

**10.4 REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611
DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON
PARK DRIVE, RUTHERFORD**

File No: RZ10016

Attachments:

1. Locality Map
2. Planning Proposal
3. Concept Plan
4. RMS Preliminary Comments

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Maitland 2021 Outcome 7: Diverse and affordable housing

Council Objective: 7.2.1 To ensure land and housing choice is
consistent with forecast demographic demand

EXECUTIVE SUMMARY

Council has received a request to prepare a planning proposal to provide additional land fronting the New England Highway at Rutherford for the development of business related activities. The subject land fronts the New England Highway and adjoins land zoned for residential purposes (Signature Gardens), which is partially developed, and land already developed for service business activities (McDonalds, service station etc). Land to the west of the site is reserved for public recreational purposes. The Rutherford Industrial Area is located directly south of the site, beyond the New England Highway.

The intention of the planning proposal is to introduce a business zone over approximately 3.28 hectares of land fronting the New England Highway. The rear portion of the site (approx. 8ha) has been approved for seniors living housing. Concept plans for the potential future use of the front of the site (subject of this planning proposal) identify uses such as a service station and fast food outlet, plant nursery, office and serviced apartments. The proposed B6 Enterprise Corridor zone could accommodate these uses, subject to future development assessment/approval and the definition of the intended uses under the Maitland LEP 2011 at that time.

The planning proposal aims to change the zoning from a residential purpose to a business purpose. The subject portion of the site has been identified by the owner as being surplus for residential purposes. It is requested that the land be rezoned for business support activities with a mix of development compatible with the adjoining land uses and to provide a buffer from the highway. An assessment of the proposal has indicated that the site is suitable for this intended use and is consistent with the intent of Council's Strategies for Activity Centres and Employment Clusters, Commercial Centres and Urban Settlement. There is however an adjoining triangular parcel of land with similar characteristics which has been included in the applicant's proposal. Council has contacted this landowner to inform them of the intention to rezone their land in association with this proposal. If the rezoning is supported, further assessments should consider the development of both sites in conjunction with each other.

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It is recommended that Council commence an LEP amendment and Gateway determination request.

OFFICER'S RECOMMENDATION

THAT

1. The draft Local Environmental Plan for Part Lot 611 DP867202 and Part Lot 603 DP874384, New England Highway, Rutherford, be endorsed for rezoning from R1 General Residential to B6 Enterprise Corridor for the extent of the land shown in the attached plan.
2. In accordance with Section 55 of the Environmental Planning and Assessment Act 1979, a planning proposal be submitted to the Department of Planning.
3. If the planning proposal is granted a Gateway determination to proceed, consultation with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979, and the directions of the Gateway determination, must be undertaken.
4. A further report be presented to Council following the public exhibition process, to demonstrate compliance with the Gateway determination and to provide details of any submissions received during the process.

REPORT

Council is in receipt of a request to prepare a planning proposal to rezone land identified as Part Lot 611 DP867202 and Part Lot 603 DP874384 New England Highway and Denton Park Drive, Rutherford, to permit business related activities. The subject land is identified as **Attachment 1**. The site maintains primary frontage to the New England Highway but also has an alternate access from Denton Park Drive, Rutherford. Vehicular access is currently available from both the New England Highway and Denton Park Drive. The land is currently zoned R1 General Residential under the Maitland Local Environmental Plan 2011 (MLEP 2011). The planning proposal is included with this report as **Attachment 2**.

Council had previously approved a seniors living housing development (DA07-3071) on the rear portion of Lot 611 DP867202. It provides for 189 self-contained dwellings and associated facilities over an area of approximately 8.1 hectares. The subject land is the remaining portion of Lot 611, which maintains frontage to the New England Highway, and part of adjoining Lot 603. The applicant identified that it was more desirable to develop the residual area of Lot 611 for business activities, in order to complement the adjoining commercial activities further east of the site, and to provide a buffer to the approved residential housing at the rear of Lot 611. The adjoining commercial activities east of the site include McDonald's, Oporto, a service station, carwash and bottleshop.

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A concept plan for the intended development of the site is provided as **Attachment 3**. The proposed uses include uses such as a service station and fast food outlet, serviced apartments, plant nursery and office. The applicant proposes that direct access will be obtained to the site for this development from the New England Highway. Further consultation in this regard will be required to be undertaken with NSW Roads and Maritime Services (RMS). The residential development approved at the rear of the site currently retains access to Denton Park Drive. It should be noted that the RMS have been consulted previously about the subject planning proposal and direct vehicular access from the New England Highway. **Attachment 4** details preliminary comments provided from RMS in regards to the subject planning proposal.

While adjoining Lot 603 was not formally included as part of the applicant's request to rezone the subject land, Council have contacted the owner of Lot 603 and have given notice of the intention to rezone the relevant portion of the site from R1 General Residential zone to B6 Enterprise Corridor zone. The rear portion of Lot 603 has been developed for medium density units, with frontage to and from Denton Park Drive. Given the similarity between the properties and the connection with adjoining B6 Enterprise Corridor zoned land to the east, both Lot 611 and Lot 603 should be considered in conjunction with each other, rather than in isolation. Any future development therefore provides an opportunity for the sharing of facilities, access arrangements and services, and provides an integrated approach to complement the development of each site. As such, "the site" within the context of this report, unless specifically defined otherwise, refers to both Lot 611 and Lot 603.

Strategic Context

The land is currently zoned and identified for residential development in the Maitland Urban Settlement Strategy 2010. This Strategy aims to maintain a 15 year supply of zoned residential land and plans for dwelling densities of 10 to 12 dwellings per hectare in urban release areas. The majority of the site has been approved by Council for the development of a form of medium density housing to provide accommodation for seniors or people with a disability. This proposed residential development of the land is consistent with the form and density of the Strategy. As such, it is considered that the loss of the small portion of the residentially zoned land as a result of this planning proposal will not significantly impact upon the supply or availability of land for urban housing within Maitland.

The MUSS 2010 also identifies the need to allow for mixed use businesses and enterprise development along road corridors carrying significant volumes of traffic and public transport services. The planning proposal will provide an opportunity to support the provision of highway business activity along the New England Highway, which is an identified corridor in accordance with the Strategy.

A significant portion of the surrounding land is zoned B5 Business Development under the MLEP 2011, which permits bulky goods premises. There are two substantial bulky goods retail outlets located nearby, each with an approximately 20,000m² floor area, and both located on high profile sites with frontage and direct access to the New England Highway. The proposed development area on the subject site is estimated to be around a third of the size of these established premises.

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Bulky Goods Retailing is identified in Council's Activity Centres and Employment Clusters Strategy 2010 as an "employment cluster". It is envisaged that bulky goods retailing will continue to be supported within Maitland and contribute towards the strength of the local economy. However, in out-of-centre locations such as Rutherford, development is encouraged within a cluster to ensure suitable servicing and amenities, co-operative sharing of facilities to support the formation of robust business areas, shared local access improvements, and connections to other business areas. The Strategy identifies the opportunity for existing bulky goods outlets to consolidate and expand to capitalise on the benefits of the clustered approach and their high profile locations.

The development of the site for bulky goods retailing, whilst offering a high profile location, does not contribute towards the sharing of servicing, amenities and facilities, or the cluster formation of businesses as promoted by the Strategy. There is substantial land available adjoining the existing bulky goods outlets and within the business park to accommodate the development of additional bulky goods outlets and other business opportunities. The location of facilities on the same side of the New England Highway and within close proximity to each other is the intention of the Strategy to complement and reinforce each other as a business and shopping destination. An assessment of this site has identified the opportunity for business support activities, but rather those that may service the needs of the travelling public and more complimentary to and compatible with the needs of the adjacent residential community. Therefore, the B6 Enterprise Corridor zone is considered to be more appropriate in this location than the B5 Business Development zone.

Council's Integrated Land Use and Transport Study 2010 (ILUTS) also applies to the land given its location along the New England Highway. The highway is recognised as the main east-west connection through the City, carrying both significant levels of local traffic, as well as through traffic. The Strategy aims to provide direction to manage the existing congestion and identify new routes to better policies. To this end, strip development and isolated individual developments are discouraged along the New England Highway to reduce the level of congestion, activities within local centres are promoted, and the development of bulky goods centres are reinforced in the Rutherford Business Park on the southern side of the New England Highway.

