

Department of Environment and Climate Change

I refer to your letters dated 20 and 21 January 2009 seeking advice from the Department of Environment and Climate Change (DECC) pursuant to Section 62 and 34A of the *Environmental Planning and Assessment Act 1979* for the preparation of a draft Local Environmental Plan (LEP) for the above site.

DECC understands that the purpose of the draft LEP amendment is to rezone the former Speers Point quarry site to allow for a variety of urban and conservation land uses.

When preparing the LEP, it is recommended that:

- A detailed ecological assessment is undertaken which is sufficiently comprehensive to document the site's biodiversity values and to adequately assess the impacts of proposed development and the suitability of the mitigation measures. This should include specific targeted surveys should be undertaken for threatened flora and fauna species known or predicted to occur in the area.
 - In this regard, the proponent should refer to the guideline: *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (November 2004)* <http://www.environment.nsw.gov.au/surveys/BiodiversitySurveyGuidelinesDraft.htm>;
- Assessment of cumulative impacts on biodiversity values resulting from the proposed rezoning, any approved / proposed development(s) on the site or any other activities proposed or likely to occur in the area;
- The proposal be evaluated against the NSW Government policy for the 'improvement or maintenance' of biodiversity values including the identification of appropriate offsets and mechanisms for management in perpetuity. This can be achieved through either:
 - Consideration of the site through the NSW Government's Biodiversity Banking and Offset Scheme (BioBanking). The 'Biobanking Assessment Methodology' provides a systematic and consistent framework for assessing both the impacts of development and the offsets required to achieve an 'improve or maintain' outcome for biodiversity values. Further information is available at: <http://www.environment.nsw.gov.au/biobanking/index.htm>; or
 - Consideration of the principles for the use of biodiversity offsets in NSW. These principles, available at: <http://www.environment.nsw.gov.au/biocertification/offsets.htm>, are a guide for DECC when it is negotiating and developing biodiversity offsets to achieve conservation outcomes in situations where a loss of biodiversity is expected. These principles are relevant to areas without an existing biodiversity offsets program and do not apply where there is legislation defining requirements for biodiversity offsets (e.g. under the Native Vegetation Act 2003).

- A comprehensive assessment be undertaken to determine the extent of impacts on Aboriginal Cultural Heritage (ACH) values. Assessments should be undertaken in accordance with the DECC guidelines:

- *Aboriginal Cultural Heritage - Standards and Guidelines Kit (1997); and*
(http://www.nationalparks.nsw.gov.au/PDFs/aboriginal_heritage_guidelines_kit_final.pdf)
- *Interim Community Consultation Requirements for Applicants (2004)*
(http://nationalparks.nsw.gov.au/PDFs/interim_consultation_guidelines.pdf).

(Note: Although these documents were written for assessment and consultation at the DA stage, the methodologies are still applicable at the strategic stage).

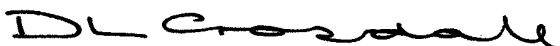
- The assessment may rely on past surveys provided that it is consistent with the requirements of the above guidelines and that the consultation with the Aboriginal community is current and ongoing. Furthermore, if any new sites or objects are located, they should be recorded on NPWS site cards and registered on the Aboriginal Heritage Information Management System (AHIMS). AHIMS contact details: Phone: 9585 6470, Address: Level 6, 43 Bridge Street, Hurstville, NSW, 2220, e-mail: ahims@environment.nsw.gov.au;
- Assessment of any potential landuse conflicts associated with air, noise and odour impacts are adequately addressed, particularly in relation to premises scheduled under the *Protection of the Environment Operations Act 1997*;
- Any areas of contamination on the site are identified and managed in accordance with the *Contaminated Land Management Act 1997*;
- Assessment is undertaken of the environmental impacts of the proposal on watercourses, soils, and flooding. Stormwater emanating from the area must be managed in a sustainable manner to prevent any impacts on the adjacent rivers, wetlands or estuaries; and
- Consideration of the likely impacts of human induced climate change. This includes, but is not limited to: the potential for increased localised flooding resulting from higher intensity rainfall events; and the loss of species through increased environmental stochasticity and habitat fragmentation.

