

Nsw Rail
Amend No.3 request



Transport
RailCorp

RE1 to SP2 Infrast.

RailCorp Property
PO Box K349
Haymarket NSW 1238
Tel: (02) 8922 1987
Email: jim.tsirimiagos@railcorp.nsw.gov.au

24 December 2010

The General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

ATTENTION: Shannon Turkington

Dear Sir/Madam,

DRAFT NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2011

I refer to Council's letter dated 8 October 2010 regarding the above matter.

RailCorp supports zoning that encourages an increase in activity around stations. Higher density development, preferably residential, retail or commercial, is appropriate for areas well serviced by public transport. This approach encourages the use of more sustainable modes of transport such as rail and reduces dependency on private vehicles.

RailCorp has reviewed the Draft LEP and provides the following comments in relation to specific parcels of land:

- Griffiths and Turton Roads – The zoning reference detailed at the intersection of these two roads states that their zoning is to be SP2 – Railway (refer Attachment A). This seems to be an error and these roads should be zoned SP2 – Classified Road.
- Lot 100 DP 1073974 is comprised of two zones, being B4 and SP2 Railway (refer land outlined in blue in Attachment B). RailCorp requests that the B4 zoning apply across the entire allotment for consistency, especially as this land does not form part of the operational rail corridor. The same height and FSR should also apply across the entire allotment.
- Lot 1 DP 1001784 is identified to be zoned SP2 Classified Road (refer land outlined in pink in Attachment B). This land is owned by RailCorp and not by either the RTA or Council for public road purposes. Given that this land does not form part of the operational rail corridor, is physically separated from the rail corridor, has not been identified on the Land Reservation Acquisition map for acquisition, and the fact that Maitland Road is to be zoned B4, it is requested that this parcel of land also be zoned B4 and have the same height and FSR as that applying to Maitland Road.

- Lots 1-6 DP 812781. RailCorp notes that its landholdings will now be zoned B4. RailCorp supports this zoning.
- 352-354 Hunter Street, Newcastle (being Lot 1000 DP 1095836). RailCorp notes that its landholding is to be zoned B4 in order to be consistent with the Site Compatibility Certificate (SCC) approval issued by the Department of Planning on 29/11/2009. RailCorp supports this zoning. However, RailCorp notes that the Height and FSR maps are un-coloured for this parcel of land. Should this indicate that there is unrestricted height or FSR for the site, then RailCorp raises no objection. However, if this imposes a restriction that will be less than that approved by the Department of Planning for the SCC then RailCorp requests that the height and FSR be provided in the LEP maps, being a height of 28m and FSR of 4:1 as approved in the SCC.
- Corner of Wharf Road and Watt Street (refer land outlined in blue in Attachment C). This parcel of land seems to be zoned SP2 Railway, however, it is not owned by RailCorp. It is requested that this parcel of land be converted to RE1 which is the proposed zoning for the adjoining land.
- Land off Coorumbung Road, Broadmeadow, being Lot 3 DP 1006358 (refer land outlined in blue in Attachment D). This land is owned by RailCorp for railway purposes and as such it is requested that it be zoned SP2 Railway and not RE1 as currently proposed.

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Given the above comments, RailCorp at this stage cannot support the gazettal of the Draft LEP until such time as the LEP maps are amended to reflect RailCorp's requested changes to zoning for certain parcels of land to reflect either their current or future use.

RailCorp advises that its Office of Rail Heritage is currently reviewing RailCorp's heritage items listed within the Draft LEP and will be providing their comments shortly. These will be forwarded to Council as soon as available.

For Council's benefit RailCorp provides the following information on the Northern Sydney Freight Corridor Program (NSFCP).

The NSFCP includes a number of infrastructure projects to improve freight and passenger rail services along the Main North Line between Sydney and Newcastle. This project will help reduce delays and improve capacity by separating freight and suburban passenger services.

