as it is entirely inappropriate for a large scale development.	<p>The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP).</p> <p>On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.</p> <p>The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes,</p>

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	this development would have toward the Lower Hunter Regional Strategy is minimal at best, and would come at an enormous cost to the state financially and socially.		in accordance with s93F of the EP&A Act. This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.
	Furthermore, Part 3a is not adequately designed to safeguard against the influences of vested interests and is to too greater extent subject to ministerial discretion rather than independent oversight, as detailed in the most recent ICAC report. The processes that were put in place to protect small communities like Catherine Hill Bay from the power and vested interest of parties with much greater resources available to them are the normal development approval processes administered by Local Councils. This view is supported by the local community, the Land and Environment Court and the ICAC.	Part 3a is not adequately designed to safeguard against the influences of vested interests and is to too greater extent subject to ministerial discretion rather than independent oversight	Any development consent sought by Coal & Allied is made under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the proposal. The ICAC report is concerned primarily with the potential for corruption in the approvals process and is not an issue to be addressed by Coal & Allied. At this stage, the paper only holds the status of a recommendation.
	The position of the two Hamlets proposed by Coal & Allied either side of Flower's Drive represent nothing more than a blatant disregard for the heritage value of both sites. The proposal would result in a significant incursion onto the visual catchment of the now Heritage Listed neighbourhood situated on Flowers Drive. The lots to the East of Colliery Road are easily close enough to be seen from most of the existing homes, particularly on the North Western side of Flowers Drive, whose views are protected by the Heritage Listing. The site of the old E Pit colliery is an Archaeological site and would not be suitable for residential development geologically, or socially.	The position of the two Hamlets proposed by Coal & Allied either side of Flower's Drive represent nothing more than a blatant disregard for the heritage value of both sites.	The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. <ul style="list-style-type: none"> The hamlets being small pockets of development set within an open space framework were designed to preserve the scale and fabric of the existing character and maintain the amenity of the existing residents. Landscape buffers along Flowers Drive will screen the development from the road and from Middle Camp. Significant cottages have been retained within the proposed development. The parks within the development and the heritage pathway provide an interpretation of the story of the people who once lived there both pre-European and during the coal mining days.
	But no doubt the most critical area of the Coal & Allied proposal is the site known as Slack Alley, which is obviously where another subdivision is intended and which is the most inappropriate site for residential development due to its proximity to wetlands, the impact on the visual catchment of the Heritage town, risk of Fire and the problems with emergency access and egress on existing roads. These roads are not large enough to cope with increased traffic and the homes are built too close to the roadside to consider it a major thoroughfare.	Slack alley is obviously where another subdivision is intended. This is the most inappropriate site for residential development	The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel. The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences. No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan. Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would however be consistent with the existing character of development within this parcel of land. Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership. The Concept Plan relates to areas A and B only.
	This brings us to the matter of community infrastructure. This issue seems to be ever present in the community and ever-absent from the proposals put to planning by developers. <ul style="list-style-type: none"> Catherine Hill Bay has no services other than power, and only enough power for the current population. This means the Coal & Allied proposal is a green-field site requiring all services including roads, as existing roads are not suitable to sustain the additional demand, despite the Traffic report assertions to the contrary. The cost per housing lot is higher, as a result than the equivalent elsewhere. This represents poor value for money. To call this a state significant site without significantly upgrading	Cost per housing lot will be higher as C&A need to provide all services to the new development site. This represents poor value for money. The traffic report in the concept plan is based on flawed research undertaken at the quietest time of the year making assumptions which have no basis in fact.	A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer. The traffic report was prepared to examine the impact on the road network based on relevant state, and local government planning policies and guidelines including the RTA's Guide to Traffic Generating Developments. Cumulative impact was assessed based on the potential lot yield on the Rose Group zoned sites and Coal & Allied developments at Catherine Hill Bay (Middle Camp), Nords Wharf and Gwandalan. In assessing the traffic impact from the proposed 222 dwellings, Hyder considered the traffic assumptions, impact on road network and the implications of the traffic generation on the Pacific

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	the roadway supporting it is a joke and it sends a clear message to the community that Coal & Allied is not the slightest bit interested in the safety of our children. The traffic report in the concept plan is based on flawed research undertaken at the quietest time of the year making assumptions which have no basis in fact. It must therefore be disregarded.		Highway intersections performances based on the cumulative impact. The study also used traffic data on the Pacific Highway from the RTA which was collected for a period of 365 days. The RTA's data provides a reliable source for determining seasonal impact between July and December traffic. The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied.
	The lack of any regard for the significant value that the community places on the areas of colliery (or Pitt) road and the Sawmill camp are an absolute slap in the face to the region, not to mention to the descendants of those who worked in the mine. It would be unforgivable to ruin these sites with such blatant disregard for community values.	Coal & Allied has a lack of regard for the significant value that the community places on Colliery Road and the Sawmill Camp.	The heritage values of Middle Camp and Catherine Hill Bay have carefully informed the development of the Concept Design. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. Significant cottages and heritage items will be retained within the proposed development and are a key design principle of the Concept Plan.
	The fragility of the surrounding environment, only just beginning to recover from nearly 100 years of mining, would be put at further risk with increased wildlife mortality likely, further erosion and weed infestation almost inevitable.	The fragile environment and wildlife would be at further risk	Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The sighting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact. Erosion and sediment control measures will be implemented and shall represent industry best practice. Weed infestation will be managed through a SIMI in the interim period of offset land handover to the DECCW coupled with the local council guidelines and policy relating to urban management within private and public areas.
	And without anything like a proper strategy to address these issues the department of planning runs the risk of irreversibly ruining a living museum, the only remaining unspoiled example of how we used to live, and losing all the tremendous intangible value that resides in this place for exceptionally little in return.	Risk of irreversible damage to a living museum for little in return	The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.
	222 houses is not of State Significance. Middle Camp is not a suitable sustainable place for any significant housing development and in fact has much more to offer to the Hunter as conservation land. The zoning must therefore remain unchanged. I call on the minister to see the blinding light of common sense on this issue, acknowledge the groundswell of community opposition to this proposal and save Catherine Hill Bay.	Middle Camp is not of state significance, and has much more to offer as conservation land. The zoning must remain unchanged.	The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP). On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008. The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act. This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements. The relevant Councils are required by notice from DoP, under s117 of the Act, to update their LEPs within 5 years to comply with the contents of the LHRS. The redevelopment of the proposed 222 lots will enable the dedication of 525.87ha of conservation land to the NSWG to be held in perpetuity and is proposed to have the highest conservation zoning available – E1 – National Parks and Nature Reserves.
	Catherine Hill Bay (Middle Camp) is not a "State Significant Site". It is a ghost town. There are two places to buy beer and nowhere to buy bread and milk. If you have no car you have no means of doing almost anything in Catherine Hill Bay. If you do have a car you can expect to travel 10km before you get to the nearest supermarket, Doctors surgery, or chemist. No development of the scale required to be considered a State Significant Site should ever occur in the vicinity of Middle camp as it is one of the least suitable sites for development of the kind	Site is not State Significant The LHRS reported that Middle Camp is one of the least suitable sites for development Much better suited and serviced sites can be found and developed at much better value for money, at a lesser environmental and social cost.	The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP). On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.

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	<p>conceptualised by Coal & Allied of any in the Lower Hunter Region. This fact was delivered to the minister for planning by his own department when the LHRS was drafted.</p> <p>Why was this fact ignored by the minister at the time and by numerous subsequent ministers? The scale of the proposal and the likely housing yield make laughable any suggestion of state significance regardless of the Planning Department definition. There are only 222 home sites proposed. No shops, schools, Doctors, or anything other than 222 home sites. It would not take an enormous leap in departmental logic to realise that a much more suitable site can be found and developed at much better value for money, yielding many more home sites at a lesser environmental and social cost.</p> <p>It is high time for the planning minister's thinking to catch up with that of his own department and the wider community.</p>		<p>The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act.</p> <p>This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.</p> <p>The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.</p> <p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p>
	<p>How can the community have confidence in the Planning process when the government has designated itself as the sole body approving the development applications of its biggest donors? It is the perception of corruption and the belief that the Planning department has disenfranchised the community through the use of Part 3a that led the ICAC to investigate this planning device.</p>	<p>Part 3A has the perception of being corrupt and has been investigated by ICAC</p>	<p>Coal & Allied is seeking consent for residential redevelopment of 28ha of land and dedication of 526ha of conservation land to the State Government. The proposal has been prepared in accordance with the relevant legislation in place at the time of lodgement of the application. The consultant team has addressed all required heads of consideration.</p> <p>Until such time as the recommendations from the ICAC enquiry are adopted into the legislation, the proposal must be assessed in accordance with the legislation as it is currently in force.</p> <p>The ICAC report is concerned primarily with the potential for corruption in the approvals process and is not an issue to be addressed by Coal & Allied. At this stage, the paper only holds the status of a recommendation.</p>
	<p>The rezoning is sought under part 3a of the Planning act. But as the ICAC, in its report from Monday the 13th December, 2010 says.... "Part 3A has the potential to deliver sizable windfall gains to particular applicants. The attendant corruption risk is obvious," I believe the only acceptable outcome for this application is for it to be rejected pending the execution or all 20 of the ICAC's recommendations, in particular recommendations 13 and 18.</p> <p>Recommendation 13</p> <ul style="list-style-type: none"> That the Environmental Planning and Assessment Act 1979 be amended to give to Joint Regional Planning Panels the NSW Minister for Planning's authority to determine rezoning proposals for prohibited aspects of Part 3A projects. <p>Recommendation 18</p> <p>That the Environmental Planning and Assessment Act 1979 be amended to require the NSW Minister for Planning to refer private sector Part 3A applications, which exceed development standards by more than 25%, to the Planning and Assessment Commission for determination.</p>	<p>The application should be rejected pending adoption of ICAC's recommendations.</p>	<p>Coal & Allied is seeking consent for residential redevelopment of 28ha of land and dedication of 526ha of conservation land to the State Government. The proposal has been prepared in accordance with the relevant legislation in place at the time of lodgement of the application. The consultant team has addressed all required heads of consideration.</p> <p>Until such time as the recommendations from the ICAC enquiry are adopted into the legislation, the proposal must be assessed in accordance with the legislation as it is currently in force.</p> <p>It is noted that 526ha of lands in and around Catherine Hill Bay (Middle Camp) are proposed to be dedicated as conservation lands in perpetuity to the NSWG, being 18 times greater land area than that proposed to be redeveloped for residential purposes.</p> <p>The ICAC report is concerned primarily with the potential for corruption in the approvals process and is not an issue to be addressed by Coal & Allied. At this stage, the paper only holds the status of a recommendation.</p>
	<p>Remaining conservation land will ensure its economic value is enhanced by the very fact that it holds a unique place on the Australian coast as one of the last remaining examples of its kind – a mining town left as it was when the mine closed. A living tribute to its past and an example of how the ecology can recover once industry pulls out. This would all be substantially eroded by any change in zoning and indeed by the subdivision of 222 lots on the site of the old mine and sawmill, and an unknown number to come at slack alley and the Pines.</p>	<p>The site will retain its economic value as conservation land. Mining heritage should be recognised.</p>	<p>526ha of lands in and around Catherine Hill Bay (Middle Camp) are proposed to be dedicated as conservation lands in perpetuity to the NSWG, being 18 times greater land area than that proposed to be redeveloped for residential purposes. Transferring this land from private to public ownership will ensure that it is protected for conservation purposes for future generations.</p> <p>The proposed development is located outside the Cultural Heritage Precinct and the items of heritage value relating to previous mine operations will be retained and recognised in the fabrics of the proposed development. Development is not proposed at Slack Alley and the current footprint derives from negotiations with DECCW as to the land that it would and would not accept as conservation land. The Pines is a single existing dwelling with an appropriate curtilage.</p> <p>The mining heritage is being preserved as outlined in the Concept Plan prepared by Coal & Allied.</p>

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			This includes retention of the parks and the walking trail in the location of the old railway line.
	<p>In fact 222 lots are only achieved on this site through the provision of Micro Lots, which are roughly half the size of an existing Catherine Hill Bay block. Coal & Allied representatives have stated that these lots are likely to be for affordable housing. This could mean housing for people without their own vehicle, housing for people with disabilities, housing for people requiring community services, housing for people requiring medical care. All of which are a long way from Catherine Hill Bay. It is therefore not the type of housing that should be proposed for the area and further evidence that the Coal & Allied proposal is deeply flawed.</p> <p>A development of the scale required by the LHRS must be close to public infrastructure. It must be close to Major Arterial Roads like the Cardiff Bypass and the F3 Freeway. It must be close to Libraries, Hospitals, Doctors, Shopping Centres, banks and other public amenities. None of these things can be found within 10 Kilometres of the site of the Coal & Allied proposal. It therefore must not go ahead in Catherine Hill Bay.</p>	<p>Affordable housing is inappropriately located in Middle Camp due to the lack of services available</p>	<p>The Lower Hunter Regional Strategy (LHRS) identifies the site for proposed urban development and conservation land dedications. The proposal is entirely consistent with the LHRS</p> <p>The proposed housing at Middle Camp will provide a diversity of housing types providing a choice of housing types for those that choose to live in the proposed development. The proposed residential development will provide a diversity in housing stock and choice, not otherwise available in the region.</p> <p>The Urban Design Guidelines will mitigate against overdevelopment, ensuring small scale buildings and fine grain development on the smaller lots.</p>
	<ul style="list-style-type: none"> The Italians would not accept development of houses over the top of the Roman forum. Nor would the French accept a residential development over the top of the mass grave sites at Flanders fields. Coal & Allied would have us believe that we have no obligation to preserve what remains of E Pit just because little remains of the former industrial complex. We cannot let this happen. It makes no sense to preserve the town where miners lived, protect the site with a listing on the Heritage register and in the same breath desecrate any evidence of the site which sustained the community in the past – the very reason the community existed in the first place- the mine and the sawmill camp. There is similarly no reasonable explanation for Coal & Allied to demolish existing houses in Sawmill camp. These are heritage buildings regardless of their state of repair and must be preserved. The exclusion of these sites from the area of curtilage the heritage council used for consideration in the recent listing on the register was obviously done to facilitate the demolition of these buildings to make way for Coal & Allied bull dozers. <p>I deplore the decision to reduce the size of the Heritage council's curtilage area to exclude these houses as nothing more than another "land Bribe" to ALP donors with vested interests. I call on the Minister to review this area's exclusion from the heritage listing before any consideration of further development can take place.</p>	<p>The heritage value of the place should be preserved, not desecrate any evidence of the site which sustained the community in the past.</p> <p>There is no reasonable explanation for Coal & Allied to demolish existing houses in Sawmill Camp</p> <p>Exclusion of these houses from the area of curtilage the heritage council used for consideration in the recent listing on the register was obviously done to facilitate the demolition of these buildings to make way for Coal & Allied bull dozers.</p>	<p>C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area.</p> <p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p> <p>No demolition is proposed to listed heritage properties.</p>
	<p>It appears that after 100 years or more of Mining companies taking from the Hunter region Coal & Allied would have us believe we should accept yet more taking without any giving. The lease was originally granted on the grounds that the site be returned to the community after mining ceased. We now need Coal & Allied to honour this condition and abandon any intent to develop this land, return it to the nation to be preserved for everyone. Mining has delivered enough profit to the company. It's time for them to give something back.</p>	<p>The lease was originally granted on the grounds that the site be returned to the community after mining ceased. We now need Coal & Allied to honour this condition and abandon any intent to develop this land, return it to the nation to be preserved for everyone.</p>	<p>Coal & Allied is dedicating 89% of their land to the NSWG for conservation purposes in perpetuity.</p> <p>The mining lease has been relinquished and all conditions have been complied with to the satisfaction of the NSWG. Coal & Allied owns the land unencumbered by any current mining tenements.</p>
	<p>It seems rather ridiculous that a mining company would have us believe they have the expertise to create what would be essentially a new suburb within Catherine Hill Bay. Regardless of who builds the structure Coal & Allied have designed the footprint, developed the concept plan and provided the scope to</p>	<p>Coal & Allied are not experienced developers, evidenced by the poor quality of their proposal.</p>	<p>Coal & Allied have employed management experienced in property development and have commissioned development consultants with appropriate expertise to prepare the Concept Plan and appropriate design guidelines for the project. Future applications for subdivision and housing will be supported by detailed design.</p>

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	<p>the engaged consultants who study the likely impact of the development.</p> <p>The evidence of Coal & Allied lack of experience in developing land is evident in the poor quality of their proposal. There are numerous examples of insufficient planning and lack of consideration of the impact the development would have on the community.</p>		
	<p>The “Land Offset” described in the proposal, aside from sounding remarkably similar to what Justice Lloyd characterised as a “Land Bribe”, would be compromised by the very existence of the new residential development and certainly by the increased vehicular traffic on Flowers Drive. Furthermore, the proposal does not make any suggestion as to how the offset would be protected from any future development.</p>	<p>‘Land Offset’ would be compromised by the existence of the new residential development and increased traffic.</p> <p>The proposal does not make any suggestion as to how the offset would be protected from any future development.</p>	<p>The land proposed to be dedicated as conservation land will be transferred into the ownership of the NSWG in perpetuity, in accordance with the provisions of s93F of the EP&A Act. Details of the Draft VPA accompanied the EA report to the DOP.</p>
	<p>Nor does Coal & Allied specify their intensions regarding the area of 12.38 ha to the north west of Northwood Ave. This area is no doubt on the company-radar for future sub-division and sale and would require further infrastructure additions, more heritage building demolition and would impact even more on the community. Coal & Allied must come clean on their intensions with regards this 12.38ha parcel of land.</p>	<p>Coal & Allied must come clean on their intensions with regards to the 12.38ha parcel of land north west of Northwood Ave.</p>	<p>The footprint of the land at Slack Alley is a result of negotiations with DECCW and DoP regarding the land in particular required as conservation land by DECCW. The land is occupied by long term residents of C&A who will remain in occupation on agreement with C&A.</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent’s legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p> <p>Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p>
	<p>This development when fully constructed would dwarf the town. It is roughly four times the size of Middle Camp. The proposed housing yield, 222 houses, is obviously an attempt to meet the criteria for consideration as a “State Significant Site” with little consideration of how well the development would fit with the existing community.</p>	<p>The proposal will dwarf the town.</p> <p>The proposed housing yield, 222 houses, is obviously an attempt to meet the criteria for consideration as a “State Significant Site” with little consideration of how well the development would fit with the existing community</p>	<p>The concept plan has been designed having regard to the scenic, environmental, physical and heritage characteristics of the precinct. The proposed residential area will be visually and physically removed from the existing Middle Camp village and Flowers Drive. The proposed desired future character of the development takes its cues from the simple forms of the existing houses at CHB. The design approach was not to replicate them but to provide a modern interpretation.</p> <p>The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP).</p> <p>On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.</p> <p>The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act.</p> <p>This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.</p> <p>Any development consent sought by Coal & Allied is made under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the</p>

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			proposal.
	<p>Further evidence of Coal & Allied lack of community focus is the provision of community infrastructure which is ad-hoc and disconnected from the existing heritage village. For example the “super Lots” within E Pit have no tangible connection to other parts of the neighbourhood and the “heritage Walk” doesn’t even go all the way to the beach, let alone the surf club.</p> <p>Coal & Allied in fact make no attempt to improve community amenities in this plan. They cannot even commit to upgrading the roadway.</p>	<p>Coal & Allied in fact make no attempt to improve community amenities in this plan. Their approach is ad-hoc.</p>	<p>The Statement of Commitments provides for payment of s94 contributions and a cash contribution from Coal & Allied for such facilities.</p> <p>Three recreational parks are proposed to be located in the northern areas, central to the densest development area.</p> <p>The parks will have a focus on active recreation and will be centred around existing heritage items. The parks will include shelter and picnic facilities.</p> <p>See B1.3 Parks and Open Space for detailed provisions of each open space area, p.9-11.</p> <p>Community facilities and contributions thereto are by agreement with LMCC</p> <p>The Heritage walk extends to the CHB oval (land owned by LMCC who intend to upgrade the oval facilities and associated parking) the walk is also proposed to extend from the park along the beach south to the existing carpark area south of The Pines house, subject to agreement with the Land and Property Management Authority, as part of the Coal & Allied \$5 Million Allocation.</p> <p>The super lots are a result of LMCC not accepting the proposed parks as a Sec 94 Contribution as proposed by C&A.</p>
	<p>Coal & Allied are not a property developer. They are a mining company and have made millions from the resources Catherine Hill Bay has provided. It is a requirement of the mining lease that the miner regenerate the site after production has ceased. I call on Coal & Allied to honour this commitment under the agreement, abandon their ridiculous developer ambitions and return 100% of this land back to the community as was originally intended.</p>	<p>Coal & Allied is not a property developer 100% of the land should be dedicated back to the community.</p>	<p>C&A employed management experienced in property development and have commissioned development consultants with appropriate expertise to prepare the Concept Plan and appropriate design guidelines for the project. Future applications for subdivision and housing will be supported by detailed design.</p> <p>The proposed residential development enables the offset and dedication of 88% of the Coal & Allied land to the NSWG for conservation purposes, in perpetuity.</p>
	<p>The NSW Department of Planning is responsible for ensuring our communities are adequately resourced with the necessary infrastructure to sustain our suburbs and regional centres. How then can the planning department approve a proposal such as this which refuses to admit there will be a need for infrastructure improvements to stormwater drainage, sewage, town water, and most importantly to the roads?</p>	<p>How can the planning department approve a proposal such as this which refuses to admit there will be a need for infrastructure improvements to stormwater drainage, sewage, town water, and most importantly to the roads</p>	<p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA’s environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p>
	<p>No attempt has been made by Coal & Allied to address the problems of increased vehicular traffic, inevitably following an increase in population. The traffic report is deeply flawed and should be disregarded. Not only was the measurement of existing traffic flows done at the quietest time of the year but the assumptions on which the consultant based critical conclusions were not accurate.</p> <p>At best the development would increase traffic to become a nuisance to existing homes on flowers drive. But at worst the development would turn flowers drive into an arterial road endangering the children who live in Middle Camp and increasing the risk of vehicle accidents and property damage, with the existing homes built only meters from the carriage way.</p>	<p>No attempt has been made by Coal & Allied to address the problems of increased vehicular traffic Not only was the measurement of existing traffic flows done at the quietest time of the year but the assumptions on which the consultant based critical conclusions were not accurate.</p>	<p>The traffic report was prepared to examine the impact on the road network based on relevant state, and local government planning policies and guidelines including the RTA’s Guide Traffic Generating Developments. Cumulative impact was assessed based on the potential lot yield on the Rose Group zoned sites and Coal & Allied developments at Catherine Hill Bay, Middle Camp, Nords Wharf and Gwandalan. In assessing the traffic impact from the proposed 222 dwellings, Hyder considered the traffic assumptions, impact on road network and the implications of the traffic generation on the Pacific Highway intersections performances based on the cumulative impact. The study also used traffic data on the Pacific Highway from the RTA which was collected for a period of 365 days. The RTA’s data provides a reliable source for determining seasonal impact between July and December traffic.</p> <p>The traffic study identified the broad access management strategy for the Catherine Hill Bay and Nords Wharf precincts in consultation with the RTA and Lake Macquarie City Council. The access management strategy, to accommodate the cumulative impact of both Coal & Allied proposed development at Middle Camp Nords Wharf and the potential development yield for the Rose Group residential zoned land in Catherine Hill Bay indicated that intersections on the Pacific Highway at Flowers Drive, Montefiore Street and Awabakal Drive would require modification (upgrade) to minimise the impact of the additional traffic</p> <p>The traffic generation from proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp) site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on location. The traffic influences on residential amenity would remain well below the RTA’s environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA’s environmental capacity</p>

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			<p>performance standards.</p> <p>A noise analysis has been undertaken based on the anticipated traffic generation. The results of the analysis showed that the forecast increased noise levels will fall within acceptable limits (as set by the RTA?). The traffic and noise influences on residential amenity would remain satisfactory with the additional traffic.</p>
	<p>The proposal makes mention of the need for a new electrical sub-station, which would be required to provide enough energy to sustain the new population. But nowhere in the proposal are there details of its intended location, nor the likely route of the required transmission incomers to the sub-station required to meet the additional demand.</p>	<p>No details are provided for the location of the new electrical substation</p>	<p>Following submission of the Concept Plan Infrastructure Report, Energy Australia advised that a preliminary assessment indicated that there was expected to be sufficient capacity within the existing network to service the proposed development. As such, there are currently no plans for a new zone substation in the Catherine Hill Bay area.</p>
	<p>Coal & Allied have made no solid commitment in this proposal to improve community amenities even after the area has given the company years of profitable mining. Nothing has been proposed for the North end Car Park, Cemetery car park, existing streetscapes, parks or waterways. No cycle way, nature reserve or memorial. Nothing has been proposed to commemorate the areas industrial history. No restoration of heritage items. In fact nothing at all which gives anything back to the community.</p>	<p>Coal & Allied have made no solid commitment in this proposal to improve community amenities even after the area has given the company years of profitable mining.</p>	<p>The Statement of Commitments provides for payment of s94 contributions and a cash contribution from Coal & Allied for such facilities.</p> <p>Three recreational parks are proposed to be located in the northern areas, central to the densest development area.</p> <p>The parks will have a focus on active recreation and will be centred around existing heritage items. The parks will include shelter and picnic facilities.</p> <p>See B1.3 Parks and Open Space for detailed provisions of each open space area, p.9-11.</p> <p>Coal & Allied have clearly set out its proposal in respect of heritage items and community facilities that will benefit the community. LMCC has determined its preference in respect of community facilities and where s94 contributions will be directed. The community has provided input into where it would prefer to see the \$5Mill allocation directed. This will include an interpretation of the old rail line</p> <p>Community facilities and contributions thereto are by agreement with LMCC</p> <p>The Heritage walk extends to the CHB oval (land owned by LMCC who intend to upgrade the oval facilities and associated parking) the walk is also proposed to extend from the park along the beach south to the existing carpark area south of The Pines house, subject to agreement with the Land and Property Management Authority, as part of the Coal & Allied \$5 Million Allocation.</p>
	<p>The absence of existing service infrastructure means both E Pit and Sawmill Camp are Greenfield sites. They require all services. Power, Water, Sewer, Etc. And not just to the home. The entire network needs to be constructed in the area at enormous cost. This includes roads, despite the Traffic report assertions to the contrary, because the existing roads are not adequate to be considered major thoroughfares.</p> <p>This means that the cost per housing lot is higher than the equivalent elsewhere and that represents poor value for money. This coupled with the fact that much more suitable and cost effective sites are available in the lower hunter makes the Coal & Allied proposal even more ridiculous.</p> <p>The suggestion that the Coal & Allied proposal for Middle Camp is a state significant site without a plan to significantly upgrading the roadway supporting it is a joke. Coal & Allied must not be allowed to abandon its responsibilities in this way. No proposal could possibly be considered appropriate without a comprehensive plan to develop an alternate access road to the pacific highway and as no such plan exists the proposal must be rejected</p>	<p>Services Infrastructure and cost of the development</p> <p>No proposal could possibly be considered appropriate without a comprehensive plan to develop an alternate access road to the pacific highway and as no such plan exists the proposal must be rejected</p>	<p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p> <p>The traffic study identified the need to upgrade key intersections with the Pacific Highway. For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only. Such works to be funded by Coal & Allied. Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. Such works to be funded by Rose Group.
	<p>The fragility of the surrounding environment, only just beginning to recover from nearly 100 years of mining, would be put at further risk with increased wildlife mortality likely, further erosion and weed infestation almost inevitable.</p> <ul style="list-style-type: none"> No consideration is given in the Coal & Allied proposal to the impact the development would have on the environment in terms of increased numbers of people, vehicle movements, domestic pets, invasive weeds and phosphate run-off. 	<p>Any suggestion by Coal & Allied that the environmental integrity of the site can be enhanced by this development proposal is simply oxymoronic. The only way the environment of the area is to receive a positive outcome is for no development to be approved.</p>	<p>Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The siting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact.</p> <p>Erosion and sediment control measures will be implemented and shall represent industry best practice.</p>

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	<ul style="list-style-type: none"> The proposal makes mention of a “rigorous Field Survey” which was done in preparing the proposal. But as no Rigorous Field Survey will be done in the years after the new homes are built and subsequently occupied this gives little reassurance that environmental concerns will be addressed in the future. The provision of a vegetative screen around the new development will do little to achieve its desired purpose without an ongoing maintenance plan. <p>Any suggestion by Coal & Allied that the environmental integrity of the site can be enhanced by this development proposal is simply oxymoronic. The only way the environment of the area is to receive a positive outcome is for no development to be approved.</p>		<p>Weed infestation will be managed through a SIMI in the interim period of offset land handover to the DECCW coupled with the local council guidelines and policy relating to urban management within private and public areas</p> <p>There is in fact a significant landscape benefit associated with this proposal being the conservation in perpetuity of the proposed offset lands. This is an immeasurable public and conservation benefit that will consolidate the future landuse within the subject areas.</p>
Madeline Anderson 56 Flowers Drive, Catherine Hill Bay	<p>56 Flowers Drive has been built with a wooden façade which is heritage listed thus cannot be changed. My bedroom is at the front of the house and the noise from the road is excessive resulting in the need for myself to wear earplugs when going to bed. If traffic were to increase significantly at all times of the day, all year round living in the house would become unbearable with no solution for residents due to the heritage listing o these existing houses.</p> <p>Catherine Hills’ houses and infrastructure were built with the expectation that population and traffic would not be excessive. To change this situation will adversely affect most if not all existing residents destroying the existing amenity enjoyed by the community. For some this proposal would make life unbearable.</p> <p>All efforts must be made to ensure any development and zoning within Catherine Hill does not destroy existing residents’ amenity. As the current proposed plans certainly will destroy existing amenity (and much more) this proposal must be rejected.</p>	<p>All efforts must be made to ensure any development and zoning within Catherine Hill does not destroy existing residents’ amenity.</p> <p>As the current proposed plans certainly will destroy existing amenity (and much more) this proposal must be rejected.</p>	<p>The traffic generation from proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp) site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on location. The traffic influences on residential amenity would remain well below the RTA’s environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA’s environmental capacity performance standards.</p> <p>A noise analysis has been undertaken based on the anticipated traffic generation. The results of the analysis showed that the forecast increased noise levels will fall within acceptable limits (as set by the RTA). The traffic and noise influences on residential amenity would remain satisfactory with the additional traffic.</p>
Madeline Anderson 56 Flowers Drive, Catherine Hill Bay Robyn Mclean (x2) 83 Redhead Road Redhead Sharyn Fulton 38 Mayes St Annandale	<p>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.</p>	<p>The strategic justification for the project cited in the State Significant Site Listing Report is inadequate.</p>	<p>The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP).</p> <p>On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.</p> <p>The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act.</p> <p>This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.</p>
Tresco Anderson 57 Flowers Drive Catherine Hill Bay Jan Bowe 27 Flowers Drive Catherine Hill Bay Paul Healy 6 Flowers Drive	<p>The application is contrary in relation to what is actually being proposed. In the Executive Summary and on p2, the Report states that the proposal is to develop 28.2 ha 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 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</p>	<p>The application is contrary in relation to what is actually being proposed. In the Executive Summary and on p2, the Report states that the proposal is to develop 28.2 ha 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.</p> <p>1.6ha is to be dedicated to Lake Macquarie Council for recreation purposes</p> <p>a substantial area of land is to be retained by Coal & Allied, with zoning proposed as E4 to ‘provide for low impact residential development...’ albeit on min. 6000sqm allotments</p>	<p>The Land Transfer Plan at Appendix R to the EA report sets out the land areas comprising the Concept Plan:</p> <ul style="list-style-type: none"> 28ha is proposed to be redeveloped for residential purposes 526ha is proposed to be dedicated as conservation land 2.3ha is proposed to be dedicated to Lake Macquarie Council for public open space 12.4ha is proposed to be retained by Coal & Allied for use by the existing occupiers. <p>No development is proposed within the E4 land which is intended to remain as it is.</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the</p>



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Catherine Hill Bay Grant Bourke 26A Flowers Drive Catherine Hill Bay	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.	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.	land was to be zoned E2. The Proponent’s legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences. No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan. Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land. Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.
John Aarons 10 Barncleuth Square Potts Point Peter Cameron 75 Skye Point Road Coal Point	The documentation suggests that the current application is likely to be only the first in 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’.	Subsequent applications are likely to be the development of the proposed pocket parks and the E4 environmental zone.	LMCC is not prepared to accept Workshop and Lemon Tree parks (they are not pocket parks) and require contributions for open space and community facilities to go to upgrading and increasing the facilities at CHB oval. Based on this decision by LMCC C&A have retained to right to further consider the future management and use of the parks. The Heritage items which were to be included in the parks will be retained. The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel. The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent’s legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences. No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan. Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land. Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.
Arianne Harman Simon Rathlou 56 Flowers Drive Catherine Hill Bay Andrew Nutting 6/10 Jarogin Ave] Glebe Steve Mowalinski 3 Northwood Road Catherine Hill Bay Bott 6/10 Jarocin Ave Glebe Robert & Marie Stanborough 3 Crosswinds Close	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 19th Century mining village characterised by development along a single street with single storey cottages sites 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.	The large area on the eastern side of Middle camp proposed to be zoned E4 is in direct conflict with the recommendation of the IHAP that this area should be zoned E2 which would preserve its environmental qualities.	The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel. The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent’s legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences. No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan. Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land. Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.

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Nords Wharf			
C. Bowen 44 Lentera St Fingal Bay O & M Munro 6/2-4 Reed St Cremorne Sandra Kay 5 Crangan Bay Road Nords Wharf Russell Kay 5 Crangan Bay Road Nords Wharf Sam Kay 5 Crangan Bay Road Nords Wharf Jacqui Green 151 Gamben Road Gwandalan Jeanette Grant 6 Moonan Close Martinsville	<p>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.</p>	<p>The application incorrectly addresses the impact of traffic on the Heritage village and on the safety and amenity of its residents.</p> <p>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.</p>	<p>The analysis found that the weekend traffic on Flowers Drive and Montefiore Street about 30% and 40% higher than weekday traffic respectively. The 10% increase (uplift factor) was added to reflect the seasonality factor from July counts to December.</p> <p>The traffic influences on residential amenity would remain satisfactory even if weekend traffic volumes were 30% to 40% higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied. The Flowers Drive is a collector road. The post development traffic on Flowers Drive will be less than the environmental goals for residential street.</p> <p>The traffic study identified the need for LATM measure which was then assessed for noise implication. Coal & Allied has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village as detailed in the Statement of Commitments.</p> <p>The acoustic study is based on a speed of 40km/h assuming that LATM would be implemented. This is explained in the technical memo prepared by Renzo Tonin & Associates (ref. TD261-14F01 (rev 0), dated 11 October 2010).</p> <p>At the location of the 3 receivers, being:</p> <ul style="list-style-type: none"> • Receiver R1 – Representing the north western side of Middle Camp • Receiver R2 – Representing the north eastern side of Middle Camp • Receiver R3 – Representing the south western side of Middle Camp <p>the predicted future 2012 road traffic noise levels results indicate that road traffic noise levels would comply with the relevant criteria stipulated in the ECRTN for both the day and night periods. Therefore, no noise mitigation measures are required for the existing residences located on Flowers Drive.</p>
Ray Short 184 Freemans Drive Morisset Hazell Short 184 Freemans Drive Morisset Adam Cavanagh 32 Macquarie Street Acacia Vale	<p>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 p.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.</p>	<p>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.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The width of the buffer is 15m on public land plus an additional 8m on private land (with a covenant requiring no building), providing a total of 23m which is proposed to extend the full length of Area A fronting Flowers Dr. The northern half of the buffer length will be a managed APZ (approximately half the Flowers Dr frontage). The screening that will be provided in the buffer will provide a substantial visual screen designed to be managed as an APZ for the northern half of the frontage.</p> <p>The approach from the north into the township along Flowers Drive will maintain a predominantly natural landscaped approach through the implementation of the landscaped buffer which will include some of the currently degraded areas.</p> <p>The 2nd storey of the 'small house courtyard lots' is to be located at the rear of the dwelling with the front of the house being only one storey in height along the Flowers Drive frontage. This along with the wide landscape buffer reduces the visual impact of the proposed housing</p>
Suzanne Knight 78 Glade Street Acacia Vale Robyn Cavanagh 32 Macquarie Street Acacia Vale Pat Lloyd 127/157 Marconi Road Bonnell Bay	<p>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 & 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</p>	<p>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. 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 despolation.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The</p>

Author	Submission	Issue Summary	C&A Response
Roland Kay 10 Gibson Street Belmont Norma Kay 10 Gibson Street Belmont Vanessa Clark 9 Simmons Close Wyee Point	<p>Voluntary Conservation Agreement with NPWS.</p> <p>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 despolation.</p>		<p>Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p> <p>Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p> <p>The former mining lease over the land has been relinquished and all conditions have been complied with to the satisfaction of the NSWG. Coal & Allied owns the land unencumbered by any current coal mining tenements.</p> <p>The suitability of the land for development, in relation to mine stability, is ultimately assessed by the MSB at the time of Development Application (DA) for the first subdivision and each subsequent housing DA thereafter based on their requirements.</p> <p>Remedial works will be carried out across much of the development site to eliminate the risk of pothole subsidence, as required by the MSB.</p> <p>MSB are required to approve or otherwise all applications for future development where there has been underground mining. All future applications will be submitted as required.</p>
Janette Brown 107 Yarrowonga Park Road Yarrowonga Park Ken Brown 107 Yarrowonga Park Road Yarrowonga Park Sharron Rowney 31 Richardson Road Raymond Terrace	<p>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, 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.</p>	<p>The Complying Codes should not be applicable in the isolated, environmentally sensitive areas that are the setting for Middle Camp.</p> <p>Urban Design Guidelines proposed in the application are totally inadequate and are incapable of delivering a sympathetic built outcome. A detailed Development Control Plan is required to set higher standards for design of roads, parks and buildings.</p>	<p>The SSS proposal states that the SEPP (Exempt and Complying Codes) 2008 cannot be relied upon for the construction of new single storey and two storey dwelling houses. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines.</p> <p>Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp).</p> <p>A Development Control Plan can be prepared for the development post Concept Plan approval, based on the Urban Design Guidelines accompanying the Concept Plan application. The C&A application is not seeking subdivision or housing approvals as part of this application.</p>
Patricia Morrissey-Brown 18A Croydon Street Mayfield Stephen Lambert 49 Princess St Kew, VIC Christie Bowen 49 Robert Street Willoughby Ann Bower 8 Flowers Drive Catherine Hill Bay R Young 36 Macquarie St Speers Point Mark Healy 243 Errol St	<p>As mentioned above, 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 address 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'.</p>	<p>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.</p> <p>The Statement of Commitments inadequately address 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'.</p>	<p>The VPA includes a schedule of works, outlining the activities that will be undertaken by Coal & Allied prior to transfer of conservation land to NSWG.</p> <p>Coal & Allied have a right, as landowners, to seek development consent for redevelopment of their land, in accordance with the EP&A Act 1979.</p> <p>The traffic study assessed impact at key roads, intersections and provided remedial measures to reduce such impact. For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only. Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. <p>C&A has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing</p>

Author	Submission	Issue Summary	C&A Response
<p>North Melbourne VIC</p> <p>Leigh Gilbert 10 Wylah Place Woronora Heights</p> <p>Sarah Roberts 1/140 Regent St Redfern</p> <p>Damien Hawcroft 21 Clarke St Catherine Hill Bay</p> <p>A.R McGregor 50 Flowers Drive Catherine Hill Bay</p> <p>Darren & Louise Hackmann 17 Sandpiper Way Tumbiumbi</p> <p>Peter & Catherine Allen 113 Soldiers Ave Freshwater</p> <p>Phillip Townsend PO Box 5171 HRMC</p> <p>Ross Bulmer 48 Flowers Drive Catherine Hill Bay</p> <p>Joyce Elaine Bourke 48 Flowers Drive Catherine Hill Bay</p> <p>Dallas King 2 Lindsley Street Catherine Hill Bay</p> <p>Garry Deering 11 Lindsley Street Catherine Hill Bay</p> <p>Melissa Townsend c/o 16 Rosemount Dr Raymond Terrace</p> <p>Mary Mares 16 Rosemount Dr Raymond Terrace</p>			<p>subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p> <p>The E4 zoning proposed by C&A is supported by legal opinion as being the most appropriate which will allow the existing occupants houses to be renovated as needed</p> <p>Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p>

Author	Submission	Issue Summary	C&A Response
<p>Tamara Iselt 58 Flowers Drive Catherine Hill Bay</p> <p>Dr John Greenstone 4 Lindsley St Catherine Hill Bay</p> <p>Wayne Grainger 10 Clarke St Catherine Hill Bay</p> <p>Sandra Grainger 10 Clarke St Catherine Hill Bay</p> <p>J Bond 25 Flowers Drive Catherine Hill Bay</p> <p>Valerie & Donald King 2 Lindsley St Catherine Hill Bay</p> <p>Cliff Seeto 12/28 Martin Place Mortdale</p> <p>MG Cannon & ALC Mehra 3/97 Drumalbyn Rd Bellevue Hill (4 Lindsley St Catherine Hill Bay)</p> <p>Sidney Hancock 278 Pacific Highway Swansea</p> <p>Lewis Grainger 71 Hill St Belmont</p> <p>Jan & Jorg Gartelmann 26 Clarke St Catherine Hill Bay</p> <p>Kevin Armstrong 95 Bellevue Rd Tumbi Umbi</p> <p>Samuel Hartigan 2421 Glendonbrook Rd</p>			



Author	Submission	Issue Summary	C&A Response
Gresford			
Tess Hartigan 2421 Glendonbrook Rd Gresford			
Louise Whyte 2421 Glendonbrook Rd Gresford			
Julie Hartigan 2421 Glendonbrook Rd Gresford			
John Harkness 20 Morton St Wollstonecraft			
Joseph Whyte 20 Morton St Wollstonecraft			
Flynn Whyte 20 Morton St Wollstonecraft			
Angus Whyte 20 Morton St Wollstonecraft			
Claudia Whyte 20 Morton St Wollstonecraft			
Simon Paul Morrissey 4 Bailey Ave Greenwell Point			
Tallman Nominees GL Turner 22a Dudley Avenue Roseville			
Alexandra Whyte 43 Augustus Rd Enmore			
Alyson Smith 1/2 Bent Street Wallsend			
Christine Plumridge 32 Flowers Drive Catherine Hill Bay			

Author	Submission	Issue Summary	C&A Response
William Plumridge 32 Flowers Drive Catherine Hill Bay			
Domenic Bonanno 14 Clarke St Catherine Hill Bay			
Michael White 32 Northgate Road Nundah, QLD			
Beth Garswood 15 Wellington St Turrella			
Maree White 32 Northdgate Road Nundah QLD			
Jurg Sommer 37 Flowers Drive Catherine Hill Bay			
Patricia Leehy 32/105 Victoria St Potts Point			
James Talbot 20 Union St Tempe			
Stephanie Yuen 6/61 Balmain Rd Leichhardt			
Timothy Harland 6/61 Balmain Rd Leichhardt			
Thomas Healy 473 Dryburgh st North Melbourne			
Wendy Hanlin 42 Fulham St Newtown			
Georgiana Anderson 56 Flowers Drive Catherine Hill Bay			
Kim Van den Hengel			



Author	Submission	Issue Summary	C&A Response
1 Carrington St Penshurst			
Connie Levett 76 Flowers Drive Catherine Hill Bay			
Tim Levett 9 Rokewood Ave Belair SA			
Lesley Sterritt 12 Monte Visto Ct Mount Louisa QLD			
Rick Sterritt 12 Monte Visto Ct Mount Louisa QLD			
Corrie Van den Hengel 11 Horizon Ct Swanbourne WA			
Javed Sterritt 27/491-497 President Ave Sutherland			
Katrina Bertran- Rehberg 829 Forest Rd Peakhurst			
Rod Yule 24 Station St Petersham			
Sally Yule 24 Station St Petersham			
Beatriz Copell 14 Fynlays Ave Earlwood			
Christine Testorelli 31 Blair St Bondi North			
Maggie Escartin 79 Ryde Road Hunters Hill			
Carmen Henry			

Author	Submission	Issue Summary	C&A Response
<p>36/21-23 Norton St Leichhardt</p> <p>Vivien Altman 4/11 Francis St Bondi Beach</p> <p>Clarita Norman 19 Flowers Drive Catherine Hill Bay</p> <p>Brian Norman 2 Wallis St Woollahra</p> <p>Pamela Blacker 11/22 Aubin St Neutral bay</p> <p>Elizabeth Hartley 1 Etham Ave Darling Point</p> <p>Jui Bowen 3 Landscape Ave Forestville</p> <p>Dr William Peter Laing 12 Clarke Street, Catherine Hill Bay.</p> <p>Olga Yoldi 17 West St Petersham NSW 2049</p>			
<p>Jennifer Perry Address: 65 Pinehurst Way, Blue Haven 2262</p> <p>Natalie Synnott 72 Frances Street Bondi NSW 2026</p> <p>Anne Synnott 72 Frances Street Bondi NSW 2026</p> <p>Jacqueline Synnott 1/146 Anzac Parade Kensington NSW</p>	<p>In addition to the above issues as per the pro-forma letter of objection, the following issues were added in some submissions:</p> <p>The local community has opposed such development in the area for the better part of seven years. Not only that, Lake Macquarie council rejected development of this land.</p> <p>The only reason that this development proposal is proceeding is the direct result of the undemocratic nature of the 3A planning legislation that simply grants the planning minister the right to favour big developers. The result of this is that the voice of the local community is silenced.</p> <p>The town is listed as a place of historical importance by the State Heritage Register.</p> <p>Flowers Drive is a narrow coastal road, never designed to sustain more than local traffic. To increase the population by approximately fourfold will place such a strain on existing roads</p>	<p>The proposal has already been rejected by Lake Macquarie Council.</p> <p>The Part 3A legislation favours developers at the cost of the community.</p> <p>The site is listed on State Heritage Register.</p> <p>Flowers Drive will not be able to cater for increased traffic. This will generate additional issues such as child safety.</p> <p>A dwelling at 2 Flowers Drive has been omitted from survey.</p>	<p>A proposal for the Coal & Allied lands has never been submitted to Lake Macquarie City Council. This submission refers to an adjoining development to the south.</p> <p>Any development consent sought by Coal & Allied will be made under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the proposal.</p> <p>No proposed works are located within the State Heritage listed curtilage of Catherine Hill Bay. The heritage assessment undertaken as part of the application has found that there will be no significant impact on the State Heritage area. The proposed works will be physically and visually separated from the State Heritage area.</p> <p>The traffic assessment prepared by Hyder demonstrates that Flowers Drive will be able to cater to the increased traffic demands generated by the proposed residential subdivision.</p> <p>Relevant plans can be provided post concept plan approval to incorporate 2 Flowers Drive.</p>

CATHERINE HILL BAY – MIDDLE CAMP (MP10_0089): RESPONSE TO SUBMISSIONS



Author	Submission	Issue Summary	C&A Response
Deborah Cotton 33 Balls Head Road Waverton 2060 NSW Sharon Crane 218 Wyee Rd Wyee NSW	that the resulting traffic would generate a whole range of negative impacts on the township. Child safety concerns, noise pollution, car accidents and pedestrian accidents would be increased as a result of the development. Additionally on close inspection of the current development plans, the residential property at number 2 Flowers Drive has been omitted, as has the naturally occurring freshwater creek on its northern side. If such gross omissions have been made in basic surveying how can one be asked to give an opinion on a development proposal with many more complex issues at stake.		
Deborah Dearing 18 Lumsden St Cammeray	I am not opposed to development per se but am firmly of the view that the impacts of the proposed Coal and Allied development and the cumulative impact of this and Rosegroup development proposal will undermine the heritage significance of Catherine Hill Bay. It will inappropriately change the character of the town and its setting, have detrimental impacts on traffic safety and exceed noise goals for residential areas. Further, the proposals referred to above fail to adequately protect the environmental attributes of the site and do not ensure a “robust long-term outcome”.	The impacts of the proposed Coal and Allied development and the cumulative impact of this and Rosegroup development proposal will undermine the heritage significance of Catherine Hill Bay	<p>The proposed residential subdivision is located outside of the State Heritage listed area of Catherine Hill Bay. The cumulative impacts of the proposal and other proposals in the area have been addressed in the EA documentation.</p> <p>The heritage assessment found that there will be no significant impact on the heritage significance of Catherine Hill Bay.</p>
	<p>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 is not “crucial in achieving the State Government’s objective of securing major conservation corridors”. The justification that the proposed development should progress because it conserves 93% of the site is not agreed. The land is currently zoned 7(1) Conservation (Primary) and 7(4) Environmental (Coastline) pursuant to Lake Macquarie LEP 2004. These zones provide a high level of protection for the site. It should be noted that the proposed development does not comply with the objectives of these zones. The Concept Plan proposes the clearance of 7(1) land that houses a threatened flora species (<i>Tetratheca juncea</i>) and two Endangered Ecological Communities: Swamp Sclerophyll Forest in Coastal Floodplains and Themada Grasslands on Seacliffs and Coastal Headlands.</p>	<p>The strategic justification for the project cited in the State Significant Site Listing Report is inadequate.</p> <p>The land is currently zoned 7(1) Conservation (Primary) and 7(4) Environmental (Coastline) pursuant to Lake Macquarie LEP 2004. These zones provide a high level of protection for the site. It should be noted that the proposed development does not comply with the objectives of these zones.</p>	<p>The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP).</p> <p>On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.</p> <p>The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act.</p> <p>This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.</p> <p>The proposal is seeking a rezoning of the land and in accordance with s117 directions, Lake Macquarie City Council is to revise the planning controls in its LEP to reflect the provisions of the LHRS.</p> <p>Where conservation land is proposed to be dedicated to the NSWG, the level of conservation protection will be increased to E1 – National Parks and Nature Reserve.</p> <p>The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.</p> <p>Further, the proposal has been assessed by the consultant team to be appropriately designed and sited to minimise impacts on the environmental, heritage and physical context of the land.</p> <p>The E4 land will retain the visual curtilages around the existing dwellings fronting Flowers Drive.</p> <p>The proposed zones are considered to adequately protect the environmental qualities of Catherine Hill Bay (Middle Camp).</p>
	Further, the current application proposes to construct 222 dwellings in Areas A & B which are zoned 7(1) Conservation (Primary). It should be noted that this proposal exceeds current controls for this area by a significant amount. The 222 dwellings is some 37 times greater than the maximum (5 or 6 dwellings) currently allowable by development controls established by LMCC, with State Govt endorsement. Current controls in zone 7(1) permit up to 1 dwelling per 100ha. This application proposes an exceedance of LEP controls by over 3500%	Current controls in zone 7(1) permit up to 1 dwelling per 100ha. This application proposes an exceedance of LEP controls by over 3500%	<p>The proposal seeks to rezone the land to enable residential development on 28ha of land. The rezoning application is to be considered in light of the strategic planning framework for the site, being the LHRS and LHRCP which identifies this land for future urban development to cater for the increased residential demand in the Lower Hunter region.</p> <p>In addition, 526ha of land is proposed to be dedicated to the NSWG for conservation purposes, in perpetuity.</p>
	Claims that the proposed listing will “provide a robust long-term outcome” and that development of new housing in CHB is necessary to address the housing needs of the Hunter region	Department of Planning reports have acknowledged that Catherine Hill Bay is unsuitable for residential development as the area is remote from services, jobs and will rely on	<p>The Department of Planning has indicated through the LHRS and LHRCP that the subject land is suitable for proposed urban redevelopment. The proposal is consistent with these policies.</p> <p>The proposal will provide for a variety of housing stock not otherwise available in the locality, for</p>