Your attention is also drawn to the Commonwealth legislation, the *Environment Protection and Biodiversity Conservation Act 1999*. If the proposed LEP affects any species requiring consideration under this legislation then consultation may be required with the Australian Government, Department of the Environment, Water, Heritage and the Arts (formerly the Department of the Environment and Water Resources).

If you have any enquiries concerning this advice, please contact Richard Bath, Regional Programs Officer, on 4908 6805.

Yours sincerely

26 FEB 2009



DIANE CROSDALE
Head Planning Unit - Hunter
Environment Protection and Regulation

Department of Primary Industries

The Department of Primary Industries (DPI) has been formed by the merger of NSW Fisheries, Mineral Resources NSW, State Forests NSW and NSW Agriculture. This response reflects the views of the Minerals Resources and Fisheries Divisions. There are no issues relevant to the interests of NSW Agriculture or Forests NSW.

Mineral Resource Issues

The Speers Point Quarry area is covered by the titles CCL 760 and PEL 267. The proposed rezoning site is contained within the Lake Macquarie Mine Subsidence District and are underlain by a potential coal resource and possible abandoned workings. Any development proposed for the subject area must be referred to the Mine Subsidence Board and the Department of Primary Industries. Minerals has no objections to the proposed rezoning contained in the LEP Draft Amendment, providing underground mining is permissible with development consent in this area. As specified in Part 4 Section 19 of the Lake Macquarie LEP 2004 "Nothing in this plan prevents a person, with development consent, from carrying out development for the purpose of a mine on any land to which this plan applies, if the mine is underground,".

It is worthwhile noting the importance of ensuring that adequate supplies of construction materials are available within the Lake Macquarie Local Government Area to meet foreseeable future needs. Although low unit cost materials, construction materials are nonetheless essential for the development and maintenance of roads, buildings and other infrastructure. If construction materials have to be obtained from further afield, the additional transport costs incurred will inevitably be borne by the community and may limit future growth in the area.

Fisheries Issues

Stormwater concerns may arise in the future and management issues (such as drainage and treatment using best practice techniques) should be addressed at any development application stage.

If you have any further queries on this matter please contact Simon Francis, Land Use on 4931 6707 (Minerals).

Yours faithfully

Iain Paterson

Acting Chief Geoscientist, Land Use

Minerals & Land Use Assessment

Geological Survey of NSW - Department of Primary Industries

Department of Water and Energy

The Department of Water and Energy (DWE) provides the following advice for Council's consideration.

Relevant Legislation

The assessment is required to take into account the objectives and regulatory requirements of the following legislation (administered by DWE), as applicable:

- *Water Act 1912*
- *Water Management Act 2000* (WMA)

Water Sharing Plans

Gazetted Water Sharing Plans (WSPs) prepared under the provisions of the WMA establish rules for access to, and the sharing of water between the environmental needs of the surface or groundwater source and water users. If the proposal is within a gazetted WSP area the assessment is required to demonstrate consistency with the rules of the WSP. Refer to:
<http://www.dnr.nsw.gov.au/water/plans.shtml>

Relevant Policies

The assessment is required to take into account the following NSW Government policies, as applicable:

- NSW Groundwater Policy Framework Document - General
- NSW Groundwater Quantity Management Policy
- NSW Groundwater Quality Protection Policy
- NSW Groundwater Dependent Ecosystem Policy
- NSW State Rivers and Estuaries Policy
- NSW Sand and Gravel Extraction Policy for Non-Tidal Rivers
- NSW Wetlands Management Policy
- NSW Farm Dams Policy
- NSW Weirs Policy

Guidelines

The assessment is required to take into account the following DWE Guidelines for Controlled Activities (February 2008), as applicable:

- Riparian corridors (and associated Vegetation Management Plans)
- Watercourse crossings
- Laying pipes and cables in watercourses
- Outlet structures
- In-stream works
- Refer to: http://www.dnr.nsw.gov.au/water/controlled_activity.shtml

Groundwater

DWE is responsible for the management of the groundwater resources so they can sustain environmental, social, and economic uses for the people of New South Wales.

