

Monday, 31 October 2011

Dear NSW Planning Department

Re Tallawarra Lands Concept Plan
MP09_0131 Mixed Use Development Concept

I object to the proposed Tallawarra Lands Concepts plan on the following grounds. My objection is multifaceted as detailed below. However I have two primary concerns.

Objection One – Employment Lands

Firstly, these lands were designated “employment lands” in the Illawarra Regional Strategy. This formed the basis of the Carr Governments plans when selling of these public lands. Since then, this proposal has transformed into a prime residential development and employment has become a secondary issue. It is my concern that TRU Energy will develop the residential aspects of this development first and then abandon the proposed employment aspects as too expensive to be developed due to the documented contamination and geotechnical aspects. The net effect will be a population increase without corresponding employment increase, worsening our regions already dire employment predicament.

Objection Two – A history of bad faith

The second is that TRU cannot be trusted, having had a record of bad faith from the beginnings of this project. They have engaged in deceptive conduct in their advertising, altering whiteboards at public meetings, conducting then refusing to release a community survey, lying to the CLG about the proposed extent of residential development and serving as primary authors of the material advising the Wollongong LEP concerning these lands. Even in this concept plan they have overstepped the bounds of the LEP as documented in WCC’s submission. This behaviour calls into question the validity of information provided by the proponent in the submitted material.

I request that:

- An independent survey of the communities preferred uses for this land is undertaken.
- An independent inquiry into alternative uses for this land is undertaken.
- If this application is approved, that TRU be compelled to undertake remediation and development of employment lands prior to any residential development.

My further objections and supplementary material regard the previous objections are detailed below. The Report referred to in this submission is Tallawarra Lands Part 3A Concept Plan Application Environmental Assessment Report.

No impediments:

The Environmental Assessment Report summary states there are “No significant impacts” which cannot be addressed by the proposed remediation strategies. (I can see several), specifically for the “employment lands”. It should be noted that Wollongong City Council also has serious objections which it has lodged separately.

This statement: The extensive suite of past and current studies of the Tallawarra Lands site, covering a wide range of issues including flooding, climate change, stormwater management, coastal impacts, flora and fauna impacts, heritage impacts, bushfire threats, acoustic impacts, geotechnical and contamination issues, views, economic impacts, traffic impacts and infrastructure servicing have not revealed any uncertainty regarding potential impacts sufficient to adopt a precautionary approach to either delay or prevent the project from progressing.

...is demonstrably false. The points below will demonstrate this.

Employment

Projected jobs do not outweigh population increase (these are “employment lands”) – thus this development will at best be employment neutral. If all the employment lands are developed – the total employment is estimated at 1,889. Total population is estimated at 3,248. However, given the difficulties in developing zones IN1, IN2 and B7 – it is unlikely it will realise this potential and will be a negative impact on Illawarra’s employment rate. Given that these are the Illawarra’s major remaining employment lands, this is a very disappointing outcome.

The employment strategy relies on the insane notion of “matching” residents to employment in the development (debunked by UOW Academic Scott Burrows) who highlights that the proposed jobs generated will be largely lower paid, less-skilled whereas the residences will be quite expensive and unaffordable for the majority of workers..

Matching site resident status with employment opportunities will encourage “self sufficiency” and maximise the amount of internal site trips – alleviating effects to the surrounding road network. **P61**

The submission by Scott Burrows demonstrates this concept to be nonsense.

Affordable Housing:

Future housing should be provided across a range of dwelling types to cater for households of varying sizes, income levels, and age groups. **P61**

This appears to be another pipe dream based on lots sizes and locations. The proposed development provides 1200 of 38000 dwellings (**p26**) meeting only 3% of Wollongong’s projected housing needs. Surrounding housing developments are not selling well. Strangely, people do not want to buy expensive homes on coal wash with Power Station views.

Endangered Ecological Communities

Endangered Ecological Communities are threatened and there is marked degradation caused by TRU’s involvement from the 2000 LEP assessment to now. Compare these statements:

There are several patches of endangered ecological communities present on the site, however these are relatively small patches. (current Environmental Assessment)

with

The site has a high level of natural attributes including significant conservation areas. The conservation areas include several SEPP 14 Wetlands and large areas containing Endangered Ecological Communities (EEC’s). These areas require particular conservation and any future zoning of the land must recognise the need to conserve and regenerate areas of such significance. P60 – (2000 LEP)

How did this happen?