Author	Submission	Issue Summary	C&A Response
	are also not agreed. However, Department of Planning reports have acknowledged that Catherine Hill Bay is unsuitable for residential development as the area is remote from services, jobs and will rely on private car ownership. The increase in population will not sustain viable public transport.	private car ownership. The increase in population will not sustain viable public transport.	residents in the Lower Hunter region. The proposal complies with the LHRS and LHRCP. It is noted that there is no water supply and sewerage infrastructure in Middle Camp. This will be provided by the developer consortium.
	In 2006, publicly available documents record advice from senior staff of the Department of Planning that Catherine Hill Bay is not suitable for development. The May 2006 Draft Cabinet Report titled Review of Major Hunter Landholders Development and Conservation Proposals reviews the proposal from C&A (and others) for development potential on their lands. "The Wallarah Peninsula is rich in biodiversity, as well as providing keystone conservation landscape that link two sets of coastal habitat (littoral and estuarine). The proposed development areas expand on the existing settlements of Catherine Hill Bay, Moonee, Nords Wharf and Gwandalan. In the case of Catherine Hill Bay the proposed development dwarfs the existing coastal village". The development areas proposed for Catherine Hill Bay are not appropriate to the scale or location of existing settlements "the Coal and Allied lands are of such significance that even without dedication the Department of environment and Conservation will seek acquisition using funds raised through infrastructure levies." Other documents made available through the Upper House call-in show that the Department of Planning had analysed 92 sites in relation to their suitability for residential development in order to address the housing needs of the Hunter region. Catherine Hill Bay was ranked one of the two least suitable.	The development areas proposed for Catherine Hill Bay are not appropriate to the scale or location of existing settlements The Department of Planning had analysed 92 sites in relation to their suitability for residential development in order to address the housing needs of the Hunter region. Catherine Hill Bay was ranked one of the two least suitable.	The proposed desired future character takes its cues from the simple forms of the existing houses at Catherine Hill Bay. However, the design approach was not to replicate the existing houses but provide a modern interpretation in accordance with the Burra Charter. As such, the 'new' development will be readily recognisable without having a significant visual impact. The vegetation buffer and siting in a natural valley will assist in maintaining a clear understanding of the 'old' Middle Camp. Two storey buildings are located sensitively in response to the landform and visual impact. Single storey buildings are located on ridges. Along Flowers Drive the two storey components of the houses are to be located to the rear of the lot behind a significant landscape buffer. It is noted that there are numerous examples of existing two storey developments in the Catherine Hill Bay locality. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.
	Much of the application is misleading. It 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 with a building height limit of 6.5m. 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.	Discrepancy in areas and yields. The E4 zoning is intended to "provide for low impact residential development" albeit on min. 6000sqm allotments with a building height limit of 6.5m. This type of development is arguably the worst possible outcome for such a significant site.	Appendix R of the EA sets out the detailed areas comprising the application. <ul style="list-style-type: none"> 526a is to be dedicated to the NSWG for conservation purposes 28ha is proposed to be redeveloped for residential purposes. 2.3ha is opposed to be dedicated to LMCC for public open space 12.4is proposed to be retained in its current form.. No development is proposed within the E4 land. It is not intended that this land will be redeveloped at any time in the future.
	From the application, it can readily be inferred 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 A & B 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".	Subsequent applications are likely to be the development of the proposed pocket parks and the E4 environmental zone.	The Concept Plan identifies the development area for Coal & Allied's Catherine Hill Bay (Middle Camp) proposal. No further works outside the footprint of the Concept Plan are proposed. The Concept Application does envisage future project applications to enable works within the scope of the Concept Plan. No development is proposed within the E4 land. It is not intended that this land will be redeveloped at any time in the future
	The significance of Catherine Hill Bay has been widely acknowledged, most recently 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 19th	The E4 zoning is intended to "provide for low impact residential development" albeit on min. 6000sqm allotments with a building height limit of 6.5m. This type of development is arguably the worst possible outcome for such a significant site. I believe that this area should be zoned E2 which would	The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel. The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this

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	<p>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, with a minimum lot size of 6000sqm and a building height limit of 6.5m is in direct conflict with this IHAP recommendation. The object of E4 zoning is to enable residential subdivision in an environmentally sensitive zone. This area which has been an open public common and green space dotted with a few unfenced miners cottages is essential to the historical interpretation and understanding of Catherine Hill Bay itself. The E4 zoning is in direct conflict with both Heritage Act and IHAP. I believe that this area should be zoned E2 which would better preserve its environmental qualities. According to the Standard Template, E2 would conserve environmental values and at the same time, the existing dwellings could still be legal uses.</p>	<p>better preserve its environmental qualities. According to the Standard Template, E2 would conserve environmental values and at the same time, the existing dwellings could still be legal uses.</p>	<p>land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p>
	<p>In their previous findings, the IHAP repeatedly confirmed that there should be no development in the area formerly identified as Area D and known as Slack Alley. It should also be noted that on page 10 of the IHAP report it states “the proponent has verbally advised that it accepts the Panels recommendations”. The current application directly contradicts previous undertakings and expectations.</p>	<p>IHAP repeatedly confirmed that there should be no development in the area formerly identified as Area D and known as Slack Alley. The current application directly contradicts previous undertakings and expectations.</p>	<p>No development is proposed in this area.</p> <p>The Concept Plan does not include the E4 zone area (Area D).</p>
	<p>Further, it is important 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 DECCW, NPWS or the Lake Macquarie City Council. While this land is retained by Coal & Allied the future use of the land is uncertain. C&A is not a land management organization and it is highly probable that their undertaking to manage the conservation lands will be unsustainable over the medium and long term. There are a number of viable alternative land management options (such as a Conservation Trust) that should be required if development proceeds.</p>	<p>Further, it is important 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 DECCW, NPWS or the Lake Macquarie City Council.</p>	<p>Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p> <p>Coal & Allied owns a substantial amount of land in NSW and has established land management policies and practices in place relating to land management.</p>
	<p>The AJC report, which forms part of the application, deals with heritage significance only in terms of the Middle Camp streetscape. It fails to respect the relational nature of heritage places and their settings. Diagram A2.1 of their Report proposes a ‘curtilage’ around Middle Camp which clearly disregards the landscape setting of the village and the sequence of spaces from the grassed commons, to the area known as Slack Alley, to the historic cemetery. All of these are critical to the town’s heritage context. As such, the proposed “curtilage” is in direct conflict with the values established by the State Heritage Listing.</p>	<p>The AJC report, which forms part of the application, deals with heritage significance only in terms of the Middle Camp streetscape. It fails to respect the relational nature of heritage places and their settings.</p>	<p>The heritage values of Middle Camp and Catherine Hill Bay have carefully informed the development of the Concept Design. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>ERM have provided a detailed Heritage Assessment of the proposal as it relates to heritage places and their settings.</p>
	<p>The application also incorrectly addresses the impact of traffic on the heritage character of the village and on the safety and amenity of its residents. The Coal & Allied Industries Limited, Lower Hunter Lands Project Catherine Hill Bay (Middle Camp) “Traffic and Transport” , October 2010 by Hyder (the Hyder Traffic Report) categorises Flowers Drive as a “Collector Road”. While Flowers Drive does connect to the Old Pacific Highway, it is the only street in the village other than two short culs-de-sac. Over its length of about 2 or 3km, it is a meandering rural road with low volume. It is a shared zoned used by cars, cyclists and pedestrians as there are no footpaths and it provides direct access to residential properties. The houses that line the road</p>	<p>The application incorrectly addresses the impact of traffic on the heritage character of the village and on the safety and amenity of its residents</p>	<p>The traffic report was prepared to examine the impact on the road network based on relevant state, and local government planning policies and guidelines including the RTA’s Guide Traffic Generating Developments. Cumulative impact was assessed based on the potential lot yield on the Rose Group zoned sites and Coal & Allied developments at Catherine Hill Bay, Middle Camp, Nords Wharf and Gwandalan. In assessing the traffic impact from the proposed 222 dwellings, Hyder considered the traffic assumptions, impact on road network and the implications of the traffic generation on the Pacific Highway intersections performances based on the cumulative impact. The study also used traffic data on the Pacific Highway from the RTA which was collected for a period of 365 days.</p> <p>The traffic influences on residential amenity would remain satisfactory even if weekend traffic volumes were 30% to 40% higher than commuter traffic. The RTA’s Environmental Capacity performance standards for residential streets would still be satisfied. The Flowers Drive is a collector road. The post development traffic on Flowers Drive will be less than the environmental goals for</p>

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	are of light-weight construction and built directly to the boundary. However, the RTA categories have been developed in response to urban conditions and this rural context does not fit the “standard urban definition”. The characteristics of Flowers Drive accord with a local road classification as defined within Table 1.2.5 of RTA Design Guide ? Factors for Implementation of Road Hierarchy. As such, acceptable traffic numbers and acoustic standards are exceeded.		residential street. The traffic study identified the broad access management strategy for the Catherine Hill Bay and Nords Wharf precincts in consultation with the RTA and Lake Macquarie City Council. The access management strategy, to accommodate the cumulative impact of both Coal & Allied proposed development at Middle Camp Nords Wharf and the potential development yield for the Rose Group residential zoned land in Catherine Hill Bay indicated that intersections on the Pacific Highway at Flowers Drive, Montefiore Street and Awabakal Drive would require modification (upgrade) to minimise the impact of the additional traffic
	The Hyder Traffic Report (refer p17) estimates traffic flows based on counts taken in winter (17 - 23 July). Forecasts in Table 3.8 are based on Friday traffic flows. This significantly underestimates the increase in traffic by not taking into account the seasonal variation in traffic flows and weekend flows. Page 48 of the Hyder Report notes that the “traffic profile on Pacific Highway for the year of 2006... [in November and December] were 10% higher than July traffic (when counts were taken)?”. Therefore they have applied a 10% uplift factor. However, it is inaccurate to assume that the increase in summer traffic flows on Flowers Drive mimics Pacific Highway. Catherine hill Bay is a major recreational destination during summer and a significantly higher proportion of the Pacific Highway traffic turns off the highway into Middle Camp and to the beach. It is obvious to anyone who has spent time at Catherine Hill Bay that summer flows on Flowers Drive are more than the assumed “10% higher than winter flows”.	The Hyder Traffic Report (refer p17) estimates traffic flows based on counts taken in winter (17 - 23 July). This significantly underestimates the increase in traffic by not taking into account the seasonal variation in traffic flows and weekend flows.	In assessing the proposed development, Hyder’s traffic assumptions included variations from commuter travel (peak Friday), weekend travel. In addition, seasonality factors were applied to reflect July to December holiday traffic. The peak vehicular activity associated with the beaches is unlikely to coincide with the commuter peak periods; the holiday peak traffic would tend to occur when background traffic volumes would otherwise be low. The weekend traffic volumes on Flowers Drive and Montefiore Street could be approximately 30% to 40% higher the commuter peak volumes and the RTA’s Environmental Capacity performance standards would still be satisfied. This suggests that traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than those which have been forecast for the commuter peak periods (Table 3.8, Hyder’s Traffic Report). The analysis of commuter peak operation of key intersections at Flowers Drive/Pacific Highway, Montefiore St/Pacific Highway and local intersection (Flowers Drive/Northwood Rd) show significant spare capacity, suggesting that significant increases in traffic could be accommodated before the levels of service (LoS) would become unacceptable.
	Further, the Hyder analysis fails to take into account the weekend peak traffic conditions which are 30% higher than weekday flows on Flowers Drive (refer Table 2-9) and 200% higher on Northwood Road. Traffic analyses should be based on the peak conditions when impacts are most severe. The Hyder report notes that traffic on Flowers Drive through Middle Camp will rise from 730 to 2130 vehicles per winter weekday (Table 3.8). This exceeds the RTA’s Environmental Goal of 2000 for a local road, without even considering the summer and weekend traffic increases.	Further, the Hyder analysis fails to take into account the weekend peak traffic conditions which are 30% higher than weekday flows on Flowers Drive and 200% higher on Northwood Road.	In assessing the proposed development, Hyder’s traffic assumptions included variations from commuter travel (peak Friday), weekend travel. In addition, seasonality factors were applied to reflect July to December holiday traffic. The peak vehicular activity associated with the beaches is unlikely to coincide with the commuter peak periods; the holiday peak traffic would tend to occur when background traffic volumes would otherwise be low. The weekend traffic volumes on Flowers Drive and Montefiore Street could be approximately 30% to 40% higher the commuter peak volumes in the local area, and the RTA’s Environmental Capacity performance standards would still be satisfied. The highest weekend traffic on Northwood Road (about 300 vehicles per day) is significantly lower than RTA’s environmental capacity standard. This suggests that traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than those which have been forecast for the commuter peak periods (Table 3.8, Hyder’s Traffic Report). The analysis of commuter peak operation of key intersections at Flowers Drive/Pacific Highway, Montefiore St/Pacific Highway and local intersection (Flowers Drive/Northwood Rd) show significant spare capacity, suggesting that significant increases in traffic could be accommodated before the levels of service (LoS) would become unacceptable.
	While Section 3.6 of the Hyder Traffic report addresses key access points and internal roads within the proposed subdivision, it fails to address the impact of the proposal on access to existing properties as required in the Director General Requirements.	The Traffic report fails to address the impact of the proposal on access to existing properties as required in the Director General Requirements.	The subject development would not have impact on access to existing properties.
	Studies carried out for Coal & Allied show that there are significant increases in traffic flows along flowers Drive on the weekends and in summer, yet only 10% has been allowed in their calculations. The acoustic study by Renzo Tonin (letter dated 11 October 2010) is based on an estimated 40km speed, but 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 suggest that “nothing is required”.	Studies carried out for Coal & Allied show that there are significant increases in traffic flows along flowers Drive on the weekends and in summer, yet only 10% has been allowed in their calculations.	The analysis found that the weekend traffic on Flowers Drive and Montefiore Street about 30% and 40% higher than weekday traffic respectively. The 10% increase (uplift factor) was added to reflect the seasonality factor from July counts to December. The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA’s Environmental Capacity performance standards for residential streets would still be satisfied. The traffic study identified the need for LATM measure which was then assessed for noise implication. Coal & Allied have committed to implementing the LATM as detailed in the Statement of Commitments.
	Further, the Tonin Report also compares existing noise levels and acceptability of predicted future traffic noise levels relative to an inappropriate category of Development Type (namely	The Tonin Report analysis should relate to the ECRTN criteria 13, “Land use developments with potential to create additional traffic on local roads”.	The Renzo Tonin acoustic report states that the noise impact is within acceptable limits.

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	<p>impacts on collector road), as documented in the NSW Environmental Criteria for Road Traffic Noise (ECRTN). However, the analysis should relate to the ECRTN criteria 13, “Land use developments with potential to create additional traffic on local roads”.</p> <p>The ECRTN criteria were developed to control traffic noise impacts on urban roads and are often unsuited to the classification of roads in rural areas. This issue is acknowledged by DECC and is currently being considered in a review of the ECRTN. In his letter of 18 May 2009 which was previously forwarded to the Department of Planning, John Wasserman, acoustics engineer, advised that “the low volumes, characteristically intermittent traffic flows, proximity of residences on the road, road geometry, traffic speed would indicate a local road definition. In my experience it is appropriate to assign local road criteria to Flowers Drive where it passes through Middle Camp”.</p>		
	<p>As noted above, Flowers Drive is a local road in a rural context with intermittent traffic flows where dwellings are sited with zero setback to front boundaries, at a distance of 5m from vehicles on the carriage way. The historic miners' cottages are light-weight timber framed construction with little noise attenuation and bedrooms located at the street frontage. There is no possibility of increasing noise insulation of the structures and any change in traffic volumes will cause significant adverse noise impacts on residents. The noise impacts of the proposed development exceed recognised standards and would have a severely negative impact on the amenity of the village.</p>	<p>The noise impacts of the proposed development exceed recognised standards and would have a severely negative impact on the amenity of the village.</p>	<p>The acoustic study is based on a speed of 40km/h assuming that LATM would be implemented. This is explained in the technical memo prepared by Renzo Tonin & Associates (ref. TD261-14F01 (rev 0), dated 11 October 2010).</p> <p>The report states that at the 3 receivers, being:</p> <ul style="list-style-type: none"> • Receiver R1 – Representing the north western side of Middle Camp • Receiver R2 – Representing the north eastern side of Middle Camp • Receiver R3 – Representing the south western side of Middle Camp <p>the predicted future 2012 road traffic noise levels results indicate that road traffic noise levels would comply with the relevant criteria stipulated in the ECRTN for both the day and night periods. Therefore, no noise mitigation measures are required for the existing residences located on Flowers Drive.</p> <p>The traffic generation from proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp) site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on location. The traffic influences on residential amenity would remain well below the RTA's environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards.</p> <p>The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp.</p> <p>Coal & Allied has committed to the implementation of a LATM plan, as detailed in the Statement of Commitments.</p>
	<p>The proposal does not comply with LMCC Scenic Protection Guidelines 2004 as it fails to protect the character of the scenic rural entry road coming from the north into Middle Camp. The proposed two-storey townhouse development in Area A is out of character with the bush context and the heritage setting of Middle Camp. Further, it is important that the buffer zone along Flowers Drive be at least 30m wide in order to adequately screen any development and to retain the significant rural character of the entry into the heritage township.</p>	<p>The proposal does not comply with LMCC Scenic Protection Guidelines 2004 as it fails to protect the character of the scenic rural entry road coming from the north into Middle Camp.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development has been assessed as not having a significant impact on the Middle Camp townscape by both ERM and AJC.</p>
	<p>The application is confused and misleading. It quotes figures varying of between 15-30m for a buffer zone along this part of Flowers Drive. While the SSS Listing Report commits to a 15m buffer zone on page 37, the AJC Concept Report commits to a 20m buffer zone and elsewhere on p32 of SSS Listing Report, experts state that the landscaped buffer is 23 - 30m wide. In recent correspondence to CHBPA, C&A state that the buffer zone is “effectively” 23m. Not only is this inadequate, it is very ambiguous. Does this mean that C&A are relying on private backyards to provide a landscaped buffer? Does it assume that private land owners will maintain a treed-buffer on their own properties? Experience shows how unreliable and ineffective</p>	<p>The application is confused and misleading. It quotes figures varying of between 15-30m for a buffer zone along this part of Flowers Drive. While the SSS Listing Report commits to a 15m buffer zone on page 37, the AJC Concept Report commits to a 20m buffer zone and elsewhere on p32 of SSS Listing Report, experts state that the landscaped buffer is 23 - 30m wide.</p> <p>I recommend that a 30m buffer zone is the minimum that could retain mature trees and sufficient native screening.</p>	<p>The landscape buffer along Flowers Drive at Sawmill Camp is 15m wide on public land. The front setback is a minimum of 8m, with a covenant for no building within this buffer area. Together this is a landscape buffer of 23m along Flowers Drive. The location for the 2nd storey of the ‘small house courtyard lots’ is to be located at the rear of the dwelling with the front of the house being only one storey in height along the Flowers Drive frontage.</p> <p>Buffer on private lots to be listed as a covenant on relevant land titles. This will also apply to all private land areas covered by an APZ.</p>

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	<p>this would be. What does “effective” mean?</p> <p>I recommend that a 30m buffer zone is the minimum that could retain mature trees and sufficient native screening. This has been confirmed in submissions from other experts to C&A's previous proposals. Severe visual impacts would result from the inadequacy of a buffer of lesser width between Flowers Drive and the development in precinct A. The beauty and character of the meandering, heavily treed entry road to the historic village would be destroyed and the proposed two storey townhouses would be clearly visible.</p>		
	<p>The proposed Urban Design guidelines lack adequate design controls for any future development. No consideration has been given to Section 2.4 of DCP No. 1 - Catherine Hill Bay Heritage Conservation Area and the LMCC Heritage guidelines. The site coverage proposed for new development is in conflict with Council's DCP No. 1 which stipulates 35% maximum site coverage. This would result in new dwellings being entirely out of character with the spatial configuration of the heritage village. Further, height, scale, bulk and massing of new development does not relate to the existing early cottages as seen from all significant views. Under the guidelines recommended in the application, the proposed future development would dominate the village and undermine the character and setting of the existing village.</p>	<p>The proposed Urban Design guidelines lack adequate design controls for any future development.</p>	<p>If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the 'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.</p>
	<p>The Urban Design Guidelines as proposed are unlikely to deliver outcomes which are sympathetic to the context or excellent in terms of built form. The development of land around Middle Camp requires a robust independent design review process and more detailed controls if appropriate streetscapes and buildings are to be achieved</p>	<p>The Urban Design Guidelines as proposed are unlikely to deliver outcomes which are sympathetic to the context or excellent in terms of built form.</p>	<p>The proposed desired future character takes its cues from the simple forms of the existing houses at Catherine Hill Bay. However, the design approach was not to replicate the existing houses but provide a modern interpretation in accordance with the Burra Charter. As such, the 'new' development will be readily recognisable without having a significant visual impact. The vegetation buffer and siting in a natural valley will assist in maintaining a clear understanding of the 'old' Middle Camp.</p> <p>Two storey buildings are located sensitively in response to the landform and visual impact. Single storey buildings are located on ridges. Along Flowers Drive the two storey components of the houses are to be located to the rear of the lot behind a significant landscape buffer. It is noted that there are numerous examples of existing two storey developments in the Catherine Hill Bay locality.</p> <p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p>
	<p>The draft SSS Listing proposes the application of the Complying Development SEPP and Codes. The Complying Code (Residential) was developed largely to facilitate the building of project homes in metropolitan Sydney. It is surprising that while Coal and Allied regard the site sufficiently important to be listed as a State Significant Site under Pt 3a, they also wish to use the 10 day complying development process. 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. The site is important and the quality of urban design and future built form should enhance this exceptional place. As stated by the IHAP “any development in the vicinity of Middle Camp should not prejudice the scenic, aesthetic and cultural heritage qualities of the area”</p>	<p>The draft SSS Listing proposes the application of the Complying Development SEPP and Codes.</p> <p>The Complying Codes should not be applicable in the isolated, environmentally sensitive areas that are the setting for Middle Camp.</p>	<p>The SSS Study states that the SEPP (Exempt and Complying Codes) 2008 is not be relied upon for the construction of new single storey and two storey dwelling houses. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines.</p> <p>Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp).</p> <p>If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the 'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.</p>
	<p>It should also be noted that geotechnical experts have advised that Douglas Partners Report: Phase 2 Mine Subsidence Risk Assessment for Proposed Residential Subdivision Catherine Hill Bay is not a “true” risk assessment as per the Australian / NZ Standards AS/NZS 4360:2004. Dr William Laing is a well-recognised international expert in structural geology & drillcore analysis and in commenting on a review by Damien Hawcroft that says "it appears very doubtful as to whether building of</p>	<p>that geotechnical experts have advised that Douglas Partners Report: Phase 2 Mine Subsidence Risk Assessment for Proposed Residential Subdivision Catherine Hill Bay is not a “true” risk assessment as per the Australian / NZ Standards AS/NZS 4360:2004.</p>	<p>The report is not intended to be a risk assessment in accordance with the Australian Standard. The scope of the report is based on consultation with the Mine Subsidence Board (MSB) and their requirements for investigations and assessment. The suitability of the land for development is ultimately assessed by the MSB based on their requirements.</p> <p>Remedial works will be carried out across much of the site to eliminate the risk of pothole subsidence, as required by the MSB.</p>

CATHERINE HILL BAY – MIDDLE CAMP (MP10_0089): RESPONSE TO SUBMISSIONS



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	permanent residential houses is appropriate for this Area [B]", he recommends that the development must be suspended until this is resolved.		
	Over many decades, Coal and Allied have drawn very substantial profits from mining the land at Middle Camp. It can reasonably be concluded that in changing the land use they will have an obligation to remediate the land both underground and above ground at their own cost and as an expense attributable to the coal mining operations. This cost should not set development expectations or be taken into consideration as part of the development assessment process. The two actions need to be addressed entirely independently.	It can reasonably be concluded that in changing the land use Coal & Allied will have an obligation to remediate the land both underground and above ground at their own cost and as an expense attributable to the coal mining operations. This cost should not set development expectations or be taken into consideration as part of the development assessment process. The two actions need to be addressed entirely independently.	<p>The former mining lease over the land has been relinquished and all conditions have been complied with to the satisfaction of the NSWG. Coal & Allied owns the land unencumbered by any current coal mining tenements.</p> <p>The suitability of the land for development, in relation to mine stability, is ultimately assessed by the MSB at the time of Development Application (DA) for the first subdivision and each subsequent housing DA thereafter based on their requirements.</p> <p>Remedial works will be carried out across much of the development site to eliminate the risk of pothole subsidence, as required by the MSB.</p> <p>MSB are required to approve or otherwise all applications for future development where there has been underground mining. All future applications will be submitted as required.</p>
	The VPA is inadequate as it fails to address the amelioration of unacceptable impacts. C&A have not committed to ameliorating the traffic and noise impacts on existing residents and they have failed to provide a viable long term solution to the ownership and management of the common land behind houses on the eastern side of Flowers Drive and the land around "Slack Alley". We request that the Director General require Coal and Allied provide a revised statement of commitments pursuant to s75(6) of the EP&A Act.	The VPA is inadequate as it fails to address the amelioration of unacceptable impacts on traffic and noise. Ownership of Slack Alley.	<p>These aspects are covered in the EA and the associated studies and recommendations in terms of the net impact on noise and traffic and relevant mitigation provided to those impacts.</p> <p>Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p>
Barry Laing & Jewel Laing 2 Clarke St Catherine Hill Bay	We strongly oppose this application because it threatens the unique community character, scenic amenity, heritage and conservation values of the place which are embodied in the existing zonings of the subject land.	Community character, amenity, heritage and conservation.	<p>The proposed desired future character takes its cues from the simple forms of the existing houses at Catherine Hill Bay. However, the design approach was not to replicate the existing houses but provide a modern interpretation in accordance with the Burra Charter. As such, the 'new' development will be readily recognisable without having a significant visual impact. The vegetation buffer and siting in a natural valley will assist in maintaining a clear understanding of the 'old' Middle Camp.</p> <p>Two storey buildings are located sensitively in response to the landform and visual impact. Single storey buildings are located on ridges. Along Flowers Drive the two storey components of the houses are to be located to the rear of the lot behind a significant landscape buffer. It is noted that there are numerous examples of existing two storey developments in the Catherine Hill Bay locality.</p> <p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.</p>
	<p>We deplore the proponent's disrespect for environment zonings and disregard in this plan for public values and community cohesion.</p> <p>The proponent exploited this land for many years, with several zonings which prohibit residential development, so the company knew it was not allowed to develop the land once mining finished.</p> <p>Now by offering to relinquish most of those parts which have always been subject to prohibitive zonings, the developer asserts that its strategy is of state significance.</p>	Disrespect for environment zonings.	<p>The proposal complies with the LHRS and LHRCP. The Council has been advised that they must update their zonings to reflect these policies, as per the issued s117 directions.</p> <p>Further, the proposal includes a SSS listing that seeks to rezone the lands to allow the development and offset lands in accordance with the LHRS and LHRCP.</p>
	We support the Catherine Hill Bay Progress Association's objection to this plan.	Support for the Catherine Hill Bay Progress Association's objection to this plan	Noted. See responses to this submission below.
E and DE Hartley 1 Ethan Ave Darling Point	Catherine Hill Bay is a unique area with heritage village. This has given the Department of Planning a very special opportunity to create something historic and beautiful between our two major cities Sydney and Newcastle. To give such an area to poor development is an insult to the people of NSW.	<p>DoP now has an opportunity to create something historic and beautiful.</p> <p>Any proposal for the area should take into account its uniqueness, building on this not destroying the area by cheap and greedy development.</p>	<p>The concept plan has been designed having regard to the scenic, environmental, physical and heritage characteristics of the precinct. The proposed residential area will be visually and physically removed from the existing Catherine Hill Bay township and Flowers Drive.</p> <p>The proposal will enable the dedication of 526ha of land to the NSWG for conservation purposes in perpetuity.</p>

CATHERINE HILL BAY – MIDDLE CAMP (MP10_0089): RESPONSE TO SUBMISSIONS



Author	Submission	Issue Summary	C&A Response
	<p>We need more tourists to come to this state and if we offer them more of our meaningless ugly suburban sprawl they will not come. Please look at what the state of NSW has been given in assessing Catherine Hill Bay.</p> <p>Any proposal for the area should take into account its uniqueness, building on this not destroying the area by cheap and greedy development.</p>		
Tallman Nominees GL Turner 22a Dudley Avenue Roseville	<p>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.</p> <p>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'.</p>	<p>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.</p> <p>The SoC inadequately addresses the need to ameliorate traffic impacts</p>	<p>It is expected that commuter peak traffic from subject development would use Flowers Drive and Montefiore St. There will be no traffic increase on Northwood Road during weekday. It is expected that local residents would generally be within walking or cycling distance of the beach, and so would not tend to generate a significant number of additional vehicle trips on Northwood Road during weekend.</p> <p>The highest weekend traffic on Northwood Road (about 300 vehicles per day) is significantly lower than RTA's environmental capacity standard.</p> <p>The analysis of commuter peak operation of Flowers Drive/Northwood Rd show significant spare capacity, suggesting that significant increases in traffic could be accommodated before the levels of service (LoS) would become unacceptable.</p> <p>The traffic data does not justify the need for closing Northwood Street.</p> <p>The suggestion of re-routing Northwood Drive would need to occur on land earmarked to be dedicated to Council. This road realignment could be undertaken in the future at the discretion of Council.</p>
Valerie King 2 Lindsley Street Catherine Hill Bay	<p>The worry that suggested in documentation is the fact that the current application is likely to be only the first of a series of development proposals for such a sensitive area</p>		<p>The Concept Plan identifies the development area for Coal & Allied's Catherine Hill Bay (Middle Camp) proposal. No further works outside the footprint of the Concept Plan are proposed.</p> <p>The Concept Application does envisage future project applications to enable works within the scope of the Concept Plan.</p>
	<p>2-storey housing is totally out of character with existing housing type, historically significant and should be reflective of existing village type housing.</p>	<p>2-storey housing is totally out of character with existing housing type,</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>It is not agreed that 2 storey housing is out of character with existing development at Catherine Hill Bay.</p> <ul style="list-style-type: none"> 2 storey dwellings provides housing choice 2 storey dwellings are only allowed where their visual impact is reduced i.e. in the Colliery Hamlet, single storey development is located in areas close to the ridge to allow the vegetated ridges to dominate. For two storey development the overall height limit is 9.5 metres for stump construction. The overall intention is minimise height of buildings off natural ground level particularly at street frontage. Building height is to be distributed to maximise solar access in response to lot orientation and slope.
	<p>A separate exit-entry road apart from Flowers Drive to and from the highway should be a necessary part of the development proposal as the existing situation is already unsatisfactory and hazardous and needs revision as things now stand without adding to the problem.</p>	<p>A separate exit-entry road apart from Flowers Drive to and from the highway should be a necessary part of the development proposal</p>	<p>Alternative proposals were investigated. DECCW and the review by IHAP considered any additional roads constituted development within sensitive areas. The traffic analysis also found that no new roads were required to accommodate the additional resultant traffic</p> <p>The traffic study assessed impact at key roads, intersections and provided remedial measures to reduce such impact. For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only. Such work to be funded by Coal & Allied. Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. Such work to be funded by Rose Group. <p>The above upgrade would provide satisfactory level of service to traffic operation.</p>
	<p>Extra traffic on local roads will definitely be of concern – major concern. In fact, even now in present conditions speed-controlling initiatives are needed (ef speed bumps or some other</p>	<p>Extra traffic on local roads will definitely be of concern</p>	<p>C&A has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village</p> <p>The traffic generation from proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp)</p>

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	calming devices) as present traffic invariably exceed the speed limit, vehicles racing through at 70-80kph constantly and on the wrong side of the road. Increased traffic from so much proposed development would add measurably to the problem.		site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on location. The traffic influences on residential amenity would remain well below the RTA's environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards.
Robyn Mclean 83 Redhead Road Redhead	The Cabbage Tree Palm Groves and wetland require habitat protection and any new housing is best placed at the western end of Colliery Road	The Cabbage Tree Palm Groves and wetland require habitat protection and any new housing is best placed at the western end of Colliery Road	These landscape elements are not affected by the development as part of the watercourse that runs along the northern boundary of development estate B.
Sharyn Fulton 38 Mayes St Annandale Paul Healy 6 Flowers Drive Catherine Hill Bay Mark Healy 243 Errol St North Melbourne VIC	First and foremost, the local community has opposed such development in the area for the better part of seven years. Not only that, Lake Macquarie council rejected development of this land and the State Government had this area as one of the very lowest priorities for development only two years ago. It seems that the only reason that this development proposal is proceeding is the direct result of the undemocratic nature of the 3A planning legislation that simply grants the planning minister the right to favour big developers. The result of this is that the voice of the local community is silenced.	The community and Council have opposed development applications to LMCC in this area in the past. the only reason that this development proposal is proceeding is the direct result of the undemocratic nature of the 3A planning legislation	No applications on Coal & Allied land have been lodged with LMCC. The objector refers to a development to the south of the Coal & Allied land. The proposal is consistent with the requirements of the LHRS and LHRCP. Any development consent sought by Coal & Allied is required to be applied for under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the proposal.
Beth Garswood 15 Wellington St Turrella James Talbot 20 Union St Tempe	It is extraordinary that the unique status of an original town set in tranquil bush-land is under such imminent threat. It is simply outrageous and insulting to the local community and those that visit to suggest they consider such a development when the town is listed as a place of historical importance by the State Heritage Register and which has had strict rules governing the nature of additions and renovations to existing dwelling to ensure that this historically significant town remains a unique site.	Insulting to the community to consider such a development at a place listed on the State Heritage Register	C&A has considered, and supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.
Stephanie Yuen 6/61 Balmain Rd Leichhardt Timothy Harland 6/61 Balmain Rd Leichhardt	I would like to bring your attention to some extremely serious concerns for the safety and wellbeing of local residents. Firstly Flowers Drive is a narrow coastal road, never designed to sustain more than local traffic. To increase the population by approximately fourfold will place such a strain on existing roads that the resulting traffic would generate a whole range of negative impacts on the township. Child safety concerns, noise-pollution, car accidents and pedestrian accidents would be increased as a result of the development.	Concerns about capacity of local road system and resulting impacts on child safety, noise-pollution, car accidents and pedestrian accidents	The traffic data suggests that traffic influences on residential amenity would remain satisfactory. The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp. C&A has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village
Thomas Healy 473 Dryburgh st North Melbourne Wendy Hanlin 42 Fulham St Newtown	Additionally on close inspection of the current development plans, the residential property at number 2 Flowers Drive has been omitted, as has the naturally occurring freshwater creek on its northern side. If such gross omissions have been made in basic surveying how can one be asked to give an opinion on a development proposal with many more complex issues at stake.	the residential property at number 2 Flowers Drive has been omitted	The relevant drawings will be amended as necessary post concept plan approval.
Georgiana Anderson 56 Flowers Drive Catherine Hill Bay	I have a few comments in addition to the formal response put together by the Progress Association. This development is a very bad thing for the future of the state and the local area. This development will continue to burden the state with expensive infrastructure from its first outlay to its continuing operation. The topography and the isolated nature of the site make this development unviable without significant contribution from the state and local government. The development will destroy the living conditions of the existing township, which will be over run with traffic on its inadequate road structure. The heritage houses with their wooden facades	This development will continue to burden the state with expensive infrastructure from its first outlay to its continuing operation. The development will destroy the living conditions of the existing township, Traffic and noise Future development applications	Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements. A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of the developing Middle Camp rests with the developer. The traffic generation from proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp) site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on

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	<p>close to the road will provide no protection to the significant road noise increase.</p> <p>The report is clearly presented with only the 222 houses to try and open the door for more development which will further destroy Catherine Hill as we know and love it.</p>		<p>location. The traffic influences on residential amenity would remain well below the RTA's environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards.</p> <p>C&A has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village</p> <p>A noise analysis has been undertaken based on the anticipated traffic generation. The results of the analysis showed that the forecast increased noise levels will fall within acceptable limits (as set by the RTA?). The traffic and noise influences on residential amenity would remain satisfactory with the additional traffic.</p> <p>References to future project applications within the Concept Plan application are in regard to those applications necessary to enable works within the scope of the Concept Plan. No development is proposed for the E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future.</p> <p>Each project application is to be assessed on its merits having regard to the urban Design Guidelines (or a DCP developed from the Guidelines) and to the planning controls applicable to the land.</p>
<p>Tresco Anderson 57 Flowers Drive Catherine Hill Bay</p>	<p>The major problem with all of these developments is not just the destruction of the beauty of the place, but the pure lack of infrastructure which no developer wishes to pay for. They have their cheap land and want to fill it with houses and that's all. Entering and exiting the Bay is not great now, and we don't need another set of lights which are turning the Pacific Highway into a suburban Street. The traffic capacity, water, sewerage are far from adequate. And there is no proper plan for this. More housing here doesn't make sense, it should be near infrastructure, business centres and transport. They have taken the coal, doesn't give them the right to take the soul and beauty as well. Just stop the plunder.</p>	<p>The major problem with all of these developments the pure lack of infrastructure which no developer wishes to pay for. The traffic capacity, water, sewerage are far from adequate. And there is no proper plan for this.</p>	<p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p> <p>For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> ▪ Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only. ▪ Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. <p>The above upgrade would provide satisfactory level of service to traffic operation.</p> <p>The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.</p>
<p>Nancy Smyth 52 Flowers Drive Catherine Hill Bay</p>	<p>The northern Flowers Drive intersection "left turn only" suggestion will not provide a safe option for those wanting to travel north. This option will encourage motorists to attempt a "U turn" at the Nords Wharf right-turn lane across the Pacific Highway. People will be put at great risk.</p>	<p>The northern Flowers Drive intersection "left turn only" suggestion will not provide a safe option for those wanting to travel north</p>	<p>An alternative option would be available for northbound traffic via new partial signals at Montefiore Street/ Pacific Highway. The right turn lane on the Pacific Highway at Nords Wharf intersection has adequate sight distance which allows a U-turn from the existing right turn lane.</p>
	<p>Those who choose to exit Catherine Hill Bay in order to travel north, via the south, ie. Montifore Road will further increase the already heavy amount of traffic on Flowers Drive and Clark Street. An increase of 222 houses to the north will doubtlessly create enormous demands on an existing poor road system.</p>	<p>Those who choose to exit Catherine Hill Bay in order to travel north, via. Montifore Road will further increase the already heavy amount of traffic on Flowers Drive and Clark Street. An increase of 222 houses to the north will doubtlessly create enormous demands on an existing poor road system.</p>	<p>Future traffic volumes on the existing road system would remain well below the RTA's environmental capacity performance standards, which is satisfactory. The key intersections with the Pacific Highway would operate at good levels of service, with spare capacity and only short delays to traffic.</p>
	<p>Increased traffic numbers result in increased air pollution, acoustic pollution and will have a very negative impact on resident's lives. The road is very close to the unique heritage miner's cottages and I note there is no provision to address this issue.</p>	<p>Increased traffic numbers result in increased air pollution, acoustic pollution and will have a very negative impact on resident's lives.</p> <p>Existing houses are very close to the road way and there is no provision to address this issue.</p>	<p>The traffic data suggests that traffic influences on residential amenity would remain satisfactory. Results indicate that road traffic noise levels would comply with the relevant criteria stipulated in the ECRTN for both the day and night periods.</p> <p>The proposal complies with the RTAs environmental standards for collector roads.</p>
	<p>For those who travel north to work or shop, the requirement will add about 6 kilometres to the journey.</p>	<p>Additional travel distances will be required.</p>	<p>A U-turn facility will be provided at Nords Wharf Road to reduce the travel distances heading north.</p>

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	This disaster could be further compounded should the Rose Corp. development eventuate and traffic becomes even heavier.	Cumulative impacts	<p>For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only. Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. <p>The above upgrade would provide satisfactory level of service to traffic operation.</p>
	Development of the eastern side would destroy that site's significant qualities. Proposed "buffer zones" will only serve to disguise the destruction of that site.	Development of the eastern side would destroy that site's significant qualities.	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The width of the buffer is 15m on public land plus an additional 8m on private land (with a covenant for no building within this area), totalling 23m which is proposed to extend the full length of Area A fronting Flowers Dr. The northern half of the buffer length will be a managed APZ (approximately half the Flowers Dr frontage). The screening that will be provided in the buffer will provide a substantial visual screen designed to be managed as an APZ for the northern half of the frontage.</p> <p>The approach from the north into the township along Flowers Drive will maintain a predominantly natural landscaped approach through the implementation of the landscaped buffer which will include some of the currently degraded areas.</p> <p>The 2nd storey of the 'small house courtyard lots' is to be located at the rear of the dwelling with the front of the house being only one storey in height along the Flowers Drive frontage. This along with the wide landscape buffer reduces the visual impact of the proposed housing</p>
	I believe this site should be zoned E2 to preserve its environmental qualities.	this site should be zoned E2 to preserve its environmental qualities	<p>The development footprints have been refined following a planning process that was based on McHargian principles of site design. Detailed attributes of ecological and cultural landscape systems were overlaid to determine constraints and opportunities for development.</p> <p>The resulting hamlets are located in areas that are of least conservation value, and which are most disturbed when compared to the remainder of the Coal & Allied land.</p> <p>526ha of land surrounding the hamlets, which is of the highest ecological value, is proposed to be rezoned E1 National Parks and Nature Reserve, the highest conservation value that can be attributed to land under the Standard Instrument zonings.</p>
	The C & A proposal lacks insight into the real nature of Catherine Hill Bay and Middle Camp. It has failed to take into account places and settings, the environment and the relationship that people have with the village and its importance in our country's history.	Proposal has failed to take into account places and settings, the environment and the relationship that people have with the village	<p>Environmental and Heritage studies have been undertaken to ensure the proposal is undertaken in accordance with the LHRCP and LHRS with the greatest compatibility with the local area. The proposed development land is suitable for this purpose.</p>
	I am concerned about the future fate of the area known as Slack Alley and the common land to the east that contains a few dwellings and leads south to the cemetery. There is no assurance that this area will not be developed in the future as was once proposed.	I am concerned about the future fate of the area known as Slack Alley	<p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p>
	The development of 222 houses at Middle Camp will have a devastating impact on the residents of Middle Camp and Catherine Hill Bay and represents the loss of living history in the village. The many visitors from nearby and all over the world who come to enjoy the unique township will also be affected.	The development of 222 houses at Middle Camp represents the loss of living history in the village	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p> <p>The existing heritage values of the local area will not be lost through the proposed development. It is also noted that the mining activities from the early 20th century provided an entirely different</p>

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			landscape setting and atmosphere to Middle Camp.
Paul Young 52 Flowers Drive Catherine Hill Bay	My specific objection is the area reserved for later. It is situated in the Eastern area of Middle Camp near the graveyard, cricket oval and bowling club. I will do it later could mean anything. This must be considered as originally proposed. That is residential.	The area 'reserved for later' should be considered in full as part of the overall proposal.	No consent is sought for development on this land. Coal & Allied has no intention to redevelop this land.
Jamie Arthurs 89 Redhead Rd Redhead	The development is far too large and will destroy a unique habitat.	The development is far too large and will destroy a unique habitat.	Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The siting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact. There is a significant landscape benefit associated with this proposal being the conservation in perpetuity of the proposed offset lands. The conservation lands represent a vast diversity of coastal and lakeside environs that are currently poorly represented in conservation holding within the region. Extensive constraints analysis determined the development footprints.
Angus Stewart 692 Dog Trap Road Ourimbah	The development of the Middle Camp will change the area dramatically and destroy the flair of the heritage-listed area Catherine Hill Bay, an area that is not “made” for such an increase of population. Not only is there no public transport, hospital, town water in the whole area, the development will also increase traffic. Catherine Hill Bay is well known for being family-friendly and children grow up without any fear of being run over by a car while playing on the street. An increase of traffic due to the development would have an immense impact on children's and therefore family life in Catherine Hill Bay, which can't be in the interest of anybody.	Heritage impact An increase of traffic due to the development would have an immense impact on children's and therefore family life in Catherine Hill Bay,	The proposal has been assessed and deemed appropriate given the context of the site. The traffic data suggests that traffic influences on residential amenity would remain satisfactory. Future traffic volumes on the existing road system would remain well below the RTA's environmental capacity performance standards, which is satisfactory. With proposed upgrade, the key intersections with the Pacific Highway would operate at good levels of service, with spare capacity and only short delays to traffic.
Ian and Elizabeth Cameron 39 Congewoi Rd Mosman Robin Powell 61 Rawson Street Haberfield	Middle camp is an inappropriate site for development and is in an entirely inappropriate proximity to the infrastructure that a development of “State Significance” requires. Furthermore, the process under which this proposal will be considered should not be used until the recommendations of the ICAC report into Part 3a of the planning act are executed.	Inappropriate site for development. The proposal should not be considered until the recommendations of the ICAC report into Part 3a of the planning act are executed	Coal & Allied is seeking consent for residential redevelopment of 28ha of land and dedication of 526ha of conservation land to the State Government. The proposal has been prepared in accordance with the relevant legislation in place at the time of lodgement of the application. The consultant team has addressed all required heads of consideration. Until such time as the recommendations from the ICAC enquiry are adopted into the legislation, the proposal must be assessed in accordance with the legislation as it is currently in force. It is noted that 526ha of lands in and around Catherine Hill Bay (Middle Camp) are proposed to be dedicated as conservation lands in perpetuity to the NSWG, being 18 times greater land area than that proposed to be redeveloped for residential purposes. The ICAC report is concerned primarily with the potential for corruption in the approvals process and is not an issue to be addressed by Coal & Allied. At this stage, the paper only holds the status of a recommendation.
Bridget Ninness Jessica Ruth Brown 89 Bay Road Waverton Katharina Woehler 2 Flowers Drive Catherine Hill Bay	Catherine Hill Bay (Middle Camp) is not a “State Significant Site” and is not appropriate for a large scale development. Catherine Hill Bay is one of the least suitable sites for development of any in the Lower Hunter Region. The scale of the proposal and the likely housing yield are too insignificant to achieve any meaningful outcome toward the Lower Hunter Regional Strategy and would come at an enormous cost to the state financially and socially.	Catherine Hill Bay (Middle Camp) is not a “State Significant Site” .Catherine Hill Bay is one of the least suitable sites for development of any in the Lower Hunter Region The scale of the proposal and the likely housing yield are too insignificant to achieve any meaningful outcome toward the Lower Hunter Regional Strategy and would come at an enormous cost to the state financially and socially.	The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP). On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008. The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act. This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.
Kent Ross 3 Flowers Drive Catherine Hill Bay	The process under which the Zoning is to be changed, Part 3a, is not adequately designed to safeguard against the influences of vested interests and is to too greater extent subject to ministerial discretion rather than independent oversight. This	Part 3A is not adequately designed to safeguard against the influences of vested interests and is to too greater extent subject to ministerial discretion rather than independent oversight.	Any development consent sought by Coal & Allied is made under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the

CATHERINE HILL BAY – MIDDLE CAMP (MP10_0089): RESPONSE TO SUBMISSIONS



Author	Submission	Issue Summary	C&A Response
Linda Ross 3 Flowers Drive Catherine Hill Bay	point has been supported by the most recent ICAC report. The processes that were put in place to protect small communities like Catherine Hill Bay from parties with much greater resources are the Local Environmental Plans, and this is the correct process under which this proposal must be measured. This view is supported by the local community, the Land and Environment Court and the ICAC.		proposal.
Mark Rogan 44 Borgnis Street Davidson Paul Urquart PO Box 168 Surry Hills Kel Gibb No address given	The position of the two Hamlets proposed by Coal & Allied either side of Flower's Drive represent a significant incursion onto the visual catchment of the now Heritage Listed neighbourhood situated on Flowers Drive. The lots to the East of Colliery Road are easily close enough to be seen from most of the existing homes, particularly on the North Western side of Flowers Drive. These properties have views protected by the Heritage Listing. The site of the old E Pit colliery is an Archaeological site and is not suitable for residential development geologically, or socially.	The position of the two Hamlets proposed by Coal & Allied either side of Flower's Drive represent a significant incursion onto the visual catchment of the now Heritage Listed neighbourhood situated on Flowers Driv	The proposed residential area is separated both visually and physically from the existing township of Catherine Hill Bay and the State Heritage Listed precinct. Visual studies undertaken as part of the EA documentation demonstrate that there will be no significant visual impact on the existing heritage listed township.
Steven Wells 5/200 Sherbourne Road Montmorency VIC Mickey Robertson	Most critical is the area of the site known as Slack Alley. This is the most inappropriate site for residential development due to its proximity to wetlands, the impact on the visual catchment of the Heritage town, risk of Fire and the problems with emergency access and egress on existing roads, which are not large enough to cope with increased traffic and the homes are built too close to the roadside to consider it a major thoroughfare.	Most critical is the area of the site known as Slack Alley. This is the most inappropriate site for residential development	The subject area in proximity to Slack Alley is not proposed for redevelopment.
	The proposal does not outline plans for the 12.38ha of land to the North West of Northwood Ave. But it clearly states an intension to retain control over it for future development. I oppose anything but the permanent conservation of this land.	The proposal does not outline plans for the 12.38ha of land to the North West of Northwood Ave	No development is proposed in this area.
	Catherine Hill Bay has no services other than power, and only enough power for the current population. Any new development is a green-field site requiring all services including roads, as existing roads are not suitable to sustain the additional demand. The cost per housing lot is high as a result. This represents poor value for money.	Catherine Hill Bay has no services other than power, and only enough power for the current population	The infrastructure studies conducted to inform the EA demonstrate that adequate power and services can be supplied to the proposed residential area.
	The traffic report in the concept plan is based on research undertaken at the quietest time of the year. Its key assumptions are not based on regular average traffic flows, but sub-peak numbers. This makes the calculations in the report inaccurate and therefore must therefore be disregarded.	The traffic report in the concept plan is based on research undertaken at the quietest time of the year. Its key assumptions are not based on regular average traffic flows, but sub-peak numbers.	The traffic report was prepared to examine the impact on the road network based on relevant state, and local government planning policies and guidelines including the RTA's Guide Traffic Generating Developments. Cumulative impact was assessed based on the potential lot yield on the Rose Group zoned sites and Coal & Allied developments at Catherine Hill Bay, Middle Camp, Nords Wharf and Gwandalan. In assessing the traffic impact from the proposed 222 dwellings, Hyder considered the traffic assumptions, impact on road network and the implications of the traffic generation on the Pacific Highway intersections performances based on the cumulative impact. The study also used traffic data on the Pacific Highway from the RTA which was collected for a period of 365 days. The RTA's data provides a reliable source for determining seasonal impact between July and December traffic. The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied.
	The planned demolition of heritage homes in the Pitt Road and Sawmill Camp area shows a lack of any regard for the significant value of these sites as they are. Demolishing these buildings cannot be permitted on the basis of their state of repair. These buildings are no less significant than those within the heritage curtilage.	The planned demolition of heritage homes in the Pitt Road and Sawmill Camp area shows a lack of any regard for the significant value of these sites	Coal & Allied have not proposed any demolition of heritage listed houses. Houses of heritage significance are to be retained in the new proposed subdivision
	The fragility of the surrounding environment would be put at further risk by this development. Increased wildlife mortality, erosion and weed infestation would be inevitable.	Fragility of the surrounding environment would be put at further risk by this development	Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The siting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental

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			<p>impact.</p> <p>The conservation estates will offer an abundance of high quality habitat for known threatened species, populations and ecological communities that is currently not in public ownership. This consolidation of biodiversity and its conservation will make a significant positive contribution to the enduring protection of the regions ecology.</p>
Linda Ross 3 Flowers Drive Catherine Hill Bay	This is an inappropriate development for this heritage village	This is an inappropriate development for this heritage village	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p>
	This development will destroy the visual catchment of this heritage village	This development will destroy the visual catchment of this heritage village	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> ▪ The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. ▪ The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. ▪ Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. ▪ Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> ▪ The setting of Middle Camp is maintained by retaining vegetated ridges. ▪ Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. ▪ Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting ▪ Heritage items are retained and reinterpreted in the open space framework ▪ Dwelling types are designed to be sympathetic to the existing village
	This development will increase traffic on the local Flowers Drive where children play. It's dangerous enough already – a recent car crash saw the out of control car smash 1m away from a sleeping resident in her front bedroom.	This development will increase traffic on the local Flowers Drive	<p>The traffic data suggests that traffic influences on residential amenity would remain satisfactory. The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp.</p> <p>Coal & Allied has committed to the implementation of a LATM plan, as detailed in the Statement of Commitments.</p>
	Traffic speeds are in excess of 100km on this road and it's meant to be 50km/hr zone.	Traffic speeds are in excess of 100km on this road and it's meant to be 50km/hr zone.	Coal & Allied has committed to the implementation of a LATM plan, as detailed in the Statement of Commitments.
	Traffic report is completely inaccurate with numbers taken in the quietest part of the year during June and estimates of a 10% summer increase in traffic are incorrect and laughable.	Traffic report is completely inaccurate	<p>The traffic report was prepared to examine the impact on the road network based on relevant state, and local government planning policies and guidelines including the RTA's Guide Traffic Generating Developments. Cumulative impact was assessed based on the potential lot yield on the Rose Group zoned sites and Coal & Allied developments at Catherine Hill Bay, Middle Camp, Nords Wharf and Gwandalan. In assessing the traffic impact from the proposed 222 dwellings, Hyder considered the traffic assumptions, impact on road network and the implications of the traffic generation on the Pacific Highway intersections performances based on the cumulative impact. The study also used traffic data on the Pacific Highway from the RTA which was collected for a period of 365 days. The RTA's data provides a reliable source for determining seasonal impact between July and December traffic.</p> <p>The analysis found that the weekend traffic on Flowers Drive and Montefiore Street about 30% and 40% higher than weekday traffic respectively. The 10% increase (uplift factor) was added to reflect the seasonality factor from July counts to December.</p> <p>The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied.</p>