Groundwater Source

The assessment is required to identify groundwater issues and potential degradation to the groundwater source, particularly in light of the past quarrying operations, including:

- Details of the predicted highest groundwater table at the development site.

- Details of any works likely to intercept, connect with or infiltrate the groundwater sources.
- Details of any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Details of the predicted impacts of any final landform on the groundwater regime.
- Details of the existing groundwater users within the area (including the environment) and include details of any potential impacts on these users.
- Details on protective measures for any groundwater dependent ecosystems (GDEs).

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including:

- Details of any proposed monitoring programs, including water levels and quality data.
- Description of the remedial measures or contingency plans proposed.

Licensing

All proposed groundwater works, including bores for the purpose of investigation, extraction, dewatering, testing or monitoring must be identified in the proposal and an approval obtained from DWE prior to their installation.

Surface Water

DWE is responsible for the sustainable management of rivers, estuaries, wetlands and adjacent riverine plains.

Watercourse/Riparian

The assessment is required to consider the impact of the proposal on the watercourses and associated riparian vegetation within the site, by providing the following:

- Identify of the sources of surface water.
- Details of stream order (using the Strahler System).
- Details of any proposed surface water extraction, including purpose, location of existing and proposed pumps, dams, diversions, cuttings and levees.
- Detailed description of any proposed development or diversion works including all construction, clearing, draining, excavation and filling.
- A detailed description of all potential environmental impacts of any proposed development in terms of riparian vegetation, sediment movement, water quality and hydraulic regime. A description of the design features and measures to be incorporated into any proposed development to guard against long term actual and potential environmental disturbances, particularly in respect of maintaining the natural hydrological regime and sediment movement patterns and the identification of riparian buffers. (See note below)

Riparian corridors form a transition zone between terrestrial and aquatic environments and perform a range of important environmental functions. The protection or restoration of vegetated riparian areas is important to maintain or improve the geomorphic form and ecological functions of watercourses through a range of hydrologic conditions in normal seasons and also in extreme events.

DWE's *Guidelines for Controlled Activities - Riparian Corridors* (February 2008) recommends the following minimum Core Riparian Zones (CRZ) widths (refer to website below):

- **CRZ of 10 metres** (on both sides of the watercourse) for:
 - Any first order watercourse where there is a defined channel where water flows intermittently;
- **CRZ of 20 metres** (on both sides of the watercourse) for:

- Any permanently flowing first order watercourse, or
- any second order watercourse where there is a defined channel where water flows intermittently or permanently;
- **CRZ of 20 - 40 metres** (on both sides of the watercourse) for:
 - Any third order or greater watercourse where there is a defined channel where water flows intermittently or permanently. Includes estuaries, wetlands and any parts of rivers influenced by tidal waters – (merit assessment based).

[Note: Watercourse order as classified under the Strahler System]. http://www.dnr.nsw.gov.au/water/controlled_activity.shtml

In addition to the above recommended CRZs, an additional **vegetated buffer (VB) of 10 metres** should be provided on both sides of the watercourse, measured from the outer edge of the CRZ, to allow for edge effects.

Any works which involve excavation on “*waterfront land*” will require a permit under the WMA. In order to reduce the number of referrals of future development applications to DWE, Council is encouraged to ensure that development is excluded from these areas via appropriate zoning. Appropriate riparian buffers should be included in any such zoned areas. DWE requires that all structural works, including works for stormwater capture and treatment, are located outside any riparian buffer.

Where the specific zoning of riparian buffers is not feasible, the protection and management of riparian corridors needs to be addressed at the DA stage via appropriate DCP provisions.

Water Management Structures/Dams

DWE is responsible for the management and licensing of these structures under water legislation. If the proposal includes existing or proposed water management structures/dams, the assessment is required to provide information on the location, size and use of such structures, including the need for licensing under the WMA.