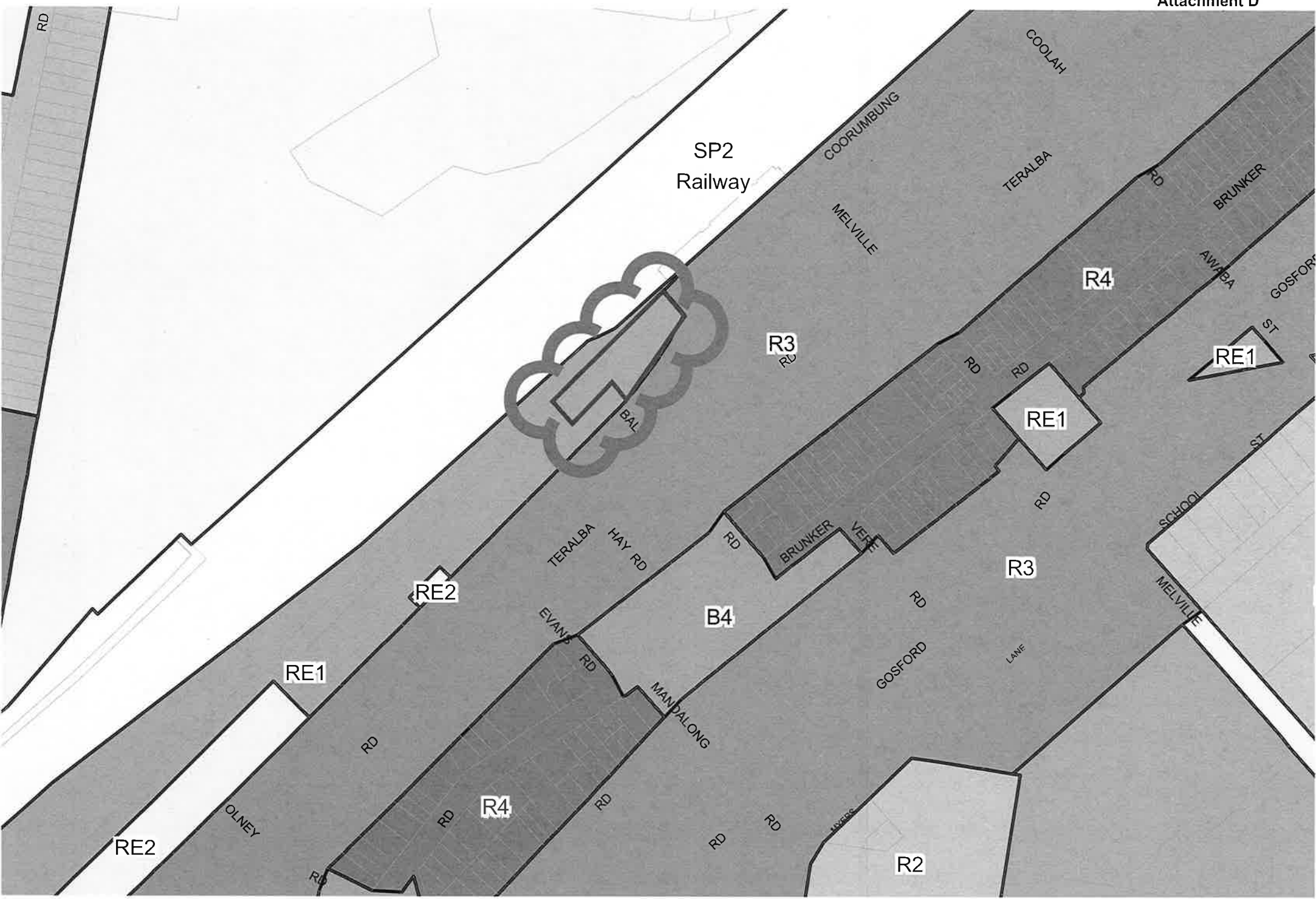
Stage 1 includes works outside the Newcastle Local Government Area (LGA) at North Strathfield to Rhodes, Epping to Pennant Hills, and Gosford. Subsequent future stages are planned to include works within the Newcastle LGA. For more information on this project Council can contact the Transport Construction Authority.

RailCorp is willing to discuss the comments made in this submission with Council in order to assist the progression of the Draft LEP. Please contact me on 8922 1987 or via the email address provided above.