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	Increase traffic from development will increase risk of accidents where existing heritage homes are only 3m from the road edge. Design of said heritage homes have two bedrooms at front of house increasing risk of personal injury.	Increase traffic from development will increase risk of accidents where existing heritage homes are only 3m from the road edge.	The traffic data suggests that traffic influences on residential amenity would remain satisfactory. The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp. Coal & Allied has committed to the implementation of a LATM plan, as detailed in the Statement of Commitments.
	Existing heritage homes are sustainable. We catch water in water tanks and use simple septic systems for waste. We do not want this changed. An increase of population through the development will create a need for a dam, sewer and services. This is unsustainable and not desired by locals who have bought into the village for its present qualities.	An increase of population through the development will create a need for a dam, sewer and services. This is unsustainable and not desired by locals who have bought into the village for its present qualities.	Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements. A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. Stormwater management at the site would benefit from the implementation of Water Sensitive Urban Design (WSUD) practices. WSUD encompasses all aspects of urban water cycle management including water supply, wastewater and stormwater management, that promotes opportunities for linking water infrastructure, landscape design and the urban built form to minimize the impacts of development upon the water cycle and achieve sustainable outcomes. WSUD to include rainwater tanks on each lot as a preferred outcome.
	The scale of development will swamp the small scale nature of the existing village.	The scale of development will swamp the small scale nature of the existing village.	The concept plan has been designed having regard to the scenic, environmental, physical and heritage characteristics of the precinct. The proposed residential area will be visually and physically removed from the existing Middle Camp village and Flowers Drive. The proposed desired future character of the development takes its cues from the simple forms of the existing houses at CHB. The design approach was not to replicate them but to provide a modern interpretation. The proposed residential area is separated both visually and physically from the existing township of Catherine Hill Bay and the State Heritage Listed precinct. Visual studies undertaken as part of the EA documentation demonstrate that there will be no significant visual impact on the existing heritage listed township. Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area. The key heritage principles embodied in the plan are: <ul style="list-style-type: none"> ▪ The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. ▪ The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. ▪ Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. ▪ Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. The key principles of the visual impact that are embodied in the plan are: <ul style="list-style-type: none"> ▪ The setting of Middle Camp is maintained by retaining vegetated ridges. ▪ Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. ▪ Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting ▪ Heritage items are retained and reinterpreted in the open space framework ▪ Dwelling types are designed to be sympathetic to the existing village
	Catherine Hill Bay should be protected and sheltered from developments such as this. The village's intrinsic value is a combination of unique coastal mining town, high quality restored heritage homes some in excess of 180 years old, heritage listed jetty and coal mining history is not seen in any other village in NSW. Why damage its value? It's one of a kind.	The village's intrinsic value is a combination of unique coastal mining town, high quality restored heritage homes some in excess of 180 years old, heritage listed jetty and coal mining history is not seen in any other village in NSW.	C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.
	The fragile and low lying landscape of Catherine Hill Bay cannot support a development such as this.	The fragile and low lying landscape of Catherine Hill Bay cannot support a development such as this.	The site proposed for development is an area that has been previously disturbed, and so the undisturbed land has been retained and protected. Ecological reporting has identified the protected flora and fauna in Catherine Hill Bay and made recommendations for the mitigation of any possible

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			impacts.
Suzanne Whyte 5 Clarke St Catherine Hill Bay	The application does not address the heritage significance of Catherine Hill Bay and if approved will undermine the heritage values of this town. The government of NSW has acknowledged the importance of the heritage of this township by listing it on the State Heritage Register. It is only the second time that a town has been given this status in NSW.	The application does not address the heritage significance of Catherine Hill Bay and if approved will undermine the heritage values of this town	C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.
	The large area in Catherine Hill Bay known as Slack Alley is proposed to be retained by Coal & Allied and zoned E4. This area lies between the cemetery and the houses that border the eastern side of Flowers Drive and Northwood Road. It is within the curtilage of the State Listed Heritage Township of Catherine Hill Bay. Catherine Hill Bay has been listed on the State Heritage Register partly because it is a fine example of the key role played by 19th century company towns in the development of Australian resources.	The large area in Catherine Hill Bay known as Slack Alley is proposed to be retained by Coal & Allied and zoned E4.	Coal & Allied supported the listing of the Cultural Heritage precinct
	Company towns, such as Catherine Hill Bay, existed in isolated areas. Distance from urban areas such as Newcastle meant that it was too far for miners to travel daily to the mine. In 1889 the Wallarah Coal Company built the jetty; the railway that joined the jetty to the mine, two and a half miles north; a sawmill and "14 cottages occupied and others in progress" The early days of coal mining were labour intensive and more miners worked in the pit than could be accommodated in the housing provided by the Wallarah Coal Company. Some of the miners lived under canvas while others requested permission from the Mine Manager to build their own shacks on company land and paid a small ground rent. When Coal & Allied bought the coal leases in the 1960s they did not wish to continue to run the town along 'company town' lines. Most of the miners now owned their own transport and technological improvements in mining meant a much smaller workforce was needed. The company owned housing stock was in a scandalous condition. Rather than fix the houses Coal & Allied sold the houses that lined Flowers Drive, Northwood Road, Clarke and Lindsley Streets to the miners and adopted a policy of demolishing all the other houses as soon as they became vacant. The 4 remaining houses in Slack Alley were never put on title; the coal company still owns the land and has previously tried to evict the occupiers. Coal & Allied has informed these households that their houses can never be sold or passed onto family members.	The 4 remaining houses in Slack Alley were never put on title; the coal company still owns the land and has previously tried to evict the occupiers. Coal & Allied has informed these households that their houses can never be sold or passed onto family members.	Coal & Allied has a long established policy with respect to those privately owned houses located upon the Company's land. Coal & Allied will continue to manage the remaining residents that occupy the Company's land in accordance with that policy.
	It shows a lack of understanding on the part of Coal & Allied about the nature of heritage to assert that the heritage value of Catherine Hill Bay is about "streetscape". It is about the setting within the landscape and relationships that existed between each of these. It is also about people, the miners, their families, the Mine Manager and the staff and the complex ways in which these groups related to each other and their surroundings. The Independent Hearing and Assessment Panel did understand the relational aspect of heritage and said that there should be no development at Slack Alley. To make sure that this does not happen the zoning must be E2.	It shows a lack of understanding on the part of Coal & Allied about the nature of heritage to assert that the heritage value of Catherine Hill Bay is about "streetscape". The Independent Hearing and Assessment Panel did understand the relational aspect of heritage and said that there should be no development at Slack Alley. To make sure that this does not happen the zoning must be E2.	C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.
	The documentation on exhibition suggests that the current application is likely to be only the first of a series of development	However the height of building Map and the SSS Listing CI 8 " indicates that future development is anticipated that will	The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not

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	<p>proposals; the first is for 222 houses on two sites A and B which the proponent argues are outside the heritage curtilage.</p> <p>However the height of building Map, which gives the E4 area in question a building height of 6.5m, and the SSS Listing Cl 8, which proposes that additional residential development in E4 zone should have an allotment area "of not less than 6000sqm" indicates that future development is anticipated that will directly impinge on the setting of the historic village.</p> <p>The Environmental Defender's Office has given legal advice confirming the zoning of E4 as inappropriate and stating that E2 zoning should be applied. (attachment 1)</p>	<p>directly impinge on the setting of the historic village.</p> <p>The Environmental Defender's Office has given legal advice confirming the zoning of E4 as inappropriate and stating that E2 zoning should be applied.</p>	<p>have a significant impact on the Middle Camp townscape.</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p>
	<p>It is critical that the land behind the houses that line Flowers Dr on the eastern side and the area known as Slack Alley be owned and managed by DECCW, NPWS or the Lake Macquarie City Council. While this land is retained by Coal & Allied, its future is uncertain. Clearly C&A is not a conservation land management organisation 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 the NPWS.</p>	<p>It is critical that the land behind the houses that line Flowers Dr on the eastern side and the area known as Slack Alley be owned and managed by DECCW, NPWS or the Lake Macquarie City Council.</p>	<p>Whilst a transfer in ownership of the majority of this land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the area will remain in Coal & Allied ownership. The land containing the cottages is also intended to remain in Coal & Allied ownership to maintain the current arrangements with the occupiers of this land.</p>
	<p>The proposed new residential housing in precincts A and B will diminish the heritage values of the historic village. Area B is where "E" pit was located for 60 years and where the staff houses were located. To build new houses on top of this area will be to lose a significant segment of the town's history. The Progress Association, Lake Macquarie City Council and the National Trust all maintain that this area should be within the State listed heritage curtilage.</p>	<p>The Progress Association, Lake Macquarie City Council and the National Trust all maintain that "E" pit should be within the State listed heritage curtilage.</p>	<p>Areas of archaeological potential will be avoided.</p> <p>Archaeological investigation including excavation and salvage would be undertaken which will protect and interpret historic archaeology of CHB.</p> <p>C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area.</p> <p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p>
	<p>Any future residential development at Catherine Hill Bay should have no visual impact on the heritage town. Part of the experience of visiting Catherine Hill Bay is the tree lined rural entry into the town. The buffer zone needs to be at least 30m of natural bushland in order to screen the proposed 2 storey new housing in area A. New housing will be clearly visible on the hill when leaving the town to the north.</p>	<p>Any future residential development at Catherine Hill Bay should have no visual impact on the heritage town</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> ▪ The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. ▪ The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. ▪ Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. ▪ Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> ▪ The setting of Middle Camp is maintained by retaining vegetated ridges. ▪ Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. ▪ Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting ▪ Heritage items are retained and reinterpreted in the open space framework ▪ Dwelling types are designed to be sympathetic to the existing village
	<p>The Concept Plan and Urban Design guidelines for Catherine Hill Bay prepared by Allen Jack + Cottier for Coal & Allied lack specific design approaches for proposed development within the</p>	<p>The Concept Plan and Urban Design guidelines for Catherine Hill Bay prepared by Allen Jack + Cottier for Coal & Allied lack specific design approaches for proposed</p>	<p>The Design Guidelines will form part of the consent and will need to be complied with for any future development on the land.</p> <p>If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the</p>

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	visual curtilage of the existing settlement. No consideration has been given to Section 2.4 of DCP no. 1– Catherine Hill Bay Heritage Conservation Area and the LMCC Heritage guidelines. The height, scale, bulk and massing of any infill development has to be relative to the existing cottages as seen from all significant views and be subservient rather than dominating. The site coverage proposed is in conflict with the Council's DCP No 1 which sets a 35% maximum site coverage for the standard housing lots within the Catherine Hill Bay Conservation Area (areas "A" and "B" are within this Conservation Area).	development within the visual curtilage of the existing settlement.	'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.
	The draft State Significant Site Listing proposes to enable the application of the Complying Development Codes SEPP. This SEPP was developed for the building of project homes in metropolitan Sydney. The Complying Codes SEPP should not be applied in a heritage village that has been placed on the State Heritage Register. To do so would be inappropriate and would prejudice the historic and aesthetic values of this heritage township.	The Complying Codes SEPP should not be applied in a heritage village that has been placed on the State Heritage Register.	The SSS Study states that the SEPP (Exempt and Complying Codes) 2008 cannot be relied upon for the construction of new single storey and two storey dwelling houses. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines. Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp). If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the 'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.
	The township of Catherine Hill Bay is isolated. It is car dependent. The reason why it exists is because of coal deposits and the ability to get these away by sea initially to Sydney and later to the port of Newcastle. To argue that residential development is needed at Catherine Hill bay to fulfil requirements under the Lower Hunter Regional Strategy is not adequately justified. New residential development should be located near infrastructure like the railway, shopping centres, highways, schools etc. Lake Macquarie City Council does not want development at Catherine Hill Bay (and previous successive State Governments also did not want development to occur at CHB).The proposed Listing of Middle Camp Residential Development as a State Significant Site will not deliver "a robust long-term outcome". Catherine Hill Bay is remote from jobs and services and the increase in population will not sustain viable public transport.	To argue that residential development is needed at Catherine Hill bay to fulfil requirements under the Lower Hunter Regional Strategy is not adequately justified. New residential development should be located near infrastructure	The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued. Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements. A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers.
	The narrow road that cuts through the town will be impacted by the increased traffic that will be a direct result of this development. The houses are set on their front boundaries and the road is too narrow to allow for cars to be parked on the side of the road. Earlier this year it was only the fortunate position of a telegraph pole that stopped a truck careering into the front bedroom of a house in Middle Camp. The studies on traffic volumes (Parsons Brinkerhoff in November 2007) were based on a Friday in Winter and as such have severely underestimated the traffic flows for Summer, especially over the weekend. The only road in Catherine Hill Bay is a rural road, as well as local road and a collector road. To just determine levels of traffic based on it being only a collector road is disingenuous.	The only road in Catherine Hill Bay is a rural road, as well as local road and a collector road. To just determine levels of traffic based on it being only a collector road is disingenuous.	The traffic data suggests that traffic influences on residential amenity would remain satisfactory. The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp. Coal & Allied has committed to the implementation of a LATM plan, as detailed in the Statement of Commitments.
	Another significant problem is the traffic noise levels. The building materials of the houses is lightweight and the report by Renzo Tonin is based on an assumed traffic flow that is an underestimate and also that the traffic will only be travelling at 40kph.This report delivers an incorrect finding. The Highway Patrol already has figures that show the traffic is travelling much faster than the present speed limit of 50 kph, and yet Coal & Allied argue that nothing is required on their part. At the very least Coal & Allied should commit to traffic calming measures in their Statement of Commitments.	Another significant problem is the traffic noise levels.	The acoustic study is based on a speed of 40km/h assuming that LATM would be implemented. This is explained in the technical memo prepared by Renzo Tonin & Associates (ref. TD261-14F01 (rev 0), dated 11 October 2010). The report states that at the 3 receivers, being: <ul style="list-style-type: none"> • Receiver R1 – Representing the north western side of Middle Camp • Receiver R2 – Representing the north eastern side of Middle Camp • Receiver R3 – Representing the south western side of Middle Camp the predicted future 2012 road traffic noise levels results indicate that road traffic noise levels would comply with the relevant criteria stipulated in the ECRTN for both the day and night periods. Therefore, no noise mitigation measures are required for the existing residences located on Flowers Drive. The traffic generation from proposed 222 residential dwellings at Catherine Hill Bay (Middle Camp)

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			<p>site would increase commuter peak hour traffic between 20 and 170 vehicles per hour depending on location. The traffic influences on residential amenity would remain well below the RTA's environmental capacity performance standards for additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards.</p> <p>The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp.</p> <p>Coal & Allied has committed to the implementation of a LATM plan, as detailed in the Statement of Commitments.</p>
	<p>I have found much of the application to be inadequate and misleading and request that this application be sent to the Planning Assessment Commission before any approval is given. The present zoning of the land in question would only permit 5 or 6 dwellings on this site not the currently proposed 222 dwellings. ICAC has recommended that the PAC become automatically responsible for all private significant development applications that exceed local development rules by more than 25%. This proposal far exceeds this figure.</p>	<p>I have found much of the application to be inadequate and misleading and request that this application be sent to the Planning Assessment Commission before any approval is given.</p>	<p>This is for the Minister for Planning to determine the final basis of assessment and approval</p> <p>The subject land is proposed to be rezoned to permit the proposed residential dwellings, as well as to enable the transfer of a significant land holding to the NSWG for conservation in perpetuity.</p> <p>Any development consent sought by Coal & Allied is required to be applied for under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the proposal.</p>
Ambergg	No, no, no.	No, no, no.	<p>The proposal has been prepared in accordance with the relevant strategic state planning policy and will be assessed having regard to this framework.</p>
Anonymous 16 Dec 2010	<p>We are writing to comment on the above proposal and totally oppose its intention to develop the proposed lands, the majority of which is already zoned environmental protection, if approved by the State and Federal Government. We do however applaud the intention to hand over the land for conservation in perpetuity. We are gravely concerned by species and biodiversity loss and further fragmentation for the Wallarah Peninsula. Coal & Allied are not acting in the best interests of conservation due to the losses and increased human impact that would occur if this proposal were to be approved.</p>	<p>Oppose the intention to develop the proposed lands, the majority of which is already zoned environmental protection. Applaud the intention to hand over the land for conservation in perpetuity.</p> <p>Coal & Allied are not acting in the best interests of conservation due to the losses and increased human impact that would occur if this proposal were to be approved.</p>	<p>The proposal enables the dedication of 525.87ha of land for conservation purposes, which is crucial to the achievement of the State Government's objective to secure major conservation corridors identified in the LHRS and LHRCP, most notably the Wallarah Peninsula Corridor. Only 28.2ha is proposed for urban development.</p> <p>Dedication of these lands to the NSW Government will ensure that they are conserved in perpetuity, held as National Park or Nature Reserve and will not be subject to future private development or rezonings.</p> <p>The proposed dedication and rezoning of the conservation land will not fragment the Wallarah Peninsula Corridor.</p>
	<p>Our family reside in Nords Wharf and we are quite familiar with the true Biodiversity contained within the Wallarah Peninsula that needs to be seen as a whole, including the development threats of Murray and Pinny beach developments to the north and the proposal from Rose Property Group Ltd. Gwandalan and Catherine Hill Bay. We trust these developments are also taken into consideration.</p>	<p>Impacts of other proposed developments at Murray and Pinny beach to the north, Rose Group Property Group Ltd and Gwandalan and Catherine Hill Bay need to be taken into consideration.</p>	<p>The cumulative impacts of the subject proposal and other proposals in the locality have been assessed as part of the Concept Plan and State Significant Site Listing applications before the DOP.</p>
	<p>The extremely high conservation value of the Wallarah Peninsula has been established by field studies both by the applicant and the NSW DECC. The trade off for development rights and handover of conservation lands by the state government is too high a price to pay for what habitat would be lost, it is not going to enhance and conserve the biodiversity of the Wallarah Peninsula but deplete and put it under threat of significant impact through removal and fragmentation of vital habitat and the increased human impact and increased risk of fire. The area contains vulnerable and threatened species protected both under the NSW and Commonwealth legislation that together form part of the unique biodiversity. A friend who was an environmental scientist that worked on the Wallarah Peninsula, said to be concerning these developments 'yea its called death by a thousand cuts'. These few words encapsulated what has been happening for the Wallarah Peninsula and yet again by these proposals.</p>	<p>The trade off for development rights and handover of conservation lands by the state government is too high a price to pay for what habitat would be lost</p> <p>The area contains vulnerable and threatened species protected both under the NSW and Commonwealth legislation that together form part of the unique biodiversity.</p>	<p>The LHRS identifies the need for development offsets to secure the dedication of key conservation lands to secure habitat corridors. The proposal enables the dedication of 526ha of land for conservation purposes, which is crucial to the achievement of the State Government's objective to secure major conservation corridors identified in the LHRS and LHRCP, most notably the Wallarah Peninsula Corridor.</p> <p>Dedication of these lands to the NSW Government will ensure that they are conserved in perpetuity and will not be subject to future private development.</p> <p>Rezoning of the land from 7(1) under LMCC to E1 as proposed will significantly reduce the range of development permissible on the site, thereby increasing the conservation value of the land proposed for dedication.</p> <p>Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The siting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact.</p> <p>A significant environmental landscape benefit is associated with this proposal being the conservation in perpetuity of the proposed offset lands. This is an immeasurable public and conservation benefit that will consolidate the future landuse within the subject areas across the Wallarah Peninsula.</p>
	We would like to request that the State Government sources its	We would like to request that the State Government sources	The recommendations of IHAP have been taken into consideration in completing the Concept Plan

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	own information and to make its own independent assessment of the losses that would occur with this proposal. The last report from the Independent hearing and assessment panel, raised concerns of deficiencies and discrepancies in the EA that need to be fully investigated.	its own information and to make its own independent assessment of the losses that would occur with this proposal.	The DOP will undertake its own assessment of the proposal and its determination will be made on this basis.
	Our nation is facing a rate of species extinction never known before. It is largely contributed to human impact and developments such as this. This referral will not maintain or impact the current habitat but reduce it and introduce a higher risk of human impact on the Wallarah Peninsula. This outcome is not appropriate for the environment. The loss of habitat most of which is old growth and pressure would adversely impact pollination, foraging and roosting sites around EECs which are the living force of these communities. Coal & Allied propose to adversely impact on 3 of them by development how is this defensible. It would introduce competition for fauna species and would have a significant impact on flora and fauna contained in them both protected under the NSW and Commonwealth Acts. We believe that species protected under both Acts form part of and rely on each other to coexist in this unique eco system and need to be addressed together.	We believe that species protected under NSW and Commonwealth Acts form part of and rely on each other to coexist in this unique eco system and need to be addressed together.	Extensive ecological survey and impact assessment has been undertaken to inform the CHB proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The sighting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact. The conservation estates will offer an abundance of high quality habitat for known threatened species, populations and ecological communities that is currently not in public ownership. This consolidation of biodiversity and its conservation will make a significant positive contribution to the enduring protection of the regions ecology.
	In the last couple of years (blank) found 2 dead Powerful Owls in the Nords Wharf area. That was 2 in a 5 month period and helps demonstrate the increasing pressure that exists for the Wallarah Peninsula and raises the question of what protection is offered for threatened species. Issues relating to human impact on the Wallarah Peninsula are in my submission to the Independent Hearing and Assessment Panel NSW Gov. Please take some time to flick through the presentation to get a visual of what we see is happening to our beautiful and unique area.	what protection is offered for threatened species	The conservation estates will offer an abundance of high quality habitat for these species; that is currently not in public ownership and as such could be affected by a range of differing potential landuses such as mining, which would have a much greater impact on the landscape and biodiversity than what is currently proposed.
	<p>As well as the above issues we request that Coal & Allied address and demonstrate that the following impacts and concerns we have for the Wallrah Peninsula relating to the proposed development will not have a significant impact in perpetuity for the species that it contains that are protected under the NSW State Legislation and the EPBC Act:</p> <ul style="list-style-type: none"> The loss of old growth forested areas and foraging opportunities and the effects on species protected under the State Legislation and the EPBC Act. The fact that when the 3 proposals are combined there will be severe environmental impacts from development on 3 established EECs Gwandalan, Nords Wharf and Middle Camp. What will be the life expectancy of these critical habitats of Biodiversity? Where else are they represented? The loss and impact on EECs that have a direct link to species protected under both Acts. Any loss of threat of loss of a habitat should only be used once within the Wallarah Peninsula as 'offset' lands. Impacts of species that are forces out of these developments and forces to compete in remaining habitats. The social loss of an area that is a place for people to come and regenerate the spirit. There is little development and people can walk and relax and spend time in some really unique habitats and coastline. We would lose this with the impending proposals and once it is lost it is lost forever. It needs to be protected. Placing developments in a high fire risk area. Address recent habitat loss and impacts from the fire in Moonee Valley Lake Munmorah National Parks area approx February 2009. All the concerns and impacts that have been raised by the 	<p>Request that C&A Address the following in respect to the proposal and demonstrate that there will not be a significant impact in perpetuity:</p> <ul style="list-style-type: none"> The loss of old growth forested areas and foraging opportunities and the effects on species protected under the State Legislation and the EPBC Act. The fact that when the 3 proposals are combined there will be severe environmental impacts from development on 3 established EECs Gwandalan, Nords Wharf and Middle Camp. What will be the life expectancy of these critical habitats of Biodiversity? Where else are they represented? The loss and impact on EECs that have a direct link to species protected under both Acts. Any loss of threat of loss of a habitat should only be used once within the Wallarah Peninsula as 'offset' lands. Impacts of species that are forces out of these developments and forces to compete in remaining habitats. The social loss of an area that is a place for people to come and regenerate the spirit. There is little development and people can walk and relax and spend time in some really unique habitats and coastline. We would lose this with the impending proposals and once it is lost it is lost forever. It needs to be protected. Placing developments in a high fire risk area. Address recent habitat loss and impacts from the fire in Moonee Valley Lake Munmorah National Parks area approx February 2009. All the concerns and impacts that have been raised by 	<p>The DECCW response to the DoP in relation to this development is as follows:</p> <p><i>"DECCW has reviewed the Ecological Assessment Report – Lower Hunter Lands Catherine Hill Bay (Middle Camp) (RPS, November 2010) and other information contained within the State Significant Site (SSS) listing, and is satisfied that the issued Director General's key assessment requirements for biodiversity impact have been adequately addressed.</i></p> <p><i>The key assessment requirements require the proponent to demonstrate that biodiversity impacts can be appropriately offset in accordance with the NSW Government's policy for 'improvement or maintenance' of biodiversity values. The EA report shows compliance with this requirement through the use of the DECCW offsetting principles identified in the Lower Hunter Regional Conservation Plan. The use of this qualitative 'principles-based' approach does not provide a quantitative assessment of biodiversity impact and adequacy of proposed offsets, such as could be determined through use of the BioBanking Assessment Methodology under the Biodiversity Banking and Offsets Scheme.</i></p> <p><i>Nonetheless, the offset proposal is shown to be in compliance with the DECCW offsetting principles including through avoidance of impacts by using prevention and mitigation measures, the offsets are underpinned by sound ecological principles, will result in a net improvement in biodiversity over time, provide "like for like" offsets for impacted vegetation communities and threatened species, and are strategically located to strengthen the existing conservation reserve network."</i></p> <p>Regarding Bushfire, the assessment and approval of the concept plan will be assessed under Part 3A by DoP based on the submission received RFS (and any subsequent managed APZ assessment RFS will consider the nature and extent of development including proposed ameliorative measures proposed and their acceptability to the service. The proponent will be guided by this assessment.</p> <p>The VPA includes a schedule of works, outlining the activities that will be undertaken by Coal & Allied prior to transfer of conservation land to NSWG.</p> <p>The registered Aboriginal stakeholder groups will be involved in the ongoing heritage works to occur for the project. The Cultural Heritage Management Plan will ensure that continued consultation occurs and will involve the Registered stakeholder groups in any subsequent cultural heritage work.</p>

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	<p>public and stakeholders regarding this development that were submitted previously to the State Government on an Environmental, Social and Economic level.</p> <ul style="list-style-type: none"> Human impact and Fragmentation of the Wallarah Peninsula habitats inclusive of Murray and Pinny beach, Rose Property Group Ltd and current developments in the area. Impacts on the marine flora and fauna species found in Crangan Bay, Catherine Hill Bay beach, Moonee and Ghosties Beach Nords Wharf and the associated wetlands. Addressing the current state of lands in regards to rubbish, erosion and weed infestation should be the responsibility of the current land owners. <p>The traditional owners are fully involved in this proposal.</p>	<p>the public and stakeholders regarding this development that were submitted previously to the State Government on an Environmental, Social and Economic level.</p> <ul style="list-style-type: none"> Human impact and Fragmentation of the Wallarah Peninsula habitats inclusive of Murray and Pinny beach, Rose Property Group Ltd and current developments in the area. Impacts on the marine flora and fauna species found in Crangan Bay, Catherine Hill Bay beach, Moonee and Ghosties Beach Nords Wharf and the associated wetlands. Addressing the current state of lands in regards to rubbish, erosion and weed infestation should be the responsibility of the current land owners. <p>The traditional owners are fully involved in this proposal.</p>	<p>Potential stormwater impacts at Catherine Hill Bay to flora and fauna would be managed by treatment of stormwater before discharge from the site. This would be achieved by implementation of Water Sensitive Urban Design (WSUD) practices. The results of the numerical modelling have shown that the proposed WSUD strategy together with the flood plain management would adequately satisfy the requirements of the LMCC guidelines (DCP 1), the LMCC Floodplain Management Policy and the NSW Floodplain Development Manual for management of stormwater quantity, quality and flooding at the Catherine Hill Bay (Middle Camp) site.</p>
Eamon Holligan 116 Victoria Street Fairfield QLD	<p>I would like to voice my extreme opposition to the proposed development in Catherine Hill Bay. I have been a frequent visitor to the town for many years. The proposed development is an issue that affects many more people than those who live in the town. I believe that the town is part of the cultural heritage of this country - small, vibrant and healthy coastal communities that are a cornerstone to our cultural identity. This is a heritage that which we risk losing entirely if such developments continue to wipe out all trace of such communities.</p>	<p>This is a heritage that which we risk losing entirely if such developments continue to wipe out all trace of such communities.</p>	<p>C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p>
	<p>The proposed development would completely dwarf the existing community. I don't believe the character of Catherine Hill Bay, the charming community as it has always been, would survive the development.</p> <p>Please don't sell off our country's cultural identity.</p>	<p>I don't believe the character of Catherine Hill Bay, the charming community as it has always been, would survive the development.</p>	<p>The proposed desired future character takes its cues from the simple forms of the existing houses at Catherine Hill Bay. However, the design approach was not to replicate the existing houses but provide a modern interpretation in accordance with the Burra Charter. As such, the 'new' development will be readily recognisable without having a significant visual impact. The vegetation buffer and siting in a natural valley will assist in maintaining a clear understanding of the 'old' Middle Camp.</p> <p>Two storey buildings are located sensitively in response to the landform and visual impact. Single storey buildings are located on ridges. Along Flowers Drive the two storey components of the houses are to be located to the rear of the lot behind a significant landscape buffer. It is noted that there are numerous examples of existing two storey developments in the Catherine Hill Bay locality.</p> <p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape</p>
Frances Whitfield 21 Dakara Drive Frenchs Forest	<p>This project is too large for the environment and too close to a unique habitat! We shouldn't spoil the feel of this unique spot on our coast!</p>	<p>This project is too large for the environment and too close to a unique habitat! We shouldn't spoil the feel of this unique spot on our coast!</p>	<p>Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The sighting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact.</p> <p>There is in fact a significant landscape benefit associated with this proposal being the conservation in perpetuity of the proposed offset lands. The conservation lands represent a vast diversity of coastal and lakeside environs that are currently poorly represented in conservation holding within the region.</p>
Wayne De Marco 250 Pitt Town Road Kenthurst	<p>The mine subsidence assessment report does not provide conclusive evidence that the areas proposed for residential use are safe or suitable for such use. The report is old and does not take into consideration worst case historical rain periods.</p> <p>The report itself recommends further site investigations are required to determine the suitability for residential development.</p> <p>No test drilling has been undertaken in area A. Because the old records indicate no mining has occurred on the eastern side of Flowers Drive does not guarantee that that this area has not been worked, in fact the former workings could be any where on this site.</p> <p>THIS PROPOSAL SHOULD NOT PROCEED UNTIL THE SAFETY OF PEOPLE AND PROPERTY CAN BE</p>	<p>The mine subsidence assessment report does not provide conclusive evidence that the areas proposed for residential use are safe or suitable for such use.</p>	<p>Sites underlain by mine workings are regularly subject to surface development in the region. The mine subsidence board (MSB) applies restrictions to development to reduce the risk of damage to property and is required to repair subsidence related damage to any properties if it does subsequently occur.</p> <p>The absence of workings in Area A is not based solely on mine records, other factors have been taken into account, including:</p> <ul style="list-style-type: none"> The geology and topography of the site indicates that the worked coal seam is not present in this location (it outcrops outside this area) There is no evidence of subsidence, which would be expected if there was a significant risk of pothole subsidence Other historical information and discussions with former miners indicate no workings were undertaken in this area.

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	ABSOLUTELY ASSURED.		Additional drilling is required to confirm the extent of remedial works required on site to reduce the risk of mine subsidence to a level acceptable to the MSB. Development will not proceed until the remedial works required by the MSB are completed.
	The proposed E4 zoning on the eastern side of Flowers drive should instead be zoned E2 to provide a better conservation outcome for this important area.	The proposed E4 zoning on the eastern side of Flowers drive should instead be zoned E2 to provide a better conservation outcome for this important area.	<p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p> <p>Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p>
	If any residential development was to occur on this site a detailed development control plan specifically tailored for this unique location should be implemented. The complying codes sepp is totally unsuitable for this development. The approval process should not proceed until a suitable development control plan is developed .	If any residential development was to occur on this site a detailed development control plan specifically tailored for this unique location should be implemented.	<p>If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the 'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.</p> <p>The SSS Study states that the SEPP (Exempt and Complying Codes) 2008 cannot be relied upon for the construction of new single storey and two storey dwelling houses. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines.</p> <p>Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp).</p>
	Why rezone at all? The present zoning works well, and offers a suitable level of environmental protection. What's wrong with Private conservation land anyway? DONT REZONE... LEAVE IT ALONE	The present zoning works well, and offers a suitable level of environmental protection.	The lands proposed to be dedicated to the NSWG for conservation will be zoned to reflect the highest conservation value of that land – E1 National Park and Nature Reserve. Rezoning of the land from 7(1) under LMCC to E1 as proposed will significantly reduce the range of development permissible on the site, thereby increasing the conservation value of the land proposed for dedication.
	<p>This proposal should not be considered on its own, as there are five development sites on exhibition at present, namely, Middle camp , Catherine Hill Bay, Nords Wharf and two sites at Gwandalan. As these sites have many factors in common including, infrastructure, mine subsidence and sensitive conservation values.</p> <p>The Minister should not proceed with the approval of any of these projects until a co-ordinated approach is achieved. The cumulative effects of developing these five sites must be diligently assessed. This surely must be a priority.</p>	This proposal should not be considered on its own, as there are five development sites on exhibition at present, namely, Middle camp , Catherine Hill Bay, Nords Wharf and two sites at Gwandalan.	<p>The cumulative impacts of all proposed development sites have been considered in the assessment of the concept plan by the consultant team. For this reason, the State Significant site criteria have been triggered due to the extent of residential development proposed and quantum of land proposed to be dedicated to the NSWG.</p> <p>Concept Plans have considered the merits offer to the NDSWG, the potential impacts and the services, traffic and infrastructure on a cumulative basis.</p> <p>Cumulative impacts have been assessed and coordinated by C&A with other developments in the area. Appropriate strategies have been agreed with LMCC (Sec 94 Contributions, HWC and RTA) C&A agree that assessment of the cumulative issues was a priority and have accordingly instigated appropriate actions.</p>
David Miller 25 Marine Parade Nords Wharf	Developments are too large for the existing size of the villages. They will increase the sizes by too large a degree without improvements in amenities and destroy the character of the small villages.	Developments are too large for the existing size of the villages	<p>The concept plan has been designed having regard to the scenic, environmental, physical and heritage characteristics of the precinct. The proposed residential area will be visually and physically removed from the existing Middle Camp village and Flowers Drive. The proposed desired future character of the development takes its cues from the simple forms of the existing houses at CHB. The design approach was not to replicate them but to provide a modern interpretation.</p> <p>The proposal will enable the dedication of 526ha of land to the NSWG for conservation purposes in perpetuity.</p> <p>The Infrastructure services report accompanying the EA demonstrates that the proposed residential area can be adequately serviced.</p>
	There are inadequate roads and parking in this narrow strip of land especially at Catherine Hill Bay. Too much traffic with no improvement in roads.	There are inadequate roads and parking in this narrow strip of land especially at Catherine Hill bay.	<p>For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road.

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			<p>Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only.</p> <ul style="list-style-type: none"> Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. <p>The above upgrade would provide satisfactory level of service to traffic operation.</p>
	Development at Catherine Hill Bay will ruin the historic look and feel of the town.	Development at Catherine Hill Bay will ruin the historic look and feel of the town.	<p>C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> The setting of Middle Camp is maintained by retaining vegetated ridges. Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting Heritage items are retained and reinterpreted in the open space framework Dwelling types are designed to be sympathetic to the existing village
Sue Ehinger 25 Nords Wharf Road Nords Wharf	Any development in Middle Camp should be similar to existing houses so that the spirit and feel of the village is consistent throughout. We have too few historic villages in Australia. Please do not spoil this one.	Any development in Middle Camp should be similar to existing houses so that the spirit and feel of the village is consistent throughout.	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The design, material and colour palette of the built form is designed to be sympathetic with and to celebrate the existing character and fabric of the Catherine Hill Bay area. The idea is not to mimic the existing heritage but to interpret it with contemporary design.</p> <p>See B2,Urban Design Guidelines: Catherine Hill Bay Middle Camp.</p>
MG Cannon & ALC Mehra 3.97 Drumalbyn Rd Bellevue Hill (4 Lindsley St Catherine Hill Bay)	Development applications should never have been allowed in the first place. The area is unique in terms of heritage, aesthetics, culture and beauty – and close to residential areas so as to allow visitation to this special place by all types of groups, at minimal cost. Why would a government of decency allow this to be destroyed, in particular when the area was identified by experts* as being the least suitable for development? As originally planned through robust consultation between government and the community, the area in question should have been re-vegetated to pristine bush once mining ceased.	Development applications should never have been allowed in the first place The area in question should have been re-vegetated to pristine bush once mining ceased.	<p>All land owners are allowed under the EP&A Act to seek development consent for development of their land, within the bounds of the relevant legislation.</p> <p>The subject application has been lodged in accordance with the provisions of Part 3A of the Environmental Planning and Assessment Act and is being assessed under the relevant provisions. Each development application is to be assessed on its merits having regard to the planning controls applicable to the land.</p>
	In terms of heritage, the area is no less different to that of The Rocks in Sydney and Sydney Harbour Foreshore – well protected, albeit after community pressure, which is the point. Community outrage against greed-driven proposals is surely something to be taken notice of by a democratic government of decency.	Community outrage against greed-driven proposals is surely something to be taken notice of by a democratic government of decency.	As with all development applications, submissions received during the public notification period are to be considered in the assessment of the proposal.
	If development is allowed, by whatever inappropriate means, then at the very least it should complement what is already in place. And in no way should it be allowed to destroy the integrity of the heritage, or the peaceful lifestyle of the owners and	If development is allowed it should complement what is already in place	Appropriateness of the proposal for the land will be assessed by the DoP having regard to the proposal put forward by the proponent and submissions received during the public notification. The DoP will assess the merits of the case against the relevant planning legislation and assessment framework.

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	residents. The proposed Plans fail to address this protection, as outlined in detail to DoP by the Catherine Hill Bay Progress Association & Dune Care Inc (CHBPA), and despite the appreciated bestowment of State Heritage to the old villages of Catho.		The Concept Plan was prepared after extensive constraints mapping and occupies areas already or previously disturbed.
	Access Of particular concern is the matter of road access and transport. No public transport of significance is planned or sustainable. This means that the majority of access will be by motor vehicle. And in this regard, i.e. roads for those vehicles, the plans do not address the impediment on owners/residents of noise, safety and damage. It is unbelievable in today's society, with all the knowledge and expertise of planning behind us, that an organisation could – in clear arrogance – overlook this issue. CHBA's objection provides detail.	No public transport of significance is planned or sustainable.	The area is serviced directly by Busways Route 99 which runs from Lakehaven Shopping Centre and Swansea. The Busway operator was consulted regarding upgrades to the service. Busways advised that bus services were continually under review and that more frequent services would be considered as additional residential development occurs in Catherine Hill Bay, Gwandalan and Nords Wharf. A noise analysis has been undertaken based on the anticipated traffic generation. The results of the analysis showed that the forecast increased noise levels will fall within acceptable limits (as set by the RTA?). The traffic and noise influences on residential amenity would remain satisfactory with the additional traffic.
	Design and Buffer Zones Two storey residences!? They have to be joking. Clearly the developer has no respect for the State Heritage significance, or importance of it. Consultation by community (and its representatives) with the developer certainly took place, but it was condescending at best). The buffer zone proposed between the heritage and new is totally inadequate. Again, arrogance — arrogance that, if appropriate laws and planning guidelines were in place, could well be prevented. If laws or regulations are in place, and the developers have simply ignored them, then you know what has to be done.	Two storey development is inappropriate The buffer zone is inadequate	Design of the residences and buffer zones has regard to the heritage studies undertaken for the site. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. The width of the buffer is 15m on public land plus an additional 8m on private land (with a covenant requiring no building within this area) providing a total buffer of 23m which is proposed to extend the full length of Area A fronting Flowers Dr . The northern half of the buffer length will be a managed APZ (approximately half the Flowers Dr frontage). The screening that will be provided in the buffer will provide a substantial visual screen designed to be managed as an APZ for the northern half of the frontage. The approach from the north into the township along Flowers Drive will maintain a predominantly natural landscaped approach through the implementation of the landscaped buffer which will include some of the currently degraded areas. The 2 nd storey of the 'small house courtyard lots' is to be located at the rear of the dwelling with the front of the house being only one storey in height along the Flowers Drive frontage. This along with the wide landscape buffer reduces the visual impact of the proposed housing.
SAMSA Consulting (on behalf of Catherine Hill Bay Progress Association)	There would need to be traffic management measures to ensure that through traffic from Montefiore St does not travel vial Clarke and Lindsley Streets but via Hale Street and then Flowers Drive. The assessment does not provide any evidence of suitable traffic management measures to protect the existing local street network.	There would need to be traffic management measures to ensure that through traffic from Montefiore St does not travel vial Clarke and Lindsley Streets but via Hale Street and then Flowers Drive.	The Coal & Allied development in Middle Camp would have "no" impact on Clarke St and Lindsley St. The traffic influences on residential amenity would remain satisfactory with additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory.
	It is not clear how traffic arriving form the north (via Pacific Highway) to access Catherine Hill Bay would be discouraged from using Flowers Drive and/or encouraged to use Montefiore St. This issue is particularly pertinent if the Coal & Allied development proceeds at Middle Camp. Flowers Drive is likely to experience a significant increase in traffic flows and it is not clear whether current road conditions on Flowers Drive (pavement, road width, traffic controls) would be satisfactory. It is noted that there is no capacity to widen the current Flowers Drive road reserve through the Middle Camp village area because most dwellings are built to their front boundary and, in some instances, driveway grades already exceed suitable gradients. It is understood that Montefiore St is to be upgraded to provide a 3.5m wide travel lane and 2.0m wide shoulder in both directions. It is assumed that it would have an 80km/h speed limit.	It is not clear how traffic arriving form the north (via Pacific Highway) to access Catherine Hill Bay would be discouraged from using Flowers Drive and/or encouraged to use Montefiore St. Flowers Drive is likely to experience a significant increase in traffic flows and it is not clear whether current road conditions on Flowers Drive (pavement, road width, traffic controls) would be satisfactory.	A new signal at Montefiore St would provide alternate safer access. In addition, the traffic study identified the need for a LATM measure on Flowers Drive (through Middle Camp) which would discourage through traffic via Flowers Drive. Coal & Allied has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village as detailed in the Statement of Commitments. The traffic influences on residential amenity would remain satisfactory with additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory.
	Given the size of the proposed Rose Group and Coal & Allied developments and the associated traffic impacts either of them	The Rose Group and Coal & Allied developments should not proceed without suitable traffic mitigation measures.	The traffic influences on residential amenity would remain satisfactory with additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's

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	<p>would cause, the developments should not proceed without suitable traffic mitigation measures.</p> <p>As a minimum, the future road network needs to protect the existing local villages. A potential impact mitigation measure would be to provide a road network that is independent of the existing Middle Camp and Main Camp areas. This would allow Flowers Drive to serve as an alternative local road route only. However, great care would need to be taken when designing such a network to avoid any environmental impacts (refer Environmental and Heritage reports).</p> <p>Access to the beach has also not been adequately addressed in a manner that mitigates negative impacts on Flowers Drive and Northwood Road. Access to Moonie Beach is poor with only one road access to the track and no parking.</p>	<p>The future road network needs to protect the existing local villages. A potential impact mitigation measure would be to provide a road network that is independent of the existing Middle Camp and Main Camp areas.</p> <p>Access to the beach has also not been adequately addressed.</p>	<p>environmental capacity performance standards, which is satisfactory.</p>
	<p>Both the Hyder and Halcrow reports have focussed on higher level access to Pacific Highway from the CHB area, and not on the lower level access (local street network) within CHB itself. It is considered the local street network would have significant impacts from the proposed development, particularly with respect to exceeding local road environmental capacity.</p>	<p>It is considered the local street network would have significant impacts from the proposed development, particularly with respect to exceeding local road environmental capacity.</p>	<p>The traffic influences on residential amenity would remain satisfactory with additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory</p>
	<p>Both Hyder and Halcrow reports characterise Flowers Drive as a collector road with respect to environmental capacity criteria. While this may be the case for Flowers Dr between Pacific Highway and Middle Camp Village, through the village Flowers Drive is a local street with narrow road reserve and limited cul-de-sac streets running off it. Environmental capacity criteria in this case should be for a local street not an urban collector road as is the general intent of RTA's environmental capacity guidelines. The difference between local street criteria (max 200-300 vehicles per hour) against collector street criteria (max 300-500 vehicles per hour) is significant in this case, particularly during peak periods through the year and even more so during summer peak periods eg beach days.</p> <p>Moreover, environmental capacity is partly subjective in that the environmental expectations of residents vary significantly. To paraphrase from RTAs 'Guide to Traffic Generating Developments', 'environmental capacity is best estimated by considering a range of differing perceptions and attitudes to traffic impacts in a particular area'. For a quiet local village area such as Middle Camp with normally very low traffic volumes, environmental capacity expectations are likely to be significantly less than for a suburban Sydney street for example, where traffic volumes are higher and more sustained. Hence, the adoption of collector road criteria for Flowers Drive environmental road capacity is considered to be incorrect, particularly along its section through the Middle Camp village area.</p>	<p>Environmental capacity criteria for that part of Flowers Drive through the Middle Camp Village should be for a local street not an urban collector road as is the general intent of RTA's environmental capacity guidelines.</p> <p>For a quiet local village area such as Middle Camp with normally very low traffic volumes, environmental capacity expectations are likely to be significantly less than for a suburban Sydney street for example, where traffic volumes are higher and more sustained.</p>	<p>A new signal at Montefiore St would provide alternate safer access. In addition, the traffic study identified the need for a LATM measure on Flowers Drive (through Middle Camp) which would discourage through traffic via Flowers Drive. Coal & Allied has committed to a LATM for Flowers Dr between the northern and southern ends of the Middle Camp village as detailed in the Statement of Commitments.</p> <p>The traffic influences on residential amenity would remain satisfactory with additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory.</p>
	<p>There is significant inconsistency between the Hyder and Halcrow reports with respect to future traffic flows when both developments are operational. This would result in inconsistent and/or incorrect impact assessment results – refer to Table 4.1 in the Halcrow report and Figure 3.3 in the Hyder report. This highlights the need for a consolidated report for the whole area identifying all possible cumulative traffic generation.</p>	<p>Inconsistencies between the Hyder and Halcrow traffic reports with respect to future traffic flows when both developments are operational highlights the need for a consolidated report for the whole area identifying all possible cumulative traffic generation.</p>	<p>For cumulative traffic growth, Hyder's analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be restricted to left in/left out only. Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. The above upgrade would provide satisfactory level of service to traffic operation. <p>Halcrow's report appears to suggest the same improvements as stated above.</p>
	<p>The Hyder report uses surveys undertaken during July 2007 (winter) and then factors in 10% additional traffic to take into account seasonal summer holiday traffic. The 10% increase is</p>	<p>The Hyder report uses surveys undertaken during July 2007 (winter) and then factors in 10% additional traffic to take into account seasonal summer holiday traffic.</p>	<p>The analysis found that the weekend traffic on Flowers Drive and Montefiore Street about 30% and 40% higher than weekday traffic respectively. The 10% increase (uplift factor) was added to reflect the seasonality factor from July counts to December.</p>

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	based on nearby Pacific Highway seasonal variations. It is inaccurate to assume that Catherine Hill Bay traffic flows during the summer peris minim those of Pacific Highway. Anecdotal evidence suggests that summer traffic flors in Catherine Hill Bay and along Flowers Drive are significantly greater than he 10% increase assumed.	Anecdotal evidence suggests that summer traffic flors in Catherine Hill Bay and along Flowers Drive are significantly greater than he 10% increase assumed.	The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied.
	Both the Hyder and Halcrow reports have based their impact assessment on traffic flow peaks that may not be worst case scenarios. For example, weekend traffic flows along Flowers Drive have been down to be anywhere between 60% and 73% higher (refer Table 2.9 in Hyder report) to approximately 30% higher (refer Table 2.9 in Hyder report) than those in weekdays depending on which report is interpreted.	Both the Hyder and Halcrow reports have based their impact assessment on traffic flow peaks that may not be worst case scenarios	The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied.
	In evaluating traffic generation, all traffic in the area should be considered. This includes both the Coal & Allied and Rose development proposals as well as other developments in the general area – understood to be at least 15,000 people in new developments in Catherine Hill Bay, Nords Wharf, Gwandalan, Murrays Beach, Warnervale and Munmorah. Catherine Hill Bay will likely be the main beachside attraction to these new residents and consequently, weekend traffic in particular is likely to increase significantly.	In evaluating traffic generation, all traffic in the area should be considered. This includes both the Coal & Allied and Rose development proposals as well as other developments in the general area.	The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied.
	In Section 4.1 of the Halcrow report, an average trip generation rate of 0.65 vehicle trips per dwelling was used for weekday peak hour traffic generation, when the guideline rate from RTA's 'Guide to Traffic Generating Developments' is 0.85 vehicle trips per dwelling for 'dwelling houses'. The lower traffic generation rate has the effect of reducing traffic generation numbers and hence, potential traffic-related impacts derived by the Halcrow report, eg for the proposed 556 dwellings, the Halcrow report calculated that the trip generation would be 362 vph during the peak period, however the trip generation would be 473 vph if the 0.75 trip generation rate was used. The report justified the lower traffic generation rate because it <i>'reflects an expectation that because of the location of the site, a significant number of trips generated by the dwellings will be purpose ones made away from the area. The absence of major shops or similar facilities in the area would encourage residents to be more efficient in travel habits.'</i> This justification is subjective and needs to be substantiated with traffic generation survey data from a comparable development for the lower traffic generation rate to be legitimate and applicable to the subject development. Moreover, the Hyder report for the Coal & Allied development also used RTA traffic generation rates. It should be noted that these RTA rates are general in nature and the surveys upon which they are based are typically <i>'conducted in areas where new residential subdivisions are being built.....With new subdivisions, where standard lots are given, some additional allowance may be made for dual occupancy and group homes, where there are sufficient numbers of these types of residences.'</i> There has not been any sensitivity or 'worst case' scenario provided for traffic generation from each of the developments with the result that traffic generation may have been under-estimated and traffic-related impacts reduced.	The Hyder report for the Coal & Allied development also used RTA traffic generation rates. It should be noted that these RTA rates are general in nature. There has not been any sensitivity or 'worst case' scenario provided for traffic generation from each of the developments with the result that traffic generation may have been under-estimated and traffic-related impacts reduced.	For assessing the worst case situation, Hyder used peak hour trips based on the RTA's trip generating guide "The Guide to Traffic Generating Developments", RTA 2002. A conservative trip generation rate for dwellings of 0.85 vehicle trips per peak hour was adopted.
	In the Hyder report, it is unclear why the results of intersection modelling for the Montefiore St/Pacific Highway intersection have remained the same for the base case scenario (Table 3.3) and the Coal & Allied Middle Camp development scenario (Table 3.4) when there has been an increase in traffic volumes through the intersection.	In the Hyder report, it is unclear why the results of intersection modelling for the Montefiore St/Pacific Highway intersection have remained the same for the base case scenario and the Coal & Allied Middle Camp development scenario when there has been an increase in traffic volumes through the intersection.	The traffic model shows minor impact on the operation of Montefiore St/Pacific Highway intersection from additional traffic from Coal & Allied development. The LoS was predicted "B" for both base case and development case scenarios.