Sustainable Water Supply

Any assessment must address the issue of provision of a sustainable water supply for any proposed development, with minimal reliance on accessing valuable surface and groundwater resources. Through the implementation of BASIX, Integrated Water Cycle Management, and Water Sensitive Urban Design, proposed development must also be able to exhibit high water use efficiency.

The Department would be pleased to provide more detailed comment when the draft LEP is available. Should Council require any further information on any of the above water issues, please contact me at the DWE Newcastle Office.

Yours sincerely,

Jeff Hunt

Senior Planning and Assessment Co-ordinator

Department of Planning – Heritage Branch

Thank you for referring the above mentioned draft Local Environmental Plan (LEP) to the Heritage Branch for comment. The draft LEP was received on 23rd January, 2009. The draft Plan and supporting information have been reviewed and the following advice is provided under the provisions of Section 63 of the Environmental Planning and Assessment Act.

It is noted that the draft LEP intends to rezone the former Speers Point quarry site to permit a variety of urban and conservation land uses to facilitate urban growth and conservation.

The subject site contains the remains of the former Speers Point Quarry, including a disused water tank and the foundations of a water tower. There are no known heritage items within the site, however, the significance of the water tank and tower foundations (if any) has not yet been assessed. There is also the possibility that other archaeological deposits or relics may be present on the site.

In this regard, Council's intention of preparing a Local Environmental Study (LES) is supported. The proposed specifications of the LES (Appendix B of your correspondence), including the requirement to undertake an Aboriginal and European heritage assessment, is also supported. It is noted that this is to include an assessment of Aboriginal archaeology, artefacts, relics and sites. It is recommended, given the nature of the site, that a preliminary archaeological assessment is also undertaken in regard to the European and industrial uses that have occupied the site as part of the LES to determine the likelihood of such relics and deposits being present.

Council should have regard to the existence of any heritage assets identified in the LES in proposing the rezoning of the site under the draft LEP. Any rezoning needs to permit uses that are compatible with any heritage significant items and that the rezoning will allow for the continued use and conservation of the heritage item in an appropriate manner. Identified significant views, vistas, cultural landscapes and settings should also be maintained and conserved when planning for new development areas. Appropriate zoning recommendations will ensure that future development and infrastructure can be integrated without conflicts arising at later stages. Issues such as whether subdivision is desirable, viability of property sizes, minimum lot sizes, retention of productive agricultural land, rural and residential uses, and development in the vicinity of heritage items or areas should also be considered. Possible land use conflicts, including conflicts with the retention of identified heritage significance, should be clearly identified and mitigation strategies and appropriate zoning and other controls formulated, including Environmental (Scenic or Cultural Landscape) Protection or similar zones.

I trust these comments are of assistance. If you require any additional information please contact Cathy Colville on (02) 9873 8588.

Vincent Sicari
Manager
Conservation Team
Heritage Branch
Department of Planning

Hunter New England Health

Thank you for the opportunity to respond to the proposal, which has been reviewed by both the Health Protection and Health Promotion Programs within Hunter New England Population Health (HNEPH).

This letter provides comment on the Draft Amendment to the Lake Macquarie Local Environmental Plan (LEP) in relation to the rezoning of the former Speers Point quarry site to a variety of urban and conservation land uses to facilitate urban growth and conservation.

In relation to health protection concerns, a number of actions are recommended before the proposed rezoning of this site:

