

"Melrose",  
Commens Street, Wallerawang. NSW 2845

28 October 2013

Lithgow City Council  
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31 OCT 2013

Doc. No.....  
CDA Ref.....  
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The General Manager,  
Lithgow City Council,  
PO Box 19,  
LITHGOW NSW 2790

Dear Sir,

**Submission regarding the proposed zoning at Lot Y DP 407106 – Pipers Flat Road, Wallerawang.**

**Current Zoning: Village.  
Proposed Zoning under Proposed LEP 2013: R5.**

This letter is an amendment to our previous submissions, provided on the advice of Council officers, following a meeting at Council on Wednesday 23 October 2013.

For the past thirty or forty years, development for the purposes of industrial use have been controlled by firstly, the various legal planning control documents in place over the period, and secondly, the "Development Control Plan No. 6 – Industrial Development". The DCP No. 6 was "prepared as a guide for development proposals in all industrial zones, and industrial development in rural and village zones". The plan included maps, including one of Wallerawang, indicating those areas within the village in which Council would support industrial use. The areas indicated included, amongst others, the land around the intersection of Brays Lane and Pipers Flat Road.

Over the years, Council encouraged such-uses, and thus development in the area has been done with this in mind, resulting in the existing situation in the immediate vicinity being as follows:

- To the east of Brays Lane (Lots 25-29 DP 17727) is an industrial complex occupied by Wallerawang Engineering;
- Immediately behind that (Lot 1 DP 390626) is land used as an industrial storage facility, occupied by Lithgow City Council;
- To the west of Brays Lane (Lot Y DP 407106), is a facility occupied by our organisation whose purpose is to provide opportunities for intellectually disabled clients to interact, receive sustenance, and take part in stimulating programmes.
- Lot 2 DP 596705 is a medium density flat development – a commercial operation;
- Lot 1 DP 596705 is an industrial storage facility, occupied by Endeavour Energy, used for the storage of power poles;
- Beyond this (North) is a recently approved storage facility;
- The blocks opposite, on Pipers Flat Road are used for commercial purposes, including a recently constructed storage facility;
- Adjacent to the railway opposite is a site for heavy industrial use, which is currently undergoing expansion for Centennial Coal.

The point to remember is that all the blocks in the vicinity are home to activities which are commercial or industrial in nature, with no possibility of reverting to simple residential. With respect to amenity, as most of the adjoining land uses are industrial or commercial, a

residential development would actually be in conflict with those existing uses. Council proposes that some of these blocks be zoned commercial, one recreational, some R5 – large residential, and some R2, residential. There does not appear to be any consistency with the proposals, and little recognition of the existing uses.

Council's primary Vision Statement is to "encourage community growth and development". The vision statement is further developed by expanding the concept of "Growth" to include "Providing for sustainable and planned growth, while enhancing the existing rural and village identity". For this to happen, Council needs to be cognisant of the demands and wishes of the individuals who make up the community for which it is proposing a plan.

Council recently adopted the Lithgow Land Use Strategy 2010-2030 (LUS), in which there is a statement that "there is a lack of **suitable** industrial zoned lands in the LGA to accommodate an increase in modern industrial uses". An action that was identified was to "prepare a suite of land use zones for ... Wallerawang ... No time frame was attached – that is, neither 'long term' nor 'short term' (meaning the 2012 LEP). This and other studies concentrated on the land around Pinta Place as being the preferred site for future industrial expansion, and a lot of justification for that suggestion is included in the documents. However, there is little mention of the area around Brays Lane, neither in terms of industrial use or residential. It appears as though the default zoning was set to be residential. If the current proposal sets the zoning to be residential, there would seem to be little chance of there being an opportunity to revisit the zoning in the 'long term'.

The LUS appeared to assume a blank canvas for the suggestion of the location of zones, with little thought as to the historical background of the area. As various industrial uses have grown in the Brays Lane area over the years, there is not likely to be a reversal to residential use in the coming period. The LUS makes the further statement that "the future direction for the Wallerawang township revolves around the consolidation of the town centre and providing land use structure cognisant of the **existing** and future land use" (pg. 463). This statement seems to have been forgotten in the preparation of the proposed zones.

The feeling amongst the local real estate agents is that there currently is a demand for smaller industrial blocks, while the supply of residential blocks is at a saturation point. Council now has the opportunity for possibly meeting the current demand.

By suggesting the land be placed in the R5 Zone is not allowing for any innovation or encouragement of growth and development.

**Please ensure that the blocks of land fronting Brays Lane be allowed to remain as industrial use, as shown in the existing Development Control Plan No 6.**

Yours sincerely,

A handwritten signature in black ink, appearing to be a stylized name, possibly 'M. M.', written over a horizontal line.