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	Development should not be considered until road network and associated traffic management issues have been resolved. This includes the timing of Pacific Highway intersection upgrades and when they would occur with respect to the staging of proposed development in the area.	Development should not be considered until road network and associated traffic management issues have been resolved.	Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer.
	The Hyder report states that there is suitable northbound sight distance along Pacific Highway to sight any highway U-turn movements at the Nords Wharf Road intersection (refer page 44). Available northbound sight distance on the highway is only approximately 140m but 180m is required to achieve safe intersection sight distances (SISD) at this location taking into account the slight upgrade. Therefore, the premise that U-turns are appropriate and sage at this location is not substantiated.	The Hyder report states that there is suitable northbound sight distance along Pacific Highway to sight any highway U-turn movements at the Nords Wharf Road intersection (refer page 44). Available northbound sight distance on the highway is only approximately 140m but 180m is required to achieve safe intersection sight distances (SISD) at this location taking into account the slight upgrade.	A U-turn facility will be provided at Nords Wharf Road to reduce the travel distances heading north.
	The issue of beach parking and access at both ends of the beach has not been suitably addressed. There has been no resolution of parking space numbers and the potential effects that this additional public parking may have on traffic generation to/from beach areas and through the existing villages of CHB and Middle Camp. The effects due to the increased demand from a larger residential population and visitors to the area are considered to be significant. In particular, for the Middle Camp area, beach parking and access would affect Northwood Road, which is currently an extremely low volume local access street.	The issue of beach parking and access at both ends of the beach has not been suitably addressed. There has been no resolution of parking space numbers and the potential effects that this additional public parking may have on traffic generation to/from beach areas and through the existing villages of CHB and Middle Camp.	Local residents would generally be within walking or cycling distance of the beach, and so would not tend to generate a significant number of additional vehicle trips.
	There is insufficient resolution of public transport (bus) services that are proposed to cater for the new developments, with only basic detail on the permeability and circulation of public transport (buses), particularly for the Coal & Allied Middle Camp development.	There is insufficient resolution of public transport (bus) services that are proposed to cater for the new developments.	Discussion will be held with the bus operator and road network will be designed for a bus service. Details to be included in subsequent works application.
	As previously noted, with few exceptions there are no street frontage setbacks in the existing Main Camp and Middle Camp village areas of CHB, ie Clarke St, Hale St, Flowers Drive, Northwood Road. When traffic volumes increase, this has the potential to significantly increase impacts pertaining to road safety, amenity and noise, especially if the road network does not bypass these sensitive areas.	When traffic volumes increase, this has the potential to significantly increase impacts pertaining to road safety, amenity and noise, on the streets where houses have minimal street frontage setbacks, especially if the road network does not bypass these sensitive areas.	The traffic influences on residential amenity would remain satisfactory with additional traffic. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory.
	It is noted that pedestrians currently walk along the Flowers Drive carriageway. Due to topographic site conditions and heritage attributes, the introduction of footpaths along Flowers Drive would be problematic, if at all possible. Through the introduction of traffic calming devices or other means, the speed limit for traffic along Flowers Drive should be significantly reduced to create a 'shard zone' to ensure pedestrian and cyclist safety.	Through the introduction of traffic calming devices or other means, the speed limit for traffic along Flowers Drive should be significantly reduced to create a 'shard zone' to ensure pedestrian and cyclist safety.	The proposed LATM measure has been included in Coal & Allied's Statement of Commitments. Details to be included in subsequent works application.
Catherine Hill Bay Progress Association	<p><u>Justification</u></p> <p>The justification that the proposed development should progress because of the conservation of 93% of the site is not agreed. The land is zoned 7(1) Conservation (Primary) and 7(4) Environmental (Coastline) pursuant to LEP 2004. These zones provide a high level of protection to the site.</p> <p>The development proposed in the Concept Plan is contrary to the objectives of the 7(1) and 7(4) zones.</p> <p>While the current proposal involves rezoning the land, the Environmental Assessment ('EA') report does not assess the proposal against the current zone objectives applying to different parts of the site or justify non-compliance with zone objectives.</p>	The CHB Progress Association does not agree with the justification provided namely that 93% of the site will be conserved and the departure from the zoning of the land.	<p>The proposal seeks a rezoning of the land to enable part of the land to be redeveloped for residential purposes, and part of the land to be dedicated to the NSWG for conservation purposes.</p> <p>Whilst the objectives of the 7(1) zone are addressed in the EA report, a rezoning proposal is to be assessed against the strategic planning policy for the locality, not the existing controls which are proposed to be amended.</p> <p>In this regard, the proposal is consistent with the provisions of the LHRS and LHRCP which identifies the subject land for future urban development and future conservation land dedication.</p> <p>Rezoning of the proposed conservation land from 7(1) to E1 will increase the conservation protection of the land, removing the development potential which it is currently afforded under LMCC LEP.</p> <p>Under the E1 zoning, no development or subdivision would be allowable. Transfer of this land from private to public ownership enables the proposed E1 zoning to be applied. This is not possible on privately owned land.</p>

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	<p><u>Proposed Zoning</u></p> <p>The proposed rezoning of the 7(1) Conservation (Primary) to E1 National Parks and Nature Reserves, E1 easements, E2 Environmental Conservation, E4 Environmental Living, R2 Low Density Residential and RE1 Public Recreation is largely contradictory to the objectives of the 7(1) Conservation (Primary) and 7(4) Environmental (Coastline).</p> <p>CHB Progress Association have been advised verbally by Andrew Donald (Senior Strategic Planner) Lake Macquarie City Council that although the draft LEP 2011 will not be on exhibition until early 2011, Council are proposing that the majority of Catherine Hill Bay (with the exception of the Cemetery and some community facilities) be zoned E2 Environmental Conservation with the exception of land that already developed which will be given the R2 Low Density Residential Zoning.</p> <p>The rezoning proposed by Coal and Allied contradicts both the existing and proposed zoning of the site as given by LMCC.</p>	<p>The proposed rezoning is not consistent with the existing conservation and environmental zoning.</p> <p>The draft LEP 2011 proposes to rezone the CHB area for E2 Environmental Conservation.</p>	<p>The proposal seeks a rezoning from the existing planning controls, and as such an assessment is to be made against the strategic planning documents applying to the site, not the existing zoning which is proposed to be amended.</p> <p>In this regard, the proposal is consistent with the provisions of the LHRS and LHRCP which identifies the subject land for future urban development and future conservation land dedication.</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p>
	<p><u>Lake Macquarie Lifestyle 2020 and LEP 2004</u></p> <p>The initial clearing of approximately 28 hectares of conservation land is inconsistent with the aims of the 2020 Strategy to conserve and enhance the natural environment.</p> <p>We feel the proposal should not be supported. However if the proposal were to be supported we request that the concept plan should not be approved until such time that the Lifestyle 2020 report be updated accordingly and adopted by Council prior to the Minister granting approval.</p> <p>Clause 17 of the LMLEP 2004 outlines the provision of essential infrastructure required for development. This has been addressed within the Concept Plan however the consideration of the impacts of the provision of infrastructure, under clause 17(b) has not been addressed.</p>	<p>The proposal is not consistent with the aims of the LM Lifestyle Strategy and LEP 2004 and the LM Lifestyle Strategy should be updated if the proposal is to be approved.</p>	<p>The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.</p> <p>In accordance with s117 directions, Lake Macquarie City Council is to revise the planning controls in its LEP to reflect the provisions of the LHRS.</p> <p>Clause 17(b) of the LMLEP 2004 states:</p> <p>"Consent must not be granted for development on any land to which this plan applies unless the consent authority:.... has considered the impacts of the provision of that infrastructure on the land to which the development application relates"</p> <p>The proposed extension to infrastructure services will extend from those services already existing and servicing the Catherine Hill Bay township. Strategies for servicing have been approved by Hunter Water.</p> <p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p>
	<p><u>Environmental Concerns</u></p> <p>Very little information within the Ecological Assessment Report (EAR) prepared by RPS dated November 2010 has changed to that previously contained within the EAR prepared by Harper Somers O'Sullivan (now RPS) dated 2007.</p> <p>It is evident a large portion of information contained within the EAR dated November 2010 (we estimate 99%) is identical and therefore we are of the opinion many of the findings of the review prepared by Mr John Travers are also relevant to the project.</p> <p>The concept plan overemphasises the quantum of dedication of offset land versus quality of dedication, particularly the shape of conservation land at the corridor west of Estate B.</p> <p>The report is deficient in repeatedly asserting without evidence or rational argument, that becomes much of each foraging area,</p>	<p>Inadequate ecological information is provided and some of the information provided is incorrect as it relates to EAR.</p> <p>The ecological assessment is "deficient" as it makes assertions which are not founded or justified.</p>	<p>The key determining authority being DECCW has clearly stated the following in its response to the DoP.</p> <p><i>DECCW has reviewed the Ecological Assessment Report – Lower Hunter Lands Catherine Hill Bay (Middle Camp) (RPS, November 2010) and other information contained within the State Significant Site (SSS) listing, and is satisfied that the issued Director General's key assessment requirements for biodiversity impact have been adequately addressed.</i></p> <p><i>The offset proposal is shown to be in compliance with the DECCW offsetting principles including through avoidance of impacts by using prevention and mitigation measures, the offsets are underpinned by sound ecological principles, will result in a net improvement in biodiversity over time, provide "like for like" offsets for impacted vegetation communities and threatened species, and are strategically located to strengthen the existing conservation reserve network.</i></p>

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	<p>habitat, suitable soil etc, exists elsewhere in the conservation lands, the risks to wildlife can generally be dismissed.</p> <p>The Estate B development will change the shape of the adjacent national park and cut the essential wildlife corridor by more than half, from about 900m wide to under 300m wide and maybe less.</p> <p>The CHBPA position is that insufficient information is provided so that the Director-General could estimate the value of the conservation lands once all impacts of development and roads are assessed. This leaves the minister uninformed about whether the offset lands will actually be of benefit to the state.</p>		
	<p><u>Bushfire Threat</u></p> <p>The Progress Association considers it unwise to approve bushfire-prone developments while other strategies which do not include such bushfire threat are available in the broad land use policies of the state.</p> <p>The precautionary principle should also question the wisdom approving this location for medium density housing when it is known that climate change is markedly increasing the risk of bushfire.</p>	<p>The location of the proposed development is not suitable given bush fire considerations.</p>	<p>The assessment and approval of the concept plan and overall development is the responsibility of the NSW RFS. They will consider the nature and extent of development including proposed ameliorative measures proposed and their acceptability to the service. The proponent will be guided by this assessment.</p>
	<p><u>Concept Plan and Heritage</u></p> <p>The large area on the eastern side of Middle Camp proposed to be a 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 is historically has been an open public common and green space dotted with a few unfenced miners cottages. We believe that this area should be zoned E2 as described in the Standard LEP Template. This would provide appropriate environmental protection and could be tailored to enable the retention of existing dwellings. Refer to attachment 3.</p> <p>IHAP repeatedly confirmed that there should be no development in the area formerly identified as Area D and historically known as Slack Alley.</p> <p>Much of the area proposed to be zoned E4 ('Slack Alley') played an important part in the coal-mining history the Hunter. It was the site of a large coal dump that resulted from the use of 'scab' labour during the coal strike.</p> <p>It is absolutely necessary that this land known as Slack Alley and the common land behind the houses on the eastern side of Flowers Drive be owned and managed by DECCW, NPWS or the Lake Macquarie City Council. While the land is retained by Coal & Allied, its future is uncertain. Clearly C&A is not a conservation land management organisation and its only a question of time until they come back with the proposal to develop the area for housing. Other viable alternative land management options could include a Trust established under the Nature Conservation Trust Act or a Voluntary Conservation Agreement with NPWS.</p> <p>From their reports, it appears that Coal & Allied regard the heritage significance of the State Listed Heritage Township only in terms of streetscape and fails to understand the relational nature of heritage places and their settings.</p> <p>Furthermore, it is readily apparent that the proposed fragmented precincts A and B will impact on the historic village of the Heritage Conservation Area. At very least a Conservation</p>	<p>The CHB Progress Association recommend that the are of land on the eastern side of Middle Camp be zoned E2 and that development in the area known as Slack Alley be prohibited.</p> <p>The land should be managed by an independent authority or a newly created one and not Coal and Allied.</p> <p>The heritage assessment has failed to address the heritage value of the place and setting. A Conservation management Plan for the Heritage Conservation Area should be requested.</p>	<p>The heritage values of Middle Camp and Catherine Hill Bay have carefully informed the development of the Concept Design. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. The Cultural Heritage Management Plan to be prepared will include heritage issues relevant to the Conservation Areas.</p> <p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p>

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	management Plan for the Heritage Conservation Area should be requested.		
	<p><u>Urban Design and Built Form</u></p> <p>The Concept Plan and Urban Design Guidelines for Catherine Hill Bay prepared by Allen Jack + Cottier for Coal & Allied lacks specific design approaches for proposed development within the visual cartilage of the existing settlement.</p> <p>No consideration has been given to Section 2.4 of DCP No.1 - Catherine Hill Bay Heritage conservation Area and the LMCC Heritage guidelines.</p> <p>The Urban Design Guidelines proposed in the application are totally inadequate. They provide limited guidance for the design of roads but even less information or commitment to deliver design excellence in the built form.</p> <p>The development of land adjacent to Middle Camp requires a robust design review process and ore detailed controls if a sympathetic built outcome and appropriate streetscapes are to be achieved. A detailed Developmental Control Plan is required to set higher standards not only for design of roads and parks but also for buildings.</p> <p>Furthermore, the Progress Association is of the opinion any future Development Applications ("DA"s) should be reviewed by a Design Review Panel similar to the assessment process in place for DA's within the Vintage Development in the Cessnock LGA.</p>	<p>The concept plan and urban design guidelines are inadequate and lacking in detail and fail to address Section 2.4 of DCP 1.</p> <p>A detailed DCP should be required for the area and it is suggested that development applications be reviewed by a Design Panel.</p>	<p>If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the 'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.</p> <p>The HIA recommends inclusion of heritage guidance in the Design Guidelines as heritage is one of the key urban design principles underpinning the Concept Plan.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> ▪ The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. ▪ The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. ▪ Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. ▪ Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> ▪ The setting of Middle Camp is maintained by retaining vegetated ridges. ▪ Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. ▪ Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting ▪ Heritage items are retained and reinterpreted in the open space framework ▪ Dwelling types are designed to be sympathetic to the existing village
	<p><u>Transport and Accessibility</u></p> <p>The application incorrectly addresses the impact of traffic on the Heritage village and on the safety and amenity of its residents. Our concerns in relation to traffic volumes created by the proposed developments and the associated safety and noise impacts on residents have previously been brought to your attention in earlier submissions and our letter of 16 May 2009. This current application has not resolved the matters raised.</p> <p>We believe that this approach has underestimated the increase in traffic as it does not take into account the significant seasonal variation in traffic flows and weekend flows are some 30% to 40% higher than weekday flows. Traffic analyses should be based on peak conditions.</p> <p>We also note that the traffic reports have defined Flowers Drive as a Collector Road. Flowers Drive clearly has the characteristics and purpose of a local road.</p>	<p>The traffic assessment is inadequate and does not appropriately address heritage concerns.</p> <p>The approach adopted in the traffic report has underestimated the increase in traffic as it was undertaken during off-peak times.</p> <p>Flowers Drive is a local road and not a collector road.</p>	<p>The analysis found that the weekend traffic on Flowers Drive and Montefiore Street about 30% and 40% higher than weekday traffic respectively. The 10% increase (uplift factor) was added to reflect the seasonality factor from July counts to December.</p> <p>The traffic influences on residential amenity would remain satisfactory even if beach traffic volumes were significantly higher than commuter traffic. The RTA's Environmental Capacity performance standards for residential streets would still be satisfied. The post development traffic on Flowers Drive will be less than the environmental goals for residential street.</p>
	<p><u>Noise Impact</u></p> <p>The estimated traffic flows established by the Hyder report understimate the increase in traffic as they are based on the flow over a winter weekend despite weekend traffic flows being up to 40% higher and summer flows being 10% higher than winter. The noise report is also based on these projections.</p> <p>Even despite the inaccurate forecast of traffic volumes the predicted noise levels exceeds the standards as per the EPA standard.</p>	<p>Non-compliance with the EPA noise standard, despite the inaccurate calculation of noise based on traffic flows calculated during off peak times.</p>	<p>The analysis was based on the traffic information for a collector road, and the noise criteria are complied with.</p> <p>Reference is made to Tables 3 and 4 of the technical memo prepared by Renzo Tonin & Associates (ref. TD261-14F01 (rev 0), dated 11 Ocotber 2010), which present the exsiting and future traffic noise levels, respectively impacting on existing residential receivers along Flowers Dr in Middle Camp.</p> <p>These receivers are as follows:</p> <ul style="list-style-type: none"> ▪ Receiver R1 – Representing the north western side of Middle Camp ▪ Receiver R2 – Representing the north eastern side of Middle Camp ▪ Receiver R3 – Representing the south western side of Middle Camp <p>From Table 3 it can be seen that exsiting noise levels at Receivers R2 and R3 are within 2dB(A) of the applicable criterion for the daytime period; therefore, future traffic noise levels should not be greater than 2dB(A) of these existing levels. Simarly, this is the case for Receiver R3 during the</p>

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			<p>night time period.</p> <p>From Table 4, the future noise levels during the day time period exceed the target noise criteria or allowance criteria by 1dB(A), while for the night period, no exceedances of these criteria are predicted.</p> <p>To mitigate the 1dB(A) exceedance, a noise wall is not considered feasible, given that all the dwellings through Middle Camp front onto Flowers Drive. Therefore, the only option would be to treat the buildings. In order to reduce noise levels by 1dB(A) internally, simply closing the windows and providing fresh air ventilation would be sufficient. Infact, by closing the wndows, a reduction of up 10dB(A) internally would be possible.</p>
	<p><u>Mines</u></p> <p>Expert opinion provided suggests that the mine risk assessment is not a true risk assessment and that therefore residential development on this land is no appropriate as it would entail some risk. Further an explanation of the assessment is requested.</p>	<p>Provide explanation of mine risk assessment given that advice has been received to the contrary.</p>	<p>The report is not intended to be a risk assessment in accordance with the Australian Standard. The scope of the report is based on consultation with the Mine Subsidence Board (MSB) and their requirements for investigations and assessment. The suitability of the land for development is ultimately assessed by the MSB based on their requirements.</p> <p>Remedial works will be carried out across much of the site to eliminate the risk of pothole subsidence, as required by the MSB.</p>
	<p><u>Visual Impacts</u></p> <p>Severe visual impacts will result from the inadequate buffer between the Flowers Drive and precinct A.</p> <p>The proposal does not comply with:</p> <ul style="list-style-type: none"> LMCC Scenic Protection Guidelines 2004 DCP No.1 – “Scenic Management Zone A” <p>Clarification fo visual intrusion into Precinct A is requested.</p>	<p>Non-compliance LMCC Scenic Protection Guidelines 2004 and DCP 1.</p> <p>Clarification regarding the visual intrusion into Precinct A.</p>	<p>A visual impact assessment was prepared which demonstrates that the proposal will not be visually intrusive on the existing township of Catherine Hill Bay, nor the Stage Heritage listed area of the town.</p>
	<p><u>Future Public Land</u></p> <p>It is 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 (or a newly created Trust). Coal and Allied is not capable of the management of sensitive conservation land.</p> <p>Coal and Allied have an obligation to remidate the land both underground and above ground at their own cost.</p>	<p>Request that the land around Slack Alley be owned and managed by an independent authority or a newly created entity and not the proponent.</p>	<p>The E4 land is proposed to be retained in ownership by Coal & Allied to maintain the existing landowner relationship with the current tenants.</p> <p>Further, whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.</p>
	<p><u>State Significant Contributions</u></p> <p>The listing of CHB as State Significant Site undermines the conservation values assigned by its zoning</p> <p><u>The Progress Association has concerns with the proposed draft Schedule 3 of the CHB SSS Listing by Urbis as it is lacking in detailed controls in relation to design of future development.</u></p>	<p>Concern for the SSS listing and the proposed draft Schedule of the CHB SSS Listing prepared by Urbis.</p>	<p>The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP).</p> <p>On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.</p> <p>The proposal allows for the transfer of 849ha to the NSWG in perpetuity for conservation purposes, in accordance with s93F of the EP&A Act.</p> <p>This offset equates to 88% of the Coal & Allied landholdings, in accordance with DECCW requirements.</p> <p>The SSS listing includes the high level development controls that would otherwise be included in a LEP. Detailed design controls for built form are contained in the Urban Design Guidelines which will inform the design of buildings on this site.</p>
	<p><u>VPA Inadequacies</u></p> <p>The VPA is inadequate as it fails to take the remediation obligations into account.</p> <p>The Statement of Commitments inadequately addresses the need to ameliorate the traffic impacts on existing residents and the conservation of the common land behind houses on the eastern side of Flowers Drives and the land around “Slack</p>	<p>Concern for lack of consideration of the remediation in the VPA and the traffic impacts and conservation of land in the Statement of Commitments.</p>	<p>The mining lease has been relinquished by Lake Coal and all conditions have been complied with to the satisfaction of the NSWG. There are no outstanding remediation obligations. The VPA sets out the schedule of works that Coal & Allied will undertake with respect to the conservation offset land.</p> <p>For cumulative traffic growth, the analysis suggested that proposed upgrades with the Pacific Highway comprising the following modifications would be required:</p> <ul style="list-style-type: none"> Cams Wharf Road/ Flowers Drive: maintain right turn from Pacific Highway to Cams Wharf Road. Ban right turn from Cams Wharf Road to Pacific Highway. Flowers Drive traffic will be

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	Alley".		<p>restricted to left in/left out only.</p> <ul style="list-style-type: none"> Montefiore Street: provide a seagull intersection with full access to Montefiore Street and traffic signal control on the Pacific Highway southbound and Montefiore Street. <p>The above upgrade would provide satisfactory level of service to traffic operation.</p> <p>The traffic data suggests that traffic influences on residential amenity would remain satisfactory. The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp. Coal & Allied have committed to implementation of LATM, as detailed in the Statement of Commitments.</p>
	<p><u>Conclusion</u></p> <ul style="list-style-type: none"> Concept Plan fails to adequately address the heritage significance of Catherine Hill Bay and the relevant Council controls. There a number of inconsistencies in the documentation. The inadequacy of the mine subsidence risk assessment. Information in the Ecological assessment is not accurate and is out of date. The SSS Listing is contradictory and undermines the conservation values as per the zoning. The VPA is inadequate as it fails to take into account the remediation obligation and the unacceptable impacts. <p>For the above reasons the Progress Association requires that the minister require the proponent to respond to these issues raised and submit revised documentation. In addition the Progress Association requests that the minister refer the application to the Planning Assessment Commission as the proposal would exceed the permissible development pursuant to Schedule 2 of LEP 2004 by greater than 25%.</p> <p>The Progress Association requests that the application be refused.</p>	<p>The Progress Association requires that the minister require the proponent to respond to these issues raised and submit revised documentation. In addition the Progress Association requests that the minister refer the application to the Planning Assessment Commission as the proposal would exceed the permissible development pursuant to Schedule 2 of LEP 2004 by greater than 25%.</p> <p>The Progress Association requests that the application be refused.</p>	<p>This document constitutes a response to submissions received during the public exhibition process. If required, a Preferred Project Report will be prepared outlining any amendments required by the DoP.</p>
Australian Institute of Architects	<p>In its submission regarding the draft South Wallarah Peninsula SEPP dated 25 August 2010 the Institute expressed the view that 'the SEPP mechanism should only be used for policies that have state-wide application'¹ and that site-specific SEPPs do not meet this threshold.</p> <p>The same principle applies to the present application for the listing of Middle Camp as a State significant development site. In the Institute's view, both are mechanisms aimed at providing legitimacy for development proposals that should never have been considered for this environmentally sensitive area.</p>	<p>The SEPP mechanism should only be used for policies that have state-wide application¹ and that site-specific SEPPs do not meet this threshold.</p> <p>Both are mechanisms aimed at providing legitimacy for development proposals that should never have been considered for this environmentally sensitive area.</p>	<p>The site specific SEPP referred to by the AIA applies to land to the south of the Coal & Allied land. The Coal & Allied Land is not subject to this SEPP.</p> <p>SEPPs are applicable to sites and regions at a number of scales. SEPP Major Development applies to the state, yet provides for the identification of individual State Significant Sites which then form part of the SEPP provisions.</p> <p>SEPP Major Development and Part 3A of the EP&A Act form part of the planning framework applicable to the site and the proposed development.</p> <p>The Catherine Hill Bay (Middle Camp) site has been recognised for its regional significance to the Lower Hunter Region based on its inclusion in the Lower Hunter Regional Strategy (LHRS) for proposed urban development and conservation. The securing, protection and management of conservation corridors is a key focus of both the LHRS and the companion Lower Hunter Regional Conservation Plan (LHRCP).</p> <p>On 15 July 2010 the Minister formed the opinion that the Coal & Allied southern estates are potentially of State Planning significance and therefore are to be considered as potential SSSs under Schedule 3 of the Major Development SEPP 2008.</p> <p>As such, the application is made in accordance with these policies and will be assessed on its merits.</p>
	<p>The Executive Summary of the proponent's Request for Listing – Schedule 3 SEPP Major Development states that 'Coal & Allied propose to develop 28.2ha of Catherine Hill Bay (Middle Camp) for residential development with a maximum yield of 222 dwelling lots. The balance of the Catherine Hill Bay site (526.58ha or 93%) is proposed to be dedicated to the New South Wales Government for conservation purposes'.² This amounts to a total area of 554.78ha. But this number is at odds</p>	<p>The areas stipulated in the EA report as being dedicated to NSWG are inconsistent</p>	<p>The Land Transfer Plan at Appendix R to the EA report outlines in detail the areas comprising the application.</p> <ul style="list-style-type: none"> 526ha is proposed to be transferred to the NSWG for conservation purposes. 28ha is proposed to be redeveloped for residential purposes 2.3ha is proposed to be dedicated to LMCC for open space purposes 12.4ha is proposed to be retained by Coal & Allied

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	with the total area of 568.93ha quoted on Page 4 of the same document, a difference of 14.15ha.		
	<p>Despite the Executive Summary's statement regarding the future conservation status of 93% of the land the recommended zonings for Catherine Hill Bay include an E4 Environmental Living zone to the east of the existing Middle Camp village for 'Attached dwellings where edged heavy black and identified as "Attached dwellings", or "Multi dwelling housing" on the Additional Permitted Uses Map'.</p> <p>The Additional Permitted Uses Map APU 002 in the report appendices does not show the E4 zone, but it is shown on the Proposed Zones map and the Height of Buildings map. This is an area specifically identified by the Government-appointed Independent Hearing and Assessment Panel as unsuitable for development (see below).</p>	<p>The area proposed for E4 zone is specifically identified by the Government-appointed Independent Hearing and Assessment Panel as unsuitable for development</p>	<p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p> <p>The 'Additional permitted uses' map does not apply to the E4 land. Permissible uses will be as outlined in the SSS written instrument.</p>
	<p>The Independent Hearing & Assessment Panel (IHAP) appointed by former Planning Minister Frank Sartor delivered a report on its findings on 2 June 2008. The IHAP observed that the Middle Camp village and its setting represent 'a precinct of exceptional aesthetic, landscape, social and cultural landscape heritage significance... it is unique, representing a largely intact 19th 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'.⁴</p> <p>The IHAP's observation has been supported and reinforced by the subsequent listing of Catherine Hill Bay and Middle Camp on the State Heritage Register.</p> <p>While acknowledging 'that there is potential for residential development' in the areas to the north and north-west of Middle Camp village known as Sawmill Camp and Colliery Hamlet, the IHAP also recommended that 'development should not proceed' in precincts to the south west and south east, 'having regard to the significance of this land in providing a visual, cultural and landscape connection between Middle Camp Village in the north and Catherine Hill Bay Village in the south'.⁵ The E4 zone identified in SSS Listing Report is the south-east area identified as unsuitable by the IHAP.</p> <p>The Institute supports the IHAP's recommendation that the E4 zone is unsuitable for development.</p>	<p>the IHAP also recommended that 'development should not proceed' in precincts to the south west and south east, 'having regard to the significance of this land in providing a visual, cultural and landscape connection between Middle Camp Village in the north and Catherine Hill Bay Village in the south'.⁵ The E4 zone identified in SSS Listing Report is the south-east area identified as unsuitable by the IHAP.</p> <p>The Institute supports the IHAP's recommendation that the E4 zone is unsuitable for development.</p>	<p>No development is proposed in the identified E4 land. The existing development on the land, however, will remain in situ.</p>
	<p>The Institute is not opposed to development in the existing Middle Camp village, but considers that development should be incremental and spaced over a lengthy period of time and in sympathy with the existing modest one-storey character of the area.</p> <p>The Institute's view is that intensive residential development of the kind proposed by Coal & Allied at Sawmill Camp and Colliery Hamlet is inappropriate for this remote location and should not proceed; if it does the Institute supports the following recommendation by the IHAP that the development:</p> <ul style="list-style-type: none"> be contained to previously disturbed lands or lands adjoining disturbed areas that are not of heritage, environmental, ecological or scenic significance; ensure adequate separation from the existing Middle Camp Village to preserve the integrity and setting of the existing village; 	<p>If development is to proceed at Sawmill Camp and Colliery Hamlet, the Institute supports the recommendation by the IHAP that the development</p> <ul style="list-style-type: none"> be contained to previously disturbed lands or lands adjoining disturbed areas that are not of heritage, environmental, ecological or scenic significance; ensure adequate separation from the existing Middle Camp Village to preserve the integrity and setting of the existing village; be designed according to best practice planning principles; be screened from view from Flowers Road, the beach, the existing village of Middle Camp, the existing village of Catherine Hill Bay and other significant vista points; provide for a significant landscape buffer (minimum 30 metres) separating the development from Flowers Drive, 	<p>The HIA mitigation measures address these recommendations.</p> <p>Development lands have been identified through a rigorous site analysis process and have been deemed appropriate.</p> <p>A detailed Project Application addressing these items will follow, should the Concept Plan be approved.</p>

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	<ul style="list-style-type: none"> be designed according to best practice planning principles; be screened from view from Flowers Road, the beach, the existing village of Middle Camp, the existing village of Catherine Hill Bay and other significant vista points; provide for a significant landscape buffer (minimum 30 metres) separating the development from Flowers Drive, Middle Camp Village and any new proposed bypass road; and provide for development within a landscape setting by retaining significant trees and minimising tree loss. A Significant Tree audit should be conducted and this should inform the final subdivision layouts and permissible building areas on each lot.'6 	<p>Middle Camp Village and any new proposed bypass road; and</p> <ul style="list-style-type: none"> provide for development within a landscape setting by retaining significant trees and minimising tree loss. A Significant Tree audit should be conducted and this should inform the final subdivision layouts and permissible building areas on each lot.'6 	
	<p>The applications propose insufficient controls aimed at achieving the highest possible level of design excellence for future development, given the State Heritage Register listing and the environmental sensitivity of the area. Urban design guidelines are not enough; a site-specific development control plan should also be prepared.</p> <p>The Institute also considers that it is inappropriate to apply the Exempt and Complying Development SEPP for development in this area. The merit-based assessment process should be mandatory. In addition, a design review panel should be established to provide high level design advice to the consent authority.</p>	<p>The applications propose insufficient controls aimed at achieving the highest possible level of design excellence for future development, given the State Heritage Register listing and the environmental sensitivity of the area. Urban design guidelines are not enough; a site-specific development control plan should also be prepared.</p> <p>It is inappropriate to apply the Exempt and Complying Development SEPP for development in this area</p>	<p>Design Guidelines form part of the Concept Plan from AJC. These will form the basis for a future DCP to inform any future project application.</p> <p>In the SSS study, the SEPP (Exempt and Complying Codes) 2008 is not be relied upon for the construction of new single storey and two storey dwelling houses.. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines.</p> <p>Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp).</p>
Agency Submissions			
Rural Fire Service		<p>The Service has assessed the application and considers the plans to be unsuitable to verify the advice within the application or to properly determine compliance with the requirements of 'Planning for Bush Fire Protection'. The following issues have however been identified based on the information provided.</p>	<p>The Bushfire Threat Assessment has been prepared using the current guidelines and industry best practice. Specifically, Planning for Bushfire Protection (2006) and the updated AS3959-2009 Appendix 3.</p>
	<p>Estate A</p> <ul style="list-style-type: none"> Asset protection zones to the south–east have not been considered; Dead end roads are proposed and are greater than 200 metres in length; Road widths do not comply with table 4.1 of 'Planning for Bush Fire Protection'; Perimeter roads have not been provided. 	<p>Estate A</p> <ul style="list-style-type: none"> Asset protection zones to the south–east have not been considered; Dead end roads are proposed and are greater than 200 metres in length; Road widths do not comply with table 4.1 of 'Planning for Bush Fire Protection'; Perimeter roads have not been provided. 	<p>There is no APZ requirement in this location, as outlined in the BTA, workshop park will be a managed landscape.</p> <p>The road is not considered to be greater than 200m when measured from the cross-road. Further investigation can be made into this at the time of development application as this is a concept appraisal only</p> <p>It should be noted that further approval is required for the final road and lot layouts and subdivision whereby further detail of road corridors and parking bays will be provided. It should be noted that if the proposal cannot accommodate roads to RFS requirements, a performance based assessment will be required and carried out as part of any future project application approvals.</p> <p>The cul-de-sacs are connected by an existing fire trail in the south-east. Furthermore perimeter roads while a preference are not mandatory.</p>
	<p>Estate B</p> <ul style="list-style-type: none"> Asset protection zones to the east have not been considered; The single entry access road is a potential pinch point which has not been addressed; Road widths do not comply with table 4.1 of 'Planning for Bush Fire Protection'; 	<p>Estate B</p> <ul style="list-style-type: none"> Asset protection zones to the east have not been considered; The single entry access road is a potential pinch point which has not been addressed; Road widths do not comply with table 4.1 of 'Planning for Bush Fire Protection'; 	<p>There is no APZ requirement in this location, as outlined in the BTA, workshop park will be a managed landscape. Furthermore the retained vegetation is situated within a managed area. Furthermore the perimeter road coupled with a building set back for the potentially affected lots provides a 25m APZ.</p> <p>There are 2 points of egress. The formal entry road and the southern connection which is an existing fire trail which can accommodate an emergency vehicle.</p> <p>It should be noted that further approval is required for the final road and lot layouts and subdivision whereby further detail of road corridors and parking bays will be provided. It should be noted that if the proposal cannot accommodate roads to RFS requirements, a performance based assessment will be required and carried out as part of any future project application approvals.</p>
Hunter Water 15 Dec 2010	<p>Water Supply System</p> <p>To service Catherine Hill Bay and Middle Camp with potable</p>	<p>The servicing strategy identified a preferred location for the reservoir to be at the corner of Montefiore Street and pacific</p>	<p>The location of the reservoir was considered the most appropriate during the development of the water supply strategy. The location of the new reservoir has been agreed by Hunter Water and has</p>

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	water, a new reservoir will be required. The servicing strategy identified a preferred location for the reservoir to be at the corner of Montefiore Street and Pacific Highway, Catherine Hill Bay. This land is currently owned by DECCW. Hunter Water owns a site at Catherine Hill Bay that was previously considered as a potential location for a reservoir. The new site is better located to service the development more efficiently and will result in significant environmental benefits, as opposed to locating a reservoir at the old site.	Highway, Catherine Hill Bay.	been included in the approved Water Servicing Strategy for the area.
	<p>Hunter Water and DECCW have agreed in principle to a land swap on the condition that any costs associated with the land swap will be fully borne by the developer. In addition, DECCW have nominated the following conditions that may apply for the land swap to be approved:</p> <ul style="list-style-type: none"> ▪ A comparison of the ecological values of both parcels of land and suitability of the existing HWC for inclusion in the DECCW conservation reserve; and ▪ The existing HWC land may require some level of rehabilitation. <p>Pending formal agreement by DECCW to participate in the land swap, the Department of Planning may wish to consider zoning the site at Montefiore Street for infrastructure use.</p>	<p>Hunter Water and DECCW have agreed in principle to a land swap to enable the reservoir to be located at the proposed site, on the condition that any costs associated with the land swap will be fully borne by the developer, with the following conditions:</p> <ul style="list-style-type: none"> ▪ A comparison of the ecological values of both parcels of land and suitability of the existing HWC for inclusion in the DECCW conservation reserve; and ▪ The existing HWC land may require some level of rehabilitation. <p>the Department of Planning may wish to consider zoning the site at Montefiore Street for infrastructure use.</p>	The land swap is to be coordinated between DECCW and HWC – in principle the proposed details have been agreed.
	<p>Sewerage System</p> <p>A servicing strategy has been completed for this area which recommends the optimal provision of infrastructure to serve the development. This infrastructure will deliver flows from the development to Hunter Water's Swansea South wastewater pumping station (WWPS) which will require a developer funded upgrade.</p> <p>To service part of the Rose Group development at Catherine Hill Bay a section of sewer carrier main will be required to be constructed through proposed national park land.. To have minimal impacts on the environment the developer has proposed to construct the carrier main using trenchless technology.</p>		<p>All details noted and included in the strategy as approved by HWC</p> <p>The Sewer Servicing Strategy for the area has been approved by Hunter Water and details required upgrades to the existing sewer network.</p>
Lake Macquarie Council			
	The justification provided for the dedication of lands for conservation purposes discounts the existing protection afforded to these lands by the 7(1) Conservation (Primary) Zone under LMLEP 2004. It is the view of Council officers that nomination of already protected lands for a conservation off-set does not result in any significant gain to the environment. Instead the disturbance caused by the residential development is considered a net loss of environmental values. The justification that the proposed development should progress because of the proposed conservation offset is not agreed. The land is zoned 7(1) Conservation (Primary) (7(1)) and 7(4) Environmental (Coastline) (7(4)). These zones already provide high level of protection for the site, particularly when the proposed development does not comply with the objectives of these zones;	<p>The justification provided for the dedication of lands for conservation purposes discounts the existing protection afforded to these lands by the 7(1) Conservation (Primary) Zone under LMLEP 2004.</p> <p>that nomination of already protected lands for a conservation off-set does not result in any significant gain to the environment. Instead the disturbance caused by the residential development is considered a net loss of environmental values.</p>	<p>Rezoning of the proposed conservation land for dedication to the NSWG from 7(1) under LMCC to E1 as proposed will significantly reduce the range of development permissible on the site, thereby increasing the conservation value of the land proposed for dedication. Presently, the land can be subdivided into 40ha lots, developed for residential purposes and held in private ownership. The E1 zoning will prevent this fragmentation of the land.</p> <p>A significant gain will result in the transfer of land from private to public ownership, to ensure conservation of the land in perpetuity, and to secure the much sought after link to the Wallarah Peninsula conservation corridor, which will provide an inter-regional green buffer separating the Lower Hunter from the Central Coast.</p> <p>The Council will be required to update its LEP pursuant to s117 directions, to comply with the LHRS provisions.</p>
	<ul style="list-style-type: none"> ▪ Council's recent assessment of housing growth targets as part of the Lifestyle 2020 review has found an excess of identified greenfield sites in the city. The LHRS provides for 40% of all new dwellings in Lake Macquarie LGA to be in Greenfield locations, and 60% to be infill developments. LS2020 provides for 70% of dwellings to be detached and 30% attached. Council reconciliation of the LHRS and 	Housing demands in the Lower Hunter region	Housing and residential land to meet the needs of the region covered by the LHRS, included the subject site at Middle Camp. Current supply for land and housing under the LHRS is not meeting latent demand. The required annual supply of housing has fallen behind in terms of timing for delivery.

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	<p>LS2020 provisions has found that:</p> <ul style="list-style-type: none"> approximately 9000 detached housing lots need to be identified in existing urban areas (infill) to meet detached dwelling targets; and an excess of approximately 5000 potential detached housing lots has been identified in greenfield (fringe) locations. 		
	<p>To meet the objectives of supporting centres, and achieve the dwelling targets in the LHRS and LS2020, Lake Macquarie needs significantly more infill development in existing urban areas. Additional greenfield detached residential development is not a high priority.</p> <p>The recent State Heritage Listing for Catherine Hill Bay is considered to recognise the significant attributes of the area that warrant state recognition. It is of concern however that this listing appears to have specifically excluded the area proposed for development by Coal & Allied without any reasonable justification. If this area is to be recognised for its state significance it should be for its historic, environmental and scenic protection not to facilitate development as would appear by the current proposal.</p>	<p>To meet the objectives of supporting centres, and achieve the dwelling targets in the LHRS and LS2020, Lake Macquarie needs significantly more infill development in existing urban areas. Additional greenfield detached residential development is not a high priority.</p> <p>It is of concern however that the State Heritage listing appears to have specifically excluded the area proposed for development by Coal & Allied without any reasonable justification.</p>	<p>A regional strategy that provides land supply over a 25 year period is a matter for the State Government. The State Government has identified areas for land release, as outlined in the LHRS. Whilst infill development may also be needed, the subject site is identified in the LHRS for future urban purposes.</p> <p>While attempts can be made to identify which land parcels will be developed first in order to meet residential targets and which ones last, such forecasts are fraught with the uncertainties of:</p> <ul style="list-style-type: none"> land capability and environmental suitability land ownership (single or multiple) orderly development, consistent with servicing availability likely market demand <p>The subject land is available to be serviced, and will meet a niche market demand for the type of dwellings proposed. It is likely that this housing will be available prior to some of the identified 'infill' areas which may rely on seed funding and be affected by multiple ownership and the resulting problems resulting from required landowner agreements. This would affect the ability of the land to be developed in an orderly manner.</p> <p>C&A supports the current proposed State Heritage Register listing as it will assist with providing ongoing protection of a range of heritage values that include the long mining history of the local area. The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further enhance the heritage values of the local area.</p>
	<p>The concept proposal is considered inconsistent with the NSW Coastal Policy 1997 objectives.</p> <p>The proposal fails to:</p>	<p>The concept proposal is considered inconsistent with the NSW Coastal Policy 1997 objectives.</p> <p>The proposal fails to:</p>	<p>The objectives of the NSW Coastal Policy are addressed in section 5.5 of the EA report. As LMCC does not specify how the proposal does not meet these objectives, it is impossible to address this submission without reiterating the content of the EA report.</p>
	<p>protect areas of high natural or built aesthetic quality;</p>	<p>protect areas of high natural or built aesthetic quality;</p>	<p>The visual setting of the Catherine Hill Bay coastline and foreshore will be maintained. Proposed development areas A and B are appropriately sited away from the foreshore.</p> <p>The approach from the north into the township along Flowers Drive will similarly maintain a predominantly natural landscaped approach through the implementation of landscaped buffers. Landscaped buffer areas are proposed between the proposed developable areas and Flowers Drive.</p>
	<p>design and locate development to complement the surrounding environment and to recognise good aesthetic qualities;</p>	<p>design and locate development to complement the surrounding environment and to recognise good aesthetic qualities;</p>	<p>Design guidelines by AJ+C Architects are proposed to ensure that future development is responsive to the existing natural and built aesthetic character.</p> <p>Future development will be required to meet these guidelines.</p>
	<p>encourage towns to reinforce or establish their particular identities in a form which enhances the natural beauty of the coastal zone;</p>	<p>encourage towns to reinforce or establish their particular identities in a form which enhances the natural beauty of the coastal zone;</p>	<p>The natural beauty of the Coastal Zone and the unique historic character of this coastal hamlet have been key considerations in approaching the structure of the Concept Plan.</p> <p>Proposed developable areas A and B will be discreetly set in a manner that will retain the existing historic identity of the township and the natural beauty of the coastline.</p>
	<p>effectively manage and conserve cultural heritage places and landscapes;</p>	<p>effectively manage and conserve cultural heritage places and landscapes;</p>	<p>The location of proposed developable areas was established taking into account the presence of cultural heritage and environmentally sensitive landscapes.</p> <p>All significant development is proposed outside of the culturally heritage and environmentally sensitive locations.</p> <p>Cultural heritage items are to be retained.</p> <p>The setting of Flowers Drive will also be retained through sensitive siting and buffers to proposed developable areas A and B.</p>
	<p>ensure that future expansion or redevelopment of urban and residential areas, including the provision of infrastructure, avoids or minimises impacts on environmentally sensitive areas and</p>	<p>ensure that future expansion or redevelopment of urban and residential areas, including the provision of infrastructure, avoids or minimises impacts on environmentally sensitive</p>	<p>Proposed development to be focussed on clear, degraded areas of lesser environmental quality.</p>

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	cultural heritage;	areas and cultural heritage;	
	promote compact and contained planned urban development in order to avoid ribbon development, unrelated cluster development and continuous urban areas on the coast;	promote compact and contained planned urban development in order to avoid ribbon development, unrelated cluster development and continuous urban areas on the coast;	Proposed development to be contained within two separate precincts in proximity to established urban areas.
	facilitate consistent and complementary decision making which recognises the three spheres of government; and	facilitate consistent and complementary decision making which recognises the three spheres of government; and	This is a matter for Federal, State and Local Governments.
	ensure Government agencies efficiently and effectively implement the Coastal Policy in a co-ordinated and collaborative manner.	ensure Government agencies efficiently and effectively implement the Coastal Policy in a co-ordinated and collaborative manner.	This is a matter for State Government agencies.
	The LHRS identifies a need for additional residential land in Lake Macquarie. This appears to have been interpreted by the proponent as a green light for adhoc urban expansion. In reality the LHRS adopts a distinctly hierarchical approach to the location of urban growth. Lifestyle 2020 reflects this approach and provides additional guidance on the most appropriate locations within the LGA for expansion. As discussed above while the LHRS has identified this area for housing, recent housing growth assessments completed as part of the Lifestyle 2020 review identify that this is not warranted and that there is currently a need for infill not greenfield sites within the city. Council reiterates the view that the provision of additional residential lots at Catherine Hill Bay (Middle Camp) are not required to meet the targets and objectives of the Lower Hunter Regional Strategy (LHRS). Housing growth is and should continue to be directed toward growth centres such as Glendale, Charlestown, and Morisset that have existing infrastructure and services such that the city is developed in an environmentally, socially, and economically sustainable manner.	while the LHRS has identified this area for housing, recent housing growth assessments completed as part of the Lifestyle 2020 review identify that this is not warranted and that there is currently a need for infill not greenfield sites within the city. The provision of additional residential lots at Catherine Hill Bay (Middle Camp) are not required to meet the targets and objectives of the Lower Hunter Regional Strategy (LHRS).	LHRS has been developed by the NSWG as the primary policy document for establishing development locations over the next 25 years. The LHRS and LHRCP identify the subject land as proposed urban development to cater to the housing needs of the Lower Hunter to 2031, and proposed conservation land dedication. The proposal is entirely consistent with the provisions of the LHRS and LHRCP. Environmental offsets have been provided to enable the objectives of these strategies to be achieved and maintain the environment that is so valued.
	The proposal does not ensure the protection and enhancement of the City's biodiversity The proposal will clear remnant vegetation and high value habitat around Middle Camp and will adversely affect an area with ecological and visual significance. Clearing of bushland at Nords Wharf will also adversely affect an area with ecological and visual significance.	The proposal does not ensure the protection and enhancement of the City's biodiversity The proposal will clear remnant vegetation and high value habitat around Middle Camp and will adversely affect an area with ecological and visual significance. Clearing of bushland at Nords Wharf will also adversely affect an area with ecological and visual significance.	Extensive ecological survey and impact assessment has been undertaken to inform the proposal. This has determined that the proposal will not have a significant impact on the local and regional landscape. The siting of the development estates on the CHB site are to be established in disturbed or previously disturbed lands rather than natural bushland to reduce the overall environmental impact. The conservation estates will offer an abundance of high quality habitat for known threatened species, populations and ecological communities that is currently not in public ownership. This consolidation of biodiversity and its conservation will make a significant positive contribution to the enduring protection of the regions ecology.
	<ul style="list-style-type: none"> The focusing of activities at Centres to maximise accessibility The sites at Nords Wharf and Middle Camp are not located in proximity to established centres and do not propose to develop any additional community facilities. This development will increase car dependency by residents wanting to access services and employment. 	<ul style="list-style-type: none"> The focusing of activities at Centres to maximise accessibility The sites at Nords Wharf and Middle Camp are not located in proximity to established centres and do not propose to develop any additional community facilities. This development will increase car dependency by residents wanting to access services and employment. 	<p>The proposed residential area is located next to an existing township, and is not an isolated development site.</p> <p>The proposed zoning provisions for the R2 land permit the following with consent: child care centres, community facilities, home business.</p> <p>The realisation of these services on the land is a market decision of the individual provider.</p>
	<ul style="list-style-type: none"> The provision of adequate infrastructure, services and facilities associated with new development The proposed development will not provide adequate services, which will result in a major increase in traffic generation as residents travel by car for employment, services and facilities. 	<ul style="list-style-type: none"> The provision of adequate infrastructure, services and facilities associated with new development The proposed development will not provide adequate services, which will result in a major increase in traffic generation as residents travel by car for employment, services and facilities. 	<p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p>
	<ul style="list-style-type: none"> The provision of a wide range of high quality and 	<ul style="list-style-type: none"> The provision of a wide range of high quality and 	The C&A proposal will provide high quality interconnected public open spaces because of the

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	<p>interconnected public open spaces that meet the needs of the community and the natural environment</p> <ul style="list-style-type: none"> The development proposes some additional parkland at Middle Camp within the development footprint, however much of these have been proposed as superlots to be retained in Coal & Allied ownership. This is not considered a secure long term solution as it is likely that over time the sites will be subject to subsequent rezoning and development applications. In Nords Wharf the development does not propose any additional parks or incorporate quality public open spaces for passive and active recreation. 	<p>interconnected public open spaces that meet the needs of the community and the natural environment</p> <ul style="list-style-type: none"> The development proposes some additional parkland at Middle Camp within the development footprint, however much of these have been proposed as superlots to be retained in Coal & Allied ownership. This is not considered a secure long term solution as it is likely that over time the sites will be subject to subsequent rezoning and development applications. In Nords Wharf the development does not propose any additional parks or incorporate quality public open spaces for passive and active recreation. 	<p>dedication of 526ha of conservation land to the NSWG. In addition, the public open spaces shown on the plan are connected through the heritage interpretative railway link.</p> <p>As LMCC has declined to accept the identified public open space parks within the Concept Plan area, they are proposed as superlots to remain within the ownership of Coal & Allied. It is considered that parks are an integral component of good urban design for the proposed Concept Plan and as such it is intended that they form part of the overall final development. However, as the concept plan does not apply for a specific lot or road layout it is intended that the superlots be zoned R2 until such time as the relevant detailed investigations are carried out to enable the final subdivision design to be completed.</p>
	<ul style="list-style-type: none"> The protection of the scenic amenity of the City The substantial addition of lots on the existing population of 153 residents will have a significant impact on the heritage, scenic and environmental values of the area. 	<ul style="list-style-type: none"> The protection of the scenic amenity of the City The substantial addition of lots on the existing population of 153 residents will have a significant impact on the heritage, scenic and environmental values of the area. 	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> The setting of Middle Camp is maintained by retaining vegetated ridges. Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting Heritage items are retained and reinterpreted in the open space framework Dwelling types are designed to be sympathetic to the existing village
	<ul style="list-style-type: none"> The enrichment and fostering of the character, heritage and cultural values within the City Catherine Hill Bay has been recognised for its importance as an historic village. The substantial increase of lots will have a significant impact on the character and style of the historic village and natural environment in which it is located. 	<ul style="list-style-type: none"> The enrichment and fostering of the character, heritage and cultural values within the City Catherine Hill Bay has been recognised for its importance as an historic village. The substantial increase of lots will have a significant impact on the character and style of the historic village and natural environment in which it is located. 	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p>
	<ul style="list-style-type: none"> The promotion of an efficient, accessible and environmentally responsible pattern of development <p>The development does not propose any extension or addition to the public transport system (bus service only) and is isolated from the established Centres of the LGA. Residents will remain dependent on cars for access to employment, services and facilities. Linking employment lands to the growth in the Lower Hunter region generally, is simplistic and ignores the fact that isolation of residential development from employment opportunities will compound dependency on private transport, increase traffic, consumption of non-renewable fossil fuels and associated emission of greenhouse gases. The remoteness from employment, services and community facilities is a fundamental reason behind Lifestyle 2020 identifying Nords Wharf, Cams Wharf and Catherine Hill Bay as unique “hideaway” villages. Since the strategy identifies three areas that are suitable for development as discrete neighbourhoods – between Cams Wharf and Caves Beach – the clear intent is to prevent further development of Nords Wharf and Catherine Hill Bay so that their fundamental character is preserved.</p>	<ul style="list-style-type: none"> The promotion of an efficient, accessible and environmentally responsible pattern of development <p>The development does not propose any extension or addition to the public transport system (bus service only) and is isolated from the established Centres of the LGA. Residents will remain dependent on cars for access to employment, services and facilities. Linking employment lands to the growth in the Lower Hunter region generally, is simplistic and ignores the fact that isolation of residential development from employment opportunities will compound dependency on private transport, increase traffic, consumption of non-renewable fossil fuels and associated emission of greenhouse gases. The remoteness from employment, services and community facilities is a fundamental reason behind Lifestyle 2020 identifying Nords Wharf, Cams Wharf and Catherine Hill Bay as unique “hideaway” villages. Since the strategy identifies three areas that are suitable for development as discrete neighbourhoods – between Cams Wharf and Caves Beach – the clear intent is to prevent further development of Nords Wharf and Catherine Hill Bay so that their fundamental</p>	<p>Availability of public transport services will be reviewed by the relevant service provider, and upgraded to cater for increased demand when this is available.</p> <p>In accordance with s117 directions under the EP&A Act, Lake Macquarie City Council is to revise the planning controls in its LEP to reflect the provisions of the LHRS.</p> <p>C&A was a major contributor to the 2009 study conducted by Department of Investment and Industry, into employment opportunities on the Wallarah Peninsula.</p>