Yours sincerely,



Jim Tsirimiagos
Manager, Land Use & Planning



RMS
Amend N004 request
SP2 to B5 Business Dev

325.5314; 13
10/2061, 10/2028
AT



General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

09 DEC 2010

Attention: Mr Dylan Meade

EXHIBITION OF DRAFT NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2011

Dear Mr Meade

I refer to your letter dated 8 October 2010, received on 29 October 2010, regarding the above-mentioned draft Newcastle Local Environmental Plan 2011 (draft LEP).

There are a number of RTA issues that need to be resolved in the establishment of the draft LEP, particularly the inclusions within the instrument, road widening schemes for the classified road network, and the broader impacts of the proposed land use changes within the Newcastle LGA.

The RTA would require the following matters be considered in the preparation of draft LEP:

Draft LEP Amendment

- The LEP should be consistent with the requirements of *State Environmental Planning Policy (Infrastructure) 2007* (I SEPP), particularly with regard to access to / from a classified road (clause 101) and traffic generating developments (clause 104).
- The LEP should also make provisions for developer funding of required road / transport infrastructure improvements that may be required as a result of the future urban development in the Local Government Area. In this regard a clause should be included consistent with the provisions of the draft *Environmental Planning and Assessment Amendment Act 2008* (clause 116R), that enables the relevant authority to make satisfactory arrangements, to the satisfaction of the Director-General, for State infrastructure that may be required as a result of rezoning.
- Council should ensure that only proposed Motorways, Transitways and Classified State Roads are zoned SP2 Infrastructure "Classified Road". All other roads should adopt the adjacent zone – including any classified regional roads.
- The RTA requires Council to ensure that the draft LEP allows "Roads" to be permitted with consent, in all zones, including the SP2 – Infrastructure zone.

Roads and Traffic Authority

- For safety reasons, the RTA requires Council to ensure that Child Care centres are "prohibited" within any zones where the subject property(s) have a direct frontage to a State Road.
- Council should consider the definition of permissible development in rural zones for the LEP amendment. Controlling the type of development permissible within these zones given the large extent of rural zoning along the State Road network is important to consider as a roads authority. The current trend to bulky goods/retail development and other 'emerging retail formats' is increasing and Council should consider prohibiting this development type in these rural zones. These developments tend to create major issues in terms of traffic generation and accessibility to the Classified State Road network

Land Use Alterations (Rezoning) proposed for the 2011 LEP Amendment

Any specific responses previously provided by the RTA regarding rezoning and development strategies within the Newcastle LGA would apply to the proposed draft LEP.

Additionally, the RTA requests that appropriate background studies be undertaken to provide the information required to assess any proposed draft LEP, including, but not limited to:

- Detailed traffic studies prepared in accordance with the RTA's *Guide to Traffic Generating Developments*, to investigate the impacts of any proposed rezonings on the road network, in consultation with the RTA. The studies should include consideration of the following as a minimum:
 - Identify the constraints in the existing road network;
 - Demonstrate the capacity and functionality of the road network in catering for the expected future traffic volumes in the area;
 - Detail the impacts upon the regional and state road network at the various stages of development;
 - Consider any other major land use changes that will increase demand on the future road network.
 - An indicative road hierarchy and property access strategy for the road network.
- The traffic studies should be utilised to identify the necessary road and transport infrastructure improvements required as a direct result of future development. Satisfactory arrangements to fund and construct the required road / transport infrastructure should be made prior to the future development occurring to ensure a fair and equitable contribution to the works by all parties.
- The traffic studies should be accompanied by a master plan of the area proposed for rezoning, including a preliminary subdivision layout with the proposed staged development. Any staged development and road / transport infrastructure implementation should be supported by a traffic study, to the satisfaction of the RTA and Council.

Newcastle Land Use Strategy

The RTA has previously provided Council with comments on these strategies and the general principles as outlined in those responses and in this response should be applied. For the strategies being developed concurrently with the draft LEP, the RTA will assist Council when requested.