Traffic

Given that the proposal involves rezoning the subject site for the purposes of extending an existing enterprise corridor which currently services the travelling public, it is expected that there will be frequent traffic movements at the site, mimicking the existing enterprise corridor to the east of the site. The enterprise corridor is proposed to service the needs of the travelling public utilising the New England Highway, meaning that any traffic impact would most likely be localised, being in and out vehicle movements to / from the New England Highway. It is proposed that a single entry/exit point will be provided along the New England Highway, directly opposite the New England Highway entry/exit point of the Hunter Supa Centre, which is located south of the site beyond the New England Highway (see **Attachment 3**). Since the purpose of the enterprise corridor is to provide convenience goods and services to the travelling public - as opposed to residents' weekly shopping needs - carparking is not expected to be an issue at the site, since short shopping times equate to carparking spaces being utilised for short periods only. The size of the site and the nature of the intended future uses means that ample area exists within the site that could be dedicated to carparking. Council does not anticipate that the proposal to rezone the site would result in any significant

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adverse traffic and access issues for nearby local residents, businesses within the Rutherford Industrial Area or the general public. Regardless, further traffic assessment will need to be undertaken as part of any future development application at the site. This is critical given that the concept plan identifies a proposed entry/exit point at the New England Highway.

Relocation of Existing Drainage Reserve & Stormwater Flows

Consideration will need to be given to the relocation of Council's existing drainage reserve within the site. Any future relocation of the existing drainage reserve will be at full cost to the developer and will need to ensure that stormwater disposal can achieve post-development flow rates. Any stormwater detention basins to be constructed in association with the development will need to be designed to ensure that stormwater flows within the site do not contribute to urban trunk drainage flooding within the site or in the immediate locality. The assessment should consider the likely areas for stormwater detention within the site, in addition to identifying appropriate methods for ensuring stormwater quality is maintained.

Any proposal to fill areas within the site – notably the existing drainage reserve which is proposed to be relocated - will be subject to planning and engineering assessment at the DA stage. Certification would need to be provided from a suitably qualified engineer to demonstrate that fill is suitable for the intended purpose and that it will not result in altered hydrological flows in the locality.

Further investigations and consultation will be undertaken to determine the potential environmental impacts associated with development in this location, in particular traffic and access arrangements.

Recommendation

To ensure consistency with Council's forward planning strategies, the nature of development in this location along the highway, if supported, should aim to attract a mix of business, food and drink premises, and accommodation type activities that are both capable of servicing the travelling public and compatible with the adjoining residential and business area.

The development of higher order retail or bulky goods activities is not supported to ensure the economic strength of the recognised commercial, business and activity centres within the City is maintained. The rezoning aims to provide a buffer between the highway and adjoining residential land and will provide local employment opportunities in close proximity to housing, in accordance with the Lower Hunter Regional Strategy 2006.

As such, it is recommended that an amendment to the Maitland LEP 2011 is supported for the proposed rezoning of the land from R1 General Residential to B6 Enterprise Corridor zone.

Consultation with Public Authorities

No advice has yet been sought from government agencies or public authorities in relation to this proposal, apart from preliminary advice provided from the RMS (see **Attachment 4**). The land is identified in Council's planning strategies for future development. Consultation will again be required with the RMS to determine satisfactory access arrangements following the Gateway determination, should the Department of Planning and Infrastructure support the proposal.

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Next Steps

If endorsed by Council, a planning proposal will be prepared and submitted to the Department of Planning and Infrastructure for Gateway approval to proceed with the LEP amendment. A positive Gateway determination will provide direction about the consultation requirements for the LEP, and will also provide a timeframe for completion.

The planning proposal will then be exhibited in accordance with the directions of the Gateway and Section 57 of the Environmental Planning and Assessment Act 1979. Formal submissions to the planning proposal will be invited and accepted during the exhibition period. A further report that considers any submissions received and/or any proposed changes to the planning proposal will then be presented to Council.

CONCLUSION

It is recommended that Council commence an LEP amendment and Gateway determination request for the subject planning proposal.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

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Planning, Environment and Lifestyle Reports

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD

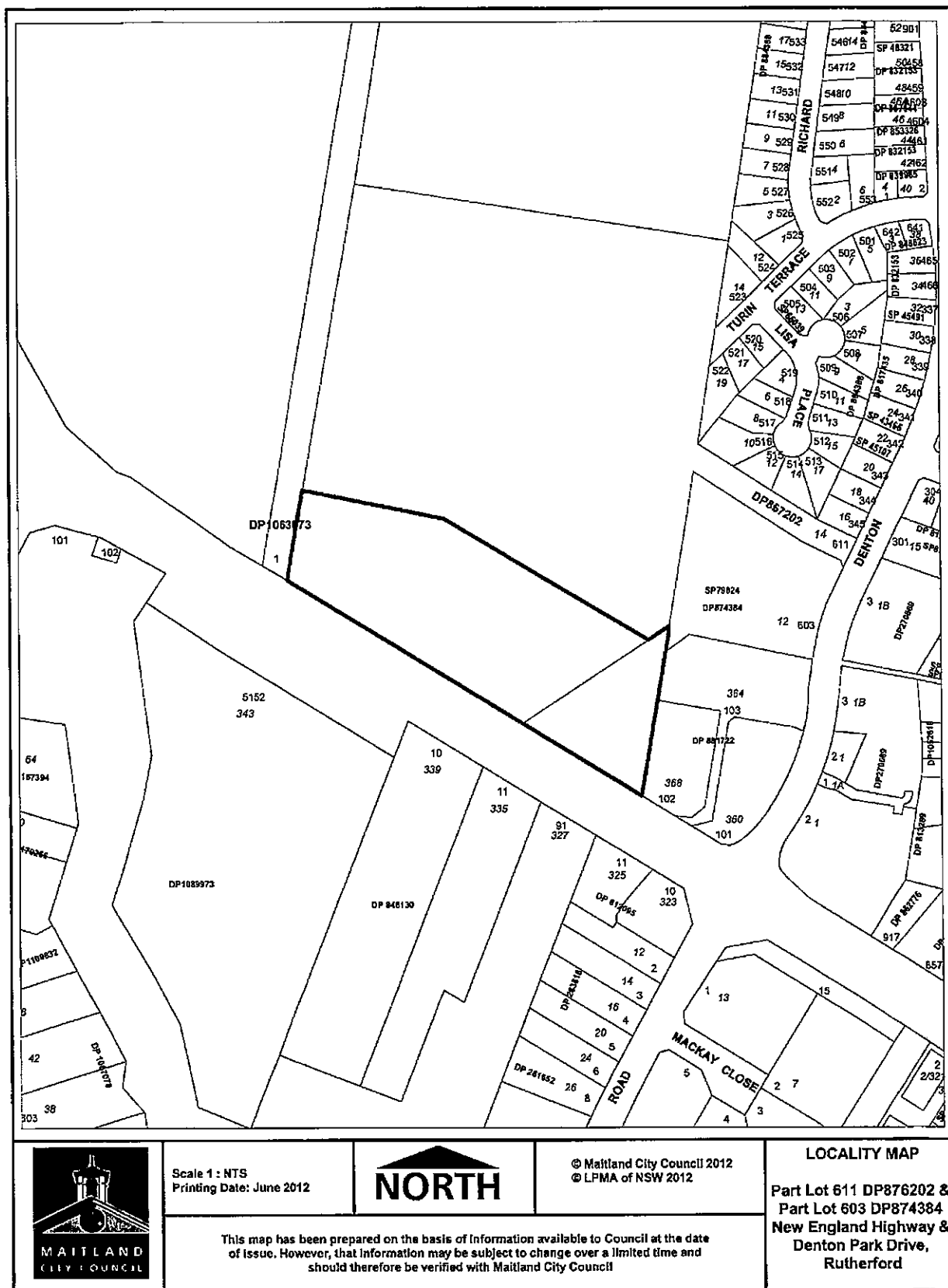
Locality Map

Meeting Date: 26 June 2012

Attachment No: 1

Number of Pages: 1

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)



REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Planning, Environment and Lifestyle Reports

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD

Planning Proposal

Meeting Date: 26 June 2012

Attachment No: 2

Number of Pages: 43

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PLANNING PROPOSAL

Amendment to the Maitland LEP 2011

RUTHERFORD ENTERPRISE CORRIDOR EXTENSION

*(Part of Lot 611 DP 867202 & Part Lot 603 DP874384 Denton Park
Drive & New England Highway, Aberglasslyn)*

8 June 2012



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Appendix 1 Locality Map

Appendix 2 Proposed Land Zoning Map & Lot Size Map

Appendix 3 Indicative Layout of Proposal & Seniors Living Development Site Plan

Appendix 4 RMS Correspondence

Appendix 5 Extracts – Maitland Urban Settlement Strategy 2010

Appendix 6 Extracts – Activity Centres & Employment Clusters Strategy 2010

Figures and Tables

Table One: Relevant State Environmental Planning Policies

Table Two: Relevant s.117 Ministerial Directions

Version

Version 1.0 – 08.06.12, Section 55 Report

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INTRODUCTION AND BACKGROUND

In accordance with Section 55 of the Environmental Planning and Assessment Act 1979, this planning proposal has been prepared to allow the rezoning of land along the New England Highway to facilitate an extension to an existing enterprise corridor at Rutherford.