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		character is preserved.	
	<p>The objectives of LMLEP 2004 are to promote balanced development and implement the 2020 Strategy. As outlined earlier, the site was zoned 7(1) and 7(4) under LMLEP 2004. The objectives of the 7(1) zone are to preserve areas of significant vegetation and habitat and conserve, enhance and manage corridors to facilitate species movement. Another objective of this zone is to protect the land from impacts from development on adjoining zones. The zone excludes activities that would prejudice the ongoing conservation of the land and encourages activities that meet the conservation objectives. This zone applies to the site due to its regional environmental significance and conservation values.</p> <p>The development proposed in the Concept Plan is contrary to the objectives of the 7(1) and 7(4) zones. While the current proposal involves rezoning the land, the Environmental Assessment report does not assess the proposal against the current zone objectives applying to different parts of the site or justify noncompliance with the zone objectives.</p>	<p>The development proposed in the Concept Plan is contrary to the objectives of the 7(1) and 7(4) zones.</p> <p>the Environmental Assessment report does not assess the proposal against the current zone objectives applying to different parts of the site or justify non-compliance with the zone objectives.</p>	<p>The proposal seeks a rezoning of the land to enable part of the land to be redeveloped for residential purposes, and part of the land to be dedicated to the NSWG for conservation purposes.</p> <p>Whilst the objectives of the 7(1) zone are addressed in the EA report, a rezoning proposal is to be assessed against the strategic planning policy for the locality, not the existing controls which are proposed to be amended.</p> <p>In this regard, the proposal is consistent with the provisions of the LHRS and LHRCP which identifies the subje land for future urban development and future conservation land dedication.</p> <p>Rezoning of the proposed conservation land from 7(1) to E1 will increase the conservation protection of the land, removing the development potential which it is currently afforded under LMCC LEP.</p> <p>In accordance with s117 directions, Lake Macquarie City Council is to revise the planning controls in its LEP to reflect the provisions of the LHRS.</p>
	<p>Offsets for the proposed development are predominantly located in the 7(1) zone of LMLEP 2004, which has limited subdivision potential. This zone is the most secure land use zone in LMLEP 2004. While Council welcomes the promise of dedication of large tracts of bushland, this land was substantially secured by the land use zone that was endorsed by Council in 2002 and the Department of Planning in 2004.</p>	<p>While Council welcomes the promise of dedication of large tracts of bushland, this land was substantially secured by the 7(1) land use zone that was endorsed by Council in 2002 and the Department of Planning in 2004.</p>	<p>Rezoning of the proposed conservation land from 7(1) to E1 will increase the conservation protection of the land, removing the development potential which it is currently afforded under LMCC LEP.</p> <p>Under the E1 zoning, no development or subdivision would be allowable. Transfer of this land from private to public ownership enables the proposed E1 zoning to be applied. This is not possible on privately owned land.</p>
	<p>Clause 17 of the LMLEP 2004 outlines the provision of essential infrastructure required for development. Although the provision of water, electricity, sewer and telecommunications is discussed throughout the Concept Plan, the consideration of the impacts of the provision of infrastructure, under Clause 17(b) has not been addressed. Such services (water, sewer etc) cause long linear disturbances to native vegetation that further fragment and disturb many hectares of bushland.</p>	<p>the consideration of the impacts of the provision of infrastructure, under Clause 17(b) has not been addressed</p>	<p>Clause 17(b) of the LMLEP 2004 states:</p> <p>“Consent must not be granted for development on any land to which this plan applies unless the consent authority:.... has considered the impacts of the provision of that infrastructure on the land to which the development application relates”</p> <p>The proposed extension to infrastructure services will extend from those services already existing and servicing the Catherine Hill Bay township. Strategies for servicing have been approved by Hunter Water.</p> <p>Infrastructure upgrades proposed are sufficient to accommodate the proposed development, which are to be funded by the developer. Future traffic volumes on the existing residential road network would remain well below the RTA's environmental capacity performance standards, which is satisfactory. Intersections with Pacific Highway will be upgraded in accordance with RTA requirements.</p> <p>A services strategy for water and sewer has been agreed and approved by HWC capable of servicing the cumulative requirements of the C&A and other proposed developments. The cost of the required infrastructure is to be borne fully by C&A and other developers. The economics of developing Middle Camp rests with the developer.</p>
	<p>Fragmented planning controls generate confusion among purchasers and developers. Recent planning reforms sought to address this by promoting consistency of land use administration across the State. The selection of standard template LEP provisions that suit individual Part 3A applications undermines this objective.</p>	<p>Fragmented planning controls generate confusion among purchasers and developers. Recent planning reforms sought to address this by promoting consistency of land use administration across the State. The selection of standard template LEP provisions that suit individual Part 3A applications undermines this objective</p>	<p>The planning controls will apply to the specific site, and the local Lake Macquarie controls will no longer apply to the site. There will be one consolidated set of planning controls that will apply.</p> <p>The proposed controls have been drafted having regard to the new Standard LEP template provisions and zoning requirements, which are required to be implemented. These will be generally consistent with equivalent zones across the State.</p> <p>In accordance with issued s117 directions, Council is required to update its LEP to reflect the LHRS as well as any applicable SEPPS, including SEPP Major Development.</p>
	<p>The proposed number of lots (ie 222 lots) exceeds the number of existing residencies and would result in a significant shift in the existing setting and character of the area. The development is not supported. However, if approval is issued, then it is requested that the number of lots and associated footprint be significantly reduced such that they do not overwhelm the existing character of the area. It is of note in this regard that the minimum lot size of the existing 7(1) zone is 40 hectares and as such Coal & Allied would have at best been allowed to develop</p>	<p>if approval is issued, then it is requested that the number of lots and associated footprint be significantly reduced such that they do not overwhelm the existing character of the area.</p>	<p>The proposal forms an extension to the village of Catherine Hill Bay, yet will be visually separated from the existing urban area.</p> <p>The indicative lot sizes and layouts replicate those in the adjacent urban area, and also provide housing diversity and choice to future residents.</p>

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	not more than 14 dwellings, a number substantially less than 222;		
	The building height map continues to indicate a building height of 9 metres that is inconsistent with previous controls for the area that were for not more than 5.5 metres to preserve the character of the area;	The building height map continues to indicate a building height of 9 metres that is inconsistent with previous controls for the area that were for not more than 5.5 metres to preserve the character of the area;	The change in definition of building height under the standard instrument requires a 9m height limit to cater for two storey dwellings. The scale and appearance of such dwellings have been assessed in respect to the existing context of the area and are considered appropriate.
	The building height map, as well as the proposed E4 zoning, indicate that the former proposed Area D is not secure and that in the long term is likely to be subject to future development application. This would be inconsistent with the Independent Hearing and Assessment Panel that clearly stated that Area D should not be developed. This area should be zoned E2 to ensure this area is not subject to development in the future. The future ownership of this land should also be reconsidered as it is considered that if the land remains in ownership of Coal & Allied that is likely to be subject to development pressure in the future;	The building height map, as well as the proposed E4 zoning, indicate that the former proposed Area D is not secure and that in the long term is likely to be subject to future development application.	<p>The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel.</p> <p>The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences.</p> <p>No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan.</p> <p>Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land.</p>
	The concept that open space land is to be retained as super lots under Coal & Allied ownership is not considered a viable long term solution and places such land under potential future development pressure. Consideration for more viable alternatives such as community title should be considered;	The concept that open space land is to be retained as super lots under Coal & Allied ownership is not considered a viable long term solution and places such land under potential future development pressure. Consideration for more viable alternatives such as community title should be considered;	As LMCC has declined to accept the identified public open space parks within the Concept Plan area, they are proposed as superlots to remain within the ownership of Coal & Allied. It is considered that parks are an integral component of good urban design for the proposed Concept Plan and as such it is intended that they form part of the overall final development. However, as the concept plan does not apply for a specific lot or road layout it is intended that the superlots be zoned R2 until such time as the relevant detailed investigations are carried out to enable the final subdivision design to be completed.
	The Complying Codes SEPP does not provide consideration of the coastal, heritage and environmental significance of the area. It is requested that the proposed SEPP exclude the application of the 'Complying Codes SEPP';	The Complying Codes SEPP does not provide consideration of the coastal, heritage and environmental significance of the area. It is requested that the proposed SEPP exclude the application of the 'Complying Codes SEPP';	<p>The SSS Study states that the SEPP (Exempt and Complying Codes) 2008 cannot be relied upon for the construction of new single storey and two storey dwelling houses. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines.</p> <p>Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp).</p>
	<p>Given the significance of the area it is requested that a development control plan be required as part of the SSS. The DCP should be prepared concurrently with the concept plan to ensure that any future built outcome and development layout is sympathetic of the character of the area .It is requested that the DCP include more specific provisions for, amongst other things:</p> <ul style="list-style-type: none"> ▪ Fencing. There is limited fencing within the Catherine Hill Bay Heritage Conservation Area, which is an important element of the character of the area. New fencing should also be restricted. Materials such as "colour bond" are inappropriate; ▪ The bulk, scale and materials of dwellings. It is requested that provisions in this regard are consistent with, amongst other, Section 2.4 of DCP 1 and the Heritage Guidelines supporting DCP 1; ▪ Building setbacks particularly along Flowers Drive were a setback of +30 metres is considered more appropriate. 	Given the significance of the area it is requested that a development control plan be required as part of the SSS	If the Concept Plan is approved, The Urban Design Guidelines will form the 'deemed DCP' guiding future development of the land. The Guidelines may be augmented to expand upon the design controls for the site.
	That the exempt and complying development clause be deleted. The clause is not consistent with the standard instrument. This clause also states that development for the purposes of short term holiday or tourist rental of dwelling houses is exempt development. This type of development has been shown to cause ongoing issues for permanent residents and should be confined to limited areas;	The exempt and complying development clause should be deleted.	<p>In the SSS study, the SEPP (Exempt and Complying Codes) 2008 is not relied upon for the construction of new single storey and two storey dwelling houses. All dwelling houses will require consent and must be designed having regard to the Urban Design Guidelines.</p> <p>Only those forms of development for minor works which are covered by the Codes SEPP may be undertaken as exempt or complying development within Catherine Hill Bay (Middle Camp).</p>

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	A minimum lot size should be included as outlined in the Standard Instrument. The concept plan and project application state that the proposed development will not exceed 222 lots. It is unclear how this will be ensured, as the proposed listing in Schedule 3 does not state a minimum lot size.	A minimum lot size should be included as outlined in the Standard Instrument.	The final subdivision plan will be subject to a future application which will assess the lot sizes proposed. This will determine the range of lot sizes on the land. The minimum lot size is included in clause 7 of the SSS and in the Concept Plan accompanying the EA, with a 250sqm minimum lot area.
	Clause 7 Subdivision of the SSS sets a minimum lot size of 250 sq m for all land covered by the SSS. Zone E4 requires a minimum lot size of 6000 sq m for a dwelling. It would seem logical that the minimum lot size in this zone would correspond.	Clause 7 Subdivision of the SSS sets a minimum lot size of 250 sq m for all land covered by the SSS. Zone E4 requires a minimum lot size of 6000 sq m for a dwelling. It would seem logical that the minimum lot size in this zone would correspond.	It is not Coal & Allied intention to subdivide the E4 land for small lot housing. Providing a minimum lot size of 250sqm in the E4 zone would have a significantly detrimental effect on the environmental quality of the E4 land, which will be protected by the minimum 6000sqm lot size.
	It is recommended that if the application is to be pursued that the Minister appoint the same Independent Hearing and Assessment Panel for the assessment of the application.	It is recommended that if the application is to be pursued that the Minister appoint the same Independent Hearing and Assessment Panel for the assessment of the application.	The Minister for Planning may determine the application in accordance with the existing legislation. The Minister may choose to delegate determining authority to another appropriate party if he deems this appropriate. This a decision for the Minister for Planning
	The proposed SSS, rezoning and concept plan is of concern in that it attempts to override local planning controls that currently protect this environmentally significant area. The proposed state listing, rezoning, and concept plan will facilitate residential development that is disproportionate to the existing settlement and will overwhelm the historic, scenic and environmental value of the area. The justification for the proposal with regard to proposed conservation offsets and housing targets are flawed in that they do not recognise the lands existing protective zoning nor recent housing needs for the city that have been identified within background studies for the Lifestyle 2020 review. In summary the area of proposed residential development is excessive and is not supported. It is requested that the Minister for Planning recognise the special natural, social and cultural values of the land and maximises the conservation of those values.	The area of proposed residential development is excessive and is not supported. It is requested that the Minister for Planning recognise the special natural, social and cultural values of the land and maximises the conservation of those values.	The area proposed for residential redevelopment is identified in the LHRS for future urban purposes. Development of this land will enable the dedication of the 526ha of land to the NSWG for conservation purposes in accordance with the LHRCP. The proposed development areas have been determined through specialist consultant input.
	Comparing with the previous application, the scale of the development has been reduced. Precinct C & D have been removed from the proposed development; and the lot alignment has been moderately modified. This revised proposal has reduced the impact of development to the existing village settlement and landscape setting in Middle Camp and Catherine Hill Bay. It dramatically reduces the development footprint and as a result the impacts on traffic and regenerated bushlands are minimized. This proposal offers higher quality of urban design in its setting. However, the submitted documentation in relation to visual impact and landscape proposals, as listed in the table above, do not provide a sufficient level of detail to demonstrate all the proposed planning principles to be complied and indicate how those landscape proposals to be achieved and implemented.	This revised proposal has reduced the impact of development to the existing village settlement and landscape setting in Middle Camp and Catherine Hill Bay. It dramatically reduces the development footprint and as a result the impacts on traffic and regenerated bushlands are minimized. This proposal offers higher quality of urban design in its setting. The submitted documentation in relation to visual impact and landscape proposals, do not provide a sufficient level of detail to demonstrate all the proposed planning principles to be complied and indicate how those landscape proposals to be achieved and implemented.	The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape. Future Project Application submissions for each development stage will include details of existing trees to be retained, new trees to be planted (including species and size at time of planting) and details for public domain and private landscape works. The retention of existing significant trees is a key component in reducing visual impact of the development and will be an important consideration for the project application stage of design resolution. The Design Guidelines will form part of the consent and will need to be complied with for any future development on the land.
	A 'Visual Impact Discussion' (VID) is included in the Heritage Impact Assessment prepared by ERM. It providea eight reasons to demonstrate why the development will have an acceptable impact to the visual catchment of Middle Camp'. However, those reasons are vague in relation to providing supportive evidence and feasible solutions. Further information needs to be provided to support the following statement:	The Visual Impact Discussion in the HIA provides vague justification to the acceptable impact to eh visual catchment of Middle Camp.	The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.
	<ul style="list-style-type: none"> Reason 1: The location of the proposed development is in a natural valley, which substantially limits visual impacts from Flowers Drive. <p>In accordance with Table 5.1 & Figure 5.1 Survey Transects and landforms in HIA (page 47-48), the development site is</p>	Additional information is required to support 'reason 1' – "The location of the proposed development is in a natural valley, which substantially limits visual impacts from Flowers Drive."	The natural valley is well documented in the plans included in the EA submission, with highly detailed contour lines. Given the data provided (i.e. contour lines, building heights) this is not an essential component of the HIA.

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	<p>comprised several different landforms, not all in a 'valley'. The development area near Flowers Drive in Precinct A is identified mainly as slope, and some northern part is flat. Furthermore, Annex B – Effective Coverage Table provides Visibility and Exposure rates for the selected Transect. In accordance with that, some development areas have fairly high level of exposure and visibility, such as T7 – the middle area along Flowers Drive in Precinct A; and T5 – adjacent to Flowers Drive in the middle part of precinct B.</p> <p>However, the report does not provide any visual analysis based on this existing site topographic analysis.</p>		
	<ul style="list-style-type: none"> Reason 3: It is considered that Middle Camp has aesthetic significance derived from the uniformity of building form, scale, materials and set back from the street. These attributes are best viewed and appreciated from Flowers Drive and it is considered that the proposed development will not challenge these aesthetic attributes. <p>Neither VID nor Urban Design Guidelines provides sufficient and satisfying evidences and solution on how the proposed development will not challenge those aesthetic attributes from the existing built environment.</p> <p>The 'Village Courtyard Lots' type development proposed for the lots along Flowers Drive in Precinct A, in accordance with Urban Design Guidelines, are two-storey detached dwellings back to the Flowers Drive street frontage. It is clear that this type of building form is completely against the style of existing dwellings in Middle Camp. The potential rear fencing of those dwellings would be within Flowers Drive setbacks that would also potentially impact to the streetscape. However, the Guidelines do not provide any design requirement on these fencing types.</p> <p>In this regards, the context of the existing settlement will be largely modified and disturbed, and thus those aesthetic attributes will be challenged.</p> <p>A landscape buffer (23m wide) is proposed along Flowers Drive. It is required increasing the buffer to minimum 30m wide.</p>	<p>Additional information is required to support 'reason 3' – "It is considered that Middle Camp has aesthetic significance derived from the uniformity of building form, scale, materials and set back from the street. These attributes are best viewed and appreciated from Flowers Drive and it is considered that the proposed development will not challenge these aesthetic attributes."</p>	<p>The visual qualities referred to are well documented in the HIA description and history chapters. This is sufficient information combined with the details from the Concept Plan to satisfy 'Reason 3'.</p>
	<ul style="list-style-type: none"> Reason 4 & 5: A vegetation buffer will be established between Middle Camp and proposed new development. This provided a visual separation and green corridor between the 'old' and 'new'. The buffer also provided the new development with a separate village character which is visually and physically separated from the existing settlement. The new development will be of complementary bulk, scale, height, materials and colours to Middle Camp, which will ensure that the new development is visually consistent with the historic building along Flowers Drive. <p>The information from Reason 4 and 5 is conflicting. Clear identification should be made on the landscape and building characters of the proposed development. Evidence should be provided on where and how the new development would be consistent with, or distinguished with the existing settlement.</p> <p>It should be noted that the landscape and settings characters of Middle Camp and Catherine Hill Bay village are moderately different. The Heritage/Visual Assessment should identify and distinguish the cultural landscape characters on both locations. The Design Principles and Guidelines should response to the assessment in relation to those exiting characters and creating balanced transition between Catherine Hill Bay, Middle Camp, and the new development.</p>	<p>Additional information is required to support 'reason 4 & 5' – "A vegetation buffer will be established between Middle Camp and proposed new development. This provided a visual separation and green corridor between the 'old' and 'new'. The buffer also provided the new development with a separate village character which is visually and physically separated from the existing settlement." and "The new development will be of complementary bulk, scale, height, materials and colours to Middle Camp, which will ensure that the new development is visually consistent with the historic building along Flowers Drive."</p>	<p>The Concept Plan provides this information. A buffer ensures the historic visual character is not impacted.</p>

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	<ul style="list-style-type: none"> Reason 5: It is recommended that the Catherine Hill Bay Design Guidelines provide some guidance on construction techniques to achieve a balance between variety in design outcomes and avoiding visual and archaeological impacts to Middle Camp and the E Pit Archaeological Zone. <p>However, The Urban Design Guidelines do not provide such construction techniques and controls. There is a general lack of detail within the guidelines to demonstrate the feasibility of proposed concepts.</p>	<p>Additional information is required to support 'reason 5' –“ It is recommended that the Catherine Hill Bay Design Guidelines provide some guidance on construction techniques to achieve a balance between variety in design outcomes and avoiding visual and archaeological impacts to Middle Camp and the E Pit Archaeological Zone. “</p>	<p>The HIA contains considerable information on the heritage values of the local area and guidance on the management of the archaeological resources.</p> <p>Construction techniques will be detailed in a future project application stage.</p>
	<ul style="list-style-type: none"> Reason 6: Although some bushland will have to be cleared to develop the area, the intention is to retain corridors of heath through the development areas. This will lessen the visual impact of the development from this view point as it will retain the regenerated bushland setting of Middle Camp and provide screening for the new development. <p>It does not provide adequate information regarding those 'corridors of health' and the location of 'view point'. It should be noted that the proposed Bushland Reserves around the Gateway Park are mainly previously disturbed lands. They are mainly cleared lands with scattered vegetation groups. Those proposed landscape buffers on the edges of the development areas will be inadequate to minimize the impact of the development before they establish into mature vegetations within years, for instance, the southern area in Precinct A. The Guidelines should provide suitable design controls on the dwellings located near the edges of the site to ameliorate the impacts, instead of only relying on the landscape buffers.</p>	<p>Additional information is required to support 'reason 6' –“ Although some bushland will have to be cleared to develop the area, the intention is to retain corridors of heath through the development areas. This will lessen the visual impact of the development from this view point as it will retain the regenerated bushland setting of Middle Camp and provide screening for the new development.”</p>	<p>The Concept Plan provides this information.</p> <p>As noted above, retention of existing trees in landscape buffers, in road reserves, in parks and in private development lots will be detailed at the project application stage. It is proposed that significant existing trees are retained throughout the entire site, as much as possible.</p>
	<p>As mentioned above, there is a general lack of detail within the Design Principles and Guidelines to demonstrate the feasibility of proposed concepts. The Guidelines do not provide design quality controls as per the Director General's requirements. There is potential for undesirable landscape and urban design outcomes to be implemented as a result of the 'information gaps' and inconsistencies within these Guidelines. Those inadequately addressed issues are included the followings:</p>	<p>There is a general lack of detail within the Design Principles and Guidelines to demonstrate the feasibility of proposed concepts.</p>	<p>The Design Guidelines will form part of the consent and will need to be complied with for any future development on the land.</p> <p>More detail will be included in the design guidelines which will be augmented to a DCP at a later stage.</p>
	<p>The Concept Plan does not cover that area proposed to be zoned E4. ie the land to the east of the existing dwellings at Middle Camp.</p>	<p>The Concept Plan does not cover that area proposed to be zoned E4. ie the land to the east of the existing dwellings at Middle Camp.</p>	<p>The proposal seeks a rezoning of this land to E4, however no development is proposed on the land, and as such no development controls are proposed for this area.</p>
	<p>The Draft Statement of Commitments does not indicate when this public domain plan will be implemented. It is recommended that detailed design guidelines must be in place to provide a level of development control prior to the application for subdivision.</p>	<p>The Draft Statement of Commitments does not indicate when this public domain plan will be implemented. It is recommended that detailed design guidelines must be in place to provide a level of development control prior to the application for subdivision.</p>	<p>This will be addressed at Project Application stage and is not required as part of a Concept Plan application.</p>
	<p>APZ requirements are not incorporated into the Design Guidelines landscape treatments, ie, what measures will be taken to incorporate reduced fuel loads within bushland reserves, how will swales in APZ's be planted to conform to fuel load requirements etc. The guidelines provide inadequate detail to demonstrate feasibility.</p>	<p>APZ requirements are not incorporated into the Design Guidelines landscape treatments, ie, what measures will be taken to incorporate reduced fuel loads within bushland reserves, how will swales in APZ's be planted to conform to fuel load requirements etc. The guidelines provide inadequate detail to demonstrate feasibility.</p>	<p>APZs are to be incorporated into road reserves or will be located on private property.</p> <p>This will be addressed at Project Application stage when there is a detailed design for these areas.</p>
	<p>It is suggested that the Coastal Heritage/Connector Path operates as a shared pathway for both cyclists and pedestrians. This would better reflect the intent of the path as the main link between the two proposed Hamlets, the beach and existing Middle Camp recreational facilities. The Heritage Path may require an interpretation/conservation plan prior to detailed design to ensure appropriate conservation of heritage values.</p>	<p>It is suggested that the Coastal Heritage/Connector Path operates as a shared pathway for both cyclists and pedestrians. This would better reflect the intent of the path as the main link between the two proposed Hamlets, the beach and existing Middle Camp recreational facilities. The Heritage Path may require an interpretation/conservation plan prior to detailed design to ensure appropriate conservation of heritage values.</p>	<p>This is already proposed to be a shared path.</p>

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	<ul style="list-style-type: none"> Street Type A1- Figure B1.2.2 (Appendix B, p.6) shows the typical road section falls away from the adjacent roadside swale and towards the kerbed edge of road. How is stormwater to be directed into the swales as intended? Street Type F –Figure B1.2.7 (Appendix B, p.8) the 1m wide verge is too narrow for street tree planting within a new development situation. Development controls should consider tree plantings within the individual building setbacks of lots to function as street trees where space within the road allocation is limited. 	<p>Street Type A1- Figure B1.2.2 (Appendix B, p.6) shows the typical road section falls away from the adjacent roadside swale and towards the kerbed edge of road. How is stormwater to be directed into the swales as intended?</p> <p>Street Type F –Figure B1.2.7 (Appendix B, p.8) the 1m wide verge is too narrow for street tree planting within a new development situation.</p> <p>Development controls should consider tree plantings within the individual building setbacks of lots to function as street trees where space within the road allocation is limited.</p>	<p>Sections of streets will be shown in greater detail at the project application stage including resolution of grading to achieve cross fall to swales.</p> <p>Tree planting in front of buildings will be included in landscape plans at the project application stage. This can be detailed at the project application stage and is not required as part of a Concept Plan application.</p>
	Many of the Street type cross sections show footpaving immediately adjacent to the front boundaries of proposed properties. This is the usual allocation for electricity boxes for underground power. So as to not conflict with underground services, the normal allocation for footpaving in Lake Macquarie is 1.8m from kerb for verges >= 4.5m and 1.3 m from kerb for verges <= 3.5m.	Many of the Street type cross sections show footpaving immediately adjacent to the front boundaries of proposed properties. This is the usual allocation for electricity boxes for underground power. So as to not conflict with underground services, the normal allocation for footpaving in Lake Macquarie is 1.8m from kerb for verges >= 4.5m and 1.3 m from kerb for verges <= 3.5m.	<p>The 1.2m walkway over the services maximises areas for deep soil planting and minimises hard surfaces.</p> <p>Offsets required by LMCC will be complied with at Project Application stage.</p> <p>This can be detailed at the project application stage.</p>
	The Street type cross sections show various widths for parking bays. Note that the NSW Rural Fire Service in their “Planning for Bush Fire” publications requires that parking bays be 2.6 m wide.	The Street type cross sections show various widths for parking bays. Note that the NSW Rural Fire Service in their “Planning for Bush Fire” publications requires that parking bays be 2.6 m wide.	It should be noted that further approval is required for the final road and lot layouts and subdivision whereby further detail of road corridors and parking bays will be provided. It should be noted that if the proposal cannot accommodate roads to RFS requirements, a performance based assessment will be required and carried out as part of any future project application approvals.
	Street Type F indicates a carriageway width of only 3.5 metres. Is this proposed to be “One Way” only?	Street Type F indicates a carriageway width of only 3.5 metres. Is this proposed to be “One Way” only?	Yes, one way only.
	The Design Guidelines recommend zero setbacks for garaging that fronts on to rear lanes. These lanes are proposed to be only 5 m wide. Vehicle turning to/from the garages would be unlikely to comply with AS2890.1 (Off Street Parking). As such either the lane carriageway needs to be wider or the setback for the garage increased.	The Design Guidelines recommend zero setbacks for garaging that fronts on to rear lanes. These lanes are proposed to be only 5 m wide. Vehicle turning to/from the garages would be unlikely to comply with AS2890.1 (Off Street Parking). As such either the lane carriageway needs to be wider or the setback for the garage increased.	Road reserve is 6m in total including the 1m verge.
	The concept lot layouts should have the bush fire APZ's overlain on them to ensure adequate building areas are available on the lots. For example the lots to the south side of Colliery Hamlet B have a 50m wide APZ. Given that the road reserve is (Type A) is 20 m wide these lots would require a 30 front setback.	The concept lot layouts should have the bush fire APZ's overlain on them to ensure adequate building areas are available on the lots. For example the lots to the south side of Colliery Hamlet B have a 50m wide APZ. Given that the road reserve is (Type A) is 20 m wide these lots would require a 30 front setback.	The line of the APZ requires a setback of maximum 22m for the lots on the south side of the Colliery Hamlet. The depth of these lots can accommodate this setback.
	What is the proposed ownership of the land adjacent to the lots on the eastern side of Hamlet A? It appears to be shown as bushland reserve but is also identified as an APZ. Note that Council will not maintain this APZ (or any other APZ's).	What is the proposed ownership of the land adjacent to the lots on the eastern side of Hamlet A? It appears to be shown as bushland reserve but is also identified as an APZ. Note that Council will not maintain this APZ (or any other APZ's).	The APZ will be included within private land.
	The proposed four parks offer strong landscape concepts and will have positive contribution to landscape setting and the community establishment, however further information is required as to the areas of land Council is expected to manage, and a confirmation that public + community facilities are to be constructed as part of the initial subdivision works.	The proposed four parks offer strong landscape concepts and will have positive contribution to landscape setting and the community establishment, however further information is required as to the areas of land Council is expected to manage, and a confirmation that public + community facilities are to be constructed as part of the initial subdivision works.	<p>The areas proposed to be dedicated to Council are stipulated on the Land Transfer Plan</p> <p>The open spaces within residential area are proposed to be owned and maintained by Coal & Allied.</p>
	<ul style="list-style-type: none"> Each park needs a strong set of guiding design principles to ensure future design development is appropriate to user needs and the original design intent. Such principles should relate to: Strategies for the retention of existing vegetation within these parks; Purposes of each park and the required functions; Requirements for the linkages to the broader development access and movement network; 	<p>Each park needs a strong set of guiding design principles to ensure future design development is appropriate to user needs and the original design intent. Such principles should relate to:</p> <p>Strategies for the retention of existing vegetation within these parks;</p> <p>Purposes of each park and the required functions;</p> <p>Requirements for the linkages to the broader development access and movement network;</p>	<p>Open space objectives have been achieved.</p> <p>The Urban Design Guidelines outline the intended character of the different parks and open spaces proposed. In addition, indicative layouts are shown in the UDG.</p> <ul style="list-style-type: none"> Lemon Tree Park will be a low key area. The only interventions will be timber decks, a footpath and ain interpretative garden. The character of the park will be dominated by the ambience of a past garden. Workshop Park will be the focus for community activities. It will be designed with three distinctive zones that reflect on the past organisation patters of the site by the mining community. Gateway Park will comprise a large grassed area. On the periphery of the park will be some

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	<ul style="list-style-type: none"> Requirements for shade and shelter to pathways and seating areas; Requirements for acceptable use of materials ie, what circumstances are gravel paths acceptable, where is hard paving required etc. 	<p>Requirements for shade and shelter to pathways and seating areas;</p> <p>Requirements for acceptable use of materials ie, what circumstances are gravel paths acceptable, where is hard paving required etc.</p>	<p>picnic facilities and a playground including heritage items with shelter and seating.</p> <ul style="list-style-type: none"> The linear park provides an interpretation of the story of the people that once lived in the area. It will have an informal character. The bushland reserves on the periphery of the hamlets will be managed bushland buffers that incorporate APZs. <p>Indicative plant types and materials details are also included in the Urban Design Guidelines. Further detailed designs for each park can be provided at Project Application stage and is not required as part of a Concept Plan application.</p>
	The Gateway Park has a very generous open lawn area that covers both sides of Flowers Drive. It is suggested creating individual functional open spaces in smaller scales on each side of the road to avoid increased pedestrian crossing over the main road. A detailed Landscape Masterplan should be provided in associate with future subdivision proposals.	The Gateway Park has a very generous open lawn area that covers both sides of Flowers Drive. It is suggested creating individual functional open spaces in smaller scales on each side of the road to avoid increased pedestrian crossing over the main road. A detailed Landscape Masterplan should be provided in associate with future subdivision proposals.	<p>Open space objectives have been achieved.</p> <p>The open space strategy has been designed to accommodate a range of activities, both active and passive to cater to the needs of the existing and proposed communities.</p> <p>Gateway Park will comprise a large grassed area. On the periphery of the park will be some picnic facilities and a playground including heritage items with shelter and seating. Detailed design of the park and its various spaces will be included in future project applications.</p>
	Some of the bushland reserves are located within bushfire Asset Protection Zones. The Concept Plan Urban Design guidelines do not adequately address how the proposed reserves will resolve the competing objectives of bushfire hazard reduction and bushland/coastal heath revegetation proposed in these areas. Future management and maintenance strategies of the bushland reserves should be provided confirmed with responsible party.	Some of the bushland reserves are located within bushfire Asset Protection Zones. The Concept Plan Urban Design guidelines do not adequately address how the proposed reserves will resolve the competing objectives of bushfire hazard reduction and bushland/coastal heath revegetation proposed in these areas. Future management and maintenance strategies of the bushland reserves should be provided confirmed with responsible party.	The APZs will be on public roads or on privately owned land.
	It is understood that this application is not a Development Application, and is not sought under the concept design for subdivision or construction of individual houses. However, the Urban Design Guidelines should provide the level of detail that can be used as a control document for the future developments. The acceptable criteria for the following landscape elements should be included in the Guidelines:	It is understood that this application is not a Development Application, and is not sought under the concept design for subdivision or construction of individual houses. However, the Urban Design Guidelines should provide the level of detail that can be used as a control document for the future developments. The acceptable criteria for the following landscape elements should be included in the Guidelines:	If the Concept Plan is approved, The Urban Design Guidelines prepared by AJ+C will form the 'Deemed DCP' guiding future development of the land. The UDG may be augmented to include greater design detail.
	Paving treatment for each different areas;	Paving treatment for each different areas;	Typical details and specified materials for paving will be provided for each area at the project application stage and is not required as part of a Concept Plan application.
	Furniture elements in the public domain;	Furniture elements in the public domain;	Typical details and specified materials for public domain furniture will be provided for each area at the project application stage and is not required as part of a Concept Plan application.
	Site fencing types.	Site fencing types.	Typical details and specified materials for site fencing will be provided for each area at the project application stage and is not required as part of a Concept Plan application.
	Separate plant schedule should be proposed for different functional areas, including streetscape; public open spaces (might be separated for each different park), front setbacks; side setbacks; and Heritage Walk.	Separate plant schedule should be proposed for different functional areas, including streetscape; public open spaces (might be separated for each different park), front setbacks; side setbacks; and Heritage Walk.	The Street Types and Public Domain Plan's have included indicative planting lists for public and private spaces that will be resolved into plant schedules at the project application stage for each area and is not required as part of a Concept Plan application.
	The building form with double-garage gate at front facing to the streetscape should be prohibited, such as Type 3: Village Courtyard Lots; Type 4: Hamlet Lots; and Type 5: Traditional Courtyard Lots.	The building form with double-garage gate at front facing to the streetscape should be prohibited, such as Type 3: Village Courtyard Lots; Type 4: Hamlet Lots; and Type 5: Traditional Courtyard Lots.	<p>All garage are doors are set behind the front building alignment to reduce their visual impact.</p> <p>This can be detailed following concept plan approval and is not required as part of a Concept Plan application..</p>
	<p>The proposal indicates corner blocks have reduced setbacks on the secondary street frontage. As illustrated in Diagram B2.4.1 this will result in a multitude of setback distances along roads. It is recommended that setbacks on corner blocks are consistent with the front setbacks for each adjoining lot type where space permits.</p> <p>Townhouse lots in Area B have proposed 3.0m setbacks. This is inconsistent with the typical road section for this Area (Road type F- Figure B1.2.7, p.8) which indicates structures have 6.0m setbacks from the property boundary.</p>	<p>The proposal indicates corner blocks have reduced setbacks on the secondary street frontage. As illustrated in Diagram B2.4.1 this will result in a multitude of setback distances along roads. It is recommended that setbacks on corner blocks are consistent with the front setbacks for each adjoining lot type where space permits.</p> <p>Townhouse lots in Area B have proposed 3.0m setbacks. This is inconsistent with the typical road section for this Area (Road type F- Figure B1.2.7, p.8) which indicates structures have 6.0m setbacks from the property boundary.</p>	<p>Setbacks relate to housing types and lot sizes and also their location with regard to APZ's.</p> <p>The reduced setback on the secondary street of a corner site is to allow for the principle private open space to be at the rear of the house and achieve a level of privacy. It is important that dwellings on the corner lots address both street frontages.</p> <p>Setback dimensions are a given as minimums.</p>

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	Sawmill Camp has proposed lots fronting to a vegetative buffer along Flowers Drive with only rear lane access. Due to the vegetative buffer it means that the “frontage” of the dwellings will be a lane. This is not a good streetscape outcome. Note that this same vegetative buffer is also identified as part of an APZ.	Sawmill Camp has proposed lots fronting to a vegetative buffer along Flowers Drive with only rear lane access. Due to the vegetative buffer it means that the “frontage” of the dwellings will be a lane. This is not a good streetscape outcome. Note that this same vegetative buffer is also identified as part of an APZ.	<p>Rear access relates to vehicular access only and the houses will address the street and allow for pedestrian access to the front (street) address.</p> <p>The width of the buffer is 15m on public land plus an additional 8m on private land (with a covenant requiring no building within this area) providing a total buffer of 23m which is proposed to extend the full length of Area A fronting Flowers Drive. The northern half of the buffer length will be a managed APZ (approximately half the Flowers Dr frontage). The screening that will be provided in the buffer will provide a substantial visual screen designed to be managed as an APZ for the northern half of the frontage.</p> <p>The approach from the north into the township along Flowers Drive will maintain a predominantly natural landscaped approach through the implementation of the landscaped buffer which will include some of the currently degraded areas.</p> <p>The 2nd storey of the ‘small house courtyard lots’ is to be located at the rear of the dwelling with the front of the house being only one storey in height along the Flowers Drive frontage. This along with the wide landscape buffer reduces the visual impact of the proposed housing</p>
	The Design Guidelines are very vague in relation to private landscaping requirements and only go so far as to indicate there will be landscaping (planting) required within private lots. The landscape treatments of individual lots will play an important role to ensure the development integrates well within the broader context of Middle Camp. Therefore, it is recommended more prescriptive private open space guidelines as per the indicative building types shown on B2.1 in the Guidelines.	The Design Guidelines are very vague in relation to private landscaping requirements and only go so far as to indicate there will be landscaping (planting) required within private lots. The landscape treatments of individual lots will play an important role to ensure the development integrates well within the broader context of Middle Camp. Therefore, it is recommended more prescriptive private open space guidelines as per the indicative building types shown on B2.1 in the Guidelines.	<p>It is difficult to totally control the design of private open space. Setbacks and site coverage are set out in the document as well as suggested plant species.</p> <p>This can be detailed following concept plan approval and is not required as part of a Concept Plan application.</p>
	The Concept Plan states that the subdivision layouts have been designed to minimise cut and fill on individual lots, however the contours shown on Figure A1.3.1 indicates Precinct A and B are located over significant slopes. Several lots in these areas are likely to need some retaining /cut + fill. The Urban Design Guidelines should address:	The Concept Plan states that the subdivision layouts have been designed to minimise cut and fill on individual lots, however the contours shown on Figure A1.3.1 indicates Precinct A and B are located over significant slopes. Several lots in these areas are likely to need some retaining /cut + fill. The Urban Design Guidelines should address:	<p>On steeper slopes, stump houses are preferable. The objective is to minimise cut and fill where possible.</p> <p>This can be detailed following concept plan approval and is not required as part of a Concept Plan application.</p>
	Indicative max heights and design approach to retaining structures where required;	Indicative max heights and design approach to retaining structures where required;	Details included in Design Guidelines.
	Indicative acceptable materials for retaining structures where required;	Indicative acceptable materials for retaining structures where required;	This can be detailed following concept plan approval and is not required as part of a Concept Plan application.
	Indicative planting treatments and associated soft landscaping to screen/reduce impact of retaining structures.	Indicative planting treatments and associated soft landscaping to screen/reduce impact of retaining structures.	This can be detailed following concept plan approval and is not required as part of a Concept Plan application.
	Water Sensitive Urban Design, Flooding and Stormwater Management Report prepared by GHD recommends that ‘Precinct scale are proposed at key locations to treat the quantity and quality of stormwater flows’. However, there is no detention/ bio-retention basin shown on the landscape plans. The location and scale of these systems should be indicated on the landscape plan and design guidelines in accordance with Environmental Engineer’s recommendations.	Water Sensitive Urban Design, Flooding and Stormwater Management Report prepared by GHD recommends that ‘Precinct scale are proposed at key locations to treat the quantity and quality of stormwater flows’. However, there is no detention/ bio-retention basin shown on the landscape plans. The location and scale of these systems should be indicated on the landscape plan and design guidelines in accordance with Environmental Engineer’s recommendations.	The bioretention and detention ponds that are shown on plans A1.2.1 and A1.3.1 in the illustrative Concept Plan. Locations are also shown in the Hydrology Report.
	The Water Sensitive Urban Design, Flooding and Stormwater Management Report prepared by GHD recommends some on site treatment of stormwater and provides some schematics (Figure 1 – 4 or report) on how this could typically be achieved. These schematics should be shown on the Building Type house plans that are within the Design Guidelines to show that the stormwater management scheme can be practically achieved especially on the smaller lots.	The Water Sensitive Urban Design, Flooding and Stormwater Management Report prepared by GHD recommends some on site treatment of stormwater and provides some schematics (Figure 1 – 4 or report) on how this could typically be achieved. These schematics should be shown on the Building Type house plans that are within the Design Guidelines to show that the stormwater management scheme can be practically achieved especially on the smaller lots.	Detailed design can form part of the application approval process. Location of Bioretention and detention basins shown in both the Concept Plan and the Hydrology report.
	Issues with screen planting/landscaping are: <ul style="list-style-type: none"> the length of time to establish; 	Issues with screen planting/landscaping are: <ul style="list-style-type: none"> the length of time to establish; 	The development areas will retain significant numbers of existing trees throughout the site. These trees have large canopies that will assist with mitigating the visual impact of the proposed housing.

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	<ul style="list-style-type: none"> bushfire asset protection requirements may not limit their screening effectiveness; plantings requiring substantial height are unlikely to be successful in a highly exposed site where growth will be stunted by salt laden winds; long term maintenance to ensure their long term viability cannot be assured; and subject to long-term vandalism to protect views from new development. 	<ul style="list-style-type: none"> bushfire asset protection requirements may not limit their screening effectiveness; plantings requiring substantial height are unlikely to be successful in a highly exposed site where growth will be stunted by salt laden winds; long term maintenance to ensure their long term viability cannot be assured; and subject to long-term vandalism to protect views from new development. 	Planting in buffer zones will be a combination of retained existing trees and new tree planting.
	The height, scale, bulk and massing of any infill development has to be relative to the existing early cottages as seen from all significant views and be subservient rather than dominating. The Concept Plan proposes two story dwellings in some areas. This is not in keeping with the scale of any of the existing cottages (the Catherine Hill Bay Heritage Conservation Area is single storey in nature with some sub-floor areas).	The height, scale, bulk and massing of any infill development has to be relative to the existing early cottages as seen from all significant views and be subservient rather than dominating.	The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.
	A Conservation Management Plan for the Heritage Conservation Area would provide guidance on how new development could be accommodated in and around the vicinity of the Catherine Hill Bay Heritage Conservation Area. The Conservation Management Plan should be prepared by an independent consultant and should provide management policies for the whole area covered by the Concept Plan.	The Conservation Management Plan should be prepared by an independent consultant and should provide management policies for the whole area covered by the Concept Plan.	As the study area is outside the SHR listed area a CMP is not required. Guidelines are to be developed under the SOC to ensure clear heritage impact mitigation guidance is in place for the design and construction of the new development.
	<ul style="list-style-type: none"> Protecting the scenic amenity of the City <p>The proposed development is located within a Heritage Conservation Area recognised in the Hunter Regional Environmental Plan 1989 (Heritage). The addition of 222 lots on the existing population of 153 residents will have a significant impact on the heritage values of the area.</p> <p>The high scenic significance and visual amenity will be adversely impacted by the additional lots, which are to be created in two distinct precincts increasing the development footprint.</p>	<p>Protecting the scenic amenity of the City</p> <p>The proposed development is located within a Heritage Conservation Area recognised in the Hunter Regional Environmental Plan 1989 (Heritage). The addition of 222 lots on the existing population of 153 residents will have a significant impact on the heritage values of the area.</p> <p>The high scenic significance and visual amenity will be adversely impacted by the additional lots, which are to be created in two distinct precincts increasing the development footprint.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> The setting of Middle Camp is maintained by retaining vegetated ridges. Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting Heritage items are retained and reinterpreted in the open space framework Dwelling types are designed to be sympathetic to the existing village
	<ul style="list-style-type: none"> Maintaining and enhancing the character, amenity and sense of place of urban areas, centres and neighbourhoods <p>There are currently 50 existing dwellings in Middle Camp and the Concept Plan proposes an additional 222 dwellings. The lots are to be spread to the north & south of the existing settlement (areas C&D have been deleted from the plan). The development is not a logical extension of the established village area and will affect its distinct village pattern and sense of place of these villages.</p>	<p>Maintaining and enhancing the character, amenity and sense of place of urban areas, centres and neighbourhoods</p> <p>There are currently 50 existing dwellings in Middle Camp and the Concept Plan proposes an additional 222 dwellings. The lots are to be spread to the north & south of the existing settlement (areas C&D have been deleted from the plan). The development is not a logical extension of the established village area and will affect its distinct village pattern and sense of place of these villages.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The Concept Plan is only for areas A and B.</p> <p>The proposed developments are hamlets which is a group of houses and separate in nature. The hamlets are built on land which has been disturbed.</p>
	<ul style="list-style-type: none"> Enriching and fostering the character, heritage and cultural values within the City <p>As previously mentioned, Catherine Hill Bay has been listed in Schedule 5 of the Hunter Regional Environmental Plan 1989</p>	<p>Enriching and fostering the character, heritage and cultural values within the City</p> <p>As previously mentioned, Catherine Hill Bay has been listed in Schedule 5 of the Hunter Regional Environmental Plan</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Heritage interpretation to be implemented at Middle Camp, including a historic walk, will further</p>

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	(Heritage) in recognition of its importance as an historic village. The increase of lots within the Heritage Conservation Area will have a significant impact on the character and style of the historic village and natural environment in which it is located.	1989 (Heritage) in recognition of its importance as an historic village. The increase of lots within the Heritage Conservation Area will have a significant impact on the character and style of the historic village and natural environment in which it is located.	enhance the heritage values of the local area.
	<ul style="list-style-type: none"> Integrating land use and movement systems <p>The development proposes new roads with new access to each precinct, this will result in a significant change in visual landscape between the “old” and the “new” Middle Camp.</p>	<p>Integrating land use and movement systems</p> <p>The development proposes new roads with new access to each precinct, this will result in a significant change in visual landscape between the “old” and the “new” Middle Camp.</p>	<p>The ‘new’ will be readily recognisable without having a significant visual impact. The vegetation buffer and siting in a natural valley will assist in maintaining a clear understanding of the ‘old’ Middle Camp.</p> <p>The number of access roads is limited.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> The setting of Middle Camp is maintained by retaining vegetated ridges. Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting Heritage items are retained and reinterpreted in the open space framework Dwelling types are designed to be sympathetic to the existing village
	<ul style="list-style-type: none"> Item of State Significance listed on the State Heritage Register (SHR) <p>The site of the proposed CHBCP is contained within a Conservation Area under the Lake Macquarie Local Environmental Plan 2004 (LM LEP 2004). The Catherine Hill Bay Conservation Area (CHBCA) was referred to the NSW Heritage Office for listing on the State Heritage Register as an item of State Significance by the Catherine Hill Bay Progress Association and has now been adopted. The listed area is smaller in area than the LEP2004 Conservation Area and does not include those areas proposed for development in the CHBCP. The impact on the SHR Conservation Area will be required to be considered as being in the vicinity and within the LEP conservation area.</p>	<p>The impact on the SHR Conservation Area will be required to be considered as being in the vicinity and within the LEP conservation area.</p>	<p>The SHR Conservation Impacts are considered carefully in the HIA. Mitigation measures reflect the heritage values included in the SHR nomination.</p>
	<ul style="list-style-type: none"> Conservation Management Plan (CMP) <p>The NSW Heritage Branch on its website (http://www.heritage.nsw.gov.au/13_subnav_04.htm) states a Conservation Management Plan is required where “Major Works to an item of State Heritage Significance are proposed”.</p> <p>Assessing a development of the proposed scale in relation to the CHBCA requires a CMP for the whole of the Conservation Area, as defined in the LM LEP 2004, to be reviewed and adopted by the NSW Heritage Office and Lake Macquarie City Council.</p> <p>The Heritage Impact Assessment (CHBCP, Appendix I, Nov. 2010) should have been based and informed on the findings of a CMP for the conservation area. The HIA is limited by the scope of research and therefore its findings, recommendations and conclusions are limited and handicapped by the minimal research. A project of this level of State and local heritage significance and degree of potential heritage impact required thorough research provided by a CMP.</p> <p>A CMP would include additional historical and archaeological</p>	<p>The Heritage Impact Assessment (CHBCP, Appendix I, Nov. 2010) should have been based and informed on the findings of a CMP for the conservation area. The HIA is limited by the scope of research and therefore its findings, recommendations and conclusions are limited and handicapped by the minimal research. A project of this level of State and local heritage significance and degree of potential heritage impact required thorough research provided by a CMP.</p>	<p>As the study area is outside the SHR listed area a CMP is not required. Guidelines are to be developed under the SOC to ensure clear heritage impact mitigation guidance is in place for the design and construction of the new development.</p>

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	research, listing the level of significance of all its components, and recording and interpretation of buildings and mine relics. The HIA requires the degree of research provided by a CMP and the current document should be reviewed and a peer review undertaken. The following comments are a detailed analysis of the HIA and its limitations and requirement for review.		
	<ul style="list-style-type: none"> Conclusions on the Level of Heritage Significance <p>The HIA acknowledges the nomination for listing on the State Heritage Register. It has not been updated to confirm the listing on the State Heritage Register.</p> <p>The HIA does not assess the contributory value of the investigated items in relation to the significance of the LM LEP 2004 CHBCA as a whole.</p>	The HIA acknowledges the nomination for listing on the State Heritage Register. It has not been updated to confirm the listing on the State Heritage Register.	The Listing was gazetted after the preparation of the HIA, however the assessment considers these items in its assessment.
	The CHBCA is identified on the maps and referred to under Clause 54 of the LM LEP 2004. The documentation submitted with the Concept Plan, particularly the HIA by ERM, fails to consider and address the CHBCA in terms of its significance and the potential impacts.	The documentation submitted with the Concept Plan, particularly the HIA by ERM, fails to consider and address the CHBCA in terms of its significance and the potential impacts.	The SHR Conservation Impacts are considered carefully in the HIA. Mitigation measures reflect the heritage values included in the SHR nomination.
	The HIA (6.4.2) considers that "...while there is an association with the former miners and their families, this association is better illustrated by other buildings within the area especially those located along Flowers Drive and Colliery Road". The HIA disregards the contributory nature of all the existing stock of buildings, to the interpretation of CHBCA. These buildings have historical significance in association with Pit E and meet at least one of the criteria for significance as analysed in this report. The assessment of significance of these cottages is not accepted as thorough and requires review.	The HIA disregards the contributory nature of all the existing stock of buildings, to the interpretation of CHBCA. These buildings have historical significance in association with Pit E and meet at least one of the criteria for significance as analysed in this report. The assessment of significance of these cottages is not accepted as thorough and requires review.	The HIA reflects the current status of building stock in terms of both the LEP citations and the SHR listing. The importance of the E Pit zone is comprehensively documented in the HIA.
	The impact on the boundaries of Middle Camp combined with the overwhelming introduction of 222 new residential dwellings will destroy the integrity of the CHBCA.	The impact on the boundaries of Middle Camp combined with the overwhelming introduction of 222 new residential dwellings will destroy the integrity of the CHBCA.	The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.
	<p>The HIA claims that the "...development will be of complementary bulk, scale, height, materials and colours..." yet needs to provide "... screening for the new development". These contradictory statements are confirmed from an analysis of the plans whereby:</p> <ul style="list-style-type: none"> The subdivision pattern (deleted South East hamlet, as C&D areas have been deleted from the Plan) in relation to the historic subdivision pattern of the CHBCA and particularly Middle Camp. The visual impact of the new development on existing development contained in the CHBCA. The vegetation screens are inadequate and fail to address the Second Planning Principle in <i>Super Studio v Waverly</i> [2004] NSWLEC 91 regarding landscape screening: "... where proposed landscaping is the main safeguard against overlooking, it should be given minor weight. The effectiveness of landscaping as a privacy screen depends on continued maintenance, good climatic conditions and good luck. While it is theoretically possible forto compel an applicant to maintain landscaping to achieve the height and density proposed in an application, in practice this rarely happens. 	The HIA claims that the "...development will be of complementary bulk, scale, height, materials and colours..." yet needs to provide "... screening for the new development". These contradictory statements are confirmed from an analysis of the plans	It is considered that these are not contradictory statements. The screening is an additional mitigation proposed in terms of visual impact management due to the siting in a natural gully. Notwithstanding this, the development will <i>"be of complementary bulk, scale, height, materials and colours..."</i>

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	The impact of the proposed scale of development is beyond any existing policies, ie. Council's Development Control Plan No. 1 and associated Heritage Guidelines are written in relation to infill development, alterations and additions, and not large scale subdivisions at the edge. Hence a thorough detailed analysis of all the heritage and landscape assets of the area is required.	The impact of the proposed scale of development is beyond any existing policies. Hence a thorough detailed analysis of all the heritage and landscape assets of the area is required.	The heritage landscape including archaeological resources are considered in detail in the HIA. The impacts analysis and mitigation measures are based on careful consideration of these values. Heritage places including townships can accommodate well designed change; it is how heritage places stay relevant and well maintained.
	<p>Adequacy of addressing Part 6 of LM LEP 2004:</p> <ul style="list-style-type: none"> No statement is made in the HIA of how the CHBCP addresses Clause 43 of the LM LEP 2004. The HIA does not mention/reference the requirements of Clause 54 of the LM LEP 2004. The HIA fails to comment/consider the requirements of LM LEP 2004. <p>Failure to consider the specific requirements of the LM LEP 2004 will create conflicts between the Part 3A approval and the LM LEP 2004, ie. individual DAs lodged for erection of dwellings.</p>	<p>No statement is made in the HIA of how the CHBCP addresses Clause 43 of the LM LEP 2004.</p> <p>The HIA does not mention/reference the requirements of Clause 54 of the LM LEP 2004.</p> <p>The HIA fails to comment/consider the requirements of LM LEP 2004.</p> <p>Failure to consider the specific requirements of the LM LEP 2004 will create conflicts between the Part 3A approval and the LM LEP 2004, ie. Individual DAs lodged for erection of dwellings.</p>	<p>Clause 43 of the LM LEP provides the heritage objectives of Lake Macquarie Council “to protect and conserve archaeological sites and places of Aboriginal, natural or European cultural significance. It does this by making provisions that conserve the remaining fabric, relics, settings and views, and evidence of the cultural significance of heritage items and the environment of heritage conservation areas.”</p> <p>These overarching objectives have been considered in the preparation of the HIA, conservation and protection of the relics and heritage items has been undertaken where possible. The HIA can be amended to include wording around how this has been considered in the HIA.</p> <p>Clause 54</p> <p>(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.</p> <p>(2) In forming that opinion, the consent authority must consider, where relevant:</p> <ul style="list-style-type: none"> the scale, bulk and form, including detailing and articulation, of the building, and the pitch and form of the roof, and the style, size, proportion and position of the openings for windows or doors, and the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building, and any other matter that the consent authority considers relevant to the assessment of the application. <p>It is incumbent on Council to update LEP in accord with the regional plan and any relevant SEPPs as required by s117 of the EP&A Act.</p>
	The HIA is inadequate in addressing heritage significance of individual parts as contributing to the fabric of the whole of the CHBCA. The HIA is limited to the identified study areas, however the Statement of Significance for the various components needs to be related to the significance of the whole of CHBCA and where appropriate to its individually listed items.	The HIA is limited to the identified study areas, however the Statement of Significance for the various components needs to be related to the significance of the whole of CHBCA and where appropriate to its individually listed items.	The HIA considers components as well as the CHB-Middle Camp heritage landscape as a whole.
	<p>The adequacy of the HIA and Statement of Significance of Built Heritage of the previously unassessed buildings of Middle Camp and Saw Mill Camp by the ERM report (6.2) is questioned on various counts including:</p> <ul style="list-style-type: none"> The development as a whole will erode the heritage integrity of the CHBCA by both introducing a new subdivision that overwhelms Middle Camp hamlet and by eliminating contributory buildings based on the argument that better examples or other similar forms exist in the immediate area. There is no analysis of the former occupants of the buildings in comparison to the other buildings located in Flowers Drive, ie. occupation of the Flowers Drive dwellings by miners whilst the other dwellings were occupied by the mine and electrical engineers, hence a difference in building typology and levels of comfort, etc. The buildings had a more direct relationship to the mine due to their close proximity to the Mine and that the occupants needed ease of access, ie. electrical and mine engineers. Hence these buildings are a part of the historical significance of E-pit and therefore meet at least one criteria of significance. The assessment of these buildings is minimal with no new historical research using primary sources. It is in some cases 	The adequacy of the HIA and Statement of Significance of Built Heritage of the previously unassessed buildings of Middle Camp and Saw Mill Camp by the ERM report (6.2) is questioned on various counts	The HIA is prepared in accordance with NSW Heritage Council assessment requirements. It is noted that none of the previously unassessed buildings were deemed worthy of inclusion on the Lake Macquarie LEP Heritage Schedule.