The Report states:

Despite this history of disturbance, the site retains ecological values in the form of remnant native vegetation, habitat for a number of threatened fauna species, potential habitat for a number of threatened flora species, riparian and wetland features, and a regional corridor linkage.

The proposal will result in the clearance of 51.63 ha of vegetation of which 4.37 ha are EECs. The EEC clearance is comprised of a number of very small areas of differing communities ranging from 0.17 ha to 2.54 ha in size.

Feral cats are likely to be present within the Tallawarra Lands site. The inherent open nature of the landscape allows this species to move relatively unrestricted across the site. It is unlikely that the proposed roads would increase the activity of feral cats across the site. The use of fauna-proof bins throughout the Tallawarra Lands site are likely to assist feral cat activity. **P80**

It seems to have escaped the attention of the proponents and their consultants that this development will introduce a whole new batch of feral cats into the area. The sum of the abovementioned effects will be significant threat to the EEC's on the Tallawarra Lands.

Visual/Scenic Aspects

Visual/scenic aspects are noted but not demonstrated (i.e. preserve ridgeline). The Environmental Assessment Report states:

The precinct has been identified as being suited to a residential land use as it connects with the adjoining residential area of Koonawarra. The residential area will accommodate approximately 310 lots and is confined to the lower northern slopes where the topography is manageable for urban development whilst allowing for the upper slopes of Mt Brown to be retained as a green ridge line to address viewing impacts from across the lake.

Development of the upper slopes or areas with high visibility shall be avoided. **P61**

Yet this is exactly what is proposed. The Northern Precinct is highly visible and highly valued by residents around the lake, but particularly by locals in Koonawarra and Kanahooka. The location of housing with 9m building heights seems to indicate the ridgeline and visual character will be obscured, except for surrounding high locations like Lake Heights/Mt Warrigal. Where's the geometric modelling?

Views of the important ridgelines, high points and prominent slopes will be maintained by strategic location of residential development below the visual horizon at the finer grain. **P135**

I have been unable to find proof is provided of this (although it might be buried somewhere in the 1000+ pages I have not had time to review.

Further the Report offers an interesting noise mitigation solution –

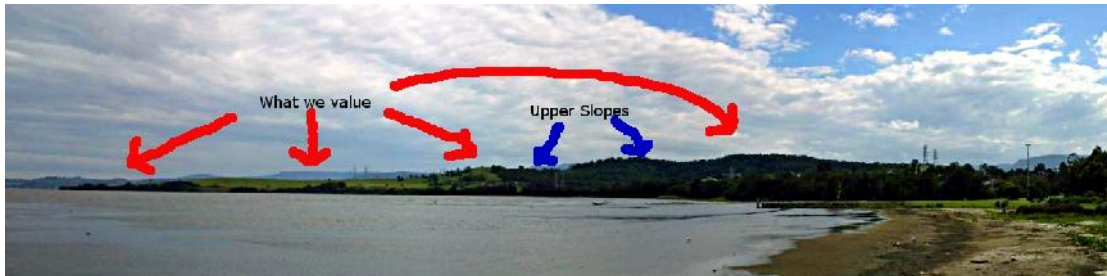
However, a wall or mound constructed along the top of the northern ridge may provide an effective option for mitigating noise from the power station for Northern Precinct receivers. **P105**

What will be the visual impact of this?

The Report states:

The proposed concept plan appropriately retains, adapts and enhances the scenic resources of the site which include Mount Brown slopes, ridgelines, creek lines, and Lake foreshore edge and waterbodies. **p134**

...yet does not adequately reflect the concerns of Koonwarra and Kanahooka residents.



It should also be noted that in the recent WCC Community Strategic Plan workshop – aesthetics and environment were the priorities for the 200+ residents involved in this process. The draft vision statement adopted below states:

From the mountains to the sea, we value and protect our natural environment and will be leaders in building an educated, creative and connected community.

Staging – how to transform employment lands into a residential development.