Council adopted the Maitland Activity Centres and Employment Clusters Strategy (ACECS 2010) in January 2010. This established the broad strategic framework to guide the future development and potential expansion within identified centres and clusters throughout the Maitland LGA. The proposal is consistent with the ACECS, with particular reference to the New England Highway Corridor, given that the planning proposal has the objective of rezoning land in order to accommodate convenience uses to serve the travelling public. The planning proposal involves the logical rezoning of land to extend an enterprise corridor that can service the travelling public, which is deemed to be a positive planning outcome.

PART 1: OBJECTIVES or INTENDED OUTCOMES

The objectives of this planning proposal are to facilitate the extension of an existing enterprise corridor adjoining the New England Highway at Rutherford, which caters for the convenience needs of the travelling public. It is intended that a portion of the subject site will be rezoned to permit a variety of land uses consistent with the zone, and associated landscaping, access roads, car parking, drainage and earthworks.

The intended outcome of the planning proposal is to introduce a business zone over part of Lot 611 DP 867202 and part of Lot 603 DP874384, Denton Park Drive and New England Highway, Rutherford. A locality map is provided as **Appendix 1**.

PART 2: EXPLANATION of PROVISIONS

It is proposed to amend the Maitland Local Environmental Plan 2011 through an alteration to the Land Zoning Map and Lot Size Map.

The land is intended to be rezoned from R1 General Residential to B6 Enterprise Corridor zone, as identified under the Maitland LEP 2011. The application of the B6 Enterprise Corridor zone can best reflect the intended land uses proposed at the site. The objectives of the proposed amendment would be achieved through an alteration to the Land Zoning Map and Lot Size Map (see **Appendix 2**). The Maitland Local Environmental Plan 2011 is proposed to be amended by:

- (1) amending sheet 004A of the **Land Zoning Map** to show the relevant portion of the site as zone B6 Enterprise Corridor and inserting in the relevant clause of the written instrument:
Maitland Local Environmental Plan 2011 (Amendment X) – Rutherford Enterprise Corridor
- (2) amending sheet 004A of the **Lot Size Map** to remove the minimum lot size for the area to be zoned B6 Enterprise Corridor.

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PART 3: JUSTIFICATION for PROPOSED REZONING

In accordance with the Department of Planning's 'Guide to Preparing Planning Proposals', this section provides a response to the following issues:

- Section A: Need for the planning proposal;
- Section B: Relationship to strategic planning framework;
- Section C: Environmental, social and economic impact; and
- Section D: State and Commonwealth interests.

Section A – NEED for the PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

The planning proposal has not been triggered by any strategic study or report. Land to the immediate east of the site is zoned B6 Enterprise Corridor and has had a fast rate of take up in the short time the land has been zoned for commercial purposes. The subject land is strategically located to provide convenience needs to the travelling public that utilise the adjoining New England Highway. The proposal is consistent with the ACECS 2010, with particular reference to the New England Highway Corridor, given that the planning proposal has the objective of rezoning land in order to accommodate convenience uses to serve the travelling public.

The planning proposal is the result of a Development Application recently approved for a seniors living development on the rear portion of the site. The land fronts the New England Highway and adjoins an existing enterprise corridor located to primarily service the needs of the travelling public. The portion of the land fronting the highway was excluded from the application for the existing seniors living development and has been identified as more appropriate for commercial activities compatible with the adjoining highway service activities. An indicative development layout has been included under **Appendix 3**, along with the most recent site plan for the seniors living development for the rear of the site.

The NSW Government's Lower Hunter Regional Strategy 2006 supports the concentration of activities along transport routes, as well as within and adjacent to centres, in conjunction with local strategies.

Council's Activity Centres and Employment Clusters Strategy 2010 encourages uses and activities in cluster patterns in key locations along the highway to support the travelling public and support the role of the highway as a transport corridor.

Council's Maitland Urban Settlement Strategy 2010 identifies the land for residential development as already zoned, undeveloped land. The difficulties associated with the location of residential development along the highway are however recognised. As such, the Strategy also identifies the need to allow for appropriate commercial uses and enterprise development along road corridors carrying significant volumes of traffic and public transport services. The planning proposal is consistent with this Strategy and will facilitate the development of highway support businesses in a cluster formation with existing compatible development. Sufficient land is identified within other Urban Release Areas in the City of Maitland to ensure the growth and supply of residential land continues in accordance with the regional strategy.

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2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The LEP amendment will enable the rezoning of land adjoining an existing highway service centre to B6 Enterprise Corridor under the Maitland LEP 2011. The adjoining land to the East is currently zoned B6 Enterprise Corridor and is developed with services such as fast food outlets and a service station catering for the travelling public. This planning proposal is intended to reinforce the established adjoining businesses to the East of the site, and provide additional land for services. The access arrangements to be utilised will be further assessed with any future proposals for the land. NSW Roads and Maritime Services have already provided comments in relation to access at the site (see **Appendix 4**).

The planning proposal will enable a mix of business activities to support the needs of the adjoining urban area and the travelling public as identified by and consistent with the Lower Hunter Regional Strategy and Council's Strategies. It will also assist to provide a range of local employment opportunities within close proximity to housing.

It is considered that an amendment to the Maitland LEP 2011 through the gateway process and preparation of this planning proposal is the most effective and timely method to achieve the objectives of the LHRS 2006 and Council's strategies that relate to the New England Highway Corridor.

3. Is there a net community benefit?

Council envisages that this proposal will result in a net community benefit. The area of land the subject of the planning proposal totals approximately 3.28ha. It is envisaged that a possible development design would occupy approximately 2 to 2.5ha and include a variety of uses that are permitted in the B6 Enterprise Corridor zone.

The subject land is located fronting the New England Highway, adjacent to existing highway business development, and residential development to the rear. The amendment will enable the expansion of appropriate commercial activities along the highway, in a cluster formation, to cater for the needs of the travelling public. It is intended that such commercial activities will be compatible with residential development, and will provide employment opportunities in close proximity to urban housing.

Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

4. Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?

Lower Hunter Regional Strategy 2006

The NSW Government's Lower Hunter Regional Strategy establishes a regional hierarchy of urban centres for the Lower Hunter. The strategy identifies Maitland as a Major Regional Centre and Rutherford as an adjoining shopping and business centre for the district. It recognises that greater employment opportunities are being created around commercial and tertiary sector growth, primarily within centres. The Strategy supports the concentration of activities along transport routes and within and adjacent to centres, in conjunction with local strategies.

The planning proposal is consistent with the regional hierarchy of urban centres identified by the regional strategy for the Lower Hunter. Furthermore, the subject land is identified in the Lower Hunter Regional Strategy 2006 as being part of an 'Existing Urban Area'.

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The subject planning proposal for the extension to an existing enterprise corridor is consistent with the outcomes for Centres and Corridors as outlined under the LHRS, in particular to *facilitate the concentration of activities along transport routes and within and adjacent to centres* (LHRS 2006, p17).

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Community Strategic Plan, Maitland 2021, was adopted by Council on 22 February 2011. The Delivery Plan 2011-2015, detailed Council's strategies and actions to assist in meeting outcomes outlined in Maitland 2012. This document establishes clear links to the ten year community strategic plan, Maitland 2021. Council has developed an associated Resourcing Strategy covering the assets, people, financial requirements and time required to deliver strategies. This planning proposal achieves objective 7.2.1 of the Delivery Plan 2011-2015, *"To ensure land and housing choice is consistent with forecast demographic demand"*.

In regards to land use strategies, the following documents provide the appropriate strategic policy framework to support this planning proposal:

Maitland Local Environmental Plan 2011

The B6 Enterprise Corridor zone has the following objectives:

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To provide for residential uses, but only as part of a mixed use development.

The B6 Enterprise Corridor zone is considered the most appropriate zone to apply to the planning proposal, given the location and the intended use of the site. Mapping and associated wording in the MLEP 2011 will be amended should the proposal proceed.

Maitland Urban Settlement Strategy 2010

The land is identified within the Maitland Urban Settlement Strategy for residential development as already zoned, undeveloped land. Council's Urban Settlement Strategy (MUSS) aims to maintain a 10 to 15 year supply of zoned residential land and plans for dwelling densities of 10 to 12 dwellings per hectare in urban release areas. A seniors living housing development has recently been constructed on the rear portion of the subject land. The portion of the land fronting the highway was excluded from development and has been identified as more appropriate for commercial activities compatible with the adjoining residential area and adjoining service activities (see Appendix 3).

It is considered that the loss of this residentially zoned land as a result of the planning proposal will not significantly impact upon the supply or availability of land for urban housing within Maitland. The MUSS however also identifies the need to allow for enterprise development along road corridors carrying significant volumes of traffic and public transport services. The planning proposal will support the provision of highway business activity along identified corridors in accordance with the strategy.