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	<p>an assessment of the condition only.</p> <ul style="list-style-type: none"> The later alterations to the buildings such as lean-to additions are assessed as diminishing the significance of these cottages to the extent that there is no significance and therefore the cottages can be demolished. Change to vernacular buildings and layers of development should be assessed as a part of the history of these buildings and their continued use in association with the mine. (refer to the Burra Charter 1999, Article 15) <p>No attempt has been made to design the subdivision layout such that it can accommodate all the buildings and therefore avoid the impact of demolition.</p>		
	<ul style="list-style-type: none"> 4.5.1. Concept Plan Principles and Urban Design Guidelines: Catherine Hill Bay <p>Specific design principles for proposed development within the curtilage of CHBCA and its desired future character need to be formulated and based on the cultural heritage significance and associated values of the whole area. Any resulting design guidelines for the Concept Plan need to be driven by and incorporate the policies of a prior adopted CMP for the CHBCA. The Concept Plan Principles, Appendix A and Urban Design Guidelines, Appendix B. These controls will have to be compatible with Council's LEP and DCP requirements for the area.</p>	<p>Specific design principles for proposed development within the curtilage of CHBCA and its desired future character need to be formulated and based on the cultural heritage significance and associated values of the whole area.</p>	<p>The HIA recommends specific design principles for proposed development.</p>
	<p>4.5.2. Concept Plan Principles and Urban Design Guidelines</p> <ul style="list-style-type: none"> Subdivision Layout <p>Impact of subdivision lot pattern and the proposed street frontage should incorporate an appropriate curtilage for the provisional heritage items and unidentified contributory heritage items and their immediate setting (existing outbuildings, vegetation and fencing) and wider setting.</p> <ul style="list-style-type: none"> Super Lots <p>These are atypical of the existing villages at Catherine Hill Bay and introduce a new element that detracts from the significance of the Village.</p> <ul style="list-style-type: none"> Street Typology <p>The street layout does not acknowledge the existing pattern of streets in Catherine Hill Bay which is linear and not the suburban grid as shown in the proposal. The introduction of a hierarchy of streets is an anomaly and will detract from the existing street pattern.</p>	<p>4.5.2. Concept Plan Principles and Urban Design Guidelines</p> <ul style="list-style-type: none"> Subdivision Layout <p>Impact of subdivision lot pattern and the proposed street frontage should incorporate an appropriate curtilage for the provisional heritage items and unidentified contributory heritage items and their immediate setting (existing outbuildings, vegetation and fencing) and wider setting.</p> <ul style="list-style-type: none"> Super Lots <p>These are atypical of the existing villages at Catherine Hill Bay and introduce a new element that detracts from the significance of the Village.</p> <ul style="list-style-type: none"> Street Typology <p>The street layout does not acknowledge the existing pattern of streets in Catherine Hill Bay which is linear and not the suburban grid as shown in the proposal. The introduction of a hierarchy of streets is an anomaly and will detract from the existing street pattern.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>As LMCC has declined to accept the identified public open space parks within the Concept Plan area, they are proposed as superlots to remain within the ownership of Coal & Allied. It is considered that parks are an integral component of good urban design for the proposed Concept Plan and as such it is intended that they form part of the overall final development. However, as the concept plan does not apply for a specific lot or road layout it is intended that the superlots be zoned R2 until such time as the relevant detailed investigations are carried out to enable the final subdivision design to be completed.</p> <p>The street layout is consistent with modern urban design principles and is suitable for the development parcel.</p>
	<ul style="list-style-type: none"> 4.5.3. Urban Design Guidelines for CHB (Appendix B of the Concept Plan) <p>Objectives for the design guidelines as set out lack any reference to heritage considerations. Treatment of public domain, building types, built form and character, height and bulk, setbacks, density, streetscape and setbacks for development should be clearly defined as an appropriate response to the heritage items (provisional or otherwise) and the overall CHBCA.</p> <p>Any new development as seen from all significant views needs to be subservient and sit recessively in the landscape rather than dominating and overwhelming the existing development.</p>	<p>Objectives for the design guidelines as set out lack any reference to heritage considerations. Treatment of public domain, building types, built form and character, height and bulk, setbacks, density, streetscape and setbacks for development should be clearly defined as an appropriate response to the heritage items (provisional or otherwise) and the overall CHBCA.</p>	<p>The HIA recommends inclusion of heritage guidance in the Design Guidelines. Heritage is one of the key urban design principles underpinning the Concept Plan.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> The setting of Middle Camp is maintained by retaining vegetated ridges. Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting

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			<ul style="list-style-type: none"> Heritage items are retained and reinterpreted in the open space framework Dwelling types are designed to be sympathetic to the existing village
	<ul style="list-style-type: none"> B1.1 Public domain strategy & B1.3 Parks and Open space <p>The site objectives for both sections need to include principle objectives on heritage conservation and interpretation. Heritage interpretation strategies need to be developed in conjunction with these guidelines.</p> <p>The significance of Colliery Road as an access road to houses for company officials is not assessed. The road footprint and name should be considered for incorporation into any new subdivision as part of the interpretability of the site.</p> <p>Any guidelines effecting all the archaeological and heritage resources of the site, including amongst others the historic road alignments, the workshop building, former staff housing and the railway line, need to be based on sound heritage assessment, management and interpretation strategies specifically developed for the site. These need to be the basis for developing these guidelines.</p>	<p>Any guidelines affecting all the archaeological and heritage resources of the site, including amongst others the historic road alignments, the workshop building, former staff housing and the railway line, need to be based on sound heritage assessment, management and interpretation strategies specifically developed for the site. These need to be the basis for developing these guidelines.</p>	<p>The HIA recommends inclusion of heritage guidance in the Concept Plan. These are included in section A2.6 of the Concept Plan, noting that heritage is one of the key urban design principles underpinning the Concept Plan.</p> <p>The key heritage principles embodied in the plan are:</p> <ul style="list-style-type: none"> The alignment of the former railway line will be interpreted as a heritage walk and a link which physically ties together the incoming community. The terracing in Area B (Pit E) will be expressed in the relationship of the landform with the park activities. Former workshop and the archaeology of the house in the Colliery Hamlet are the structuring elements of Area B (Pit E) and are located in parks that connect the ridge to the creek. Retail existing cottages within Colliery Hamlet and incorporate them into the subdivision pattern. <p>The key principles of the visual impact that are embodied in the plan are:</p> <ul style="list-style-type: none"> The setting of Middle Camp is maintained by retaining vegetated ridges. Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting Heritage items are retained and reinterpreted in the open space framework Dwelling types are designed to be sympathetic to the existing village
	<ul style="list-style-type: none"> B2.1 Building types <p>New housing types should be based on the desired future character for CHBCA, which as yet has not been specifically defined. It has to be based on the heritage values of the whole area and the policies of an adopted CMP for the whole area.</p> <p>Suitable building types for any new development within the CHBCA need to respond to and compliment the character of this Company Town defined by its strong group aesthetic of collective, repetitive housing, consisting of small, simple unpretentious housing, with relative scale, density and detailing.</p> <p>New housing should follow the topography and involve minimal earthworks similar to the existing housing. The bulk and height needs to respond to the existing scale and single storey interface at the street level and distant views.</p> <p>Two storey development needs to be largely restricted in an essentially single storey conservation area.</p> <p>Of the proposed housing types :</p> <ul style="list-style-type: none"> Except for Type 1 townhouses, all indicative elevations developed present a single story detached frontage, which is more in keeping with the area. <p>The characteristics given for types two and three however are clearly given as two storeys which is very different to the illustrated principles.</p> <ul style="list-style-type: none"> Type 1 Townhouse house <p>This housing type is an anomaly in CHBCA and is not justified in this setting.</p> <ul style="list-style-type: none"> Type 2 'Small house courtyard type' & Type 3 'Village courtyard lots' <p>The guidelines should be similar to the indicative elevations and need to stress the essentially single storey character of the type with two storey components only being permissible where specific visual criteria is being met.</p> <p>Location of possible two storey components are identified in drawings of B2.5 Side and Rear Setback and need to be linked. In a Conservation Area where garaging is not attached and part of the street frontage, any front garaging in the new hamlets should read as subservient, minor and a recessed component</p>	<p>Suitable building types for any new development within the CHBCA need to respond to and compliment the character of this Company Town defined by its strong group aesthetic of collective, repetitive housing, consisting of small, simple unpretentious housing, with relative scale, density and detailing.</p> <p>Two storey development needs to be largely restricted in an essentially single storey conservation area.</p>	<p>The HIA recommends this.</p> <p>The proposed desired future character takes its cues from the simple forms of the existing houses at CHB. However, the design approach was not to replicate them but provide a modern interpretation, in accordance with the Burra Charter.</p> <p>There are numerous examples of existing two storey developments in the Catherine Hill Bay locality.</p>

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	<p>with minimal width and lower roof form.</p> <p>In the elevations the double garage reads prominently even though it is stepped back it still takes up 50% of the frontage and has the same eave and ridge height as the main part of the house.</p> <ul style="list-style-type: none"> Type 4, Type 5 <p>Dominance of garaging needs to be addressed as in the comments above.</p>		
	<ul style="list-style-type: none"> B2.2 Site coverage <p>The proposed site coverage varies from 40% for two storey development to 60% for traditional/townhouse lots.</p> <p>The site coverage proposed is in conflict with Council's DCP1 which sets a 35% maximum site coverage for the standard housing lots in CHBCA which ensures the scale of 'little cottages dotted in the landscape' and maintains the dominance of the landscape strips between and to the rear of houses. The proposed site coverage promotes dominance in building form over the landscape, which is atypical in the conservation area.</p>	<p>The site coverage proposed is in conflict with Council's DCP1 which sets a 35% maximum site coverage for the standard housing lots in CHBCA</p>	<p>The Concept Plan provides a maximum of 40% site coverage for two storey and 45% site coverage for single storey, on traditional lots.</p> <p>This is consistent with the provisions of the small lot housing requirements under SEPP (Exempt and Complying Codes) 2008 which, in association with the guidelines, produces a desirable design outcome for the area.</p>
	<ul style="list-style-type: none"> B2.3 Building Height and Bulk <p>The objectives for this guideline have ignored and failed to respond to heritage criteria.</p> <p>Height and bulk guidelines need to clearly demonstrate how they specifically relate to the context of the CHBCA.</p> <p>The Design guidelines propose a maximum height of 9 metres above finished ground and maximum two storeys. This is not in keeping with the scale of any of the existing cottages in Middle Camp and the CHBCA as a whole, where single storey with sub-floor areas is the dominant feature.</p> <p>Council's heritage considerations, as set out in DCP1 for CHBCA, limit the height of buildings to one storey at street level to maintain the scale and character of the area. Even outside specifically defined single storey heritage precincts in Lake Macquarie LGA, the maximum height for housing in residential zones is limited to 8 not 9 metres.</p> <p>Entry from the north into Catherine Hill Bay and Middle Camp is characterised by its bush setting with the scattered vernacular cottages of Saw Mill Camp. Constraints to development for CHB relating to the statement of significance for CHBCA have previously identified limitations to any development in this identified gateway location.</p> <p>Saw Mill Camp, which is at the northern fringe of both Flowers Drive and Middle Camp, will be the first prominent impression of Coal & Allied settlement and clearly visible from the street despite the minimal screening proposed. Two-storey height and townhouse density in this location would detrimentally alter the approach and entry to the village and ignores the heritage constraints of the site as well as Council's controls for CHBCA.</p>	<p>The objectives for this guideline have ignored and failed to respond to heritage criteria.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>2 storey buildings are located sensitively in response to the landform and visual impact. Single storey buildings are located on ridges. Along Flowers Drive the two storey components of the houses are located to the rear of the lot behind a significant landscape buffer.</p>
	<ul style="list-style-type: none"> B2.4 Streetscape and Street Setbacks and B2.5 Side and Rear Setbacks <p>The existing street character is defined by its group aesthetic, consisting of regular front setback, average block widths of 15m with generous side setbacks/landscaped strips between houses and minimal fencing.</p> <p>Although the streetscape seatback is specified, (8m setback for townhouse lots), to judge their effectiveness landscape treatments for these front setbacks need to be developed in parallel including type and degree of fencing.</p>	<p>The setbacks proposed for the new housing types do not reflect the character of the front and side setback pattern of the established residences in Catherine Hill Bay.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The proposed desired future character takes its cues from the simple forms of the existing houses at CHB. However, the design approach was not to replicate them but provide a modern interpretation.</p>

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	The proposed side setbacks of 1.5m for housing types 1, 2 & 3 are wider than the current standard and provides improved landscape strips between dwellings although not consistent with the side setbacks in the original settlement.		
	<p>▪ Additional comments:</p> <p>Materials and colours will have a strong visual impact. The current inappropriate scale proposed will overwhelm the CHBCA and any new development needs to be as recessive as possible. The CHBCP details a colour palette, although this does not identify where these colours are on the building fabric. The use of light to very light roof colours will be noticeable in the bush settings from close and distant vantage points. Metal roofs colours as well as walls should however be recessive, not stand out against the bush setting, and not detract nor visually compete with the galvanised or light roofs of the CHBCA where the roof form stand out as a feature from the distance. A material and colour palette has been provided however this needs to provide more detail on proposed roof colours in particular.</p>	<p>Materials and colours will have a strong visual impact. The CHBCP details a colour palette, although this does not identify where these colours are on the building fabric</p> <p>Metal roofs colours as well as walls should however be recessive, not stand out against the bush setting, and not detract nor visually compete with the galvanised or light roofs of the CHBCA where the roof form stand out as a feature from the distance. A material and colour palette has been provided however this needs to provide more detail on proposed roof colours in particular.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>Colour palette is reflective of the bushland setting and native flora. Darker, neutral, recessives colours are to be the main colour with brighter colours used sparingly for highlighting details.</p>
	<p>▪ 4.5.4. Road Network</p> <p>The proposed road network will have a significant impact on the heritage conservation and integrity of the CHBCA. An analysis of Concept Plan identified the following impacts:</p> <ul style="list-style-type: none"> ▪ The significance of the existing northern entry to CHBCA is lost through the introduction of new development and loss of the existing transition zone, ie. vegetated avenue adjoining the old Pacific Highway through the parkland setting of Sawmill Camp to the Coal Miners cottages adjoining Flowers Drive. ▪ Placement of high density two-storey development adjoining the main access road, namely Sawmill Camp with limited or no buffer. ▪ Single and two storey development having direct frontage to the main access road at Sawmill Camp. <p>Local roads directly connecting to the main access road as opposed to collector roads.</p>	The proposed road network will have a significant impact on the heritage conservation and integrity of the CHBCA	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <p>The traffic data suggests that traffic influences on residential amenity would remain satisfactory.</p> <p>Future traffic volumes on the existing road system would remain well below the RTA's environmental capacity performance standards, which is satisfactory. With proposed upgrade, the key intersections with the Pacific Highway would operate at good levels of service, with spare capacity and only short delays to traffic</p>
	<p>▪ 4.5.5. Saw Mill Camp:</p> <p>LMCC previous comments questioned the assessment of the cottage at Lot 5a Sawmill Camp as being older than the date given as c1940. This date is more likely to relate to the set of extensive lean-to additions, which are depicted as the front façade of the photo 5.11, p64 of the ERM report.</p> <p>The current HIA has neglected to assess the age of the cottage or its building fabric. Its condition has been assessed as being "beyond economic repair." It is standard heritage practise to require a structural assessment by an engineer with conservation experience in order to assess the condition of a building before recommending demolition. The core of the cottage of the weatherboard main gable and lean-to element appears to be much older than described. It is very similar in form to the tiny two room cottages with rear lean to kitchen of the simple vernacular mid Victorian cottage form in Clarke Street. Its side window has the typical window form of these cottages. This original core is also much smaller and differently proportioned than the 4 room cottages in Flowers Drive which represent the part of company housing of extraordinary uniformity. Plans drawn of the area in1908 show a group of buildings that were erected at Saw Mill Camp (see page 67 of Architectural Projects 2000 Heritage Assessment Conservation Plan). The core of the cottage is likely to date back to this time</p>	The current HIA has neglected to assess the age of the cottage at Lot 5a Sawmill Camp or its building fabric.	<p>Lot 5a is considered in Chapter 5 of the HIA and its age is identified as c1940s with component features of varying ages. A site plan and physical analysis is included at Figure 5.9. The values assessment determined that this item does not have local heritage significance.</p> <p>This structure contains components of varying ages and has no heritage value.</p>

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	<p>or earlier. The ERM report does not demonstrate that this period of Saw Mill Camp has been investigated and what material evidence or any associated archaeological remains are associated with this cottage, in its vicinity or on other parts of Saw Mill Camp.</p> <p>The building and its wider setting make a distinct contribution to the entry to Middle Camp as seen from Flowers Drive. Cottage Lot 5a appears to be a record of one of the early buildings of Saw Mill Camp. The feasibility of retaining this cottage and other potential heritage items should be considered in the CHBCP and their conservation (rather than their demolition) assessed in the HIA.</p> <p>Further:</p> <ul style="list-style-type: none"> no assessment of its structural condition, the overall extent of remaining significant fabric, or its potential for adaptation has been undertaken. The significance of the whole of Saw Mill Camp area and its contribution to the whole of the Conservation Area has not been assessed. It is also standard heritage practise to assess the history of the building (date the building fabric) and its significance. The assessment of the cottages is seriously flawed and requires peer review of the current HIA. The proposal to demolish potential Heritage Items that were identified in the Heritage Study (Suters Architects,1993) needs to be assessed to the standards set by the NSW Department of Planning, Heritage Branch Guidelines and justified in accordance with LMCC DCP1 <p>There is no identified new research into primary sources for the study area.</p>		
	<p>4.5.6. Colliery Rd:</p> <p>The presently unassessed and unlisted building on the southern edge of the proposed Colliery Hamlet and south of the 'Workshop' building is depicted below and has not been assessed. It is a contributory building to the CHBCA requiring a full heritage assessment. The current proposal for the Colliery Hamlet appears not to have made any allowance for its retention and it can only be assumed that it is to be demolished. The property appears to be marked as a potential heritage item in the ERM's Figure 8.1.</p>	<p>The presently unassessed and unlisted building on the southern edge of the proposed Colliery Hamlet and south of the 'Workshop' has not been assessed.</p>	<p>The built potential heritage item marked in Figure 8.1 is the Workshop building. The only other built heritage remains identified during field survey, within the vicinity of the Workshop, were the earthen pads associated with the Workshop. No other buildings were identified in this area during the ERM assessment in 2007.</p>
	<p>4.5.7. Earlier 'Other Structures':</p> <p>The other previously unassessed items in the report represent remnant shacks erected prior to 1950 and earlier with later additions and modifications. They represent part of the remaining fabric of historical and social significance of CHBCA. They differ in form and are less substantial than the uniform company houses along Flowers Drive or the well built and more substantial 'Former Mine Engineers' and 'Former Electrical Engineers' houses along Colliery Road. They are therefore not considered to have no significance, in fact they are viewed as significant contributory buildings and structures to the CHBCA. Council's DCP1 sets specific performance criteria for the retention of these 'Other Structures' pre-dating 1950 that consist of former workers, miners, fisherman's and holiday cottages as well as weekenders and early workshops, outbuildings, boatsheds and other similar structures. Their demolition is not supported as it has not been demonstrated that they are neither worthy of retention nor cannot be incorporated into the development.</p>	<p>The other previously unassessed items in the report represent remnant shacks erected prior to 1950 and earlier with later additions and modifications. They represent part of the remaining fabric of historical and social significance of CHBCA.</p>	<p>The HIA has assessed these buildings in accordance with the NSW Heritage Council assessment guidelines. These buildings do not meet the threshold for local level significance, as confirmed by the fact that they are not on the heritage schedule to the LEP.</p>

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	<p>▪ 4.5.8. Mitigation Measures</p> <p>Measures to mitigate the impact on the five houses in Colliery Road (four being listed as provisional heritage items and the fifth an unassessed contributory house) are inadequate and are only limited to the inclusion of the provisional items on the lots only.</p> <p>The following statement HIA (Nov 2010) 10.1.1:</p> <p>The previously identified heritage values or potential heritage values were found to be valid.</p> <p>This is unsubstantiated and would seem to assume that heritage items in the Heritage Study (Suters Architects 1993) and not listed on the LEP are therefore not significant. The Heritage Study states that Information needed for these items. The mitigation measures and justification for demolition would seem to be based on this mistake. These assumptions should be amended and the consequent inadequate findings that demolition is the only option and is based on assessment.</p> <p>Part of the mitigation measures will adaptively re-use potential heritage items. Most of the potential items are proposed for demolition. The proposed management and adaptive re-use of those other items should be included in the CHBCP (refer to comments on Workshop).</p> <p>The mitigation measures should be based on the assessed impacts. This is not clear and needs to be amended to include the impact and the mitigation measure. This requires amendment and review. The preparation of an archival record should be in accordance with the standard guidelines of the NSW Department of Planning, Heritage Branch. Archival recording is not a mitigation measure as demolition cannot be mitigated.</p>	<p>Measures to mitigate the impact on the five houses in Colliery Road are inadequate and are only limited to the inclusion of the provisional items on the lots only.</p>	<p>The mitigation measures consider individual items as well as the Conservation Area as a whole. The measures address a range of requirements that will comprehensively minimise heritage impacts.</p>
	<p>▪ 4.5.9. Curtilages</p> <p>Lack of determining appropriate curtilages based on significance. ERM's Heritage Assessment does not define nor take into account a heritage buildings immediate and wider setting including outbuildings and fences, curtilage and appropriate frontage. This has not been assessed and appropriate lot boundaries have not been determined.</p> <p>The proposed subdivision lot layout of Area B of the concept plan does not demonstrate how it takes into account the buildings and their immediate and wider setting.</p>	<p>ERM's Heritage Assessment does not define nor take into account a heritage building's immediate and wider setting including outbuildings and fences, curtilage and appropriate frontage. This has not been assessed and appropriate lot boundaries have not been determined.</p>	<p>The HIA has assessed heritage values across the study area including providing information on items adjacent to the development area. Careful analysis of impacts to the Conservation Area (including the SHR listed Area) has been incorporated into the HIA to develop a large suite of mitigation measures. The heritage interpretation will be of particular benefit as the values of CHB-Middle Camp are not currently interpreted on site by any other agency.</p>
	<p>▪ 4.5.10. Workshop</p> <p>A Conservation Management Plan for the Workshop building and its implementation is required to ensure its protection, define its curtilage, interpretation, and to determine appropriate adaptive reuse/alterations and/or additions.</p>	<p>A Conservation Management Plan for the Workshop building and its implementation is required to ensure its protection, define its curtilage, interpretation, and to determine appropriate adaptive reuse/alterations and/or additions.</p>	<p>The Workshop is not State listed item and as such a CMP is not required. However, it is intended that the Workshop would be retained /interpreted and incorporated into a park.</p>
	<p>▪ 4.5.11. Visual Impact</p> <p>The development in its current form will have a major impact on the integrity and significance of the CHBCA. Encroachments into the Visual Catchment of the CHBCA occur both directly at the interface and in more general landscape views.</p> <p>These encroachments should be prevented through an improved design that provides increased setbacks, larger vegetated buffers, and with the proposed hamlets being well removed from the existing development along Flowers Drive.</p>	<p>Encroachments into the Visual Catchment of the CHBCA occur both directly at the interface and in more general landscape views and should be prevented through an improved design that provides increased setbacks, larger vegetated buffers, and with the proposed hamlets being well removed from the existing development along Flowers Drive.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape.</p> <ul style="list-style-type: none"> ▪ The setting of Middle Camp is maintained by retaining vegetated ridges. ▪ Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. ▪ Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting ▪ Heritage items are retained and reinterpreted in the open space framework
	<p>▪ 4.5.12. Development Within the Vicinity</p> <p>Proposed development within the vicinity of heritage items, provisional heritage items and other unidentified heritage resources must be suitable development that sympathetically sets the new development in a manner that mitigates against</p>	<p>The present CHBCP is not designed such that it minimises the impact on the heritage items, provisional heritage items and other unidentified heritage resources, let alone retain the unidentified heritage buildings or resources located near Colliery Road or in Saw Mill Camp.</p>	<p>The visual impact of the proposed development on heritage values including landscape setting has been carefully analysed. The siting, scale and screening of the proposed development would not have a significant impact on the Middle Camp townscape</p> <ul style="list-style-type: none"> ▪ The setting of Middle Camp is maintained by retaining vegetated ridges.

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	<p>any impact on the heritage significance.</p> <p>The present CHBCP is not designed such that it minimises the impact on the heritage items, provisional heritage items and other unidentified heritage resources, let alone retain the unidentified heritage buildings or resources located near Colliery Road or in Saw Mill Camp.</p>		<ul style="list-style-type: none"> Development areas are screened by landscape buffers along Flowers Drive. This will allow the heritage streetscape of Middle Camp to maintain its bush landscape setting along Flowers Drive. Ecology based reserves will be located at the periphery of development footprints in all hamlets to maintain its bush landscape setting Heritage items are retained and reinterpreted in the open space framework
	<p>The HIA requires amendment and review and peer review is recommended.</p> <ul style="list-style-type: none"> Identify, locate and name all potential and contributory items; Assess the significance and not only the condition all these potential items; The assessment of heritage states that some items do not meet the threshold for a criteria. This overstates the case as a vernacular building may not be rare which means it does is excluded from this criteria but is likely to be representative. Only one or more of the criteria are required to be met for listing on the LEP. This is standard heritage practise and is stated on the Heritage Branch website and all relevant publications for assessing significance published by the Heritage Branch. The assessment of criteria should therefore be reviewed to comply with the standard practice. The statutory context needs to be more clearly stated and each heritage item identified. 	<p>The HIA requires amendment and review and peer review is recommended.</p> <ul style="list-style-type: none"> Identify, locate and name all potential and contributory items; Assess the significance and not only the condition all these potential items; The assessment of heritage states that some items do not meet the threshold for a criteria. This overstates the case as a vernacular building may not be rare which means it does is excluded from this criteria but is likely to be representative. Only one or more of the criteria are required to be met for listing on the LEP. This is standard heritage practise and is stated on the Heritage Branch website and all relevant publications for assessing significance published by the Heritage Branch. The assessment of criteria should therefore be reviewed to comply with the standard practice. The statutory context needs to be more clearly stated and each heritage item identified. 	<p>The HIA does locate and identify potential and contributory items in text and on plans.</p> <p>The significance of the items has been assessed against the criteria for the SHR in the HIA.</p> <p>Each currently heritage item is identified in text and on plans. The heritage legislative and statutory context is summarised in the HIA.</p>
	<p>The Archaeological Assessment should comply with the standard guidelines of the Department of Planning, Heritage Branch, Archaeological Assessment Guidelines.</p> <p>It should include a clear assessment of the archaeological potential and zoning and a table and map showing this</p>	<p>An archaeological Assessment should comply with the standard guidelines of the Department of Planning, Heritage Branch, Archaeological Assessment Guidelines.</p> <p>It should include a clear assessment of the archaeological potential and zoning and a table and map showing this</p>	<p>The assessment of archaeological potential has been prepared in accordance with the NSW standards.</p>
	<p>The Aboriginal Assessment should comply with the guidelines of the Department of Planning, Heritage Branch Archaeological Assessments and the requirements of DECCW.</p> <p>It should include a clear assessment of the archaeological potential and zoning and a table and map showing this.</p> <p>Where due to thick vegetation, areas were not able to be surveyed then these should be given an unknown potential.</p>	<p>An Aboriginal Assessment should comply with the guidelines of the Department of Planning, Heritage Branch Archaeological Assessments and the requirements of DECCW.</p> <p>It should include a clear assessment of the archaeological potential and zoning and a table and map showing this.</p> <p>Where due to thick vegetation, areas were not able to be surveyed then these should be given an unknown potential.</p>	<p>The Aboriginal assessment within the HIA does accord with the requirements of DECCW.</p>
	<p>Intersections</p> <p>Currently the intersections of the Pacific Highway and Cams Wharf Road / Flowers Drive, and the Pacific Highway and Montifiore Street and high volume and high speed intersections with adverse crash histories. Both intersections are controlled only by signage.</p> <p>With Development Case S2 (highlighted in the Hyder Consulting Traffic Report), the right turns from Flowers Drive onto the Pacific Highway will significantly increase in the AM peak (over 5 times increase), and also double in the PM peak, and similarly the right turn from the Pacific Highway into Flowers Drive.</p> <p>The Sidra analysis undertaken shows these movements with a LOS F using the current volumes (Case S1), which is the worst case scenario. The LOS remains at F under the proposal however the queue lengths would significantly increase as there are many more vehicles using the roads.</p> <p>The Traffic Report refers to the following intersection treatments:</p>	<p>There is a significant impact on the Pacific Highway and Flowers Drive intersection which will certainly require upgrading. The intersection treatments proposed are a package, if Flowers Drive is restricted to left in, left out at the Pacific Highway, then Montifiore Street must be upgraded at the Pacific Highway to accommodate the additional traffic flow from Flowers Drive.</p> <p>The intersection treatments identified must be upgraded prior to the commencement of any subdivision construction works on-site to ensure the safety of the existing residents and the work crew.</p>	<p>The proposed upgrading works at key intersections with the Pacific Highway would be undertaken as per RTA's requirements. Works in kind (WIK) relating to the upgrading of intersection of Pacific Highway/Flowers Drive will be concurrent with subdivision works to be completed prior to registration of the first stage subdivision.</p>

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	<ul style="list-style-type: none"> Pacific Highway and Montifiore Street - partial signalisation (SB approach) combined with a seagull intersection treatment, Pacific Highway and Flowers Drive / Cams Wharf Road – Left in, left out treatment on Flowers Drive; right turn ban from Cams Wharf Road onto the Pacific Highway. <p>The report states 'in the event that the proposed Rose Group development at CHB does not proceed, the traffic analysis has determined low impact at Pacific Highway / Montifiore intersection. The traffic modelling result has identified no upgrading requirements of the Pacific Highway / Montifiore Street intersection deriving from the existing traffic and the Coal and Allied development at Middle Camp.' The impact on this intersection based on the report is moderate.</p> <p>However, there is a significant impact on the Pacific Highway and Flowers Drive intersection which will certainly require upgrading. The intersection treatments proposed are a package, if Flowers Drive is restricted to left in, left out at the Pacific Highway, then Montifiore Street must be upgraded at the Pacific Highway to accommodate the additional traffic flow from Flowers Drive.</p> <p>The intersection treatments identified must be upgraded prior to the commencement of any subdivision construction works on-site to ensure the safety of the existing residents and the work crew.</p>		
	<p>Existing Roads</p> <p>The traffic volumes on Flowers Drive under this proposal are to increase to a projected 2,130 vehicles per day. Council traffic counts undertaken in June 2009 (taken at H/No.11 Flowers Drive) have the Average Daily Traffic (ADT) volume on Flowers Drive at 702 vehicles per day, and an 85th percentile speed (the speed at which 85% of vehicles travel below) of 63km/h. This proposal is projecting a three time increase of the current ADT volume on Flowers Drive, which would follow through to Clarke Street as vehicles that would usually turn right onto the Pacific Highway from Flowers Drive would be required to travel to Montifiore Street to turn right, and travel throughout the township past most properties.</p> <p>Council regularly receives many complaints regarding the speeding along Flowers Drive at the residential properties, and along Clarke Street at the pub.</p> <p>Residents are also concerned with speed as the properties are positioned close to the roadway.</p> <p>Submit to Council for review and eventual approval, a Local Area Traffic Management (LATM) scheme throughout Catherine Hill Bay, which aims to address the concern of vehicular speed on Flowers Drive and Clarke Street. The proposal is to conform with Australian Standards (AS1742.13), and be fully funded by the applicant and installed at the same time as the intersections are upgraded.</p>	<p>Submit to Council for review and eventual approval, a Local Area Traffic Management (LATM) scheme throughout Catherine Hill Bay, which aims to address the concern of vehicular speed on Flowers Drive and Clarke Street. The proposal is to conform with Australian Standards (AS1742.13), and be fully funded by the applicant and installed at the same time as the intersections are upgraded.</p>	<p>The traffic study identified the need for LATM measure on Flowers Drive. The LATM could be in the form of reducing the speed limit to 40 kph and installing speed humps at regular intervals on Flowers Drive through Middle Camp. Coal & Allied has committed to a LATM. Detail design of the LATM would be undertaken in a subsequent works application.</p>
	<p>Proposed roads are to conform with Council's DCP requirements as a minimum design, and also any conditions imposed by the RFS. .Some of the proposed roads in the Urban Design Guidelines are narrower than Council's minimum requirement. Proposed intersections with Flowers Drive are to have sight distance in accordance with Council's DCP.</p>	<p>Proposed roads are to conform with Council's DCP requirements as a minimum design, and also any conditions imposed by the RFS.</p>	<p>Local intersections with Flowers Drive would be undertaken as per Council's guideline. Details to be included in subsequent works application.</p>
	<ul style="list-style-type: none"> Footpath is to be provided in accordance with Council's DCP in the proposed residential streets. Shared path to be provided between the proposed residential 	<p>Footpath is to be provided in accordance with Council's DCP in the proposed residential streets.</p> <p>Shared path to be provided between the proposed</p>	<p>Traffic control signals at Awabakal Drive/Pacific Highway shall be designed and constructed as per RTA's standard. The need for the provision of pedestrian phase will be assessed prior to works application.</p>

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	<p>estate and other local attractors, including the bowling club and beach. This is shown partially in the concept plan as the Coastal Connector Path. In the Concept Plan Principals, this is shown extending further to the beach.</p> <ul style="list-style-type: none"> Shared path to be provided to connect Nord Wharf to Catherine Hill Bay, connecting from the rear of Area B of the proposed Catherine Hill Bay residential estate, to Awabakal Drive. Awabakal Drive / Pacific Highway intersection is proposed to be upgraded as partial signals and seagull treatment under the MISC/79/2010 proposal. With this shared path that is requested, the intersection of Awabakal Drive and the Pacific Highway MUST have a pedestrian phase installed on the signals at this intersection. The intersection may therefore have to become a fully signalised intersection. 	<p>residential estate and other local attractors, including the bowling club and beach.</p> <p>Shared path to be provided to connect Nords Wharf to Catherine Hill Bay, connecting from the rear of Area B of the proposed Catherine Hill Bay residential estate, to Awabakal Drive. Awabakal Drive / Pacific Highway intersection is proposed to be upgraded as partial signals and seagull treatment under the MISC/79/2010 proposal. With this shared path that is requested, the intersection of Awabakal Drive and the Pacific Highway MUST have a pedestrian phase installed on the signals at this intersection. The intersection may therefore have to become a fully signalised intersection.</p>	<p>An interpretative pathway to accommodate both pedestrians and cyclists is proposed along the route of the former coal railway line.</p> <p>The shared path between Catherine Hill Bay to Nords Wharf is identified as part of the \$5Million Allocation but is subject to DECCW approval.</p>
	<p>As stated in the Traffic Report, public transport (ie public bus) may increase as development increases. Under this proposed development, which includes the upgraded intersection, identify the possible bus route through Catherine Hill Bay, and provide complying bus shelters close to the proposed development (on one side of the road if the route is one-way, on both sides of the road if the route is two-way). There is currently a bus shelter located south of Colliery Road, and if this is to remain under this proposal, it is required to be upgraded to comply with the Disability Discrimination Act (DDA) requirements. Connectivity between the proposed residential estate and the bus shelter(s) is required.</p>	<p>identify the possible bus route through Catherine Hill Bay, and provide complying bus shelters close to the proposed development</p> <p>Connectivity between the proposed residential estate and the bus shelter(s) is required.</p>	<p>Discussion will be held with the bus operator and road network will be designed for a bus service. Details to be included in subsequent works application.</p>
	<p>Assessment of the SIS</p> <p>The SIS covers the context of the proposal very well, and assumes that the proposal will result in an additional 466 residents at the completion of the development. This is based on the assumption of 2.1 persons per household, which is the current occupancy ratio. However, no evidence has been provided to justify this assumption. Council has recently undertaken background studies for the future development of the Morisset Contributions Catchment area for the period 2010-2025. Future development in this area is predominately detached housing on individual lots, mirroring the likely development at CHB. These studies identified an occupancy ratio of 2.91 persons per household. Therefore, based on this occupancy ratio, it is estimated that the development of an additional 222 dwellings will result in an additional 646 residents. I believe that this higher figure of 646 additional residents should be used when considering the likely social issues, along with the future social infrastructure needs resulting from the development.</p> <p>With regards to the planning implications identified by the SIS, I agree that the impact of the development on a small, current population base will intensify impact, and that there is little apparent excess capacity in current service provision. I also agree with the general areas of need identified in the SIS. However, the SIS claims that with appropriate planning, there could be many positive benefits for the community as a result of the development. Whilst I acknowledge that there may be benefits for the community as a result of the development, the SIS has not identified these, nor fully explored/investigated the full range of impacts (including negative impacts) associated with the development, and who will experience these.</p> <p>The SIS also identifies that</p> <ul style="list-style-type: none"> “Improved public transport service will be critical to social sustainability, in overcoming social isolation and providing a 	<p>The SIS assumes that the proposal will result in an additional 466 residents at the completion of the development. This is based on the assumption of 2.1 persons per household, which is the current occupancy ratio. However, no evidence has been provided to justify this assumption</p> <p>SIS needs to identify who will benefit from the positive benefits for the community as a result of the development. These benefits have not been fully investigated.</p> <p>The SIS also identifies that</p> <ul style="list-style-type: none"> “Improved public transport service will be critical to social sustainability, in overcoming social isolation and providing a basic need to individuals without access to car transport” <p>and that</p> <ul style="list-style-type: none"> “through C&A’s statement of commitments, social infrastructure special allocations and public transport proposals are being addressed with the Environmental Assessment” <p>These have not been detailed in the SOC or the EA. The proposal is likely to exacerbate these issues.</p>	<p>The report used the occupancy ratio for CHB based on the 2006 census data for CHB. This is a forecast based on the current demographic information. The actual demographic and household types may differ from this however this is seen to be the most effective base to forecast from. Note: If the DOP demographic forecasts were applied for this region the numbers may be even lower due to the ageing population within this region.</p> <p>The SIS is a social infrastructure study. It is focussed on social infrastructure provision and takes the position that the development will provide an overall increase to the provision of social infrastructure within Nords Wharf greater than that required for the in coming population.</p> <p>It is recognised that there will be a range of positive and negative impacts possibly associated with the development however this report does not provide an assessment of these.</p> <p>Discussions have been held with the local bus operator for the area. Bus routes, timing and frequency of same will be monitored on a regular basis to meet the potential increased demand for services as the proposed developments in the area are progressively completed.</p> <p>Additional services are likely as demand increases. The additional demand will potentially improve frequency of service.</p> <p>Social infrastructure special allocations are detailed in the C&A Allocation Fund Schedule including the timing of the provision of same.</p>

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	<p>basic need to individuals without access to car transport” and that</p> <ul style="list-style-type: none"> “through C&A’s statement of commitments, social infrastructure special allocations and public transport proposals are being addressed with the Environmental Assessment” <p>However, this is not addressed either within the Statement of Commitments or the EA, and the proposal will only exacerbate these issues, especially as CHB has a high proportion of residents who do not have a car.</p>		
	<p>Other matters that have not been addressed adequately in the SIS include:</p> <ul style="list-style-type: none"> Medical facilities – the SIS identifies there are none in CHB, and only a few located in the surrounding area, which are operating at capacity and have closed their books to new patients. This is of major concern as it means that medical facilities will not be available to the new residents of the proposed development. It will also greatly affect the existing residents of CHB and the surrounding areas, who will experience longer lead times in seeking appointments/medical care, or require them to travel greater distances for medical care; and The impacts associated with the loss of conservation land and its associated flora and fauna, particularly how it will impact on the health and well-being of the existing community. 	<p>Other matters that have not been addressed adequately in the SIS include:</p> <ul style="list-style-type: none"> The availability of Medical facilities – given that there are none in CHB, and only a few located in the surrounding area, which are operating at capacity and have closed their books to new patients. The impacts associated with the loss of conservation land and its associated flora and fauna, particularly how it will impact on the health and well-being of the existing community. 	<p>Coal & Allied’s development at Gwandalan will potentially provide for future medical practices, in addition to those lands in adjacent development at Catherine Hill Bay. However, the operation of new medical services is a commercial decision by that service provider.</p>
	<p>Whilst the SIS considers the Infrastructure needed for the proposed development (and that Coal and Allied will provide S94 contributions), the SIS fails to consider the full range of social impacts associated with the proposal.</p> <p>In order to fulfil the Director Generals’ requirements, the proponent is required to justify the project, taking into consideration the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest. In assessing these, it is vital to consider the full range of social impacts associated with the proposal. The proponent has failed to undertake this assessment, as the SIS only considers the social infrastructure requirements if the proposal proceeds, rather than considering the overall social impacts of the proposal.</p>	<p>Whilst the SIS considers the Infrastructure needed for the proposed development, the SIS fails to consider the full range of social impacts associated with the proposal.</p>	<p>The Minister and Director General did not require the assessment to identify social impacts.</p> <p>DGR: “Identify and address the impacts of additional demand created by the development on existing infrastructure including public transport, open space, and recreation facilities, retail facilities and other social and community facilities. Identify the need for additional facilities through negotiation with State or local government agencies.”</p> <p>The SIS is a social infrastructure study and is focussed on social infrastructure impacts and provision. The SIS report has fully addressed the issues identified in the DGRs.</p>
	<p>The SIS fails to identify the key social impact issues, including</p> <ul style="list-style-type: none"> Changes which would occur if the proposal were to proceed Who is likely to be affected by the proposal and in what way Changes which would occur if the proposal did not proceed, and discussion of alternative proposals Short term and long term impact considerations inter-generational and intra-generational equity considerations Impacts that may be both financial and non-financial 	<p>The SIS fails to identify the key social impact issues, including</p> <ul style="list-style-type: none"> Changes which would occur if the proposal were to proceed Who is likely to be affected by the proposal and in what way Changes which would occur if the proposal did not proceed, and discussion of alternative proposals Short term and long term impact considerations inter-generational and intra-generational equity considerations <p>Impacts that may be both financial and non-financial</p>	<p>The SIS is a social infrastructure study and is focussed on social infrastructure impacts and provision. The SIS report has fully addressed the issues identified in the DGRs.</p>
	<p>The SIS fails to assess these impacts, including:</p> <ul style="list-style-type: none"> The level of importance of the predicted impacts The number of people likely to be affected Who will benefit and who will lose? Reference to the principles of social justice (equity, access, 	<p>The SIS fails to assess these impacts, including:</p> <ul style="list-style-type: none"> The level of importance of the predicted impacts The number of people likely to be affected Who will benefit and who will lose? Reference to the principles of social justice (equity, 	<p>The SIS is a social infrastructure study and is focussed on social infrastructure impacts and provision. The SIS report has fully addressed the issues identified in the DGRs.</p>

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	<p>fairness, inter-generational and intra-generational impacts)</p> <ul style="list-style-type: none"> ▪ The extent to which the interests of the community as a whole are enhanced or sustained ▪ The degree of change likely to arise as a result of the proposal, relevant to the existing circumstances ▪ The duration of the impacts 	<p>access, fairness, inter-generational and intra-generational impacts)</p> <ul style="list-style-type: none"> ▪ The extent to which the interests of the community as a whole are enhanced or sustained ▪ The degree of change likely to arise as a result of the proposal, relevant to the existing circumstances <p>The duration of the impacts</p>	
	The SIS fails to provide a recommendation that is supported with evidence	The SIS fails to provide a recommendation that is supported with evidence	The report was based on a social infrastructure audit and consultation with stakeholders.
	The SIS fails to identify a comprehensive set of mitigations if the proposal is to proceed, including the responses or conditions that should be implemented to help mitigate or avoid any negative social impacts, and to enhance the social benefits. These need to be reflected in the Statement of Commitments for the proposal.	The SIS fails to identify a comprehensive set of mitigations if the proposal is to proceed, including the responses or conditions that should be implemented to help mitigate or avoid any negative social impacts, and to enhance the social benefits.	Social infrastructure mitigation / provision measures will be applied. These are detailed in the report
	Finally, in its conclusion, the SIS identifies the requirement for community development processes in the southern lands, which allow for the continuity of sustainable, resilient communities, and the expressed Coal & Allied desire of wanting to maintain a strong relationship with the communities in question. However, apart from a commitment to develop a community consultation program for the duration of the construction process, the Statement of Commitments does not detail any other actions that contribute to, or support, community development processes.	Apart from a commitment to develop a community consultation program for the duration of the construction process, the Statement of Commitments does not detail any other actions that contribute to, or support, community development processes.	The \$5Million allocation specifies local indigenous consultation and employment programs.
	<p>The applicant has failed to consider the social impact issues in justifying the project, including the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest. Without information to the contrary, I do not support the proposal, as I believe that it will result in numerous negative social impacts. Some of these issues, as identified above, include the social impacts associated with the loss of conservation lands, isolation issues due to lack of public transport, increased pressure on already limited/stretched health and medical services, and on the current service provision which has been identified as having limited excess capacity.</p> <p>The applicant needs to undertake a full assessment of the social impacts associated with the proposal, in order to justify the project, taking into consideration the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</p> <p>In addition, the Statement of Commitments is to include all of the recommendations that are identified by the social impact assessment to help mitigate or avoid any negative social impacts, and enhance the positive social benefits. This includes the requirement for actions to support the community development processes, as identified by the current SIS, which will allow for the continuity of sustainable, resilient communities.</p>	The applicant has failed to consider the social impact issues in justifying the project, including the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.	The SIS is a social infrastructure study and is focussed on social infrastructure impacts and provision. The SIS report has fully addressed the issues identified in the DGRs.
	<p>Recreation Standards of Provision</p> <p>Based on the city-wide standards of provision, this proposed new population requires: one park, a proportional contribution towards the provision of: play equipment, a sports field, cricket wicket and either one tennis court or netball court, a public wharf, boat ramp, beach facility, and dog exercise area.</p>	Based on the city-wide standards of provision, this proposed new population requires: one park, a proportional contribution towards the provision of: play equipment, a sports field, cricket wicket and either one tennis court or netball court, a public wharf, boat ramp, beach facility, and dog exercise area.	Coal & Allied is providing land for sporting fields, \$5million towards community facilities and has offered land for passive open space to Council however this has been rejected. Section 94 contributions will also be paid.
	<p>Proposed Parks</p> <p>Council Requirement: According to the level of provision for this</p>	Council does not have the maintenance budget to maintain all the parkland areas identified in the CP	As LMCC has declined to accept the identified public open space parks within the Concept Plan area, they are proposed as superlots to remain within the ownership of Coal & Allied. It is considered