- The Pasminco Cockle Creek site and surrounds, including the former Speers Point Quarry site, has a long history of industrial contamination of soil with lead and other heavy metals which should be addressed before residential development occurs. It is our understanding that a remediation plan for the area requires that all land scheduled for rezoning as residential land will have all contaminated soil removed and the final remediation will be validated as safe by a Site Auditor. We believe this should occur across the site to provide adequate assurance of health protection.
- Ensure there is minimal impact from the proposed development on the water quality of surrounding natural waterways and Lake Macquarie, particularly from stormwater runoff.
- Address the issue of environmental noise from any proposed or adjoining light industry as exposure levels to the residences may be high.
- The provision of a reticulated water and sewerage supply is recommended for the proposed residences to alleviate environmental and public health concerns.
- It would be expected that the incorporation of best practice design principles in developments include energy, water saving strategies and grey water re-use with appropriate approval and monitoring process in place to prevent risks to both public health and environment contamination.
- A mosquito risk assessment should be included in the flora and fauna assessment or in the assessment of the terrain features to ensure any potential mosquito breeding sites are identified. A mosquito management plan should also be developed if constructed wetlands are proposed in the urban development with consideration of best practice design. This is to prevent both nuisance biting mosquitoes and disease transmitting mosquitoes to the local population.

From a health promotion perspective, we recommend that consideration be given to the linkages with surrounding communities and proposed developments in the surrounding areas of the Pasminco Cockle Creek site and Boolaroo, to promote external connectivity. In particular, the following elements should be considered when planning and designing the residential development of the site:

- That a transport assessment is conducted to determine availability (including frequency of services) and access to public transport networks connecting residents to services and employment. This should be conducted with specific reference to the nearby neighbourhood centres of Boolaroo, Speers Point and the sub regional centre of Glendale / Cardiff.

- That active transport (walking/ cycling) is encouraged through the provision of safe and convenient footpaths and cycleways for residents to access nearby facilities, neighbourhood and sub regional centres, and water precincts.
- That with regard to the provision of public open space, consideration be given to accessibility and quality of green and other public space.
- The proposal also stipulates that the LES must consider issues raised by government agencies during consultation. It is recommended that the proponent ensures there are continued opportunities for participation in the planning process, by considering the views of neighbouring community members and incorporating their views into the planning process. This includes equity considerations, such as consultation with Aboriginal and Torres Strait Islander communities.

In addition, HNE Population Health has recently been involved in research examining what constitutes a liveable community. The research involved consultation with developers, planners, health and social welfare agencies, and the community in the Lower Hunter region and resulted in the identification of key elements for building liveable communities. I am pleased to include an electronic copy of this guide with this submission.

Please feel free to contact me if you would like any further information.

Yours sincerely

A handwritten signature in cursive script that reads "Kim Browne".

Kim Browne
Director, Population Health, Planning & Performance

Hunter Water Corporation

Thank you for your letter of 20th January 2009 regarding the proposed draft amendment to the Lake Macquarie LEP 2004 for the land as described above. The draft amendment proposes to rezone the former Speers Point Quarry site to a variety of urban and conservation land uses to facilitate urban growth and conservation. I wish to apologise that comments were not provided by 27th February 2009 as requested in your letter.

Hunter Water advises there is currently no water or wastewater infrastructure servicing the subject site.

Hunter Water values the opportunity to comment on the draft amendment and accordingly offers the following preliminary assessment with respect to providing water and sewer services to the subject land.

Water Supply

From a review of the site, it is anticipated that the site would connect to the South Wallsend Water Supply System. However, given the topography of the land, it appears the site would be serviced by a high level system similar to the existing high level system to the south and east of the site. Consequently an overall approach may need be adopted to service this proposed development and it is suggested that a developer funded servicing strategy, including the items listed below, be prepared with a view to integrate the existing high level systems with the new system and to meet Hunter Water's design requirements.

- Lot layout.
- Staging of development.
- Investigation of alternative options for integration of high level systems.
- Identification of least community cost option.
- Security of supply.
- Minimum pressure requirement.
- Fire – fighting flow requirement.

South Wallsend Water Supply System has sufficient capacity to service the proposed rezoning at this present time however the exact available capacity of the water system can only be assessed once the developer submits demand and timing information. It should be noted that some local upgrades to the water system may still be required to cater for the early stages of the development and this will need to be determined as part of the developer-funded servicing strategy for the site.