The MUSS 2010 discusses the key elements of determining the appropriateness and need for commercial land within the LGA, and identifies that a Centres Strategy (now the Activity Centres and Employment

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Clusters Strategy 2010) governs strategic land use decisions involving commercial land. A copy of the relevant section of the MUSS 2010 is included as **Appendix 5**. Section 3.4 of the MUSS 2010 lists Key Outcomes for Commercial Land, with the intentions being to:

- Minimise the extent of ribbon commercial development;
- Ensure commercial centres are readily accessible to a range of transport nodes;
- Establish retail and commercial centres as the focus of community activity;
- Facilitate high standards of urban design in retail and commercial centres;
- Encourage the design of buildings and landscapes which relate to their physical context and are user friendly; and
- Consolidate and maintain the integrity of the retail and commercial centres hierarchy.

The proposal is consistent with these key outcomes for commercial land, since:

- The proposal will not result in ribbon development, as the proposal is of small scale and will form a logical extension to an existing enterprise corridor;
- The site is located along the New England Highway, meaning that it is easily accessible by both private and public forms of transport, while footpaths and cycleways can be extended to the site to allow access for local residents;
- Rezoning and future development of a portion of the site for an enterprise corridor is appropriate given that the land is located along a major transport route and can service the travelling public;
- The site is considered appropriate for the extension of an enterprise corridor, and there are no obvious impediments to providing a high quality urban design that integrates with the locality;
- Any design of a future enterprise corridor will be assessed by way of a DA and associated merits-based assessment;
- The proposal is consistent with the ACECS, with particular reference to the New England Highway Corridor, given that the planning proposal has the objective of rezoning land in order to accommodate convenience uses to serve the travelling public. The proposal is consistent with the Assessment of Planning Proposals outlined under the ACECS 2010 (p. 41).

More specifically, the MUSS 2010 states that *"The NEH will continue to reinforce its primary role as a significant corridor for the movement of freight and people, locally, regionally and nationally and to provide appropriate opportunities for business and residential uses which service the users and utilise this highly accessible corridor."* (MUSS 2010, p. 50). The proposal is deemed to be consistent with the principles in the MUSS 2010 that relate to corridors, particularly given the nature of the proposal and the existing adjoining commercial land to the East of the site.

Maitland Activity Centres and Employment Clusters Strategy 2010

The Activity Centres and Employment Clusters Strategy was prepared and adopted by Council in January 2010 to manage economic and social growth over the next 20 years. The purpose of the Maitland Activity Centres and Employment Clusters Strategy is to provide a logical hierarchy and network of centres and clusters which support the growth of the local economy and employment in Maitland. The New England Highway is identified as an Employment Corridor within this strategy (see **Appendix 6**).

The New England Highway (NEH) forms part of the interstate road link between Sydney and Brisbane and runs east-west through the Maitland LGA. The NEH is identified in the Strategy as a significant corridor for the movement of freight and people and an opportunity for the appropriate location of business and residential uses which service the users. Whilst the Strategy acknowledges the importance of desirable location for business, it encourages uses and activities in cluster patterns in key locations along the highway

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to support the travelling public and support the role of the highway as a transport corridor. The Strategy also recognises the potential adverse impacts of residential development located directly fronting the highway.

The planning proposal is consistent with this Strategy and will facilitate the development of highway support businesses in a cluster formation close to existing development.

Additional justification for the proposal in accordance with the ACECS 2010 includes:

- Infrastructure is available to support the proposed enterprise corridor;
- The environmental impact of the proposal is considered to be low; and
- There is no perceived risk to Council's strategic approach to a hierarchy of activity centres and employment clusters and no negative social impact associated with the proposal given that the site is located within the New England Highway Corridor as identified under the ACECS 2010 and the proposal will cater for the travelling public.

Maitland Integrated Land Use and Transport Study 2010

The purpose of the City wide Integrated Land Use and Transport Study is to establish the capacity of the existing route system to accommodate the expected population growth with consideration to land use planning for the area.

The Strategy recognises the New England Highway (NEH) as the main east-west route through the City. It discourages strip development along the NEH to reduce the level of traffic congestion and ribbon development along the highway and rather promotes localised activities in central locations. The clustering of similar business activities along the highway to support the needs of the travelling public is consistent with this Strategy.

6. Is the planning proposal consistent with applicable state environmental planning policies?

There are no existing or draft SEPPs that prohibit or restrict the proposed development as outlined in this planning proposal. An assessment of relevant SEPPs against the planning proposal is provided in the table below.

SEPP	Relevance	Consistency and Implications
SEPP (Infrastructure) 2007	Provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities.	Nothing in this planning proposal affects the aims and provisions of this SEPP.
SEPP No. 64 - Advertising and Signage	Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	Any future development application for the enterprise corridor extension will need to demonstrate compliance with the standards of this SEPP.
SEPP No. 55 - Remediation of Land	Provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.	The site is currently zoned R1 General Residential under the Maitland LEP 2011, therefore the land use proposed is suitable for this site. Development Approval for a seniors living development at the rear of the site required a Phase 2 contamination assessment to be undertaken as part

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		of a condition of consent. As such, any future DA associated with the subject portion of the site would also require a Phase 2 contamination assessment.
SEPP No. 22 – Shops and Commercial Premises	Permits a change of use from one kind of shop to another or one kind of commercial premises to another, within a business zone, even if the change of use is prohibited under an EPL. Development consent must be obtained and the consent authority must be satisfied that the change of use will have no, or only minor environmental effect.	Nothing within this planning proposal affects the aims or provisions of this SEPP.

Table One: Relevant State Environmental Planning Policies

7. Is the planning proposal consistent with applicable Ministerial Directions for Local Plan making?

An assessment of consistency with relevant Ministerial Direction for Local Plan making (s.117) against the planning proposal is provided in the table below.

The planning proposal is consistent with the Directions except as follows:

- 3.1 Residential Zones – the planning proposal rezones a portion of land from a residential zone to a commercial zone.

As detailed below, these inconsistencies are considered justified on the basis of Council's adopted Maitland LEP 2011 and the ACECS 2010, and the minor significance of the proposal.

Ministerial Direction	Aim of the Direction	Consistency and Implications
EMPLOYMENT and RESOURCES		
1.1 Business and Industrial Zones	To encourage employment growth, protect employment land in business zones and support the viability of identified strategic centres.	The planning proposal aims to create an extension to an existing enterprise corridor adjoining the New England Highway. This proposal will create additional commercial and retail floorspace to provide for the convenience needs of the travelling public that utilise the New England Highway. Furthermore, being a lower order centre, this enterprise corridor will not interfere with the function and role of the existing town centre in Rutherford.
1.2 Rural Zones	Planning proposal not affected by this Direction.	
1.3 Mining, Petroleum Production and Extractive Industries	Planning proposal not affected by this Direction.	
1.5 Rural Lands	Planning proposal not affected by this Direction.	
ENVIRONMENT and HERITAGE		

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Ministerial Direction	Aim of the Direction	Consistency and Implications
2.1 Environment Protection Zones	Planning proposal not affected by this Direction.	
2.3 Heritage Protection	Planning proposal not affected by this Direction.	
2.4 Recreation Vehicle Areas	Planning proposal not affected by this Direction.	
HOUSING, INFRASTRUCTURE and URBAN DEVELOPMENT		
3.1 Residential Zones	To encourage a variety and choice of housing, minimise the impact of residential development on the environment and resource lands and make efficient use of infrastructure and services.	The planning proposal seeks to rezone land within an existing residential zone for commercial purposes. The proposal however aims to support the travelling public that utilise the New England Highway. The potential loss of a small area of land for residential development is negligible within the context of the commercial and community benefits that the rezoning can yield, particularly given that Council's current land release is more than sufficient for current population growth.
3.2 Caravan Parks and Manufactured Home Estates	Planning proposal not affected by this Direction.	
3.3 Home Occupations	Planning proposal not affected by this Direction.	
3.4 Integrating Land Use and Transport	The Direction's aims require consistency with the objectives relating to the location of urban land and its proximity to public transport infrastructure, road networks and to improve access to housing, jobs and services by methods other than private vehicles.	The land is well located to support the needs of the travelling public, given that the site adjoins the New England Highway. The land also retains access to Denton Park Drive. Therefore, it provides high levels of accessibility to the existing road network. The public transport network that currently services Rutherford will provide transport services for future employees at the site. The proposal is therefore consistent with this direction.
HAZARD and RISK		
4.1 Acid Sulphate Soils	Direction aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	The Maitland LEP 2011 identifies the site as potentially being affected by Class 5 ASS. The site is currently zoned R1 General Residential under the Maitland LEP 2011. Further investigation of this issue could be undertaken at the DA stage if deemed necessary.
4.2 Mine Subsidence and Unstable Land	Planning proposal not affected by the Direction.	
4.3 Flood Prone Land	Planning proposal not affected by this Direction.	