Road Widening Schemes / RTA Land

The RTA has reviewed the maps provided and has prepared PIMS images of widening schemes on State roads in the Newcastle LGA (copies attached). Areas shown in pink and yellow in the attached PIMS images shall be included in Land acquisition maps. The following comments are provided for inclusion in Council's Land Reservation Acquisition Maps:

- Sheet LZN_001 - Weakleys Drive – Areas shown in the attached Sketch 912 should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_003 - Hunter Expressway - Plan of land to be acquired for Hunter Expressway as shown on the attached sheet 2 should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_001 & 005 – F3 to Raymond Terrace – It is unclear if the land to be acquired is included in the draft land rezoning map. As shown on the attached sheet 3 the area of acquisition should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_006 - Wallsend Road at Cemetery intersection with Pacific Highway - Area shown in pink on the attached sheet 4 should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_006 & 009 - It is noted that the land acquisition areas required for Shortland to Sandgate project have been omitted (see attached sketch 1259 and PIMS image r1261) from the draft land rezoning maps. These areas should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_010 – Newcastle Road / Douglas Street intersection, due to scale of the draft land rezoning map it is unclear if the acquisition areas shown on the attached sheet 5 have been included in draft land rezoning map.
- Sheet LZN_012 - Charlestown Road (HW23) - Kotara, the acquisition areas shown on the draft land rezoning maps as SP2-Railway. It should be amended as Road. Attached RTA PIMS image r0531 shows green boundary and acquisition approval in 1982 required for stabilisation.
- Sheet LZN_014 – Mayfield West – please refer RTA PIMS Image f0456 as shown in pink Council land is required for road and should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_014 - Maitland Road / Maud Street intersection at Mayfield West, draft Land zoning map shown the area as public recreation (RE1). This should be reviewed and amended as road as shown in pink on the attached aerial photo (12).
- Sheet LZN_015 - It is noted that the portion of the RTA's Waratah Depot is zoned as SP2-railway. It is advised that this area should be excluded from SP2 rezoning as per the attached RTA's PIMS image sheet 6.
- Sheet LZN_015 – Turton Road Waratah - As shown in attached RTA's PIMS image and sketch 906, the acquisition areas should be included in the land acquisition maps and land zoning maps.
- Sheet LZN_16 – Bridges Road, New Lambton, due to scale of the draft rezoning maps, it is unclear if the road widening as shown on the attached PIMS images (Sheet 13) is included in the draft land rezoning maps.

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request

- Sheet LZN_020 – Maitland Road, Islington - Highlighted areas on the attached aerial photo (11) should be included in land acquisition maps and land zoning maps.

General

- Section 117 (2) direction 3.4 (*Integrating Land Use Development and Transport*) under the *Environmental Planning and Assessment Act 1979*, 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 in the draft LEP. 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.
- Future developments should be designed such that the road traffic noise from State Roads is mitigated in accordance with the Department of Environment and Conservation's (DEC) criteria for new developments (*Environmental Criteria for Road Traffic Noise*). The RTA's *Environmental Noise Management Manual* provides practical advice for selecting noise mitigating treatments. In this regard, the future developers, not the RTA, is responsible for providing noise attenuation measures in accordance with the Environmental Protection Authority's Environmental Criteria for Road Traffic noise.

The RTA would appreciate continued consultation with Council during development of the LEP. The RTA is willing to assist Council in any matters relating to the LEP amendment and would appreciate the opportunity to review future drafts of the amendment and any related studies.

For more information please contact me on (02) 4924 0688.

Yours sincerely



David Young
Manager, Land Use Development
Infrastructure Services
Hunter Region

7 December 2010

LPMA
Amend NO.6 request
RE 1 to SP2 Infract.

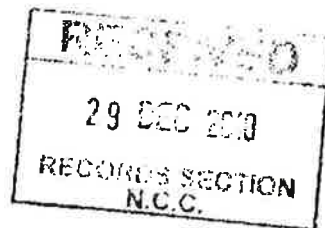


Land & Property
Management Authority
Crown Lands

Mr Dylan Meade
Senior Urban Planner
PO Box 489
NEWCASTLE NSW 2300

OUR REF: DOC10/115420

23 December 2010



Dear Mr Meade,

I refer to your letter of 1 October 2010 regarding the exhibition of the Draft Newcastle Local Environmental Plan 2011. Thank you for allowing an extension of time to respond.