Wastewater Transportation

Hunter Water notes the proposed rezoning area could fall either within the Edgeworth Waste Water Treatment Works (WWTW) or Belmont WWTW catchments for wastewater services. Alternatively, flows could also be proportioned in such a way that the eastern half of the site could fall within the Belmont WWTW catchment and the western half within Edgeworth WWTW catchment. However, for practicality purposes, it is preferred that flows gravitate to one nominated WWTW catchment. Consequently, it is suggested that a developer funded servicing strategy, including the points listed below, be prepared with a view to addressing the best possible connection options to nominated wastewater catchment/s.

- Lot layout.
- Accurate loading information.
- Pump Station detail (existing or proposed).
- Connection options to existing or proposed Waste Water Pump Station catchment.
- Timing of connection.
- Emergency storage.
- Surrounding potential future developments.

Edgeworth WWTW Catchment

As discussed above sewage from this development could potentially flow into the Edgeworth WWTW catchment with initial sewage flows gravitating to Boolaroo No. 1 Waste Water Pump Station (WWPS) which, at the time of this assessment, had some spare pumping capacity. The Boolaroo No. 1 WWPS in turn pumps flows to Cardiff No.1 WWPS which, at the time of this assessment had limited capacity. However, an upgrade of Cardiff No.1 WWPS has been scheduled in the Forward Capital Works Program for completion in 2011 once the inlet works upgrade for Edgeworth WWTW is complete. Construction works for the inlet works upgrade is currently in progress. Hence, it is likely that some capacity will be available to cater for at least the preliminary stages, following the upgrade of Cardiff No.1 WWPS, if this is the desired option undertaken for this development.

Belmont WWTW Catchment

Alternatively sewage from this development could potentially flow into the Belmont WWTW catchment with initial sewage flows gravitating to the Warners Bay WWPS which, at the time of this assessment, had some spare pumping capacity. The Warners Bay WWPS pumps flows to a sewer main which gravitates to Eleebana No.1 WWPS which, at the time of this assessment had some spare capacity. Hence, it is likely that some capacity will be available to cater for at least the preliminary stages if this is the desired option undertaken for this development.

It should be noted that this information is only indicative at this stage and available capacity will be more accurately assessed when the developer submits accurate loading, timing and lot layout information. In order to cater for the early stages of the development, some local upgrades may be required.

Wastewater Treatment

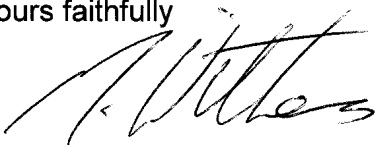
Both Edgeworth WWTW and Belmont WWTW are likely to have available capacity for preliminary stages of the development; however this will be assessed in more detail once Hunter Water reviews the servicing strategy for the site.

General

Hunter Water has no objections to the proposed rezoning application; however the developer should continue to liaise with Hunter Water regarding the development.

Should you require further clarification or assistance please contact the enquiries officer listed below.

Yours faithfully



Brett Lewis
Manager Development Services

Ministry of Transport

I refer to Council's letter dated 20 January 2009 seeking advice under section 62 of the *Environmental Planning and Assessment Act* regarding the above draft plan. The Ministry of Transport appreciates this opportunity to provide input into this planning process.

As Council may be aware, the Ministry of Transport is the lead agency for the delivery of public transport initiatives at the State and regional level. As a key transport outcome for this planning exercise, the Ministry is keen to realise the consistency of the draft LEP with Section 117 Direction No. 3.4 – *Integrating Land Use and Transport* (ILUT), particularly in regard to the following main objectives of ILUT:

- *Improvement in access to housing, jobs and services by walking, cycling and public transport;*
- *Increase in the choice of available public transport and reduced dependence on cars;*
- *Reduction in the number of trips and distances travelled by car;*
- *Support for the efficient and viable operation of public transport services; and*
- *Provision for efficient freight movement.*

The draft plan should consider increasing density of population and employment within close walking distance to centres and transport corridors and include staging to facilitate this outcome.

The Ministry requests that the local environmental study include the assessment and planning for the inclusion of a cycling network on the subject site. In addition to accessibility, the *provision* of public transport should also be included for assessment in the study.