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Ministerial Direction	Aim of the Direction	Consistency and Implications
4.4 Planning for Bushfire Protection	Planning proposal not affected by this Direction.	
REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	Direction requires a planning proposal to be consistent with the relevant State strategies that apply to the LGA.	The planning proposal is considered consistent with the principles in the Lower Hunter Regional Strategy, particularly those principles associated with accessibility to centres and corridors (LHRS p. 17).
LOCAL PLAN MAKING		
6.1 Approval and Referral	Direction aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development	The planning proposal does not affect the objectives of this Direction and will be consistent with this requirement.
6.2 Reserving Land for Public Purpose	Direction aims to prevent a draft LEP from altering available land for public use.	The planning proposal does not affect any reservation of public land.
6.3 Site Specific Provisions	Planning proposal not affected by this Direction.	

Table Two: Relevant s.117 Ministerial Directions

Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The land is predominately cleared and is partly utilised for seniors living housing. The planning proposal is not expected to have a significant impact on threatened species or their environment. The subject site was included as R1 General Residential zone under the Maitland LEP 2011. As such relevant planning and environmental matters were addressed prior to the gazettal of the MLEP 2011. In any case, there are no Endangered Ecological Communities (EECs) present within the subject site. The referral of the application to the Director-General of the DECCW in accordance with section 34A of the Environmental Planning and Assessment Act, 1979 is not required in this instance.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The land is located with frontage to the New England Highway (classified road). It adjoins land zoned R1 General Residential which has been developed for seniors living housing, and B6 Enterprise Corridor which currently accommodates service activities for the travelling public. Adjoining land to the west is currently zoned RE1 Public Recreation and is identified as a potentially contaminated site (previously a waste disposal depot). It is intended to be rehabilitated and used for public recreation in the future.

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The land is identified as Class 5 Acid Sulfate Soils and will require further investigations at DA stage for any development to ensure the land is managed appropriately. A stormwater drainage channel transects the site and will need to be relocated within the site at full cost to the developer in association with any future development of the site (see below for more details). The access arrangements will be further assessed with any future proposals for the land. NSW Roads and Maritime Services have already provided comments in relation to access at the site. There are no other known environmental constraints on the land.

Traffic

Given that the proposal involves rezoning the subject site for the purposes of extending an existing enterprise corridor which currently services the travelling public, it is expected that there will be frequent traffic movements at the site, mimicking the existing enterprise corridor to the east of the site. The enterprise corridor is proposed to service the needs of the travelling public utilising the New England Highway, meaning that any traffic impact would most likely be localised, being in and out vehicle movements to / from the New England Highway. Since the purpose of the enterprise corridor is to provide convenience goods and services to the travelling public - as opposed to residents' weekly shopping needs - carparking is not expected to be an issue at the site, since short shopping times equate to carparking spaces being utilised for short periods only. The size of the site and the nature of the intended future uses means that ample area exists within the site that could be dedicated to carparking. Council does not anticipate that the proposal to rezone the site would not result in adverse traffic and access issues for nearby local residents, businesses within the Rutherford Industrial Area or the general public. Regardless, a traffic study will need to be prepared for any future development application at the site. This is considered essential, given the proposed access from the New England Highway.

Relocation of Existing Drainage Reserve & Stormwater Flows

Consideration will need to be given to the relocation of Council's existing drainage reserve within the site. Any future relocation of the existing drainage reserve will be at full cost to the developer and will need to ensure that stormwater disposal can achieve post-development flow rates. Any stormwater detention basins to be constructed in association with the development will need to be designed to ensure that stormwater flows within the site do not contribute to urban trunk drainage flooding within the site or in the immediate locality. The assessment should consider the likely areas for stormwater detention within the site, in addition to identifying appropriate methods for ensuring stormwater quality is maintained.

Any proposal to fill areas within the site - notably the existing drainage reserve which is proposed to be relocated - will be subject to planning and engineering assessment at the DA stage. Certification would need to be provided from a suitably qualified engineer to demonstrate that fill is suitable for the intended purpose and that it will not result in unacceptable hydrological flows in the locality.

Further investigations and consultation will be undertaken to determine the potential environmental impacts associated with development in this location, in particular traffic and access arrangements.

10. How has the planning proposal adequately addressed any social and economic effects?

Social

The planning proposal will generally achieve positive social outcomes for the travelling public and will also provide local residents with employment and business opportunities. Some residential development in the form of mixed use development (for example shop top housing) is also permitted in the B6 Enterprise Corridor zone.

The planning proposal has the potential to provide a net community benefit to the locality by way of local employment opportunities in close proximity to housing whilst also providing a service function to the travelling public given its location on the NEH. The proposed zoning aims to attract a variety of appropriate

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commercial activities, whilst limiting general retail activities to ensure the economic strength of commercial centres within the City is maintained in accordance with Council's Strategies.

Section D – STATE and COMMONWEALTH INTERESTS**11. Is there adequate public infrastructure for the planning proposal?**

The planning proposal aims to provide services for the public already utilising the NEH. Whilst access arrangements will be required to be satisfactorily managed, it is not expected that the proposal will generate a significant increase in traffic. Traffic movements are likely to be limited to the travelling public that already utilise the New England Highway. Furthermore, as the site was previously identified for residential development, adequate infrastructure and services are available to support the development of the site.

The planning proposal is therefore considered unlikely to place additional demands on the existing public infrastructure.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The NSW RMS has been consulted in order to seek preliminary comments relating to the likely access arrangements for the site (see **Appendix 4**). Consultation with the RMS will again occur following the Gateway determination. In any case, it is assumed that the RMS would be listed as an agency to consult with on the Gateway determination should the planning proposal be supported by the Department.

PART 4: COMMUNITY CONSULTATION

In accordance with cl. 57(2) of the Environmental Planning and Assessment Act 1979, this planning proposal must be approved prior to community consultation being undertaken by the local authority. It is anticipated that the planning proposal would be exhibited for a period of 14 days as a minor LEP amendment.

In accordance with Council's adopted *Community Engagement Strategy (June 2012)*, consultation on the proposed rezoning will be to inform and receive feedback from interested stakeholders. To engage the local community the following will be undertaken:

- Notice in the local newspaper;
- Exhibition material and relevant consultation documents to be made available at the Rutherford Branch Library and Council's Administration Building;
- Consultation documents to be made available on Council's website; and
- Letters advising of the proposed rezoning and how to submit comments will be sent to adjoining landowners and other stakeholders that Council deem relevant to this planning proposal.

At the completion of the consultation process, Council officers will consider all submissions received and present a report to Council for their endorsement of the proposed LEP amendment before proceeding to

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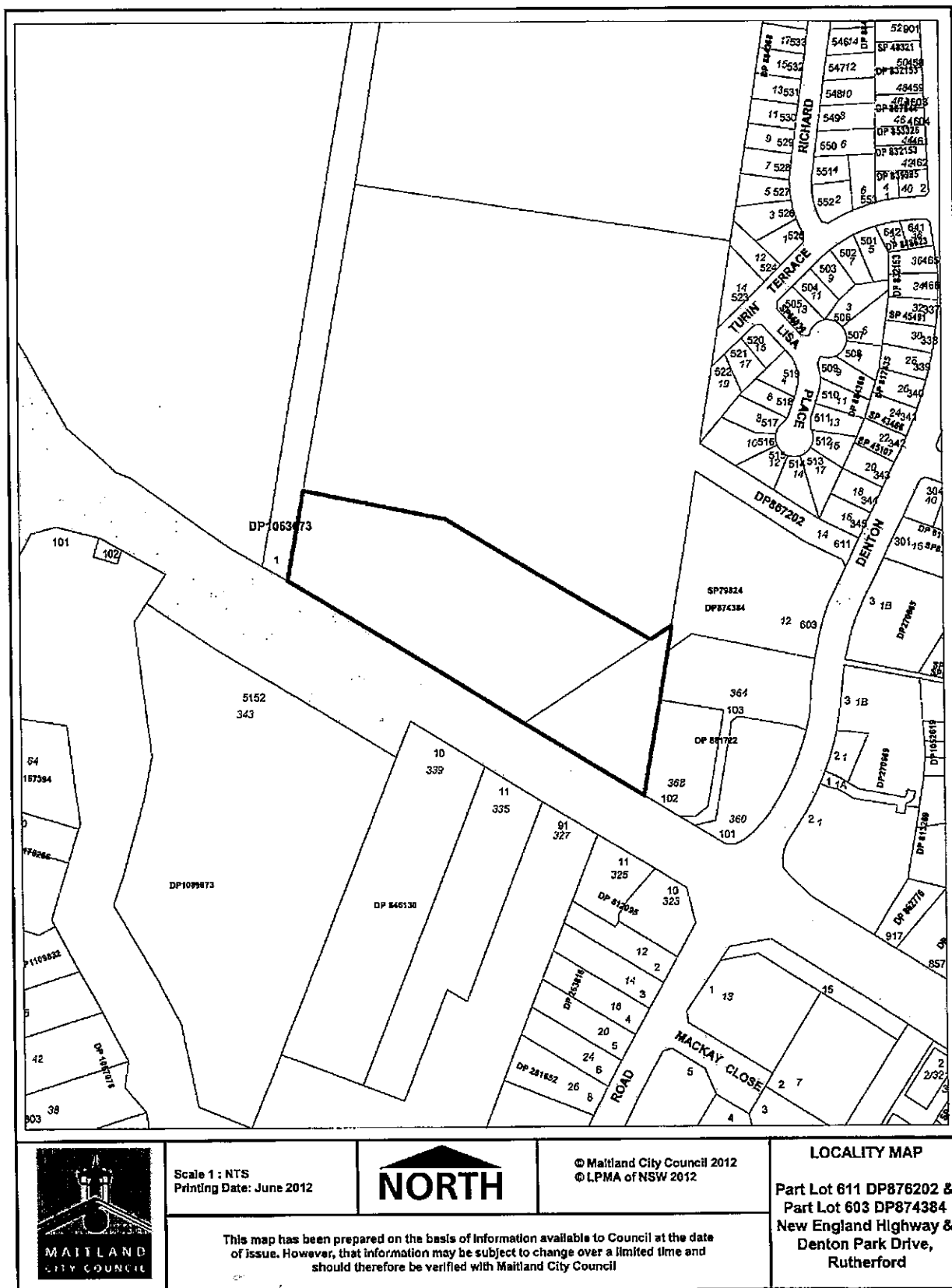
finalisation of the amendment.

