



Our Reference: 20/275654

Central Coast Council  
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Attention: Mr Bruce Ronan – Strategic Planner

**RE: Glenworth Valley and Calga Planning Proposal - (PP 38/2013)**

Thank you for your letter of 9 November 2020 providing the Department of Planning, Industry and Environment – Crown Lands (the Department) with an opportunity to review and comment on Planning Proposal PP 38/2013 (the proposal) in respect of 49 Lots at Glenworth Valley and Calga to allow Additional Permitted Uses on the land. I also refer to telephone discussions on 18 February on this matter.

It is noted that the proposal is to permit the additional uses of eco-tourist facilities, camping grounds and tourist and visitor accommodation for lands zoned *RU2 Rural Landscape* and to permit the additional uses of eco-tourist facilities and recreation facilities (outdoor) for lands zoned *E2 Environmental Conservation*.

The Department also notes that seven lots within the area zoned *E2 Environmental Conservation* are Crown land. The Department has reviewed the proposal and provides the following current land status information and comments on the affected Crown land parcels.

**Current Land Status**

**Lot 7039 DP1059766, Lot 7012 DP 1059767 and Lot 7303 DP1161109**

Reserve 755253 for Future Public Requirements and Reserve 1012468 for Access, Public Requirements, Tourism Purposes, Environmental and Heritage Conservation, notified 15 September 2006) managed by the Minister.

Currently held under Licence 304498 for access, grazing, recreation & storage tank.

Subject to undetermined Aboriginal Land Claims (ALCs) 44631 & 44660 lodged on 3 July 2017 and 36685 lodged on 21 January 2014 by the Darkinjung Local Aboriginal Land Council (DLALC).

**Lot 7303 DP 1154929**

Reserve 755221 for Future Public Requirements, notified 29 June 2007 and Reserve 1012468 for access, public requirements, tourism purposes, environmental and heritage conservation, notified 15 September 2006.

Currently held under Licence 308718 for grazing.

Subject to undetermined Aboriginal Land Claims (ALCs) 36686 lodged on 21 January 2014 and 47364 lodged on 20 February 2019 by the DLALC.

**Lot 7029 DP 93603**

Reserve 1002611 for wharf purposes managed by the Minister.

Subject to undetermined ALCs, 36681 lodged on 21 January 2014, 44669 lodged 3 July 2017 and 47364 lodged 20 February 2019 by the DLALC.

**Lot 7035 DP 1051932**

Reserve 1002602 for water supply and wharf site managed by the Minister.

Subject to undetermined ALCs 36683 lodged on 21 January 2014, 44672 lodged 3 July 2017 and 47364 lodged 20 February 2019 by the DLALC.

**Lot 7036 DP 1059768**

Part Reserve 755221 for Future Public Requirements managed by the Minister.

Subject to undetermined ALCs 36682 lodged 21 January 2014, 44673 lodged 3 July 2017, 44660 lodged 3 July 2017 and 47364 lodged 20 February 2019 by the DLALC.

**Crown Lands comments**

Proposed additional permitted uses on Crown land zoned *E2 Environmental Conservation* should include or be consistent with the current reservation purpose of the land as well as the purpose of the current tenures.

Whilst the historic use of Lot 7303 DP 1154929 may have included use of the land as a camping ground, this is not a permitted use in the holder's current licence over this land. It should be noted; however, that the holder is seeking to add the purpose of camping to their licence. As the licence application is under review, it will need to consider the current permitted uses under the E2 zoning of this land which presently does not support camping.

Preliminary investigations associated with the licence application have shown that there are a number of significant Aboriginal cultural heritage sites throughout the site which may factor into the outcome of the planning proposal and the suitability of sites for camping and ecotourism. I understand through our discussion with Council that Heritage NSW requested a heritage study to be completed which will assist to inform the proposal.

Due regard should be made to the *NSW Aboriginal Land Rights Act 1983* and *Commonwealth Native Title Act 1993* and the impact of Aboriginal Land Claims and Native Title on the planning proposal. Due to unresolved Aboriginal land claims over the Crown land, Council should seek comment from the Darkinjung LALC in relation to the planning proposal.

There are no Section 9.1 Ministerial Directions (*EP&A Act*) or other outstanding planning or legislative matters in relation to the Crown land involved.

The Department has no specific objections for the Crown land identified by Council being included in the current planning proposal for Glenworth Valley and Calga.

For further information please contact Peter Draper on 4937 9311 or by email:

[peter.draper@crowland.nsw.gov.au](mailto:peter.draper@crowland.nsw.gov.au)

Yours sincerely



Rob Micheli  
Area Manager Hunter

18 February 2021