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	<p>new population, only one park is required to be provided. From a usability perspective, one larger park provides more recreation opportunities than several smaller pocket parks.</p> <p>Outcome: The CP and the UDG identifies the development of numerous local parks including Lemon Tree Park, Workshop Park, Gateway Park, and a linear park. The park locations have been identified in order to protect watercourses, heritage items, or to provide for floodways and APZ's. Proposed development of these parks include playgrounds, picnic facilities, BBQ's seating, terracing, shelter, areas of sandstone paving, timber decks, elevated walkways, eco-toilet, creek crossings, re-use of heritage buildings, community centre, café, lawn, formal garden areas, tall tree planting, and bio retention/detention basins.</p> <p>The CP states that:</p> <ul style="list-style-type: none"> Heritage items within the site such as the Workshop Shed and the Manager's ouse are retained and incorporated into superlots identified as open space p. 4) Remnant buildings and the former rail line will be surrounded by grassed reas and will become parklands and public open space' (p. 9) <p>According to Appendix C of the Water Sensitive Urban Design, Flooding and Stomwater Management Report, Figure 1 indicates a total of five bioretention/ detention basins proposed to be located within the Linear Park and the Gateway Park.</p> <p>The CHB – Revised Statement of Commitments (SoC), is definite in its direction for the proposed management of the land as the heading states:</p> <ul style="list-style-type: none"> Plan of management for community and recreation facilities to be dedicated to Council. The Owner is to prepare a Plan of Management (PoM) for lemon tree park, workshop park, gateway park, heritage workshop and heritage walk (p. 8). <p>Community Planning Response: Council does not have the maintenance budget to maintain all these parkland areas identified in the CP. According to our maintenance schedule, pocket parks receive one mow five times/year and they receive no hand weeding for any garden areas.</p> <p>Council requires the park to be located on or near the coast which is the most desirable and appealing location for a park with picnic and BBQ facilities. The open space land requirements for this development is to be co-located with the existing Catherine Hill Bay Oval (CHB Oval). The open space land is identified on the Land Transfer Plan. The land is to be zoned RE1 – Public Recreation.</p> <p>Council will not accept dedication of any other lands, being Lemon Tree Park, Workshop Park, Gateway Park, and a linear park, or any of the existing structures on these lands. All the documentation is required to be amended to comply with these requirements and if the land is to remain as specified then the CP is to identify the proposed land tenure arrangements for these areas.</p>	<p>Council requires the park to be located on or near the coast which is the most desirable and appealing location for a park with picnic and BBQ facilities</p> <p>Council will not accept dedication of any other lands, being Lemon Tree Park, Workshop Park, Gateway Park, and a linear park, or any of the existing structures on these lands.</p>	<p>that parks are an integral component of good urban design for the proposed Concept Plan and as such it is intended that they form part of the overall final development. However, as the concept plan does not apply for a specific lot or road layout it is intended that the superlots be zoned R2 until such time as the relevant detailed investigations are carried out to enable the final subdivision design to be completed.</p>
	<p>Children's Playground Equipment</p> <p>Council Requirement: According to Council's standards of provision, the proposed population does not require an additional playground.</p> <p>Outcome: The UDG in relation to the Workshop Park states:</p> <ul style="list-style-type: none"> A terraced flat central area that is focused around the workshop and will include an adaptive reuse of the building as changing facilities and a children's playground (p. 9) <p>The UDG states in relation to the Gateway Park that:</p>	<p>An existing playground is located on the corner of Flowers Drive and Northwood Road at the CHB Oval site. This playground is in close proximity to the proposed development. Council requires a contribution toward the upgrading of this existing playground at the CHB Oval site. The UDG and any other documentation is to be amended accordingly.</p>	<p>Section 94 contributions are to be agreed with Coal & Allied towards recreational facilities and open space. .</p>

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	<ul style="list-style-type: none"> On the periphery of the park will be some picnic facilities and a playground including heritage items with shelter and seating (p. 11) <p>Community Planning Response: An existing playground is located on the corner of Flowers Drive and Northwood Road at the CHB Oval site. This playground is in close proximity to the proposed development. Council requires a contribution toward the upgrading of this existing playground at the CHB Oval site. The UDG and any other documentation is to be amended accordingly.</p>		
	<p>Sporting Facilities</p> <p>Previous Council Advice: This development requires the proportional provision of a playing field and associated amenities and car parking facilities, together with either a tennis or a netball court. The provision of a single sports field or sports court is unsustainable. Council prefers the provision of sporting fields in groups of two (e.g. two football fields with a cricket wicket) providing for summer and winter use and sports courts in groups of four for management and use reasons.</p> <p>Outcome: Figure A1.5.5 of the CP shows a park character of informal playing fields fringed by existing trees (p. 8). The open flat grassed area in the Gateway Park, identified for an informal playing field, is not suitable for that purpose.</p> <p>Community Planning Response: The grassed area of the Gateway Park is a lowland formation and is not considered suitable for kick-about area. A contribution to provide for the upgraded existing sporting facility at CHB Oval is required. The CP and all other documents are required to be amended accordingly.</p>	<p>The grassed area of the Gateway Park is a lowland formation and is not considered suitable for kick-about area. A contribution to provide for the upgraded existing sporting facility at CHB Oval is required. The CP and all other documents are required to be amended accordingly.</p>	<p>Section 94 contributions towards recreational facilities and open space are to be agreed between Coal & Allied and Lake Macquarie Council.</p>
	<p>Beach/Surf Club Facilities</p> <p>The existing surf club building is located within the coastal hazard zone. The Plan of Management I Catherine Hill Bay (2001) identifies the need for a feasibility study for relocating the surf club building clear of the coastal impact zone.</p> <p>The suggested area that may be suitable is west of the existing surf clubhouse. A new surf clubhouse and associated car parking would be better relocated clear of the coastal hazard zone if the club and existing car park is relocated back from its current location. A coastal park/promenade area with picnic and BBQ facilities could be located in the area of the existing car park providing a visually appealing park, which would increase usability and greatly enhance the existing beach facilities. People are naturally attracted to water and the spectacular beach view is the prefect location for a park.</p> <p>The new proposed development is located in close proximity to the beach and new landowners will have an appreciation of the coastal and beach environment. The embellishment of this coastal area would provide a positive outcome for the new community with a new surf club, meeting space, car park and coastal parkland area. This development (together with Rosecorp) is required to contribute to the provision of this new surf club and associated facilities.</p>	<p>This development (together with Rosecorp) is required to contribute to the provision of this new surf club and associated facilities.</p>	<p>\$100,000 has been allocated as a contribution to the upgrade of the surf club as part of the Coal & Allied \$5 Million Allocation.</p>
	<p>Open Space Land – Proposed</p> <p>Council Requirements: Where possible, open space land is to be co-located with existing open space. Council requires approximately 2.3 ha of open space land (equivalent to one park) to be dedicated, immediately adjoining the CHB Oval.</p> <p>Outcome: The SoC states:</p>	<p>Council is not willing to accept the management responsibilities of the proposed open space lands. The only open space land that Council requires is identified as the orange portion in the Middle Camp Land Transfer plan. Council is only willing to accept this land. All the documents are required to be amended accordingly.</p>	<p>As LMCC has declined to accept the identified public open space parks within the Concept Plan area, they are proposed as superlots to remain within the ownership of Coal & Allied. It is considered that parks are an integral component of good urban design for the proposed Concept Plan and as such it is intended that they form part of the overall final development. However, as the concept plan does not apply for a specific lot or road layout it is intended that the superlots be zoned R2 until such time as the relevant detailed investigations are carried out to enable the final subdivision design to be completed.</p>

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	<ul style="list-style-type: none"> ▪ Parks, reserves, roads and infrastructure created through each future Project Application subdivision will be developed and then dedicated to LMCC after the completion of the development (p. 3). ▪ Create a conservation zone (Buffer) around the 'Workshop' building...This is to be used as a public open space (p. 4) <p>Community Planning Response: Numerous parcels of land, identified as parks, open space or vegetation buffer are proposed to be dedicated to Council. The lands contains a major watercourse (SSS p. 32), smaller gullies, drainage lines, floodways, bio-retention/detention basins, heritage items, Asset Protection Zones (APZ's), gateway/entry statement, kick-about area, and visual buffers and Council is not willing to accept the management responsibilities of these lands. The only open space land that Council requires is identified as the orange portion in the Middle Camp Land Transfer plan. Council is only willing to accept this land. All the documents are required to be amended accordingly.</p>		
	<p>Asset Protection Zones Requirement: The DGEARs under 'Bushfire' Item (2) requires the applicant to:</p> <ul style="list-style-type: none"> ▪ Outline ongoing management arrangements of any proposed APZs, including through negotiation with relevant agencies where APZs are proposed to be located on land to be dedicated for a public purpose. <p>Outcome: The SSS states:</p> <ul style="list-style-type: none"> ▪ In terms of APZ areas, all APZs are located in proposed road reserves or alternatively in private lots (p.37). <p>However, the development still locates APZ's on bushland reserves located on the periphery of the development area. The CP, A2.1 the key components of the structure plan are:</p> <ul style="list-style-type: none"> ▪ Bushland reserves will be dedicated in areas around the periphery of the development footprints combining a buffer zone to the conservation lands and bushfire APZs (p. 11). <p>The CP in relation to bushland reserves, the 2nd dot point states:</p> <ul style="list-style-type: none"> ▪ ...bushland parks with a cover of vegetation (that) will conform to APZ requirements where applicable (p. 13). <p>The UDG in the Public Domain Strategy states:</p> <ul style="list-style-type: none"> ▪ The outer zone of the APZ provides the potential for additional local recreation places. It will form a linear park...(p. 4). <p>The UDG in relation to bushland reserves states:</p> <ul style="list-style-type: none"> ▪ Each of the development footprints include peripheral buffers. These will be managed bushland buffers that incorporate the requirements of the bushfire APZs (p. 11) ▪ Seating will be provided along edges, near streets where the APZ will require thinning of the canopy (p, 11). <p>SoC in relation to Bushfire Management states that:</p> <ul style="list-style-type: none"> ▪ The Bushfire Management Plan will be submitted with documentation accompanying the Construction Certificate application in respect of each stage. <p>In the CP, Figure A2.3.1 – Open Space and Landscape Diagram identifies areas as Workshop Park, Lemon Tree Park, Gateway Park, Linear Park. In that diagram, in the proposed development area of A Sawmill Camp, a proposed bush reserve is identified to the eastern side and a green buffer is identified on the western side. (p.13).</p>	<p>The development still locates APZ's on bushland reserves located on the periphery of the development area. The development creates bushland parks that are proposed to be dedicated to Council. Council is not willing to accept the ongoing management responsibilities of these APZ areas. The CP is required to be amended to include a different treatment where APZ's are located within a bushland reserve. On the western side of Development Area A, the provision of a road along the development area boundary maybe the better solution. All the documentation is required to be amended accordingly BTA, Figure 4-1 the APZ Map is required to be reproduced overlain with the proposed lot layout. This map is required to show the proposed future land ownership and the required IPA and Outer Protection Areas (OPA). Since the APZs are contained in the road and the roads are to be dedicated to LMCC, appropriate plans are required to indicate the treatment and the required maintenance within these APZ areas. Information is also required to identify all proposed new plantings, identify the mature height and width of the species, the required spacing of the each species within the specified areas to ensure that the required spacing between the tree canopy is maintained. All management requirements of the APZ's are to be included as well as the required maintenance standards for tree lopping, thinning, and ground fuel reduction. Proposed treatment of APZ's require a Fire Safety Certificate indicating the endorsement of the proposed works. If after assessment Council does not chose to maintain the trees within the APZs / bioswales to the standard required, perhaps an option maybe that no trees are to be located in the APZs, comprising the area within the streets or within bioswales. The SoC is required to be amended accordingly.</p>	<p>APZs are to be located on public roads or on privately owned land.</p>

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	<p>Community Planning Response: The development creates bushland parks that are proposed to be dedicated to Council. Council is not willing to accept the ongoing management responsibilities of these APZ areas. The CP is required to be amended to include a different treatment where APZ's are located within a bushland reserve. On the western side of Development Area A, the provision of a road along the development area boundary maybe the better solution. All the documentation is required to be amended accordingly.</p> <p>The Bushfire Threat Assessment (BTA), Section 4.1.2 describes what is permissible within the Inner Protection Area (IPA) of the APZ. 'The presence of few shrubs or trees in the IPA is acceptable provided that they are well spread out and do not form a continuous canopy' and they 'are not species that retain dead material or deposit excessive quantities of ground fuel in a short period or in a danger period' (p. 18).</p> <p>BTA, Figure 4-1 the APZ Map is required to be reproduced overlain with the proposed lot layout. This map is required to show the proposed future land ownership and the required IPA and Outer Protection Areas (OPA). Since the APZs are contained in the road and the roads are to be dedicated to LMCC, appropriate plans are required to indicate the treatment and the required maintenance within these APZ areas. Information is required to identify and locate existing trees to be retained and identify the proposed planting within APZs. The retained and proposed new species should be fire retardant species and appropriate to be located within APZ areas. Information is also required to identify all proposed new plantings, identify the mature height and width of the species, the required spacing of the each species within the specified areas to ensure that the required spacing between the tree canopy is maintained. All management requirements of the APZ's are to be included as well as the required maintenance standards for tree lopping, thinning, and ground fuel reduction. This information is required for Council to assess the ongoing Asset Maintenance costs of these APZ areas.</p> <p>Proposed treatment of APZ's require a Fire Safety Certificate indicating the endorsement of the proposed works.</p> <p>Once this information is supplied, Council can reconsider the asset management requirements and issue written documentation (or otherwise) concerning acceptance of management responsibilities of the lands. The information maybe contained in the Bushfire Management Plan (BMP) but this information is required to be provided prior to the development application stage in order for Council to make an assessment as to whether it is willing to accept the management responsibilities and dedication of the lands.</p> <p>The street reservations that contain APZ's are required to be maintained for a period of 5 years. Maintenance includes existing and new plantings, and fuel reduction requirements.</p> <p>If after assessment Council does not chose to maintain the trees within the APZs / bioswales to the standard required, perhaps an option maybe that no trees are to be located in the APZs, comprising the area within the streets or within bioswales. The SoC is required to be amended accordingly.</p>		
	<p>Trees</p> <p>Outcome: The UDG, B1 identifies trees for the Public Domain. A species identified for the Forest vegetation is Ficus rubiginosa, Port Jackson Fig.</p> <p>The UDG states:</p> <ul style="list-style-type: none"> Trees in the main road swales will be grand spreading trees 	<p>Ficus are known for its invasive root system and this species is considered unsuitable for planting within road swales, beside roads within the road reserves. The applicant needs to select more suitable species and amend the UDG accordingly.</p> <p>Angophora costata is unsuitable for a street tree planting. The applicant needs to select more suitable species and</p>	<p>Street tree species for each area within the development will be detailed further during the project application stage. ASPECT Studios will liaise with Lake Macquarie Council to ensure that tree species selected meet Council's criteria as part of any future development applications.</p>

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	<p>such as Ficus species (p. 13).</p> <p>Community Planning Response: Ficus rubiginosa is a large evergreen tree to 20m with a broad domed crown, massive buttressed trunk and aerial roots from the lower branches. Ficus are known for its invasive root system and this species is considered unsuitable for planting within road swales, beside roads within the road reserves. The applicant needs to select more suitable species and amend the UDG accordingly.</p> <p>Angophora costata grows to 25 m high, often with a massive trunk to 1 metre thick. It requires protection from strong winds as the timber is brittle and the branches may break, and the tree has a tendency to drop branches. This tree is unsuitable for a street tree planting. The applicant needs to select more suitable species and amend the UDG accordingly. Trees selected within streets, bio-swales and within the APZs are to be selected for their suitability for all of these requirements.</p>	<p>amend the UDG accordingly. Trees selected within streets, bio-swales and within the APZs are to be selected for their suitability for all of these requirements.</p>	
	<p>Future Public Land – Identified</p> <p>Requirement: The DGEARs under ‘Future Public Land’ requires the applicant to:</p> <ul style="list-style-type: none"> Identify any proposed open space or conservation land, and arrangements for ownership and control, management and maintenance, funding, public access, revegetation and rehabilitation works and bushfire management. <p>Outcome: The Concept Plan Environmental Assessment (EA) Section 1.5 provides a summary of how the DGEARs are addressed. Under the heading ‘Future Public Land’ the response is blank highlighting that this requirement has not been met (p. 9).</p> <p>Throughout the documentation, numerous parcels have been identified to be dedicated to LMCC. The SoC, in relation to ‘vegetation buffers’ specifies that:</p> <ul style="list-style-type: none"> The Owner shall maintain the vegetation buffer to Hamlet A along Flowers Drive by C&A for the first 5 years or until all lots of Hamlet A are sold (whichever is lesser). This vegetation buffer will be 15 m as shown on the revised Concept Plan drawings. After this period, LMCC will be required to manage this vegetation buffer (p. 7). <p>Community Planning Response: There is no one plan that indicates all the proposed land ownership arrangements. The documentation does not comply with Council’s requirements in relation to the proposed future ownership of public land. The CP is required to provide a plan indicating all the land, including roads, proposed to be dedicated to Council. The plan should indicate the proposed ownership of the proposed parks and other public areas and if the lands have APZ requirements or if structures (i.e. bio-retention/detention basins) or easements are located on the lands.</p> <p>Council is not willing to accept dedication of vegetation buffers, and the documentation is required to be amended accordingly.</p>	<p>The documentation does not comply with Council’s requirements in relation to the proposed future ownership of public land. The CP is required to provide a plan indicating all the land, including roads, proposed to be dedicated to Council. The plan should indicate the proposed ownership of the proposed parks and other public areas and if the lands have APZ requirements or if structures.</p> <p>Council is not willing to accept dedication of vegetation buffers, and the documentation is required to be amended accordingly.</p>	<p>The land transfer plan outlines the parcels proposed to be dedicated to Council at the initial stage. Any future land dedication, comprising future public roads, will be detailed when the final plan of subdivision is finalised.</p> <p>As LMCC has declined to accept the identified public open space parks within the Concept Plan area, they are proposed as superlots to remain within the ownership of Coal & Allied. It is considered that parks are an integral component of good urban design for the proposed Concept Plan and as such it is intended that they form part of the overall final development. However, as the concept plan does not apply for a specific lot or road layout it is intended that the superlots be zoned R2 until such time as the relevant detailed investigations are carried out to enable the final subdivision design to be completed.</p> <p>The Concept Plan does not seek consent for the location of public roads. Council has already indicated that it is unwilling to accept dedication of the proposed public reserves within the development.</p> <p>Ownership details will be confirmed at Project Application Stage when the final subdivision pattern has been finalised.</p>
	<p>Public Access to the Beach</p> <p>Requirement: The DGEARs under ‘Coastal Foreshore and Public Access’ Item (1) requires:</p> <ul style="list-style-type: none"> Outline measures to protect and enhance existing public access through the site to and along the foreshore and provide where appropriate new opportunities for public access that is compatible with the natural attributes of the coastal foreshore. <p>Outcome: The land identified as orange in the Middle Camp</p>	<p>The access road and car park requires reconstruction in accordance with Councils Engineering Guidelines – Design Specifications and Construction Specifications (LMCC 2004).</p> <p>The reconstructed access road and the car park is also to be in accordance with the matters for consideration of SEPP 71 Coastal Protection, which include ‘improve public access to and along the foreshore’.</p> <p>The land containing the access road and car park beside the</p>	<p>This can be detailed at Project Application stage and is not required at the Concept Plan stage.</p> <p>Community consultation has been undertaken to prepare the program of works to be funded by C&A \$5million allocation. The works detailed here were not included although Council was in attendance in the workshops and the design charette. In order to properly maintain its commitment to the community at the time, it is not felt that the \$5million can be reallocated.</p>

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	<p>Land Transfer Plan contains the existing access road and car park, and it provides and maintains valuable beach access. This land is to be dedicated to Council.</p> <p>Community Planning Response: In order to enhance the existing public access to the beach foreshore, the access road and car park requires reconstruction in accordance with Councils Engineering Guidelines – Design Specifications and Construction Specifications (LMCC 2004).</p> <p>Sealing the access road and car park reduces coastal erosion and enhances the visual aesthetics of the coastal lands by incorporating coastal species in the landscaping of the car park. The reconstructed access road and the car park is also to be in accordance with the matters for consideration of SEPP 71 Coastal Protection, which include ‘improve public access to and along the foreshore’.</p> <p>Protecting and enhancing the existing public access is in accordance with the DGEARs. The land containing the access road and car park beside the CHB Oval is to be dedicated to LMCC in a condition that does not contribute to further erosion. The full extent of the existing car park is required to be reconstructed (as above) with car park spaces defined, and vehicle barrier fencing installed. Three or four of the existing tracks (from the car park to the beach) are required to be retained and the accessways defined in line with Landcare construction techniques. The rehabilitation of the remaining tracks from the existing car park to the beach should be considered before the land is dedicated.</p>	<p>CHB Oval is to be dedicated to LMCC in a condition that does not contribute to further erosion. The full extent of the existing car park is required to be reconstructed (as above) with car park spaces defined, and vehicle barrier fencing installed. Three or four of the existing tracks (from the car park to the beach) are required to be retained and the accessways defined in line with Landcare construction techniques. The rehabilitation of the remaining tracks from the existing car park to the beach should be considered before the land is dedicated.</p>	
	<p>Coastal Lookout</p> <p>An existing lookout and access road is located within the land to be dedicated to NSWG. This lookout and access road is located just south of the private residence at 73 Flowers Drive, Catherine Hill Bay. This area has good views to the north and south of the coastline and the CHB beach area.</p> <p>Requirements: The DGEARs under ‘Coastal Foreshore and Public Access’ Item (1) requires:</p> <ul style="list-style-type: none"> Outline measures to protect and enhance existing public access through the site to and along the foreshore and provide where appropriate new opportunities for public access that is compatible with the natural attributes of the coastal foreshore. <p>Community Planning Response: The CP has not identified how this existing public access will be protected and enhanced. The access road and lookout requires reconstruction in accordance with Councils Engineering Guidelines – Design Specifications and Construction Specifications (LMCC 2004) prior to the dedication of the land to the NSW Government (NSWG).</p>	<p>The CP has not identified how this existing public access through the site to and along the foreshore will be protected and enhanced. The access road and lookout requires reconstruction in accordance with Councils Engineering Guidelines – Design Specifications and Construction Specifications (LMCC 2004) prior to the dedication of the land to the NSW Government (NSWG).</p>	<p>The Coastal Lookout is located upon land proposed to be transferred to the Land and Property Management Authority. Coal & Allied has committed to consult with the LPMA with regard to this site.</p>
	<p>Pedestrian Footpaths</p> <p>Outcome: The UDG Figure B1.2.2, Figure B1.2.3, Figure B1.2.4 identifies footpaths 1.2 m wide located within the road reserve directly adjacent to the property boundaries. This location also contains the services.</p> <p>Community Planning Response: This location is unsuitable from desirability point of view, as a more tranquil experience is to walk on land adjoining or within open space areas, rather than the walker coming into contact with dogs, property owners and driveways and cars associated with the residences.</p> <p>Where possible the footpath/pathway should be located on opposite side of the road to the residential property. If this is achieved on Street Type A1 and Street Type A2 then a walking circuit will be created around development area B. The footpath would not be required along the north of development Area B</p>	<p>Footpaths within the road reserve adjacent to property boundaries is unsuitable from desirability point of view, as a more tranquil experience is to walk on land adjoining or within open space areas, rather than the walker coming into contact with dogs, property owners and driveways and cars associated with the residences.</p> <p>Where possible the footpath/pathway should be located on opposite side of the road to the residential property</p>	<p>Footpaths are coupled with services thus minimising hard surfaces, maximising landscaped areas. Proximity to the property boundary increases safety and security through passive surveillance</p>

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	<p>where the heritage shared pathway is to be provided. For development Area A, a pathway will need to be created to the east of the development area where no road is provided.</p>		
	<p>Cycleways/Walkways Requirement: The DGEARs under 'Urban Design and Built Form' Item (4), requires the applicant to:</p> <ul style="list-style-type: none"> Identify opportunities to link the proposed development to the existing urban areas, including through appropriate pedestrian and cycleway connections. <p>Outcome: The SSS, Section 3.4.2, Table 1 details the sustainability criteria and relevant outcomes. Under the Infrastructure Provision under the column 'Relevant Outcome for Proposed Development', the outcome is that:</p> <ul style="list-style-type: none"> Open space areas that contribute to walking routes and heritage interpretation' (p. 15). <p>The SSS, Section 3.4.2, Table 1 details the sustainability criteria and relevant outcomes. In relation to 'Access and accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided' the relevant outcome is:</p> <ul style="list-style-type: none"> Pedestrian/cycle access will be incorporated within the proposed development (p.16). <p>The SSS, Section 3.4.2, Table 1 details the sustainability criteria and relevant outcomes. In relation to 'Access and accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided' the relevant outcome is:</p> <ul style="list-style-type: none"> Pedestrian/cycle access will be incorporated within the proposed development (p. 16). <p>The CP, Figure A2.4.2 – Pedestrian & Cycling Paths is the applicant's response to a cycleway network. It indicates a cycle lane around the proposed development area B Colliery Hamlet and it also indicates a shared cycling/pedestrian way that extends only between development area A and B (p. 14). This figure contradicts Section A2.4 of the CP in which the 6th dot point states that:</p> <ul style="list-style-type: none"> Cycle ways will be on streets, in recognition of low traffic volumes (p. 14) <p>And the EA Section 6.4.2 states:</p> <ul style="list-style-type: none"> Cycle ways will be provided on streets, in recognition of low traffic volumes. Parallel on-street car parking will occur on all streets (p. 73) <p>Yet the CP, Figure A1.5.9 – Opportunities for off road cycleway shows a photo of an off-road cycleway (p. 9). Community Planning Response: These statements and the above figure is false and misleading as the development does not provide any actual cycleways nor are there any cycleways provided in the areas identified in Figure A2.4.2.</p> <p>The UDG, Figure B1.2.1 – Street Types indicates that the street containing the cycle lane is Street Type A1 and Street Type A2 and the shared cycling/pedestrian way is Street Type A2 and part of Flowers Drive (p. 5). The UDG, Figure B1.2.2 – Street Type A1 does not include a cycle lane and Figure B1.2.3 - Street Type A2 does not include a cycle lane nor does it contain a shared cycling/pedestrian way. From the cross-section diagrams, it is clear the applicant does not intend to provide cycleways nor a shared cycling/pedestrian way (p. 6). A pedestrian walkway is quite different to a cycleway.</p>	<p>The Concept Plan is false and misleading as the development does not provide any actual cycleways nor are there any cycleways provided in the areas identified in Figure A2.4.2. The documentation provided is contradictory and is required to be amended to enable clear direction for pedestrian access and cycleway access and for shared pathways (accommodating pedestrian and cycle access).</p>	<p>Cycleways and shared ways are shown only within the site boundary. The Coal & Allied proposal will provide high quality interconnected public open spaces because of the dedication of 526ha of conservation land to the NSWG. In addition, the public open spaces shown on the plan are connected through the heritage interpretative railway link. An interpretative pathway to accommodate both pedestrians and cyclists is proposed along the route of the former coal railway line.</p>

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	<p>Pedestrian pathways are 1.2 metres wide and are designed for pedestrians, however, a child under the age of 12 years is permitted to cycle on a pedestrian pathway. A bicycle lane is provided on-road and designated for cyclists. A cycle lane requires 1.5 m to 2.5 m (however, it can be reduced to 1 m at short pinch points). A shared pathway is usually located off-road and requires between 2.0 – 4.0 metres. It caters for both user groups and a person of any age is permitted to cycle on a shared pathway.</p> <p>The off-road shared pathway is the preferred safer option rather than forcing cyclists (12 yrs and over) onto use the road system.</p> <p>The UDG – The Heritage Walk is described on page 12 and illustrated in Figure B1.3.4. The second dot point states: 'the walkway will be generous in width to accommodate pedestrians and cyclists'.</p> <p>By consistently referring to the Heritage Walk as a walkway is misleading. If the purpose of the Heritage Walk is to provide for both pedestrians and cyclists then where the documents refer to 'walkways' the document should be amended and these referred to as either 'shared pathways' or cycleway/walkways. To avoid any confusion, the 'Heritage Walk' is required to be renamed a 'The Heritage Shared Pathway' and a diagram should be included in the UDG indicating a cross-sectional diagram of the heritage shared pathway, which indicates a minimum width of 2 m.</p> <p>The documentation provided is contradictory and is required to be amended to enable clear direction for pedestrian access and cycleway access and for shared pathways (accommodating pedestrian and cycle access).</p>		
	<p>Requirement: The DGEARS under 'Transport and Accessibility' requires the preparation of a Traffic Study to include:</p> <ul style="list-style-type: none"> Proposed pedestrian and cycleway access within and to the site that connects to all relevant transport services, nearby settlements, and other key off-site locations having regard to the NSW Planning Guidelines for Walking & Cycling (2004) and the NSW Bike Plan (2010) [Item (h)] <p>Item (i) of the DGEARS includes the:</p> <ul style="list-style-type: none"> Timing of delivery of transport infrastructure including...pedestrian and cycle paths [Item (i)] <p>Outcome: The Traffic and Transport study (TT), Section 2.4 Pedestrian and cyclist network states:</p> <ul style="list-style-type: none"> In CHB, all local streets are designated as shared cycling and pedestrian usage. The Pacific Highway can also be used for cycling routes' (p.12). <p>TT, Section 3.9, Table 3-14, ID 1 states that:</p> <ul style="list-style-type: none"> A pedestrian and cycleway network will be provided to facilitate the movement of pedestrians and cyclist through the development area' (p.55). <p>The TT Section 3.9, Table 3-14, ID 2 goes on to state that:</p> <ul style="list-style-type: none"> Due to low volume of traffic on local roads, it is expected that cyclist demand could be catered for on-road (p.55). <p>Community Planning Response: Refer to the attached newspaper article indicating the danger of cycling of the Pacific Hwy and the need for a specific cycling lane. The TT is deficient in regard to the DGEARS. As stated, the UDG (cross-sectional diagrams of roads) makes no provision for cyclists within the road network.</p> <p>The cycleway network, identified in Figure A2.4.2 in the CP, is inadequate and it does not comply with the DGEARS. The timing for the delivery of pedestrian and cycle paths has also not</p>	<p>The Traffic and Transport Study is deficient in regard to the DGEARS.</p>	<p>The traffic and transport study has identified the proposed pedestrian and cycleway strategy.</p>

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	<p>been provided. Figure A2.4.2 – Pedestrian & Cycling paths in the CP is required to be amended to include a cycleway network through the proposed development areas, between settlements in CHB and Nords Wharf, and to connect to existing facilities, which would include the school at Nords Wharf, shops, patrolled beach, sporting facilities and playground, bowling club, hotel, transport services, and additionally, how this network connects with the NSW Coastline Cycleway.</p>		
	<p>Cycleway to Nords Wharf – Lake Facilities and Primary School Outcome: The C&A \$5Million Allocation provides \$500,000 under the heading 'Walkways DECCW Approval dependent'</p> <ul style="list-style-type: none"> Provision for walking paths external to C&A land proposed by the community between CHB and Nords Wharf (subject to application to DECC). <p>Community Planning Response: The RTA may require the gravel road from the proposed Development Area B to be constructed to the Pacific Highway. Signals are to be installed at the intersection of the Pacific Highway and Awabakal Drive (refer Nords Wharf SOC). A cycleway located along this alignment is approximately only 1,000 m and is required to provide a linkage for the new population of CHB to access the lake and the nearest public school, being Nords Wharf Primary School. A designated cycleway is much safer than riding on-road. Amend this statement to provide for a cycleway.</p>	<p>A cycleway located on a gravel road from the proposed Development Area B to the Pacific Highway is approximately only 1,000 m and is required to provide a linkage for the new population of CHB to access the lake and the nearest public school, being Nords Wharf Primary School. A designated cycleway is much safer than riding on-road. Amend this statement to provide for a cycleway</p>	<p>The traffic and transport study has identified the proposed pedestrian and cycleway strategy. Part of the Coal & Allied \$5million allocation provides for construction of the Nords Wharf to Catherine Hill Bay pathway. Construction of this pathway is however subject to DECCW approval.</p>
	<p>Coastline Cycleway/walkway – South - to Catherine Hill Bay and Patrolled Beach</p> <p>Outcome: The CHB – Revised Statement of Commitments (SoC) under the heading 'European Heritage' the Owner is to:</p> <ul style="list-style-type: none"> Retain and enhance the former railway line as a pedestrian network. The Heritage Walk will extend from Hamlet B to the land being transferred to LMCC by C&A for beach access and car park as shown on the land Ownership Plan. <p>The C&A \$5Million Allocation provides \$440,000 for under the heading 'Heritage' for:</p> <ul style="list-style-type: none"> The Heritage Railway Line Walk extension from the land being transferred to LMCC by C&A for beach access and car park, to beach car park south of 4 Pines House including a heritage interpretation strategy to guide the provision of on-site interpretation. <p>Community Planning Response: The proposed 'heritage walk' should become the 'heritage ride' and a shared pathway constructed along this old railway line. This will encourage residents within the new community to cycle or walk off-road to the patrolled beach area, the bowling club, the hotel and the proposed commercial centre, providing a link to the proposed new facilities within the Rosecorp land. Providing a cycleway on an old railway line is similar to the construction of the Fernleigh Track. This proposal is in accordance with the NSW Government initiative to provide a cycleway extending along the NSW coastline.</p> <p>This coastline cycleway/walkway will be located within 38 Flowers Drive, Catherine Hill Bay – Lot 223 DP 1102989, land is proposed to be dedicated to the NSWG as conservation land. The cycleway/walkway should be provided to appropriate design and construction standards through the land, prior to the dedication of the land to the NSWG.</p> <p>Both statements are to be amended to provide a shared cycleway in this location.</p>	<p>The proposed 'heritage walk' should become the 'heritage ride' and a shared pathway constructed along this old railway line.</p> <p>The cycleway/walkway should be provided to appropriate design and construction standards through the land, prior to the dedication of the land to the NSWG.</p> <p>Both statements are to be amended to provide a shared cycleway in this location.</p>	<p>The traffic and transport study has identified the proposed pedestrian and cycleway strategy. An interpretative pathway to accommodate both pedestrians and cyclists is proposed along the route of the former coal railway line.</p>
	<p>Coastline Cycleway/walkway – South - to Catherine Hill Bay and</p>	<p>The provision of the coastline walk/cycleway north through 38 Flowers Drive, Catherine Hill Bay and 45 Mine Camp</p>	<p>The traffic and transport study has identified the proposed pedestrian and cycleway strategy.</p>

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	<p>Patrolled Beach</p> <p>Outcome: The CHB – Revised Statement of Commitments (SoC) under the heading ‘European Heritage’ the Owner is to:</p> <ul style="list-style-type: none"> Retain and enhance the former railway line as a pedestrian network. The Heritage Walk will extend from Hamlet B to the land being transferred to LMCC by C&A for beach access and car park as shown on the land Ownership Plan. <p>The C&A \$5Million Allocation provides \$440,000 for under the heading ‘Heritage’ for:</p> <ul style="list-style-type: none"> The Heritage Railway Line Walk extension from the land being transferred to LMCC by C&A for beach access and car park, to beach car park south of 4 Pines House including a heritage interpretation strategy to guide the provision of on-site interpretation. <p>Community Planning Response: The proposed ‘heritage walk’ should become the ‘heritage ride’ and a shared pathway constructed along this old railway line. This will encourage residents within the new community to cycle or walk off-road to the patrolled beach area, the bowling club, the hotel and the proposed commercial centre, providing a link to the proposed new facilities within the Rosecorp land. Providing a cycleway on an old railway line is similar to the construction of the Fernleigh Track. This proposal is in accordance with the NSW Government initiative to provide a cycleway extending along the NSW coastline.</p> <p>This coastline cycleway/walkway will be located within 38 Flowers Drive, Catherine Hill Bay – Lot 223 DP 1102989, land is proposed to be dedicated to the NSWG as conservation land. The cycleway/walkway should be provided to appropriate design and construction standards through the land, prior to the dedication of the land to the NSWG.</p> <p>Both statements are to be amended to provide a shared cycleway in this location.</p>	<p>Road, Catherine Hill Bay, to link up with the coastal walk in North Wallarah lands, should be considered in any future plan of management for the area.</p> <p>To enable this critical link to remain available, the location of the coastal walk needs to be identified and secured on a plan prior to the dedication of the lands to the NSWG.</p>	<p>The provision of pathways and/or cycleways within the proposed National Park reserve is a matter for DECCW.</p>
	<p>Requirements: The DGEARs under General Requirements Item (5) requires the EA to include:</p> <ul style="list-style-type: none"> A draft Statement of Commitments, outlining specific commitments to the project’s management, mitigation and monitoring measures with a clear identification of the timing and responsibility for those measures <p>Outcome: A SoC has been provided however no timing has been included.</p> <p>Section 8 of the SSS relates to the recommended Land Uses and Development Controls. The proposed planning controls make the following additional provisions: ‘Adoption of clause that requires all residential development to comply with The Urban Design Guidelines for Catherine Hill Bay’ (p. 31).</p> <p>Community Planning Response: The SoC does not include the timing of the works.</p> <p>The UDG must be amended as detailed above as it forms part of the CP.</p>	<p>SOC is to include timing of the works</p>	<p>The SoCs can to be amended to regarding the timing of works as part of any Preferred Project Report in consultation with the Department of Planning.</p> <p>Timeframes have been provided in the Statement of Commitments.</p> <p>Payment of s94 contributions will be in accordance with the Lake Macquarie S94 Contributions Plan.</p>
	<p>Initiatives have been identified for the expenditure of the funds allocated to CHB from the \$5M southern estates allocation fund.</p> <p>Outcome: An initiative identified is:</p> <ul style="list-style-type: none"> Walkways DECCW Approval dependent Provision of walking paths external to C&A land proposed by the community between CHB and NW (subject to application to DECC). \$500,000 If approval cannot be reached with DECC the contribution will be re-allocated. Alternative options for this allocation will be identified through discussion 	<p>Walkways external to C&A Land should be amended to become a shared pathway/cycleway.</p> <p>If this initiative cannot be achieved then the community is to be consulted for discussion of how the funds will be reallocated. In the event that the initiative cannot be achieved then Council would like to be consulted in relation to the proposed reallocation of the funds to alternative projects in CHB. The initiative is required to be amended accordingly.</p>	<p>The traffic and transport study has identified the proposed pedestrian and cycleway strategy. Coal & Allied will consult the community if this initiative cannot be achieved to discuss how the funds will be reallocated..</p>

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	<p>with the local community.</p> <p>Community Planning Comments: This initiative should be amended to a shared pathway / cycleway. If this initiative cannot be achieved then the community is to be consulted for discussion of how the funds will be reallocated. In the event that the initiative cannot be achieved then Council would like to be consulted in relation to the proposed reallocation of the funds to alternative projects in CHB. The initiative is required to be amended accordingly.</p>		
	<p>The development areas of Nords Wharf and Catherine Hill Bay currently fall within the Lake Macquarie Section 94 Contributions Plan No.1 – Citywide – Belmont Catchment (2004), as amended (Belmont Catchment Plan). Council has a program to comprehensively review the Belmont Catchment Plan and four other contribution catchment plans. The review will consider facility provision standards and the infrastructure required by new development anticipated until 2025. The revised Statement of Commitments (dated 12 October 2010) states that contributions be capped at \$18,000 per lot. A cap of \$18,000 per lot is unacceptable, least of which, all contribution levies are subject to indexation over time.</p> <p>The planning and provision of local infrastructure required for new development at Nords Wharf and Catherine Hill Bay is best achieved through an assessment of the infrastructure required for both the Rose Group (estimated 600 lots) and Coal and Allied (estimated 312 lots) developments, rather than, a piecemeal approach of considering each development separately. Without the amalgamation of contributions, facilities cannot be provided adequately.</p> <p>Based on the current per lot contribution levy under the Belmont Catchment Plan:</p> <ul style="list-style-type: none"> Table 1 details an estimate of total contributions from both the Rose Group and Coal and Allied developments at Nords Wharf and Catherine Hill Bay. Table 2 summarises the allocations from both the Rose Group and Coal and Allied developments. Table 3 details the recommended approach to allocate contributions from the Coal and Allied development at Nords Wharf and Catherine Hill Bay. Table 4 details the recommended approach to allocate contributions from the Rose Group development at Catherine Hill Bay. Please note figures may change if land dedications are required by Council and are acceptable to the proponent. Council has provided the Swansea library in anticipation of development occurring in this area. Cash contributions are required by Council for the recoupment of the Swansea Library and management of developer contributions. <p>It is important to note that levies are calculated on a per lot basis and reflect an average occupancy rate of 2.5 people/lot. Council has recently undertaken a development growth forecast study for the Morisset Contributions Catchment area for the period 2010-2025. Future development in this area is predominately detached housing on individual lots, mirroring the likely development at CHB. This study identified an occupancy ratio of 2.91 persons per household.</p> <p>Council officers support a voluntary planning agreement approach at Major Project Application stage to facilitate, in particular, works-in-kind opportunities and land dedications to Council.</p>	<p>The revised Statement of Commitments (dated 12 October 2010) states that contributions be capped at \$18,000 per lot. A cap of \$18,000 per lot is unacceptable, least of which, all contribution levies are subject to indexation over time.</p>	<p>Coal & Allied is committed to paying the approved contributions as published by the LMCC at the time of development consent.</p> <p>Coal & Allied does not agree with the valuation adopted in Table 4 of the Land to be Dedicated to Council.</p>
National Trust of	The National Trust objects on principle to the by-passing of long accepted local planning principles based on environmental	The National Trust objects on principle to the by-passing of long accepted local planning principles based on	Any development consent sought by Coal & Allied will be made under the legislative framework as it is in force at the time of making the application. The proposal addresses the relevant heads of

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Australia (NSW)	studies and research through the Part 3A process, taking out of the hands of the local authorities decisions that should have been taken by them at the local level.	environmental studies and research through the Part 3A process	consideration required under Part 3A of the EP&A Act. Assessment and determination of the application will be undertaken having regard to the legislative requirements and merits of the proposal. It should be noted that the proposal is in accordance with the LHRS and LHRCP and that the relevant Councils must, under Section 117 of the EP&A Act make LEPs in accordance with such regional and state plans.
	The trust is deeply concerned to see that the area known as 'Slack Alley' is proposed for an increase in height to 6.5m. This site does not appear within the designated 'development area' but its zoning E4 Environmental Living Zone provides for 'low impact residential development in areas with special ecological, scientific or aesthetic values.' This is contrary to the IHAP findings and the National Trust strongly urges that this zoning be changed to E2 Environment Conservation. The existing houses could be recognised under this zoning.	The proposed development within 'Slack Alley' is contrary to the IHAP findings. The zoning of this land should be changed to E2.	The land north east of Northwood Avenue is proposed to be zoned E4. The controls proposed to govern development in this zone are considered appropriate to conserve the environmental qualities of the land. The E4 zone provides that residential dwellings are permissible with consent on the land, reflecting the existing residential use of this parcel. The E2 zone does not permit dwellings, which would create an immediate land use conflict if the land was to be zoned E2. The Proponent's legal advice states that the E4 zone is appropriate for this land, in order to provide for retention of the existing residences. No development is proposed for this E4 land as part of the Concept Plan, nor is any envisaged for this land by Coal & Allied in the future. The E4 land is therefore specifically excluded from The Concept Plan. Notwithstanding that no development is currently proposed or envisaged on this land, the controls provide that any new dwellings on E4 land would require a minimum lot size of 6000sqm, preventing subdivision for small lot housing. Such large lot housing, although not envisaged for the site, would be consistent with the existing character of development within this parcel of land. Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.
	The National Trust supports the transfer of the Slack Alley land and its wetland to the Crown as a Crown Reserve Trust and understands that the local Porgress Association may be prepared to take on the management of this land.	The National Trust supports the transfer of the Slack Alley land and its wetland to the Crown as a Crown Reserve Trust	Whilst a transfer in ownership of the wetland areas of the E4 land was offered by Coal & Allied to NSWG agencies, this offer was rejected and so the wetland area will remain in Coal & Allied ownership. The remainder of the land containing the cottages is also intended to remain in Coal & Allied ownership.
	The Trust also supports a number of the development proposal's design principles including: <ul style="list-style-type: none"> ▪ The propose dedication of conservation land. Provision of 526.58ha of 'conservation land' as an extension of the Wallarah National Park to the north and Munmorah State Conservation Area to the south. ▪ Enhanced recognition of the Heritage Railway ▪ The establishment of riparian corridors along Middle Camp Gully and associated creeks ▪ Minimisation of the visual impact of the development to coastal foreshores and heritage settings and the maintenance of existing corridors and natural features where possible ▪ The provision of public access through the proposed new development, conservation and archaeological heritage areas to the foreshore ▪ The provision for low scale coastal village development that is integrated with the natural landscape and setback appropriately from the coastal foreshore ▪ The maintenance and enhancement of the natural landscape setting of Catherine Hill Bay, and ▪ The maintenance of dwellings currently in the ownership of Coal & Allied which have heritage value. 	The Trust also supports a number of the development proposal's design principles including: <ul style="list-style-type: none"> ▪ The propose dedication of conservation land. Provision of 526.58ha of 'conservation land' as an extension of the Wallarah National Park to the north and Munmorah State Conservation Area to the south. ▪ Enhanced recognition of the Heritage Railway ▪ The establishment of riparian corridors along Middle Camp Gully and associated creeks ▪ Minimisation of the visual impact of the development to coastal foreshores and heritage settings and the maintenance of existing corridors and natural features where possible ▪ The provision of public access through the proposed new development, conservation and archaeological heritage areas to the foreshore ▪ The provision for low scale coastal village development that is integrated with the natural landscape and setback appropriately from the coastal foreshore ▪ The maintenance and enhancement of the natural landscape setting of Catherine Hill Bay, and The maintenance of dwellings currently in the ownership of Coal & Allied which have heritage value	It is noted that the National Trust supports a number of the development's design principles.
Heritage Council of NSW	The Indigenous heritage recommendations appear to be appropriate however more detailed comment from the DECCW should be sought in this regard.	The Indigenous heritage recommendations appear to be appropriate however more detailed comment from the DECCW should be sought in this regard.	See comments to DECCW submission below.
	In Section 5.3 the built heritage items are identified; these are shown in Figure 5.2. The specific items are not identified in	A detailed concept plan that identifies the built heritage items within the proposed subdivision should be completed	The HIA contains a Historical Heritage Mitigation Measures section which provides for avoiding impact during works adjacent to heritage items. This strategy is reflected in the Statement of

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	Figure 5.2 as such it is unclear what structures are located where. It is presumed that these are the items indicated in the Concept Plan in Figure 7.1. The retention of these heritage items has been identified in the SoC. A detailed concept plan that identifies these heritage items within the proposed subdivision should be completed as a part of the approved project documentation.	as a part of the approved project documentation.	Commitments and can be provided as part of any future Project Applications for works.
	Appropriate exclusion zones are to be provided around all existing heritage items to be retained so that they are not adversely impacted during works associated with the proposal.	Appropriate exclusion zones are to be provided around all existing heritage items to be retained so that they are not adversely impacted during works associated with the proposal.	The HIA contains a Historical Heritage Mitigation Measures section which provides for avoiding impact during works adjacent to heritage items. This strategy is reflected in the Statement of Commitments and can be provided as part of any future Project Applications for works. A construction management report will be submitted when lodging a development application
	Item C identified in the archaeological assessment (the cistern) was identified as likely being a remnant from the 1934 water supply infrastructure. The archaeological assessment that it is unlikely to contain relics or artefacts seems to be based upon the assessment that it was 'robbed out' in the 1960s or 1970s. Cisterns/wells often provide areas where artefacts are disposed of and as such without specific evidence being provided that the cistern was emptied when the adjacent buildings were removed in the 1960s/70s it is reasonable to conclude that the cistern may contain archaeological objects. Initial excavations of the cistern should be monitored by an archaeologist should any archaeological deposits be uncovered.	Initial excavations of the cistern should be monitored by an archaeologist should any archaeological deposits be uncovered.	The HIA contains a Historical Heritage Mitigation Measures section which provides for avoiding impact during works adjacent to heritage items. This strategy is reflected in the Statement of Commitments and can be provided as part of any future Project Applications for works.
	<ul style="list-style-type: none"> A Construction Heritage Management Plan should be prepared to detail how construction impacts on heritage items will be minimised. This plan shall be developed in conjunction with the Heritage Branch of the Department of Planning and include, but not necessarily be limited to: <ul style="list-style-type: none"> Specific measures to be applied to works undertaken in close proximity to identified heritage items and archaeological items to avoid impacts; How heritage items and relics discovered during the development will be considered and managed. This shall include a component within the site induction program for workers adjacent to heritage/archaeological objects; and Appropriate stop-work procedures to be followed should unexpected archaeological objects be located. 	A Construction Heritage Management Plan should be prepared to detail how construction impacts on heritage items will be minimised.	The HIA contains a Historical Heritage Mitigation Measures section which provides for avoiding impact during works adjacent to heritage items. This strategy is reflected in the Statement of Commitments and can be provided as part of any future Project Applications for works.
	It is stated that the landscape plan and subdivision layout has been designed to protect views to and from the heritage dwellings; however the EA does not include a detailed view analysis that identifies the specific view corridors that are to be impacted by the proposal. Although the general principle of protecting such views is to be supported, without such a view analysis the adequacy of the measure being taken cannot be properly assessed.	A detailed view analysis should be prepared showing the specific view corridors that are to be impacted by the proposal.	Figure A2.5.1 of the Concept Plan identifies view corridors in relation to heritage dwellings.
	The commitments in the draft Statement of Commitments relating to the protection of historical archaeology should be included as conditions in any consent granted for this proposal.	The commitments in the draft Statement of Commitments relating to the protection of historical archaeology should be included as conditions in any consent granted for this proposal.	It is anticipated that the SOC will be incorporated into any such conditions or as part of any Preferred Project Report in consultation with the Department of Planning.
	An additional condition should be included to the effect that should any archaeological objects be uncovered they shall be reported to the Heritage Branch of the Department of Planning and their advice sought on the assessment and management of this material.	An additional condition should be included to the effect that should any archaeological objects be uncovered they shall be reported to the Heritage Branch of the Department of Planning and their advice sought on the assessment and management of this material.	Implementation of the measures contained in the HIA will include a condition to notify the Department of Planning Heritage Branch or as part of any Preferred Project Report in consultation with the Department of Planning.
Hunter-Central Rivers Catchment Management Authority		The Hunter-Central Rivers Catchment Management Authority (CMA) has reviewed the information that you have provided and has no objection to the proposal subject to the	