The consultation process, as outlined above does not prevent any additional consultation measures that may be determined appropriate as part of the 'Gateway' determination process.

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Appendix ONE
Locality Map

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REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Appendix TWO
Proposed Land Zoning Map & Lot Size Map

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)



REZONING OF RUTHERFORD ENTERPRISE CORIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)



REZONING OF RUTHERFORD ENTERPRISE CORIDDOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
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Appendix FOUR
RMS Correspondence

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

307.564; 1
11/772
BK



Northern Transport Planning and Engineering
Shop 3 / 187 King Street
Newcastle NSW 2300

Attention: Mr Ron Brown

**NEW ENGLAND HIGHWAY (HW9): POTENTIAL COMMERCIAL DEVELOPMENT
BETWEEN ANAMBAH ROAD AND RACECOURSE ROAD, NEW ENGLAND
HIGHWAY, RUTHERFORD**

Dear Mr Brown,

I refer to your email of 26 May 2011 requesting advice from the Roads and Traffic Authority (RTA) regarding access controls on the New England Highway between Anambah Road and Racecourse Road, Rutherford.

The RTA can advise there are currently no formal controls in place restricting access to the New England Highway. However, you should be aware that the RTA has consistently required all development fronting the New England Highway in this area to obtain access via one of the surrounding local roads. Direct access to the New England Highway has not been permitted to maintain the safety and efficiency of the highway.

However, should direct access be desired for commercial reasons it is expected that it would be restricted to left turn movements only and should be integrated with access to adjacent developments. The RTA would not accept a situation that may lead to a number of minor access points onto the highway. An access road to service all development on the northern side of the highway should be given consideration. This will require consultation with affected landowners.

Should you require further advice please contact me on 4924 0240.

Yours sincerely,


Dave Young
Manager, Land Use Development
Infrastructure Services
Hunter Region

23 June 2011

CC General Manager
Maitland City Council

Roads and Traffic Authority

59 Darby Street Newcastle NSW 2300
Locked Bag 30 Newcastle NSW 2300 DX7813
www.rta.nsw.gov.au

REZONING OF RUTHERFORD ENTERPRISE CORIDDOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
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Appendix FIVE
Extracts – MUSS 2010

[illegible]

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

PART TWO – PLANNING CONTEXT & KEY ISSUES FOR MAITLAND

2.3.3 Maitland Local Environmental Plan 2011

Council resolved to prepare the Draft Maitland Local Environmental Plan (LEP) 2011 at its meeting of the 25 March 2008. The Draft Maitland LEP 2011 was prepared as Council's primary land use planning tool, consistent with the NSW Department of Planning's Standard LEP template provisions for zoning, definition of uses and development controls.

The draft plan was prepared with input from the community through the various planning strategies and ongoing partnerships with the NSW Department of Planning and other state government departments. This ensures that the Draft Maitland LEP 2011 implements the Council's vision and planning objectives already in place, along with local and regional priorities for future development.

The draft plan was exhibited to the public for a period of five weeks between Monday 15 November 2010 and Monday 20 December 2010. The Draft Maitland LEP 2011 was adopted by Council at its meeting on 26 July 2011. It was then forwarded to the NSW Department of Planning & Infrastructure on 2 August 2011 for finalisation and gazettal. It is anticipated the Draft Maitland LEP 2011 will be gazetted by October 2011.

The Urban Settlement Strategy is a key guiding document for the LEP, steering land releases and zonings for Category 1 lands and investigation areas for preferred large lot residential development. It also guides development principles for urban infill sites around identified centres and specific sites identified for urban extension or infill potential as mapped. Significant research and analysis has been undertaken to explain and justify zoning decisions and LEP provisions in the Draft Maitland LEP 2011.

The association between the Settlement Strategy and the Draft Maitland LEP 2011 is evidenced through the number of LEP amendments that have progressed for investigation areas identified under this strategy. The MUSS has informed the Maitland LEP 2011 through incorporating zoning changes for investigation areas that have been rezoned since the last biennial review, and by including provisions for Urban Release Areas, such as LEP provisions and relevant mapping that relate specifically to those sites.

The preparation of the Draft Maitland LEP 2011 considered the investigation areas included under the MUSS 2008 Edition, how zoning could be applied to those sites and adjoining land in order to produce appropriate zoning outcomes. Issues such as permissibility of land uses and minimisation of land use conflicts between rural areas and proposed urban investigation areas were additionally considered.

The policy framework detailed in the Settlement Strategy combined with the in depth analysis completed for the preparation of the Draft Maitland LEP 2011, provides a solid platform to support development and the growth of Maitland for the next ten years.

2.3.4 Activity Centres and Employment Clusters Strategy

Centres are more than just places for commercial and retail activity. They are places where people go to socialise, access services and community facilities, to shop and to work. They provide opportunities for residents, workers and visitors to actively participate in community life and enjoy the lifestyle that the Maitland local government area has to offer.

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

PART TWO – PLANNING CONTEXT & KEY ISSUES FOR MAITLAND

The Activity Centres and Employment Clusters Strategy is a key strategy to guide the future growth and prosperity of Maitland's centres and employment lands for the next 20 years. It aims to create high quality places, strengthen existing activity centres and employment clusters and cater for growth of centres and clusters to provide a range of facilities, services and activities to serve the needs of the Maitland community.

Key principles of the strategy include a directed approach to identifying centres in the most appropriate locations to service the community, renewal of centres, hierarchy of development, integration of land use and transport, variety of centres (size and characteristics), encouragement of residential development in/around centres and opportunities for new jobs to match population growth.

The purpose of the Activity Centres and Employment Clusters Strategy is to:

- Support the growth of the local economy and employment in Maitland for the next 20 years;
- Provide clear direction as to the vision, role, function and potential growth for each activity centre and employment cluster;
- Ensure all activity centres and employment clusters in Maitland are viable, well designed and provide appropriate facilities and services;
- Guide future land use and development decisions which reflect the principles of the strategy, the vision of the activity centre or employment cluster to support the residential growth within the Maitland local government area; and
- Complete regular reviews to ensure activity centres and employment clusters are flexible and able to respond to future economic and social changes.

Set within the regional and local context, the strategy presents a proactive approach to the planning and development of activity centres and employment clusters. For each identified activity centre, specialised precinct, employment corridor and employment cluster, the strategy sets out a clear vision. This vision articulates how the centre should develop in the future and is supported by a set of policy objectives.

While the strategy is not focused on residential land uses, it encourages the growth of all activity centres and employment clusters to support the growing residential community with adequate services, facilities and employment opportunities. Specific to the Maitland Urban Settlement Strategy and future residential development in Maitland, the Activity Centres and Employment Clusters Strategy aims to create sustainable neighbourhoods, providing additional development opportunities for the integration of residential development within and at the edge of centres, as part of mixed use developments, shop-top housing, live/work units for home businesses and to create a vibrant place and focal point for the local community.

2.3.5 Central Maitland Structure Plan

A residential led recovery is a central strategy of the Central Maitland Structure Plan, adopted by Council in 2009. The vision for Central Maitland includes the aspiration to be a place that is a liveable neighbourhood and a place for a vibrant community.