A list of key transport planning resources is attached for Council's reference in this planning exercise. Consistent with the intent of Section 62 of the Act, the Ministry requests an opportunity to review the supporting strategic studies, the written instrument and maps for the draft LEP when these are finalised, prior to public exhibition.

The Outer Metropolitan Bus Contract Area, which covers the subject site, is due to be reviewed as part of the bus reform process. It is anticipated that the Integrated Network Plan for this region will commence in 2009. Opportunities to expand the existing bus network to include the subject site and/or modified town boundaries should be discussed with the Ministry's Manager for the Northern Region, Mr Phil Sullivan, who may be contacted on (02) 4928 8701 or phil.sullivan@transport.nsw.gov.au.

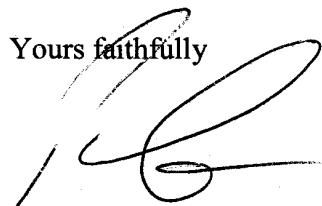
Mine Subsidence Board

The Mine Subsidence Board has no objections to the proposed rezoning as described in your letter of 20th January 2009 and accompanying plan.

The site is underlain by coal resources that may be mined in the future. The Coal Leaseholder has advised that subsidence would be limited to 200mm, Strains $\pm 2\text{mm/m}$ and Tilt 1.5mm/m as per other areas within this lease.

The applicant should be advised to seek the Board's approval for any proposed subdivision or the erection of improvements at the appropriate time.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Paul Gray', written over the closing 'Yours faithfully'.

Paul Gray
District Supervisor

Rural Fire Service

I refer to your letter dated 20 January 2009 seeking the NSW Rural Fire Service (RFS) advice in accordance with section 62 of the *Environmental Planning and Assessment Act 1979*.

It is noted that the part of the site and adjoining lands are identified as bush fire prone on the Lake Macquarie Bush Fire Prone Land Map. You are advised the RFS has no objection to the rezoning and advises that redevelopment of the site for residential purposes will be subject to the requirements of *Planning for Bush Fire Protection 2006*.

For any enquiries regarding this correspondence please contact Garth Bladwell.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Nika Fomin', written over a horizontal line.

Nika Fomin
Development Control Co-ordinator

Roads and Traffic Authority

I refer to your letter dated 20 January 2009 (Your reference: RZ/2/2008) regarding the proposed amendment to the Lake Macquarie Local Environmental Plan (LEP) 2004 for the area referred to as the Speers Point Quarry, forwarded to the Roads and Traffic Authority (RTA) for comment.

The RTA has reviewed the information provided and would support the exhibition of the proposed LEP amendment, but will maintain an objection to the amendment under Section 62 of the *Environmental Planning and Assessment Act 1979*, subject to the following being completed to the satisfaction of the RTA, prior to gazettal:

- A traffic study shall be undertaken in accordance with the RTA's *Guide to Traffic Generating Developments* and identify any road infrastructure upgrades required as a result of the proposed rezoning. The study shall include, but not limited to the following:
 - Identify all relevant vehicular traffic routes and intersections for access to / from the subject areas
 - Current traffic counts for all of the above traffic routes and intersections
 - The anticipated additional vehicular traffic generated from the proposed rezonings
 - Traffic growth projections on the identified routes for 10 years.
 - Assessment of the impact the proposed rezonings will have on the classified road network and intersections in the vicinity of the development.
 - Consideration of any proposed road or access connections to the classified road network, including safety requirements.
 - Traffic analysis using SIDRA or similar traffic model, providing results for all legs of relevant intersections including delays, level of service and queuing.

Continued consultation on these matters would be appreciated to ensure that both the RTA and Council's interests are included, particularly in relation to provision of traffic and transport infrastructure upgrades, required as a consequence of the traffic generated by the future development proposed in the area.

The RTA will provide further comment on the proposed LEP amendments on receipt of the additional information.

If you require further information please contact me on (02) 4924 0240.

Yours sincerely



John Farrell
Manager, Land Use Development
Hunter Operations & Engineering Services