The report states “Staging is not definite” however TRU have stated in CLG meetings they intend to develop the Northern Residential precinct first then other areas “as able”.

A definitive staging plan has not been prepared however it is envisaged at this preliminary stage of the project that development will commence in the north of the site to optimise efficiencies with existing infrastructure and minimise earthworks and progress in a southerly direction. P30

However the report also states The “Employment Lands” are on contaminated, geotechnically challenging sections, thus unlikely to ever be developed. The most significant portion of the employment lands sits on top of an ash pond that is deeply contaminated and subject to liquefaction in case of earthquake.

Hermetically Sealed Boxes

Noise and the “red light disco”¹ dictate building hermetically sealed, air conditioned boxes.

“Noise generated by road traffic on the Southern Freeway and rail traffic on the Illawarra Line is expected to result in exceedances of noise guidelines of up to 5 dB(A) at residential properties located along the northern and western boundary of the Central Residential Precincts and the western boundary of the Southern Residential Precinct. In addition an exceedance of up to 5 dB(A) has been predicted for properties located on the southern boundary of the Northern Residential Precinct as a result of operational noise from the Tallawarra Power Station. Properties located in

¹ The Power Station Stack has a large, flashing red light which is a significant source of visual pollution, despised by local residents. Apparently this is to meet aviation safety requirements, despite the fact that any plane flying that low is already doomed by Mount Brown – which already has a navigation light.

the south western corner of the Southern Precinct may experience rail noise levels up to 9 dB(A) above the relevant guidelines. p105

What are the lifestyle and energy impacts?

Water Quality

The Northern precinct proposes discharging stormwater directly to lake and “controlled release” of sewerage due to capacity restraints. How will this affect Lake Illawarra?

Evading Social Responsibility

TRU are seeking to minimise development contributions arguing services will be supplied by the adjoining areas (p158ff).

Overland Flow

The Report minimises the impact of overland flow on a small gully in the northern precinct. The area is prone to intense dumping rain. In the last 2 weeks there were incidents where 50mm of rain were dumped on the area in under 24 hours.

Similar incidents have led to tragedy in Woonona and Coledale in the time I have lived in the Illawarra. How will TRU ensure that Tallawarra is not the site of the next tragedy?

Contamination

The Report identifies significant contamination – particularly Acid Sulfate soils and adopts a position of minimisation, wishful thinking and “we’ll deal with that later”.

Disturbance of acid sulfate soil materials is unlikely in these areas as part of future developments and not considered to pose a major constraint for redevelopment of the site under the current concept master plan. Specific developments within areas where acid sulfate soils have been assessed likely to occur would need to be assessed individually based on the proposed construction methods and types of disturbance. Developments in these areas that are likely to disturb underlying natural soils or have an impact which lowers the water table would trigger the need further specific assessment and where necessary, development of acid sulfate soil management plans. p117

While this is understandable – the critical issue is that the affected lands are those designated for employment. This again undermines the prospect of employment lands ever being developed, shifting the priority from employment to residential, worsening the region AND the local area’s profound unemployment problems.

Due Process

As mentioned, TRU Energy has doggedly pursued a residential development on this site despite the presence of significant residential developments in adjacent West Dapto, Hayward’s Bay and the controversial Calderwood development.

- Why do TRU refuse to release the Community Survey about residents’ preferred use of Tallawarra Lands?
- Why have alternative, environmentally friendly options not even been considered? (i.e. Carbon sink, biobank, agricultural reserve, eco-energy park etc).

TRU have been running a spectacular PR exercise on this from Day 1 while controlling the process, free from oversight. Don't be fooled. Look very closely at this proposal. While promising "jobs and homes" – the net effect is likely to be:

- Most of the residential precincts will be developed, a small amount of employment area will proceed with a significant amount indefinitely deferred or abandoned due to constraints.
- A greater increase in population than sustainable jobs.
- Unaffordable housing
- Loss of an environmental asset
- A net drain on the Illawarra's economy.

I request that:

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- If this application is approved, that TRU be compelled to undertake remediation, infrastructure and development of employment lands prior to any residential development.

I request that NSW State Planning ask the hard questions and do whatever it takes to get this right.

Ken Davis – 042 525 4680

On Behalf of Concerned Residents of East Dapto (CRED)