The Central Maitland Structure Plan proposes a framework for the promotion of a greater diversity of activities in Central Maitland. The Central Maitland locality includes, amongst other land uses, areas of residential development. A key aim of the structure plan is to increase social diversity of people in Central Maitland through:

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PART THREE – LAND SUPPLY IN MAITLAND

Except for the major release area of Thornton North, there are limited areas of vacant residential land and limited capacity to rezone land in the eastern sector. These limitations are due to the natural and man-made constraints within the locality.

Constraints include the Council waste disposal facility at Mt Vincent Road and its associated buffers, significant stands of remnant vegetation to the south of Ashtonfield, flood prone land around Rathluba and Metford and industrial and commercial developments in East Maitland and Ashtonfield. Residential land supplies are outlined in *Table 9*.

Table 8: Land Supply in Eastern Sector

Separate dwellings 2(a) zone 2001-2010	182/yr
Separate dwellings 1(c) zone 2001-2010	26/yr
Medium Density Dwellings 2001-2010	63/yr
Lot yield from existing zoned land	3090 lots
Estimated supply of zoned land	11-12 yrs

Source: Maitland City Council, 2008

3.3 Commercial land

The Lower Hunter Regional Strategy has identified a potential population increase of 160,000 for the Lower Hunter from 2006–2031. It has been calculated, following employment trends in the Lower Hunter, that this increase in population has the potential to generate 66,000 new jobs.

The LHRS identifies Newcastle City as the regional City of the Lower Hunter supported by Maitland, Charlestown, Glendale/Cardiff, Cessnock, Raymond Terrace and Morisset as the major regional centres. Of the additional 66,000 jobs, the strategy targets 40,000 to be accommodated within these centres along with the stand alone shopping centres at Greenhills and Kotara.

The predicted population growth for the Maitland LGA over the next 25 years is estimated at 66,000 people. Studies into commercial development for the region have identified that Maitland caters for approximately 11.5% of employment in the Lower Hunter. This would equate to an increase of 7,590 jobs over the predicted 25 year period.

The LHRS sets a target of 4,700 new jobs to be accommodated in Central Maitland and Greenhills. This will be investigated, as a part of this work to determine their feasibility, the necessary infrastructure provision required and any potential planning incentives.

Hill PDA was commissioned by Maitland City Council to prepare a study of centres and employment generating lands within the Maitland LGA. This background study was prepared to inform the Maitland Activity Centres and Employment Clusters Strategy and assist in the review of the Maitland Urban Settlement Strategy.

Council adopted the Activity Centres and Employment Clusters Strategy on 19 January 2010. This strategy provides strategic direction for existing and future planned commercial and employment land use. The purpose of the strategy is to:

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PART THREE – LAND SUPPLY IN MAITLAND

- Provide a logical hierarchy and network of activity centres and employment clusters which supports the growth of the local economy and employment in Maitland for the next 20 years;
- Provide clear direction as to the vision, role, function and potential growth for each activity centre and employment clusters to support the predicted population growth within the Maitland LGA over the next 20 years;
- Ensure all activity centres and employment clusters in Maitland area well designed and provide appropriate facilities and services in a pleasant environment for residents, employees and visitors;
- Guide future land use and development decisions which reflect the principles of this strategy, the vision of the activity centre or employment cluster, to support the residential growth within the Maitland LGA; and
- Ensure that future reviews of this strategy and future policies relating to activity centres and employment clusters are flexible and able to respond to the changing economic and social circumstances. This includes the recognition that the network and hierarchy of activity centres and employment clusters may change over time to facilitate new use4s and working practices.

A typology of centres and clusters is critical to understanding the function, role and place within the established network and hierarchy of activity centres and employment clusters in Maitland. The following hierarchy provides an explanation of the types of activity centres, range of employment clusters and specific types of retailing which exist within the Maitland LGA.

3.3.1 Hierarchy of Centres in Maitland

Maitland contains a range of retail and commercial centres that have been identified to accommodate the predicted growth in employment. The hierarchy of centres is identified within the Activity Centres and Employment Clusters Strategy and reflected through zoning provisions under the Draft Maitland LEP 2011.

Major Regional Centre	Central Maitland
Town Centre	East Maitland Lochinvar Rutherford Thornton
Local Centre	Chisholm Lorn Morpeth Telarah Gillieston Heights
Neighbourhood Centre	Largs Lochinvar Metford Tenambit Woodberry Farley Anambah
Specialised Precinct	Retail Precinct-Greenhills Health Precinct- Maitland Hospital
Employment Corridor	Melbourne Street Mixed Use Precinct New England Highway Corridor
Employment Cluster	Bulky Goods Retailing Industrial Areas Business Areas

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HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

PART THREE – LAND SUPPLY IN MAITLAND

Woodberry

The neighbourhood centre at Woodberry is positioned on the eastern fringe of the LGA. The centre supports approximately 1,300m² of commercial floor space and provides a localised convenience function servicing the day to day needs of residents. Facilities in this centre are limited due to the proximity of the North Beresfield shopping centre which contains 40 retail and non-retail outlets, including a supermarket. Community and public facilities are located in close proximity to the commercial centre with established links to these facilities and commercial centre.

Farley and Anambah

Farley and Anambah are identified as investigation areas for urban release. Opportunities exist for the development of a new neighbourhood centre to grow in parallel with future residential development that may occur in either location.

3.3.6 *Retail Precinct - Greenhills*

Greenhills is identified within the Lower Hunter Regional Strategy as a 'stand alone centre' and defined as "privately-owned centres located away from other commercial areas, containing many of the attributes of a town but without housing or open space" (2006: 15).

The Greenhills shopping centre is a purpose built shopping complex comprises 38,170m² of floor space. In addition to this traditional retail floor space, the fringe areas surrounding the centre provide for 6,610m² of floor space for bulky goods outlets. The regional strategy projects an additional 1,500 new jobs be accommodated at Greenhills and while the shopping centre has capacity and notional plans for further extensions up to 23,000m², topographical issues may limit this extension.

3.3.7 *Health Precinct- Maitland Hospital and Surrounds*

Maitland Hospital is a major employer within the LGA and is magnet infrastructure. This means that while providing essential health services- its primary function- it also attracts other medical and supporting services such as doctors, radiologist and osteopaths to the locality and contributes positively to the local economy through the generation of jobs.

The provision of services within this precinct is currently disjointed with little coordination over the number of properties. Due to the growing medical demands of the Maitland area and the wider regional area, the Hunter New England Health is planning for future expansion of Maitland Hospital, starting with the expansion of the emergency department.

3.3.8 *Employment Corridors*

Employment Corridors allow for clusters of low to medium residential development, mixed use businesses and enterprise development along former principal and main road links that now provide intra-regional road corridors carrying significant volumes of traffic and public transport services. Activity extends from a block beyond the road, allowing appropriate access and function.

Activities include residential, small specialised and independent retails, clusters dedicated to new retail formats, light industrial units and small emerging businesses.

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

PART THREE – LAND SUPPLY IN MAITLAND

Older style shopping strips will persist, as will residential development within business zones.

The opportunity for residential development to intensify in the future is apparent. The renewal corridors, including both the anchor centres and the linear strip will accommodate a range of future mixed-use residential and commercial/retail developments in all parts of the corridor including the anchor centres.

Melbourne Street Mixed Use Precinct

Within this precinct, there is an existing mix of uses ranging from car sales yards, and light industrial activities to shops, schools, community facilities, home businesses and residential buildings. Services catering to the travelling public such as fast food outlet, service station and accommodation area also located in this precinct taking advantage of the corridor location.

New England Highway Corridor

The New England Highway (NEH) forms a 914km part of the interstate road link between Sydney and Brisbane. It begins at the end of the Sydney to Newcastle Freeway (F3), travelling north through the Hunter Valley and New England Region to Toowoomba and the Darling Downs in Southern Queensland. The NEH runs east to west through the Maitland LGA and is major arterial road linking suburbs within the LGA, Maitland with Newcastle and the Upper Hunter, as well as servicing the interstate/intrastate travelling public and freight movement.

Existing uses located along the NEH include retail/ commercial development, light industrial and large format retail uses, along with a number of schools, parks and community facilities. However, the predominant land use fronting the NEH is residential.

The NEH Corridor will continue to reinforce its primary role as a significant corridor for the movement of freight and people, locally, regionally and nationally and to provide appropriate opportunities for business and residential uses which service the users and utilise this highly accessible corridor.

3.3.9 *Employment Clusters*

Bulky Goods Retailing

Maitland has become a regionally significant hub for bulky goods retailing in the Hunter Valley, with this form of retail use generating a substantial demand for floor space. The attraction of Maitland for young families and growth in the new home market can partly account for this phenomenon. Clusters of bulky goods retailing businesses have formed naturally, taking advantage of high profile sites and marketing strategies to establish homemaker centres.

Traditionally located in core commercial areas, bulky goods retailing has expanded to edge-of-centre and out-of-centre locations, providing opportunities for higher order uses to emerge in centres. Some of the clusters in Maitland LGA are at Shipley Drive Rutherford, Chelmsford Drive East Maitland and Thornton Road, Thornton.