The Draft has been considered by LPMA Crown Lands Division and the following general comments are provided:

1. **Plan of Management (POM) Provisions:** Under the existing LEP permitted uses within land zoned 6(a) Open Space and Recreation include "development allowed by a Plan of Management under the *Local Government Act 1983* or *Crown Lands Act 1989*". This provision allowed for flexibility when dealing with Crown Reserves within this zoning. The Draft LEP 2011 does not include any reference to adopted POM's under the *Crown Lands Act, 1989*. The LPMA recommends that the Draft 2011 LEP is amended to ensure that any development allowed by a Plan of Management under the *Local Government Act 1993* or *Crown Lands Act 1989* remains a permissible land use of the site.
2. **RE2 Private Recreation:** This zone is generally intended to cover a wide range of recreation areas and facilities on land that is privately owned or managed. The LPMA does not favour the use of Zone RE2 over Crown land, as public land. Crown land includes land held under lease (including perpetual leasehold), licence, permissive occupancy and land held under trust.
3. **Crown Reserves:** Crown lands reserved for various public purposes should be zoned appropriately. The zones for Crown land should not be merely based on current appearance being vacant and/or vegetated, but should be zoned to accommodate the highest use envisaged by the reservation/dedication. The LPMA may assist in this regard, if detail is required.
4. **Use of Crown Reserves:** Recent amendments to the Crown Lands Act have improved the flexibility to incorporate a wider range of activities and development opportunities on Crown reserves. Appropriate mechanisms under the Act are required to achieve this; hence the LEP should allow some flexibility to capture the future potential for reserves.
5. **Planning & Bushfire legislation:** The LEP should indicate that the use of Crown land including Crown roads to comply with Bushfire APZ requirements is not acceptable (unless for example the road is required for access/construction and can be transferred to Council control). Developers are required to incorporate adequate bushfire management measures within their own lands.

Parcel Ref	Crown Land	Lot // DP	Reserve/ Account Number	Name	Purpose (Crown Lands Act)	Landuse	Current Zoning	Proposed Zoning	Preferred Zoning	Rationale
11	No	103//758769	N/A	Newcastle Post Office	Proposed transfer to Crown	Newcastle Post Office	Mixed Use	B4	B4	Agree with proposed zoning. Note that this site has not been declared under the Crown Lands Act 1989.
12	Yes	3224 - 3223 // 729951	R98160	Newcastle Historic Reserve	Preservation of Historic Sites and Buildings	Newcastle Historic Reserve (The Lockup)	Mixed Use	B4	B4	Agree with proposed zoning.
13	No	Pt 3/834572	N/A	Carrington Pump House	Proposed transfer to Crown	Carrington Pump House	Ports and Industry	SEPP	SEPP Major Projects	Land is in the process of being transferred from Newcastle Port Corporation. Wide range of uses proposed.
14	Yes	3146//755247 7312//156106 3151//755247 3152//755247 3142//755247 7313//1144999 369//755247	R89533	West End Park Reserve	Non-profit Making Organisations, Public Recreation, Community Purposes, Kindergarten,	West End Park	6(a)	RE1 RE2	B4	Crown land propose to develop part of the site as a commercial centre for non-profit community groups. The entire site is Crown land so the proposed part RE2 Private Recreation is not appropriate.
15	Yes	3174/755247	SpL93408	Adamstown Rosebuds Sport & Rec Club	Lease - Erection of Buildings, Recreation	Adamstown Park Rosebuds/Myers Park	6(a)	RE2	B4	Zoning must permit redevelopment of the site for mixed sporting use and accommodation.
16	Yes	7315//1149773	R88702 R63080	Braye Park Reserve	Public Recreation	Public recreation and conservation	7 Conservation 2 Residential	E3 R2	E3 R2 RE1	Part E3 to RE1 zoning including children's playground and lookout. Amend LEP to include POM provisions.
17	Yes	7074//1105147 2913-2916 // 755247	R1005308	Sandgate Cemetary	Urban Services	Sandgate Cemetary	Special Uses 6(a)	SP1 RE2	SP1	2916//755247 is not private land. Part RE2 is not favoured. Prefer SP1 for the purpose "Cemetery" in line with adjoining cemetery zoning. DA 02/2689. POM provisions need to be included. schedule 1.
18	Yes	7011//1052968	R63408	Stockton Marina Griffith Park Reserve	Public Recreation	Stockton Marina	6(a)	RE1	RE1	Agree with proposed zoning.
19	Yes	48//753191	PO73285	Stockton Fishermans Slipway	Boating Facility/Activity. Building. Slipway	Stockton Fishermans Slipway	6(a)	RE2	IN2	Not private land and not compatible with Public Rec as the site is fully fenced. IN2 allows for a more appropriate zoning including "Boat Repair Facilities".