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		following points being addressed.	
	<p>Offsets</p> <p>The CMA acknowledges the significant area of conservation being offered by the proposal and understands it is consistent mostly with DECCW's principles for offsetting. However, the CMA would like confirmation that the proposal maintains or improves biodiversity value by using either the BioBanking or Environmental Outcomes Assessment Methodology (as used for PVPs) – this would align with Principle “No. 9 - Offsets must be quantifiable - the impacts and benefits must be reliably estimated.”</p>	<p>The CMA would like confirmation that the proposal maintains or improves biodiversity value by using either the BioBanking or Environmental Outcomes Assessment Methodology (as used for PVPs)</p>	<p>The CMA is correct in its assessment that the development complies and generally satisfy's the DECCW guidelines. The NSW statutory policy and framework does not require assessment under the Biobanking Methodology and/or Native Vegetation Act (EOAM) when working under the provisions of Part 3A. On this basis confirmation under these tools will not be provided.</p> <p>Nevertheless the DECCW response to the DoP in relation to this proposal is as follows:</p> <p>DECCW has reviewed the <i>Ecological Assessment Report – Lower Hunter Lands Catherine Hill Bay (Middle Camp) (RPS, November 2010)</i> and other information contained within the State Significant Site (SSS) listing, and is satisfied that the issued Director General's key assessment requirements for biodiversity impact have been adequately addressed.</p> <p>The key assessment requirements require the proponent to demonstrate that biodiversity impacts can be appropriately offset in accordance with the NSW Government's policy for 'improvement or maintenance' of biodiversity values. The EA report shows compliance with this requirement through the use of the DECCW offsetting principles identified in the Lower Hunter Regional Conservation Plan. The use of this qualitative 'principles-based' approach does not provide a quantitative assessment of biodiversity impact and adequacy of proposed offsets, such as could be determined through use of the BioBanking Assessment Methodology under the Biodiversity Banking and Offsets Scheme.</p> <p>Nonetheless, the offset proposal is shown to be in compliance with the DECCW offsetting principles including through avoidance of impacts by using prevention and mitigation measures, the offsets are underpinned by sound ecological principles, will result in a net improvement in biodiversity over time, provide "like for like" offsets for impacted vegetation communities and threatened species, and are strategically located to strengthen the existing conservation reserve network.</p>
	<p>Water Quality</p> <p>Provision of further information regarding likely impacts and mitigation of these impacts on the water quality downstream from proposed development is required. Modelling should include details of increased run-off and associated nutrient and sediment loads and their impact on vegetation communities, Middle Camp Gully and Middle Camp Beach.</p>	<p>Provision of further information regarding likely impacts and mitigation of these impacts on the water quality downstream from proposed development is required.</p>	<p>A number of opportunities for management of stormwater quality, quantity and flooding exist at the Catherine Hill Bay (Middle Camp) site.</p> <p>Stormwater management at the site would benefit from the implementation of Water Sensitive Urban Design (WSUD) practices. WSUD encompasses all aspects of urban water cycle management including water supply, wastewater and stormwater management, that promotes opportunities for linking water infrastructure, landscape design and the urban built form to minimize the impacts of development upon the water cycle and achieve sustainable outcomes.</p> <p>A WSUD strategy for management of stormwater quality and quantity has been developed for the Catherine Hill Bay site. To test the effectiveness of the WSUD strategy, numerical modelling was used for the site as follows:</p> <ul style="list-style-type: none"> ▪ Flood peaks and flood levels for existing and future climate for the creeks within the precinct were determined using RAFTS and TUFLOW; ▪ Volumes of detention that responded as best possible to the Concept Plan and which throttled flood peaks were determined using RAFTS; and ▪ Appropriate Water Sensitive Urban Design strategies for stormwater quality management throughout the precinct, which responded as best possible to the Concept Plan and which achieved Council's ▪ pollution load targets were determined using MUSIC. <p>The results of the numerical modelling have shown that the proposed WSUD strategy together with the flood plain management would adequately satisfy the requirements of the LMCC guidelines (DCP 1), the LMCC Floodplain Management Policy and the NSW Floodplain Development Manual for management of stormwater quantity, quality and flooding at the Catherine Hill Bay (Middle Camp) site.</p>
	<p>Infrastructure</p> <p>The Statement of Commitments should indicate that lead in infrastructure is to be located outside proposed conservation areas and appropriate controls will be implemented in its construction (sediment and erosion controls, weed management etc). It should be noted that if the infrastructure is not a part of the Part 3A process, approval may be required under the Native Vegetation Act for its construction.</p>	<p>The Statement of Commitments should indicate that lead in infrastructure is to be located outside proposed conservation areas and appropriate controls will be implemented in its construction</p>	<p>Infrastructure servicing to the development area will be in accordance with approved Hunter Water Corporation strategies subject to further detailed design work. The current design proposals utilise the public roads and land to be retained by Coal & Allied. It is intended that all infrastructure servicing of the development area will remain in the public roads. Development area servicing is still subject to detailed design which in turn may require the use of the proposed easements which are generally located on the edge of public roads in the proposed conservation areas. The easements were determined in consultation with DoP / DECCW/ HWC. Until full detailed design is complete the proposed easements must remain within the proposed conservation areas. There is no intention to delete the easements at this time. Any future use of the easements within the conservation lands would be subject to relevant DECCW approvals.</p>

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	<p>Cumulative Impact</p> <p>An assessment is made of the cumulative impact on biodiversity of the proposed development and other development in the area, as per the Director General Requirements. The assessment provided only includes Coal & Allied land but needs to include Rose Property Group and Stockland developments.</p>	<p>The cumulative impact assessment on biodiversity provided only includes Coal & Allied land but needs to include Rose Property Group and Stockland developments.</p>	<p>Cumulative impacts have been considered when discussing the overall improve or maintain outcomes of the proposal for the region.</p> <p>The DECCW response to the DoP in relation to this proposal is as follows:</p> <p>DECCW has reviewed the <i>Ecological Assessment Report – Lower Hunter Lands Catherine Hill Bay (Middle Camp) (RPS, November 2010)</i> and other information contained within the State Significant Site (SSS) listing, and is satisfied that the issued Director General's key assessment requirements for biodiversity impact have been adequately addressed.</p> <p>The key assessment requirements require the proponent to demonstrate that biodiversity impacts can be appropriately offset in accordance with the NSW Government's policy for 'improvement or maintenance' of biodiversity values. The EA report shows compliance with this requirement through the use of the DECCW offsetting principles identified in the Lower Hunter Regional Conservation Plan. The use of this qualitative 'principles-based' approach does not provide a quantitative assessment of biodiversity impact and adequacy of proposed offsets, such as could be determined through use of the BioBanking Assessment Methodology under the Biodiversity Banking and Offsets Scheme.</p> <p>Nonetheless, the offset proposal is shown to be in compliance with the DECCW offsetting principles including through avoidance of impacts by using prevention and mitigation measures, the offsets are underpinned by sound ecological principles, will result in a net improvement in biodiversity over time, provide "like for like" offsets for impacted vegetation communities and threatened species, and are strategically located to strengthen the existing conservation reserve network.</p>
NSW Police	<p>I have reviewed the information provided with respect to Catherine Hill Bay and Nords Wharf and advise that it is not envisaged Lake Macquarie LAC would require additional infrastructure as a result of the Coal and Allied Projects.</p>	<p>Lake Macquarie Local Area Command would not require any additional infrastructure as a result of the Coal & Allied proposals.</p>	<p>Lake Macquarie Local Area Command would not require any additional infrastructure as a result of the Coal & Allied proposals.</p>
RTA	<p>The intersection of the Pacific Highway, Flowers Drive and Cams Wharf Road shall be modified as follows:</p>	<p>The intersection of the Pacific Highway, Flowers Drive and Cams Wharf Road shall be modified as follows:</p>	<p>The details are not required at a Concept Plan approval stage and can be included in subsequent works applications.</p>
	<ul style="list-style-type: none"> A raised central median shall be provided on the Pacific Highway and within the throat of the Flowers Drive and Cams Wharf Road legs to restrict turning movements to left in and out of Flowers Drive and left in, right in and left out of Cams Wharf Road 	<ul style="list-style-type: none"> A raised central median shall be provided on the Pacific Highway and within the throat of the Flowers Drive and Cams Wharf Road legs to restrict turning movements to left in and out of Flowers Drive and left in, right in and left out of Cams Wharf Road 	<p>Details to be included in subsequent works applications.</p>
	<ul style="list-style-type: none"> The Flowers Drive and Cams Wharf Road approaches shall connect to the Pacific Highway at a minimum of 70 degrees and shall be controlled by 'stop' signs 	<ul style="list-style-type: none"> The Flowers Drive and Cams Wharf Road approaches shall connect to the Pacific Highway at a minimum of 70 degrees and shall be controlled by 'stop' signs 	<p>Details to be included in subsequent works applications.</p>
	<ul style="list-style-type: none"> Provision shall be made for on-road cyclists on all approaches at the intersection and along the length of the proposed works 	<ul style="list-style-type: none"> Provision shall be made for on-road cyclists on all approaches at the intersection and along the length of the proposed works 	<p>Details to be included in subsequent works applications.</p>
	<ul style="list-style-type: none"> Street lighting shall be provided at the intersection in accordance with Australian Standard AS1158. 	<ul style="list-style-type: none"> Street lighting shall be provided at the intersection in accordance with Australian Standard AS1158. 	<p>Details to be included in subsequent works applications.</p>
	<p>Pacific Highway / Montefiore Road Intersection</p>	<p>Pacific Highway / Montefiore Road Intersection</p>	<p>Details to be included in subsequent works applications.</p>
	<ul style="list-style-type: none"> Traffic control signals and associated civil works shall be designed and constructed to upgrade the Pacific highway / Montefiore Road intersection to a signalised seagull intersection. These works shall include but not be limited to the following: <p>Pacific Highway (Southern Leg)</p> <ul style="list-style-type: none"> The existing two through lanes on approach and departure must be retained. A single right turn land shall be provided with a minimum length of 190 metres, including taper. <p>Pacific Highway (Northern Leg)</p> <ul style="list-style-type: none"> The existing two through lanes on approach and departure must be retained. 	<ul style="list-style-type: none"> Traffic control signals and associated civil works shall be designed and constructed to upgrade the Pacific Highway / Montefiore Road intersection to a signalised seagull intersection. These works shall include but not be limited to the following: <p>Pacific Highway (Southern Leg)</p> <ul style="list-style-type: none"> The existing two through lanes on approach and departure must be retained. A single right turn land shall be provided with a minimum length of 190 metres, including taper. <p>Pacific Highway (Northern Leg)</p> <ul style="list-style-type: none"> The existing two through lanes on approach and departure must be retained. 	<p>Details to be included in subsequent works applications.</p>

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	<ul style="list-style-type: none"> A single left turn slip lane shall be provided with a minimum length of 140m, including taper A single right turn acceleration land shall be provided. <p>Montefiore Road (Eastern Leg)</p> <ul style="list-style-type: none"> A single signalised left turn slip lane shall be provided with a minimum length of 80m, including taper A single right turn lane shall be provided A single departure land shall be provided. <p>Whole intersection</p> <ul style="list-style-type: none"> Kerb and guttering, and raised median/island kerbs shall be provided on all approaches. The intersection shall be designed to accommodate the largest design vehicle (B-Double) Provision shall be made for on-road cyclists on all approaches at the intersection and along the length of the proposed works. All lanes shall be 3.5m in width, or as determined by the RTA. Street lighting shall be provided at the intersection in accordance with AS 1158 	<ul style="list-style-type: none"> A single left turn slip lane shall be provided with a minimum length of 140m, including taper A single right turn acceleration land shall be provided. <p>Montefiore Road (Eastern Leg)</p> <ul style="list-style-type: none"> A single signalised left turn slip lane shall be provided with a minimum length of 80m, including taper A single right turn lane shall be provided A single departure land shall be provided. <p>Whole intersection</p> <ul style="list-style-type: none"> Kerb and guttering, and raised median/island kerbs shall be provided on all approaches. The intersection shall be designed to accommodate the largest design vehicle (B-Double) Provision shall be made for on-road cyclists on all approaches at the intersection and along the length of the proposed works. All lanes shall be 3.5m in width, or as determined by the RTA. Street lighting shall be provided at the intersection in accordance with AS 1158 	
	These works shall be completed concurrently with works required at the intersections of the Pacific Highway / Flowers Drive and the Pacific Highway / Awabakal Drive and shall be carried out in accordance with the RTA's Road Design Guide, the relevant Austroads guidelines and Australian Standards, to the satisfaction of the RTA.	These works shall be completed concurrently with works required at the intersections of the Pacific Highway / Flowers Drive and the Pacific Highway / Awabakal Drive and shall be carried out in accordance with the RTA's Road Design Guide, the relevant Austroads guidelines and Australian Standards, to the satisfaction of the RTA.	Details to be included in subsequent works applications.
	Any road widening / property acquisition / dedication required to accommodate the intersections shall be provided at no cost to the RTA or Council. This would include any plans of subdivision and associated survey/legal costs. The property required is to be designated as public road reserve in favour of Lake Macquarie City Council.	Any road widening / property acquisition / dedication required to accommodate the intersections shall be provided at no cost to the RTA or Council. This would include any plans of subdivision and associated survey/legal costs. The property required is to be designated as public road reserve in favour of Lake Macquarie City Council.	Details to be included in subsequent works applications.
	All works associated with the proposed development shall be at full cost to the applicant and at no cost to the RTA or Council.	All works associated with the proposed development shall be at full cost to the applicant and at no cost to the RTA or Council.	Details to be included in subsequent works applications.
	The developer will be required to enter into a Works Authorisation Deed (WAD) with the RTA. In this regard the developer is required to submit concept and detailed design plans and all relevant additional information, as may be required in the RTA's WAD documentation, for each specific chance to the classified (state) road network and / or any traffic control signals for the RTA's assessment and final decision concerning the work.	The developer will be required to enter into a Works Authorisation Deed (WAD) with the RTA. In this regard the developer is required to submit concept and detailed design plans and all relevant additional information, as may be required in the RTA's WAD documentation, for each specific chance to the classified (state) road network and / or any traffic control signals for the RTA's assessment and final decision concerning the work.	Details to be included in subsequent works applications.
	The WAD shall be executed prior to granting a construction Certificate for the proposed development.	The WAD shall be executed prior to granting a construction Certificate for the proposed development.	Details to be included in subsequent works applications.
	A Construction Traffic management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and Traffic Control Plan. It shall be prepared with the intention of minimising impact to the operation of the road network during construction. The CTMP shall be submitted to the RTA and Council for review and approval prior to any construction activities occurring on site.	A Construction Traffic management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and Traffic Control Plan. It shall be prepared with the intention of minimising impact to the operation of the road network during construction. The CTMP shall be submitted to the RTA and Council for review and approval prior to any construction activities occurring on site.	Details to be included in subsequent works applications.

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	All works under the WAS shall be completed prior to issuing a Subdivision Certificate for any lot on which development may occur.	All works under the WAS shall be completed prior to issuing a Subdivision Certificate for any lot on which development may occur.	Details to be included in subsequent works applications.
	The RTA is aware of another development within Catherine Hill Bay which will contribute to the additional traffic being generated into and out of the area. It is considered there may be scope for sharing the costs of providing the additional infrastructure detailed above. Any cost apportionment should be determined by the Department of Planning through its Voluntary Planning Agreement process.	The RTA is aware of another development within Catherine Hill Bay which will contribute to the additional traffic being generated into and out of the area. It is considered there may be scope for sharing the costs of providing the additional infrastructure detailed above. Any cost apportionment should be determined by the Department of Planning through its Voluntary Planning Agreement process.	Intersection upgrades can be undertaken concurrently with works associated with Montefiore/Pac Hwy (Rose Group responsibility) provided approvals are in place for both NW and Middle Camp. Coal & Allied contributions to the intersection upgrades have been included in the draft VPA.
	Section 117 (2) direction 3.4 (Integrating Land Use Development and Transport) under the Environmental Planning and Assessment Act /979, should be taken into account in relation to the provision of adequate access to public transport, especially for the elderly and opportunities for pedestrians and cyclists connections. The provision of alternative transport modes to private motor vehicles and the facilities required to encourage the use of these modes should be included in any new urban release area.	Section 117 (2) direction 3.4 (Integrating Land Use Development and Transport) under the Environmental Planning and Assessment Act /979, should be taken into account in relation to the provision of adequate access to public transport, especially for the elderly and opportunities for pedestrians and cyclists connections. The provision of alternative transport modes to private motor vehicles and the facilities required to encourage the use of these modes should be included in any new urban release area.	<ul style="list-style-type: none"> The traffic report assessed the proposal against the following objectives of the Integrating Land Use and Transport Policy (ILUT) Package. Improving access to housing, jobs and services by walking, cycling and public transport Increasing the choice of available transport and reducing dependence on cars; Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car Supporting the efficient and viable operation of public transport services
	The Department of Planning should ensure that the applicant is aware of the potential for road traffic noise to impact on future development of the site. In this regard, the applicant, not the RTA, is responsible for providing noise attenuation measures in accordance with the Environmental Protection Authority's Environmental Criteria for Road Traffic Noise, should the applicant seek assistance at a later date.	The Department of Planning should ensure that the applicant is aware of the potential for road traffic noise to impact on future development of the site. In this regard, the applicant, not the RTA, is responsible for providing noise attenuation measures in accordance with the Environmental Protection Authority's Environmental Criteria for Road Traffic Noise, should the applicant seek assistance at a later date.	This is noted.
Hunter New England Health	Currently there are no GPs in either the Catherine Hill or Nords Wharf areas, and patients have to travel to access services. This access is also dependent on whether the current GPs are accepting new patients. It is recommended that consideration be given to the provision of appropriately situated suites in commercial complexes for the establishment of a general practice and other health providers to set up services that would be required by this population.	It is recommended that consideration be given to the provision of appropriately situated suites in commercial complexes for the establishment of a general practice and other health providers to set up services that would be required by this population.	Commercial premises are not proposed as permissible uses within the proposed development area and are not required as provision has been made for a commercial zone within the proposed development immediately to the south. As part of the preliminary site analysis undertaken for the site it was determined that commercial premises were not suitable for the Coal & Allied land.
	The inclusion of water sensitive urban design is supported and must be implemented in accordance with the relevant guidelines and required approvals, to ensure that risks to health and the environment are avoided.	inclusion of water sensitive urban design is supported	The WSUD measures are supported by HNE Health
	There is potential for site contamination from previous activities. Appropriate site investigation and remediation are encouraged. The proponent should refer to the Department of the Environment and Conservation (DECCW) on this matter.	Appropriate site investigation and remediation are encouraged	A preliminary contamination assessment has been undertaken in accordance with DECCW guidelines and has identified the need for detailed investigation and remediation prior to development. These show that the site is capable of being developed in the future for residential development. More detailed information can be provided at future DA stages if required.
	Provision of a reticulated water supply and sewerage system to alleviate environmental and public health concerns is recommended. The reticulated water supply must be of sufficient quantity and quality for the population size. An increase in population reinforces the need for the water supply to meet water quality standards that are presented in the Australian Drinking Water Guidelines.	Provision of a reticulated water supply and sewerage system to alleviate environmental and public health concerns is recommended	This has been addressed and will be provided by the developer consortium.
	A mosquito assessment should be undertaken of the sites terrain features to ensure any potential mosquito breeding sites are identified. A mosquito management plan should also be developed incorporating any proposed artificial wetlands in recycled water projects. This will reduce both nuisance biting and disease transmission to the local population.	A mosquito assessment should be undertaken of the sites terrain features to ensure any potential mosquito breeding sites are identified	This will be addressed at project application stage or as part of any Preferred Project Report to the DOP.

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	NSW Health supports the use of rainwater tanks (as demonstrated in the Beyond Compliance) for all non-potable uses where there is a reticulated potable supply available to residents. These uses could include garden watering, washing machine, toilet cisterns and car washing. The collection of rainwater conserves the potable supply and assists in reducing the potential impacts of stormwater.	NSW Health supports the use of rainwater tanks for all non-potable uses where there is a reticulated potable supply available to residents	These are included in the WSUD for the project and can be managed at DA stage through Council
	Connectivity and public transport Given the proposed development of the two sites, it is essential that access to public transport be reviewed, in particular, bus service access and frequency, to improve connectivity to surrounding areas. This is particularly important, given Rose Property Group's proposed development in the surrounding area. Furthermore, it is recommended that location of public transport stops be placed within a comfortable walking distance for most people between 400 to 500 metres, which will encourage more people to use the services on a regular basis.	it is essential that access to public transport from both Catherine Hill Bay and Nords Wharf be reviewed it is recommended that location of public transport stops be placed within a comfortable walking distance for most people between 400 to 500 metres	Discussion will be held with the bus operator and road network will be designed for a bus service. The Busway operator was consulted regarding upgrades to the service. Busways advised that bus services were continually under review and that more frequent services would be considered as additional residential development occurs in Gwandalan, Nords Wharf and Catherine Hill Bay.
	Open space and community facilities HNE Health commends the proposed provision of conservation reserves, parks, key focal areas and community facilities in the two development areas. For these facilities to be equally accessible to all residents, they should be available for the whole community to use, have flexible/mixed uses (for instance, be able to be used by a wide range of age groups for different purposes) and be positioned so that resident access is maximised (400-800m from all residential lots). It is also recommended that public domain areas are provided with wide footpaths, shade trees and ample seating. To encourage the building of social capital, all open space areas should be freely accessible to existing and future residents. These measures will enable equitable access to open space and community facilities, encouraging active transport (walking/cycling for transport) and planned physical activity across all population groups within the community. It is also commended that footpaths will be provided on all streets and that cycleways will also be provided. HNE Health recommends that walking and cycling links to the creeks and foreshore areas should comply with Crime Prevention Through Environmental Design principles.	HNE Health commends the proposed provision of conservation reserves, parks, key focal areas and community facilities in the two development areas To encourage the building of social capital, all open space areas should be freely accessible to existing and future residents. It is also commended that footpaths will be provided on all streets and that cycleways will also be provided.	The Urban Design Guidelines outline the intended character of the different parks and open spaces proposed. In addition, indicative layouts are shown in the UDG. All parks and open space areas will be freely available to all members of the community. <ul style="list-style-type: none"> Lemon Tree Park will be a low key area. The only interventions will be timber decks, a footpath and an interpretative garden. The character of the park will be dominated by the ambience of a past garden. Workshop Park will be the focus for community activities. It will be designed with three distinctive zones that reflect on the past organisation patterns of the site by the mining community. Gateway Park will comprise a large grassed area. On the periphery of the park will be some picnic facilities and a playground including heritage items with shelter and seating. The linear park provides an interpretation of the story of the people that once lived in the area. It will have an informal character. The bushland reserves on the periphery of the hamlets will be managed bushland buffers that incorporate APZs. The pedestrian and cycle network is detailed in the Concept Plan. Footpaths will be provided to all streets, and cycle ways will be on streets in recognition of low traffic volumes.
	Access to Fresh, Healthy Food It is recommended that consideration be given to access to affordable/healthy food choices within the two areas. This is especially important given the distance to other main centres and the potential for high food prices in village stores. The opportunity to create a community garden in the two areas is highly encouraged as this would improve the local availability of affordable/healthy food and facilitate increased physical activity through active transport and less car dependency. In addition, the provision of a public space suitable for farmers markets would increase access to fresh, local fruit and vegetables, and reduces air pollution associated with food transport.	The opportunity to create a community garden in the two areas is highly encouraged as this would improve the local availability of affordable/healthy food and facilitate increased physical activity through active transport and less car dependency. In addition, the provision of a public space suitable for farmers markets would increase access to fresh, local fruit and vegetables, and reduces air pollution associated with food transport.	The proposed parks have the ability to accommodate a market or community garden. All housing lots will have a backyard that is suitable for the growing of fruit and vegetables.
	Housing: affordability and ageing in place Both Concept Plans mention that there will be a mix of housing types. HNE Health recommends placement of affordable housing options in positions where access to public transport and community services is maximised. Housing appropriate for ageing in place, such as accessible, low maintenance dwellings, should comply with these same positioning principles.	HNE Health recommends placement of affordable housing options in positions where access to public transport and community services is maximised.	This is a matter for the NSWG however it is noted that the Affordable Rental Housing SEPP is currently under review.

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	<p>Community cohesion and consultation</p> <p>HNE Health recommends ongoing community consultation throughout all stages of the development of the two areas, as this will encourage improved community cohesion and build social capital. Community feedback on current access to services and community facilities should be sought, given the significant increase in population and development being proposed for both areas.</p> <p>Importantly this consultation should include Aboriginal and Torres Strait Islander peoples within the area. Ongoing consultation with the Bahtabah Local Aboriginal Land Council is of particular importance.</p>	<p>Community feedback on current access to services and community facilities should be sought, given the significant increase in population and development being proposed for both areas.</p> <p>Importantly this consultation should include Aboriginal and Torres Strait Islander peoples within the area. Ongoing consultation with the Bahtabah Local Aboriginal Land Council is of particular importance.</p>	<p>A high level of consultation was undertaken as part of the process, including a design charette, as detailed in section 3.4 of the EA.</p>
The Mines Subsidence Board (Newcastle District Office)	<p>These areas are located within a proclaimed Mine Subsidence District. The purpose of the District is to prevent damage through surface development controls that take account of the risk of damage by subsidence from old, current and future mining.</p>	<p>The site is located within the Mine Subsidence District and should consider further preventative measures to avoid risk of subsidence.</p>	<p>The former mining lease over the land has been relinquished and all conditions have been complied with to the satisfaction of the NSWG. Coal & Allied owns the land unencumbered by any current coal mining tenements.</p> <p>The suitability of the land for development, in relation to mine stability, is ultimately assessed by the MSB at the time of Development Application (DA) for the first subdivision and each subsequent housing DA thereafter based on their requirements.</p> <p>Remedial works will be carried out across much of the development site to eliminate the risk of pothole subsidence, as required by the MSB.</p> <p>MSB are required to approve or otherwise all applications for future development where there has been underground mining. All future applications will be submitted as required.</p>
	<p>The subdivision plans and final drawings should be submitted prior to commencement of construction.</p> <p>Final drawings should contain a certification by a qualified structural engineer to the effect that any improvements, services and civil works be constructed to meet the specification of such final drawings will be safe, serviceable and repairable taking into account the geotechnical conditions at the site.</p>	<p>Final detailed plans and drawings to be submitted demonstrating that works will be as per specification, safe, serviceable and repairable.</p>	<p>The former mining lease over the land has been relinquished and all conditions have been complied with to the satisfaction of the NSWG. Coal & Allied owns the land unencumbered by any current coal mining tenements.</p> <p>The suitability of the land for development, in relation to mine stability, is ultimately assessed by the MSB at the time of Development Application (DA) for the first subdivision and each subsequent housing DA thereafter based on their requirements.</p> <p>Remedial works will be carried out across much of the development site to eliminate the risk of pothole subsidence, as required by the MSB.</p> <p>MSB are required to approve or otherwise all applications for future development where there has been underground mining. All future applications will be submitted as required.</p>
	<p>Removal of any risk of mine subsidence by a suitable means, such as grouting.</p> <p>Alternatively, satisfy the Board by confirming through geotechnical investigations that the workings are long term stable and there is no risk of mine subsidence affecting the site.</p>	<p>Demonstrate that the risks of mine subsidence have been addressed by suitable measures where required.</p>	<p>In a letter from the MSB of 15 February 2008 they also note: “The board would not support surface development where there is a risk of pothole subsidence unless the risk is eliminated by action such as grouting of workings. The geotechnical report indicates this is where the depth of cover is less than 20 m”. “In general the boards surface development guidelines would reflect the subsidence design requirements identified in the geotechnical report”</p> <p>Areas of the site with a risk of potholes subsidence are proposed to be remediated prior to development in accord with MSB requirements.</p>
	<p>The geotechnical investigation may require a sufficient number of boreholes to the floor of the seam and numerical modelling/sensitivity analysis to demonstrate the appropriateness of the strata to support the development given the mine workings.</p> <p>The investigation is to contain confirmation of the depth of coal seam, height of workings, floor conditions and thickness of competent rock, as well as providing details of the pillar dimensions used in any analysis. ISG co–ordinates and the measured deviation from vertical are required for any boreholes. The report must be to the satisfaction of the Mine Subsidence Board.</p>	<p>Provide additional details including numerical modelling and sensitivity analysis and boreholes to the floor of the seam to the satisfaction of the Mine Subsidence Board.</p>	<p>Geotechnical investigations have been undertaken including the required information. It is noted that the MSBs letter of 15 February 2008 they note: “In general the boards surface development guidelines would reflect the subsidence design requirements identified in the geotechnical report” Therefore the MSB have indicated that they are satisfied with the level of investigation undertaken.</p>
Industry and Investment NSW (I&I NSW)	<p>Industry and Investment have no objections to the residential development and would support the proposed E1 zoning for 525.87ha providing it is gazetted as a State conservation area.</p>	<p>Industry and Investment support the E1 zoning for 525.87ha if it is gazetted as a State Conservation Area.</p>	<p>Noted</p>
Ambulance Service of	<p>In relation to their intentions to obtain land at this location the</p>	<p>The NSW Ambulance Service no longer wish to obtain land</p>	<p>Noted</p>

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NSW	Ambulance Service has reviewed their future needs and wishes to withdraw their expressions of interest at Middle Camp.	at Middle Camp.	
The NSW Office of Water (NOW)	<p>Figure A2.3.1 identifies a number of watercourses surrounding the subdivision area, however does not identify any watercourses within the proposed subdivision. There are a number of 1st order streams within the area which have not been shown.</p> <p>NOW has guidelines for protection of riparian corridors and suggests a 10 metre core riparian zone for 1st order streams.</p> <p>The subdivision plan shows that roads are proposed along the line of these streams. Although the project is exempt from requiring controlled activity approvals, proponent should consider amendments to the design of the subdivision to ensure riparian corridors are protected in accordance with NOW Guidelines for Controlled Activities (August 2010).</p>	Review Design in accordance with NOW Guidelines to ensure protection of riparian corridors.	This is to be included in any future project application.
	The project involves the construction of underground service infrastructure. The concept plan EA does not address the issue of groundwater interception, potential impacts on groundwater or the protection of groundwater quantity and quality during construction of these services. Interception of groundwater and take of water is a licensed activity under the relevant water legislation.	Address the interception of groundwater created by the construction of underground service infrastructure.	The geotechnical investigation encountered low permeability soils and groundwater was generally at greater than 3 m depth with the exception of bores along the edge of the creek line on the northern part of the site. The mine workings below the site were generally dry indicating the regional water table on the site is well below this level. Excavations for the installation of buried services is generally expected to be to less than 1.5 m depth and therefore not expected to encounter groundwater. It is possible that minor seepage into excavations shallower than this could occur from localised perched water after rainfall and near the creek, however this would be easily manageable using sump pumps with no impact to the overall groundwater regime.
	NOW supports the commitments made by the proponent on Water Quality and Quantity management. Further details on proposed stormwater management infrastructure are required as part of any project EA.	NOW supports the commitments made by the proponent on Water Quality and Quantity management but will require further details as part of any EA.	This is to be included in any future project application.
	An authorisation under the Water Act 1912 or the Water Management Act 2000 is to be obtained from the NSW Office of Water with the appropriate purpose identified for any activity relation to the taking of or interception of groundwater prior to that activity commencing.	As condition of approval authorisation is required under Water Act and WMA for any activity relating to groundwater.	This is to be included in any future project application.
	Any EA to include identification of all water courses impacted and demonstrate consistency with NOW Guidelines including: riparian corridors, watercourse crossings, laying pipes and cables in watercourses outlets structure and in-stream works.	As condition of approval identify all water courses impacted and show compliance with NOW Guidelines.	This is to be included in any future project application.
	Any EA to provide details of: proposed works likely to intercept groundwater; proposed groundwater extraction; proposed method of disposal of waste water; potential impacts on groundwater uses, including the environment; measures to prevent groundwater pollution; any groundwater dependent ecosystems.	As condition of approval provide details of any works likely to affect groundwater.	This is to be included in any future project application.
	Any EA should: provide information on the drainage and stormwater management measures proposed for the site; assess the impact of the proposal on the hydrology of the site and receiving waters.	As condition of approval provide details of stormwater management measures and assess potential impacts.	This is to be included in any future project application.
DECCW	<p><u>Threatened Species and Biodiversity</u></p> <p>DECCW has reviewed the <i>Ecological Assessment Report – Lower Hunter Lands Catherine Hill Bay (Middle Camp) (RPS, November 2010)</i> and other information contained within the State Significant Site (SSS) listing, and is satisfied that the issued Director General's key assessment requirements for</p>	DECCW is satisfied that the Ecological Assessment Report and other information contained in the SSS listing satisfies the DGRs key assessment requirements for biodiversity impact.	No comment required.

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	biodiversity impact have been adequately addressed.		
	<p>The key assessment requirements require the proponent to demonstrate that biodiversity impacts can be appropriately offset in accordance with the NSW Government's policy for 'improvement or maintenance' of biodiversity values. The EA report shows compliance with this requirement through the use of the DECCW offsetting principles identified in the Lower Hunter Regional Conservation Plan. The use of this qualitative 'principles-based' approach does not provide a quantitative assessment of biodiversity impact and adequacy of proposed offsets, such as could be determined through use of the BioBanking Assessment Methodology under the Biodiversity Banking and Offsets Scheme.</p> <p>Nonetheless, the offset proposal is shown to be in compliance with the DECCW offsetting principles including through avoidance of impacts by using prevention and mitigation measures, the offsets are underpinned by sound ecological principles, will result in a net improvement in biodiversity over time, provide "like for like" offsets for impacted vegetation communities and threatened species, and are strategically located to strengthen the existing conservation reserve network</p>	<p>Proposal is shown to be in compliance with the DECCW offsetting principles including through avoidance of impacts by using prevention and mitigation measures, the offsets are underpinned by sound ecological principles, will result in a net improvement in biodiversity over time, provide "like for like" offsets for impacted vegetation communities and threatened species, and are strategically located to strengthen the existing conservation reserve network.</p>	<p>This is an offset arrangement not a biobanking scheme, so application of the Biobanking methodology is inappropriate in this instance.</p>
	<p><u>Conservation Lands proposed for Transfer to DECCW</u></p> <p>In the Department's submission on the Director General's Environment Assessment requirements (letter dated 11 August 2010) it was raised that there are a number of issues relating to the proposed transfer of Coal & Allied's conservation lands in their current condition and the ability of DECCWs Parks & Wildlife Group (PWG) to manage these areas for conservation and recreation purposes into the future. It was also requested that an environmental / land audit be undertaken over these lands.</p> <p>It is considered that these previous concerns of the Department have been adequately addressed and incorporated into the draft planning agreement under the EP&A Act through the inclusion of "Schedule 4 – Development Contribution Procedures, clause 6 Remediation, reserve establishment and other works".</p> <p>DECCW can also provide further advice on the management of impacts from the proposed residential development on the adjacent conservation areas (that is, use of perimeter roads, containment of APZs within the development areas, provision of vehicular access to existing fire trails within the conservation areas, etc) during subsequent project applications under Part 3A of the EP&A Act.</p>	<p>It is considered that the previous concerns of the Department have been adequately addressed and incorporated into the draft planning agreement under the EP&A Act through the inclusion of "Schedule 4 – Development Contribution Procedures, clause 6 Remediation, reserve establishment and other works".</p> <p>DECCW can provide further advice on the management of impacts from the proposed residential development on the adjacent conservation areas during subsequent project applications under Part 3A of the EP&A Act.</p>	<p>No comment required.</p>
	<p><u>Aboriginal Cultural Heritage Assessment</u></p> <ul style="list-style-type: none"> Incomplete local Aboriginal community consultation process (i.e. additional evidence required from the local Aboriginal community stakeholders regarding the Aboriginal cultural heritage assessment process). In particular comments regarding the current development application, the results of the field assessments, the significance assessment, and support for the proposed mitigation measures, including the Aboriginal cultural heritage management plan (ACHMP). 	<p>The Aboriginal community consultation process is incomplete</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval</p>
	<p>The Aboriginal cultural heritage assessment provided has not adequately addressed the cultural significance of the Aboriginal cultural heritage values of the project area.</p>	<p>The Aboriginal cultural heritage assessment provided has not adequately addressed the cultural significance of the Aboriginal cultural heritage values of the project area.</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation.</p>
	<p>Registration of identified Aboriginal sites.</p>	<p>Identified Aboriginal sites must be registered</p>	<p>Site cards for the identified sites within the project area have been sent to the Hurstville Branch of</p>

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			DECCW for inclusion on to the DECCW AHIMS register.
	<p><u>Local Aboriginal Community Consultation</u></p> <p>DECCW acknowledges that the applicant has provided in Section 2 and Annex A of the HIA, a summary of the consultation process undertaken with the local Aboriginal community until June 2007. Since this time the proposal has been modified, however, we note no additional correspondence or consultation was detailed following this period. We also note the absence of formal evidence from all five registered Aboriginal stakeholders of their views on the final draft Aboriginal cultural heritage report. The absence of current evidence or support from the local Aboriginal community means the assessment is incomplete.</p>	<p>No additional Aboriginal Consultation has been undertaken since June 2007, despite the proposal having been modified.</p> <p>There is an absence of formal evidence from all five registered Aboriginal stakeholders of their view of the final draft Aboriginal Cultural Heritage report. The assessment is therefore incomplete.</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval. Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>
	<p>DECCW encourages the proponent to undertaking additional consultation with the local Aboriginal community, and recommends that the proponent shows evidence of the consultation process and the views of the registered Aboriginal stakeholders. The consultation evidence requested should include the local Aboriginal community views on 1) cultural significance of the area, 2) the adequacy of the proposed management measures detailed in the Aboriginal cultural heritage report, 3) their views on the proposed ACHMP. Evidence of consultation may take the form of consultation/conversation logs, copies of all correspondence sent/received for the project, newspaper advertisements, records of personal communications, meeting minutes, documented phone calls, copies of agendas, minutes to all Aboriginal community meetings and records of participation in field assessments.</p> <p>DECCW has developed the 'Aboriginal cultural heritage consultation requirements for Proponents 2010' to assist applicants with consultation with the Aboriginal community. While these guidelines are aimed at applicants seeking an Aboriginal Heritage Impact Permit under the NPW Act, the guideline provides a useful reference to guide broader community consultation during the development of the major project application.</p>	<p>DECCW encourages the proponent to undertaking additional consultation with the local Aboriginal community, DECCW recommends that the proponent shows evidence of the consultation process and the views of the registered Aboriginal stakeholders</p> <p>Consultation evidence should include local Aboriginal community views on</p> <ul style="list-style-type: none"> ▪ cultural significance of the area, ▪ the adequacy of the proposed management measures detailed in the Aboriginal cultural heritage report ▪ their views on the proposed ACHMP <p>DECCW has developed the 'Aboriginal cultural heritage consultation requirements for Proponents 2010' to assist applicants with consultation with the Aboriginal community.</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval. . Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>
	<p>DECCW also encourages the applicant to continue to engage with all the registered local Aboriginal stakeholders in developing appropriate cultural heritage outcomes for the life of the proposed development. We also offer our support for the Aboriginal community component of Coal & Allied's Allocation Initiative.</p>	<p>DECCW encourages the applicant to continue to engage with all the registered local Aboriginal stakeholders in developing appropriate cultural heritage outcomes for the life of the proposed development</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval.. Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>
	<p><u>Significance Assessment</u></p> <ul style="list-style-type: none"> ▪ DECCW notes the cultural significance of the Aboriginal cultural heritage values of the project area does not appear to have been addressed, noting that the cultural significance of an Aboriginal site can only be determined by the Aboriginal community. The absence of a cultural significance assessment by the community means that DECCW is unable at this time to comment on the appropriateness of the proposed management strategies for the project area. <p>It is recommended that the proponent consult further with the local Aboriginal community to establish the cultural significance of the Aboriginal cultural heritage values of the project area to complement the archaeological significance assessment conducted. Any information provided should also be addressed in developing Aboriginal cultural heritage management options and commitments.</p>	<p>the cultural significance of the Aboriginal cultural heritage values of the project area does not appear to have been addressed. The absence of a cultural significance assessment by the community means that DECCW is unable at this time to comment on the appropriateness of the proposed management strategies for the project area. It is recommended that the proponent consult further with the local Aboriginal community</p>	<p>Cultural significance of the identified Aboriginal heritage values as assessed by the Aboriginal stakeholders can be added to the current HIA..</p> <p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval.. Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>

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	<p><u>Aboriginal Cultural Heritage Management Plan (ACHMP)</u></p> <p>DECCW acknowledges and supports that the proponent has committed to developing and implementing an ACHMP for the project area. The ACHMP must clearly demonstrate that effective community consultation with local Aboriginal communities has been undertaken in the development and implementation of the plan. DECCW encourages the proponent to maintain continuous consultation processes with the community for the entire ACHMP and for the life of the project for all Aboriginal cultural heritage matters associated with the project area. Evidence of consultation and views of the community for the ACHMP should be included in its final iteration.</p>	<p>The ACHMP must clearly demonstrate that effective community consultation with local Aboriginal communities has been undertaken in the development and implementation of the plan</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval.. Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>
	<p>DECCW also recommends the ACHMP includes procedures for ongoing Aboriginal consultation and involvement, management of any recorded sites within the project area, the responsibilities of all stakeholders, details of proposed mitigation and management strategies of all sites; including any additional investigation processes, salvage activities, monitoring, etc; procedures for the identification and management of previously unrecorded sites (excluding human remains), details of an Aboriginal cultural heritage education program for all contractors and personnel associated with construction activities and compliance procedures in the unlikely event that non-compliance with the ACHMP is identified.</p>	<p>DECCW also recommends the ACHMP includes</p> <ul style="list-style-type: none"> procedures for ongoing Aboriginal consultation and involvement, management of any recorded sites within the project area, the responsibilities of all stakeholders, details of proposed mitigation and management strategies of all sites; including any additional investigation processes, salvage activities, monitoring, etc; procedures for the identification and management of previously unrecorded sites (excluding human remains), details of an Aboriginal cultural heritage education program for all contractors and personnel associated with construction activities and compliance procedures in the unlikely event that non-compliance with the ACHMP is identified. 	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval.. Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>
	<p><u>Known Aboriginal Sites</u></p> <p>DECCW acknowledges that the proponent has identified site card record irregularities for Aboriginal sites #45–7–0018 and #45–7–0019. DECCW will investigate this matter and correct any necessary errors in the Aboriginal Heritage Information Management System (AHIMS).</p>	<p>DECCW acknowledges that the proponent has identified site card record irregularities for Aboriginal sites #45–7–0018 and #45–7–0019. DECCW will investigate this matter and correct any necessary errors in the Aboriginal Heritage Information Management System (AHIMS).</p>	<p>Any corrected or updated site cards of relevance can be noted and appended to the Aboriginal Cultural Heritage Management Plan.</p>
	<p>We note the field survey effort conducted in July 2007 over the two proposed development envelopes was limited by vegetation cover and we note that large portions of the development areas were not surveyed, in particular the western and southern portions of Developable Area B and northern portion of Developable Area A. DECCW also notes that this area contains mature forests, creek tributaries, crests and slopes and Aboriginal cultural heritage has been identified in similar landscape features within the same context in close proximity. On this basis, the potential for finding additional evidence of Aboriginal occupation within the proposed development footprints has been identified.</p>	<p>the potential for finding additional evidence of Aboriginal occupation within the proposed development footprints has been identified.</p>	<p>Areas of Aboriginal archaeological potential have been addressed in the report and will be further addressed in the Aboriginal Cultural Heiritage Management Plan.</p>
	<p>If Aboriginal objects are uncovered due to the development all works should halt in the immediate area to prevent any further impacts to the objects. A suitably qualified archaeologist and the registered Aboriginal stakeholders must be contacted to determine the significance of the object(s). Any new sites must also be registered in DECCW's Aboriginal Heritage Information Management System (AHIMS). The management of any new sites should be addressed in culturally and scientifically appropriate methods devised and gain the necessary approvals</p>	<p>If Aboriginal objects are uncovered due to the development all works should halt in the immediate area to prevent any further impacts to the objects.</p>	<p>The Aboriginal Cultural Heritage Management Plan will provide a chance find protocol.</p>

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	before recommencing works. We have included a recommended condition of approval to target this matter.		
	<p><u>Registration of Aboriginal Sites</u></p> <p>DECCW acknowledges the results of field assessment undertaken by the proponent and the identification of a Potential Archaeological Deposit (PAD) on the southern banks of Middle Camp Creek. A search of AHIMS revealed that this Aboriginal site has not been registered with DECCW. The proponent is advised to promptly complete a DECCW site recording card for this site and submit to DECCW for registration in AHIMS. Any management outcomes for the site(s) must be included in the information provided to AHIMS. Please also note that penalties now apply to corporations for failing to fulfil these requirements.</p>	<p>DECCW acknowledges the results of field assessment undertaken by the proponent and the identification of a Potential Archaeological Deposit (PAD) on the southern banks of Middle Camp Creek. The proponent is advised to promptly complete a DECCW site recording card for this site and submit to DECCW for registration in AHIMS.</p>	<p>Site cards for the identified sites within the project area have been sent to the Hurstville Branch of DECCW for inclusion on to the DECCW AHIMS register.</p>
	<p><u>National Parks and Wildlife Act (NPW Act)</u></p> <p>The importance of protecting Aboriginal cultural heritage is reflected in the provisions of the NPW Act. DECCW notes that the requirements of the NPW Act have recently been amended. It is strongly recommended that the proponent familiarises itself with the new requirements during the development and any subsequent assessment/development works processes.</p>	<p>DECCW notes that the requirements of the NPW Act have recently been amended. It is strongly recommended that the proponent familiarises itself with the new requirements during the development and any subsequent assessment/development works processes.</p>	<p>The amendments to the NPW Act will be taken into consideration during the production of the Aboriginal Cultural Heritage Management Plan.</p>
	<p><u>Proposed Listing in SEPP</u></p> <p>In respect of Clause 9 (Heritage Conservation) in the proposed listing under Schedule 3 of the Major Development SEPP, DECCW acknowledges that all Aboriginal objects and Places are significant to Aboriginal people. DECCW therefore recommends that the term '<i>heritage item</i>', as defined in the listing, be expanded to include the definition of '<i>Aboriginal object or Place</i>', as described in legislation in the NPW Act.</p>	<p>In respect of Clause 9 (Heritage Conservation) in the proposed listing under Schedule 3 of the Major Development SEPP, DECCW recommends that the term '<i>heritage item</i>', as defined in the listing, be expanded to include the definition of '<i>Aboriginal object or Place</i>', as described in legislation in the NPW Act.</p>	<p>The HIA considers "heritage items" to include Aboriginal Objects and Aboriginal Places as described in the NPW Act.</p>
	<p>The applicant must continue to consult with and involve all the registered local Aboriginal representatives for the duration of the project in relation to all Aboriginal cultural heritage matters. Evidence of all consultation is to be collated and provided to the consent authority upon request.</p>	<p>The applicant must continue to consult with and involve all the registered local Aboriginal representatives for the duration of the project in relation to all Aboriginal cultural heritage matters. Evidence of all consultation is to be collated and provided to the consent authority upon request.</p>	<p>Aboriginal Stakeholder consultation was undertaken in accordance with the DECCW guidelines current at the time of consultation. The consultation process will be reactivated at the point when the rezoning and concept plans are approved, and prior to the project application for subdivision works being submitted for approval.. Continued consultation will occur for the Aboriginal cultural heritage management plan (ACHMP).</p>
	<p>The proponent shall develop an Aboriginal Cultural Heritage Management Plan (ACHMP) for the project area. The ACHMP is to be developed and implemented in full consultation with the registered local Aboriginal stakeholders. The plan is to include, but not limited to:</p> <ul style="list-style-type: none"> procedures for ongoing Aboriginal consultation and involvement, details of the responsibilities of all stakeholders, management of any recorded sites within the project area, procedures for the identification and management of previously unrecorded sites (excluding human remains), identification and management of any proposed cultural heritage conservation area(s), compliance procedures including for in the unlikely event that non-compliance with the ACHMP is identified. details of an appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged through the development process, and details of proposed mitigation and management strategies for sites identified to be impacted within the project area. 	<p>The proponent shall develop an Aboriginal Cultural Heritage Management Plan (ACHMP) for the project area. The ACHMP is to be developed and implemented in full consultation with the registered local Aboriginal stakeholders. The plan is to include, but not limited to:</p> <ul style="list-style-type: none"> procedures for ongoing Aboriginal consultation and involvement, details of the responsibilities of all stakeholders, management of any recorded sites within the project area, procedures for the identification and management of previously unrecorded sites (excluding human remains), identification and management of any proposed cultural heritage conservation area(s), compliance procedures including for in the unlikely event that non-compliance with the ACHMP is identified. details of an appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged through the development process, and details of proposed mitigation and management strategies for sites identified to be impacted within the project area. 	<p>An Aboriginal Cultural Heritage Management Plan (ACHMP) will be developed prior to development and will include the listed items.</p>

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	In the event that surface disturbance identifies a new Aboriginal site, all works must halt in the in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and representatives of the local Aboriginal community must be contacted to determine the significance (cultural and scientific) of the object(s). The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) (managed by DECCW). The proponent will consult with the Aboriginal community representatives the archaeologist and DECCW to develop and implement management strategies for all objects/sites. Prior to recommencing works in that area, the proponent will ensure they have the necessary approvals.	In the event that surface disturbance identifies a new Aboriginal site, all works must halt in the in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and representatives of the local Aboriginal community must be contacted to determine the significance (cultural and scientific) of the object(s). The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) (managed by DECCW). The proponent will consult with the Aboriginal community representatives the archaeologist and DECCW to develop and implement management strategies for all objects/sites. Prior to recommencing works in that area, the proponent will ensure they have the necessary approvals.	An Aboriginal Cultural Heritage Management Plan (ACHMP) will be developed prior to development and that will include a chance find Protocol.
	If human remains are located in the event that surface disturbance occurs, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are to be contacted immediately. No action is to be undertaken unless the NSW Police provide written notification to the proponent stating otherwise. If the skeletal remains are identified as Aboriginal, the proponent must contact DECCWs 'Enviroline' on 131555. No works are to continue until DECCW provide written notification to the proponent.	If human remains are located in the event that surface disturbance occurs, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are to be contacted immediately. No action is to be undertaken unless the NSW Police provide written notification to the proponent stating otherwise. If the skeletal remains are identified as Aboriginal, the proponent must contact DECCWs 'Enviroline' on 131555. No works are to continue until DECCW provide written notification to the proponent.	An Aboriginal Cultural Heritage Management Plan (ACHMP) will be developed prior to development and that will include a chance find Protocol, including the potential for Human remains if found.
	All reasonable efforts are to be made for the development to avoid impacting Aboriginal cultural heritage. If impacts are unavoidable, mitigation measures are to be negotiated with the local Aboriginal community and the required legislative approvals. All sites impacted must have a DECCW Aboriginal Site Impact Recording (ASIR) form completed and submitted to DECCW AHIMS unit within three months of completion of the Aboriginal cultural heritage works.	All reasonable efforts are to be made for the development to avoid impacting Aboriginal cultural heritage. If impacts are unavoidable, mitigation measures are to be negotiated with the local Aboriginal community and the required legislative approvals. All sites impacted must have a DECCW Aboriginal Site Impact Recording (ASIR) form completed and submitted to DECCW AHIMS unit within three months of completion of the Aboriginal cultural heritage works.	The ACHMP will provide advice if impacts can not be avoided and the required process if impacts are required at a registered site.
	An Aboriginal Cultural Education Program must be developed for the induction of all personnel and contractors involved in the construction activities on site. Records are to be kept of which staff/contractors were inducted and when for the duration of the project. The program should be developed and implemented in collaboration with the local Aboriginal community.	An Aboriginal Cultural Education Program must be developed for the induction of all personnel and contractors involved in the construction activities on site. Records are to be kept of which staff/contractors were inducted and when for the duration of the project. The program should be developed and implemented in collaboration with the local Aboriginal community.	An Aboriginal Cultural Heritage Management Plan (ACHMP) will be developed prior to development which will include an Aboriginal cultural heritage Education program for personnel and contractors.
NSW Transport	Acknowledges that the subject sites are located on land identified in the Lower Hunter Regional Strategy for future urban development	Acknowledges site identified in the Lower Hunter Regional Strategy	We confirm Transport NSW's position that the lands are identified in the LHRS.
	TNSW supports the proponent's commitment to integrating the site with existing bus networks and providing bus stops.	Supports commitment to integrating with existing bus networks	We confirm the proposal has actively sought to be integrated with existing and future bus networks through the provision of adequate and suitable bus stops.



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	TNSW also supports the proponent's commitment to providing pedestrian and cycle networks throughout each proposed subdivision.	Supports commitment to pedestrian and cycle networks	We confirm that the proposal includes footpaths on at least one side of the proposed roads. Cycle ways will be on streets, in recognition of low traffic volumes.
	TNSW requests that dedicated footpaths be provided on both sides of each road to encourage walking within the proposed subdivisions	Requests that dedicated footpaths be provided on both sides of each road	Footpaths will be provided on all streets, however predominantly on one verge. In recognition of low traffic volumes, pedestrians will be able to safely cross the street to utilise the footpath as required.
	TNSW notes that a number of applications for residential subdivisions in the area have been submitted and a process for considering the cumulative impact of small scale subdivisions warrants further consideration.	Process for considering the cumulative impact of numerous subdivisions	Cumulative traffic impacts of proposed projects have been modelled and proposed mitigation works identified in the traffic engineering reports.

