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Director, Strategic Assessments
Department of Planning & Infrastructure
GPO Box 39
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**RE: Catherine Hill Bay Development Control Plan and Exclusion from
General Housing Code, File: 11-21806 of 20 March 2012**

SEPP - Support:

We support the Department of Planning & Infrastructure's amendment to the State Environmental Planning Policy (SEPP) - Exempt and Complying Development Codes. We support this amendment so general housing code provisions will not apply to the proposed development at Catherine Hill Bay.

If not amended, the special environmental and heritage nature of Catherine Hill Bay would be destroyed.

Support for a site specific Development Control Plan:

Whilst we strongly support the need for a Development Control Plan (DCP) for the area of Catherine Hill Bay as we feel it is essential in ensuring the scenic, aesthetic and cultural heritage qualities of the area, we do not support the Department of Planning & Infrastructure's Draft DCP in its current form as it does not meet the key development objectives for the bay. The Director General, in his report dated March 2011 states, *"any development within Catherine Hill Bay should not prejudice the scenic, aesthetic and cultural heritage qualities of the area. In this regard the panel considers that the aesthetic and cultural of the existing village and its landscape setting are of exceptional significance and should be protected"*

We are of the opinion that this draft DCP lacks detailed controls and guidelines. This lack of detail and thoroughness in terms of the development controls would result in an undesirable impact from new development on the cultural significance of Catherine Hill Bay village and setting. As detailed in the Director General's assessment report (page 9) development should be low in scale and impact and be nestled within a landscape setting with significant tree retention

. Our key objections to the draft DCP are as follows:

1. As stated by Planning Assessment Commission's Report dated 13 May 2011 "Site contamination is a significant issue and the Commission considers that the whole site must be remediated before any subdivisions of the land is registered".

The DCP does not include the Commission's consideration as stated above. The identification of environmental constraints that are particular to a site should be acknowledged up front and written into the introduction of a DCP. In this area there are major issues with contamination and mine subsidence.

Approximately 50% of the total proposed development has been mined out by a combination of first workings as well as pillar extraction. Two extracted coal seams, i.e. the Wallarah Seam (1936) and Great Northern Seam (1991) undermine Stages' 4, 5, 6 and 7 (40%) and one coal seam undermines Stage 3, i.e. the Great Northern Seam (1874).

Recent mine subsidence incidents and resultant claims on the Mine Subsidence Board have occurred and are ongoing in the neighboring villages of Gwandalan, Mannering Park and Chain Valley!

We believe that prior to approval of this DCP due consideration needs to be given to the potential for mine subsidence and the consequence this subsidence may have on this developments prospective home owners as well as State tax payers' money.

2. The 'Green Links' identified on Figure 3: Structure Plan and Figure 4: Overall Landscape Plan of the Draft DCP encroach on the residential development blocks. These Links are identified as being 32m wide and if contained within private property there is no guarantee that they will be maintained as designated Green Links.

These north-south Green Links are vital to lessening the visual impact of this new development, particularly when looking from Montifiore St down to Moonee and when looking from Moonee beach up to the new development.

The proposed Green Links on private property fails to meet the stated key development objectives as stated in Section 3.4 of the DCP.

On resubmitted plans these 'green links' are not on private land. What is the status of these resubmitted plans? What is the final lot layout? Are the maps used accurate?

3. The subdivision is for 553 residential blocks and 1 retail allotment of 3600sqm. The general residential subdivision is for property building coverage of 50% plus 2 storeys plus "outbuildings" of 40m².

The original historic mining cottages in Catherine Hill Bay are single storey with an approximate site coverage of 35% that is not much bigger than the DCP's proposed "outbuilding" allowance!

If the DCP proposed site coverage of 50% is approved it will be in direct conflict with the Director General's Assessment of March 2011 which states "Any development within Catherine Hill Bay should not prejudice the scenic, aesthetic and cultural heritage qualities of the area. In this regard the Panel considers that the aesthetic and cultural heritage qualities of the existing village and its landscape setting are of exceptional significance and should be protected".

4. Sufficient parking and cycleways for public (both enabled and disabled) access to the scenic, aesthetic, cultural and environmental qualities of the Bay are not adequately addressed in this DCP and need further consideration prior to approval. The layout of the Coastal Walkway is missing from this document. What is to be the width, standard of finishes, signage, and parking?
5. The impact of the increase in traffic on the heritage village has not been adequately addressed. The roundabout at Clarke/Montifiore Sts will encourage traffic through the town.
6. This DCP should require that future development at Catherine Hill Bay is rigorously assessed by an expert, independent design review panel as part of Council's development assessment process.

Signed _____