Amend 6

RMS

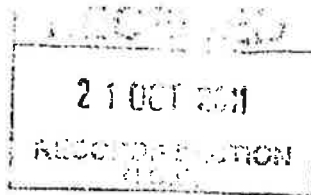
Amend No. 8 request

F3 to Raymond Terrace



Transport
Roads & Traffic
Authority

325.5314; 14
11/1453
BK



General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Attention: Mr Johannes Honnef

REQUEST TO AMEND NEWCASTLE LOCAL ENVIRONMENTAL PLAN FOR LANDS WITHIN THE PROPOSED F3 TO RAYMOND TERRACE BYPASS ROUTE AND THE RTA DEPOT, CORNER GRIFFITHS ROAD AND TURTON ROAD, WARATAH

Dear Mr Honnef,

Amend No. 8 request

Thank you for your letter of 21 September 2011 (Your reference: DW 3171976) regarding the request from the Roads and Traffic Authority (RTA) to amend the Newcastle Local Environmental Plan 2011 (LEP) to include the proposed road corridor for the proposed F3 to Raymond Terrace bypass route and alter the zoning of part of the RTA's Waratah depot.

[The RTA requests that the proposed F3 to Raymond Terrace road corridor be included in the LEP to ensure that it is incorporated into the future planning and development of the area. As requested, boundary plans of the proposed corridor are attached.

Please note that it is not RTA policy to charge or pay for services provided to and from Newcastle City Council. This reciprocal arrangement includes assessment of both development applications and LEP amendments. As such the RTA requests that the proposed rezoning submission fees be waived by Council in this instance.

The RTA requires the removal of the SP2 zoning from the section of the RTA's Waratah works office shown hatched in the attached plan. It is expected this area would revert to the zoning of the adjacent land, being IN2 – Light Industrial. As this is not a rezoning proposal, it is considered the preparation of a planning proposal or payment of a fee is also not required in this instance.

It is requested that the RTA be informed when these changes have been completed.

Roads and Traffic Authority of New South Wales

Level 1, 59 Darby Street, Newcastle NSW 2300 | Locked Bag 30 Newcastle NSW 2300 DX7813 Newcastle

www.rta.nsw.gov.au | 13 22 13

If you require further information please contact me on 4924 0240.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dave Young', with a long horizontal stroke extending to the right.

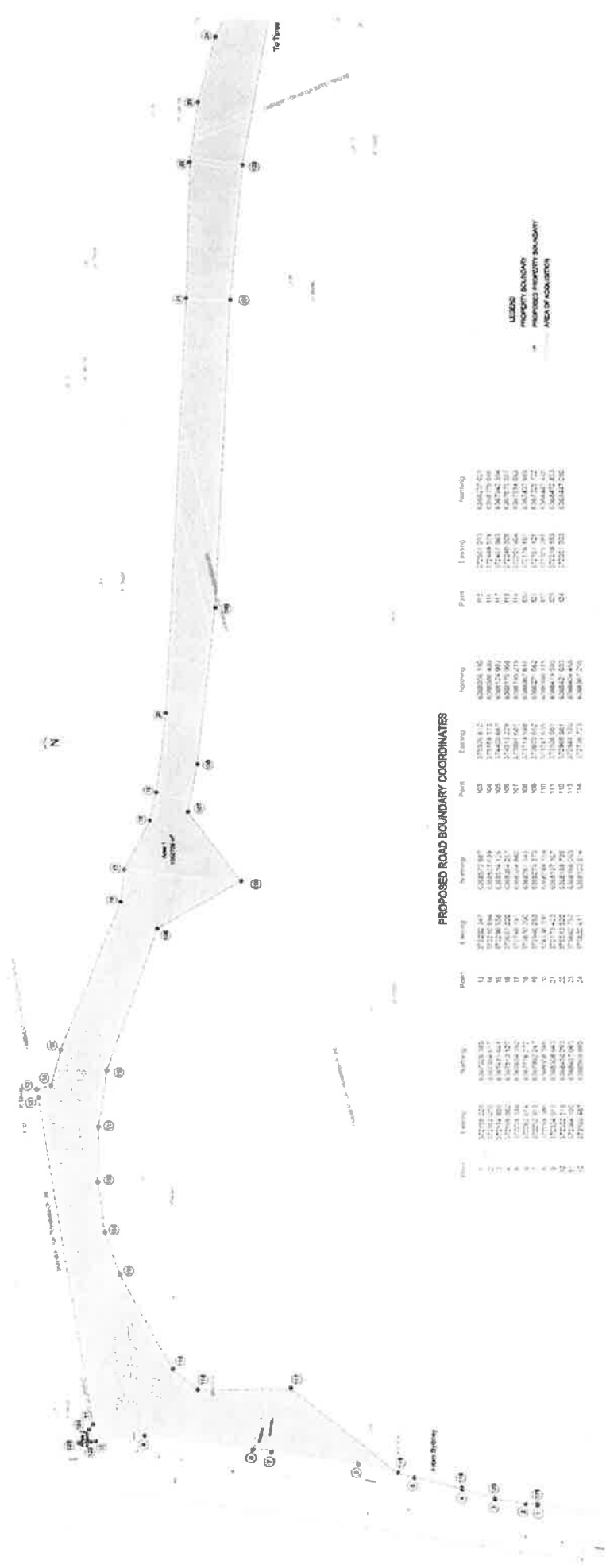
Dave Young
Manager, Land Use Development
Infrastructure Services
Hunter Region

21 October 2011

Enc. Proposed F3 to Raymond Terrace Route corridor
Proposed area of rezoning – Waratah works depot

Cc Mr Gary Oakey
Department of Planning and Infrastructure





PROPOSED ROAD BOUNDARY COORDINATES

Point	Easting	Northing	Point	Easting	Northing
1	322200.14	638573.84	103	322200.14	638573.84
2	322200.14	638573.84	104	322200.14	638573.84
3	322200.14	638573.84	105	322200.14	638573.84
4	322200.14	638573.84	106	322200.14	638573.84
5	322200.14	638573.84	107	322200.14	638573.84
6	322200.14	638573.84	108	322200.14	638573.84
7	322200.14	638573.84	109	322200.14	638573.84
8	322200.14	638573.84	110	322200.14	638573.84
9	322200.14	638573.84	111	322200.14	638573.84
10	322200.14	638573.84	112	322200.14	638573.84
11	322200.14	638573.84	113	322200.14	638573.84
12	322200.14	638573.84	114	322200.14	638573.84
13	322200.14	638573.84	115	322200.14	638573.84
14	322200.14	638573.84	116	322200.14	638573.84
15	322200.14	638573.84	117	322200.14	638573.84
16	322200.14	638573.84	118	322200.14	638573.84
17	322200.14	638573.84	119	322200.14	638573.84
18	322200.14	638573.84	120	322200.14	638573.84
19	322200.14	638573.84	121	322200.14	638573.84
20	322200.14	638573.84	122	322200.14	638573.84
21	322200.14	638573.84	123	322200.14	638573.84
22	322200.14	638573.84	124	322200.14	638573.84
23	322200.14	638573.84	125	322200.14	638573.84
24	322200.14	638573.84	126	322200.14	638573.84

ROADS AND TRAFFIC AUTHORITY, NSW

NEWCASTLE CITY COUNCIL AND PORT STEPHENS SHIRE COUNCIL

15 TO MARION TERRACE UPGRADE - DUAL CARRIAGEWAY

PROPERTY BOUNDARY PLAN

Scale 1:1000

North Arrow

0 50 100 200

Meters

1