Industrial Areas

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

PART THREE – LAND SUPPLY IN MAITLAND

Industrial areas in Maitland range from the traditional village locations in areas like Morpeth and Woodberry, through to the large estate-development like Rutherford and Thornton Industrial areas. Although varying in size and age, all industrial areas in Maitland provide employment and activities, including agricultural, minerals, manufacturing and transport industries. Ties to regionally significant markets have always existed, and can continue to advance with population growth and Maitland's locational benefits.

The compact and constrained local environment has both hindered and benefited the industrial areas, by keeping them relatively close to urban areas providing ready access for employees and supporting businesses. Heavy and polluting industry has not been a significant part of the industrial environment in Maitland.

Business Areas

Clusters of concentrated business activity currently occur, or are planned to occur in locations at Rutherford Industrial Estate, Thornton Industrial Estate and at Anambah. These business activities are distinct from the industrial uses and include office based businesses, research or technology based activities. Co-locating with similar businesses has strengthened the significance of these areas and they represent a new and emerging economy for Maitland.

Business areas typically have a demand for high amenity settings and this is reflected in new campus-type development that generally cannot be provided within or on the edge of activity centres.

3.4 Key outcomes for commercial land

As a part of the preparation of the Draft Maitland LEP 2011 it has become evident there is a need to develop a strategic approach to commercial land. Preparation of the Activity Centres and Employment Clusters Strategy aimed to develop key principles including:

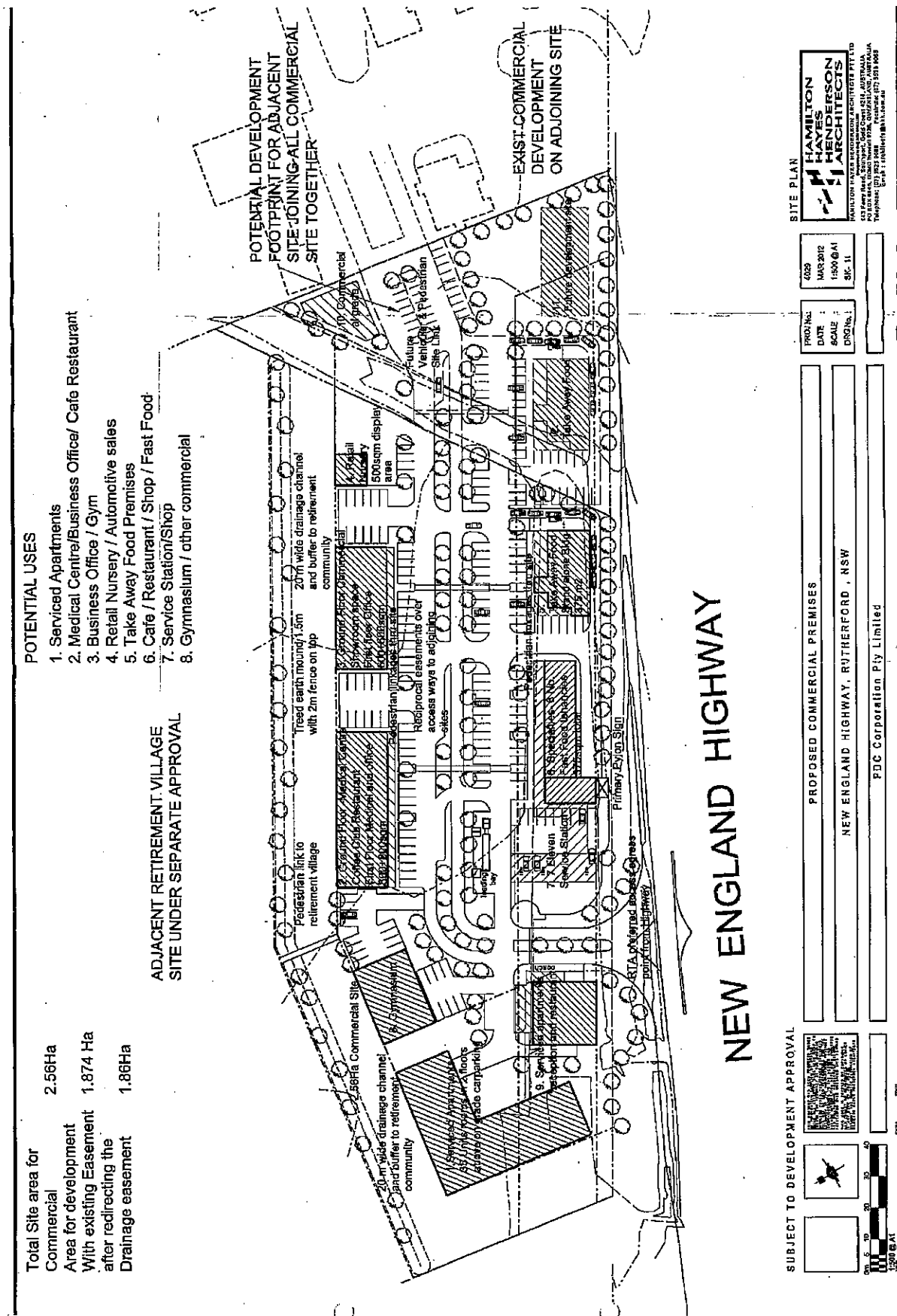
- Renewal of centres;
- Hierarchy of development;
- Integration of land use and transport;
- Variety of centres to service the community;
- Encouragement of residential development in and around centres; and
- Opportunities for new jobs to match population growth.

The outcome of these principles is to:

- Minimise the extent of ribbon commercial development;
- Ensure commercial centres are readily accessible to a range of transport nodes;
- Establish retail and commercial centres as the focus of community activity;
- Facilitate high standards of urban design in retail and commercial centres;
- Encourage the design of buildings and landscapes which relate to their physical context and are user friendly; and
- Consolidate and maintain the integrity of the retail and commercial centres hierarchy.

To achieve the intended outcome the following issues were investigated:

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)



REZONING OF RUTHERFORD ENTERPRISE CORIDDOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Appendix THREE
Indicative Layout of Proposal & Seniors Living
Development Site Plan

REZONING OF RUTHERFORD ENTERPRISE CORIDDOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

PART THREE – LAND SUPPLY IN MAITLAND

- Demand for additional retail and commercial floor space in planned centres due to likely continuation of high population growth;
- Demand for retail warehousing and need to manage demand to limit ribbon commercial development along major roads in and around existing commercial centres and industrial estates;
- Economic and community advantages in recognizing and supporting the hierarchy of centres;
- The failure of some retail centres to meet appropriate aesthetic and social expectations, variously exhibiting the following :-
 - Retail/commercial centres which are disjointed and lack cohesion;
 - Centres which fail to adequately address the street, placing parking abutting the street and containing facades which are out of context and demote civic profile;
 - Centres with inappropriate and/or lack of Interpretive signage;
 - Centres lacking accessible community focal points;
 - Inadequate access for pedestrian/cyclists;
 - Inadequate street furniture;
 - Inadequate structural landscape works;
 - Effective user friendly local road network into and out of the business area.

The Activity Centres and Employment Clusters Strategy was prepared in support of the Lower Hunter Regional Strategy, in order to update the current commercial and retail policy and as a critical building block during the preparation of the Draft Maitland LEP2011.

REZONING OF RUTHERFORD ENTERPRISE CORIDDOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Appendix SIX
Extracts - ACECS 2010

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Employment clusters are usually disconnected from activity centres located in out of centre locations. Therefore, it is critical that future development in employment clusters provide a pleasant amenity for their tenants, employees and customers and improved links to provide a high level of accessibility is equally critical to the viability and sustainable development of employment clusters.

The key principles for the future development of Maitland's Employment Clusters and Corridors are:

- To protect the viability of employment clusters in Maitland and to ensure that its location, role and function is strengthened and compatible with the network of clusters and corridors;
- To provide a range of employment generating activities within accessible locations that grow collectively with Maitland's activity centres to ensure the network and hierarchy of centres and clusters is robust and responsive;
- To protect and provide well-located industrial and employment land to meet the needs of a broad range of employment generating activities and to promote innovation and new industries to diversify and grow the local economy and contribute to the creation of jobs for a variety of skills and qualifications;
- All business activities within an employment cluster or corridor support the stated vision, role and function of the location. The co-location of business, industry and other enterprises which have similar operational characteristics builds on the symbiotic relationship enabling the sharing of facilities, services and support activities;
- Future development in employment clusters, whether industrial activities, bulky goods retailing or business uses, is well designed, respects sensitive interfaces with other land uses and provides a pleasant environment and appropriate ancillary uses to support their employees and customers; and
- Businesses located in employment clusters encourage the use of public transport by providing safe routes in a pleasant environment for pedestrians and cyclists to connect with public transport infrastructure, and where appropriate, to the activity centres and residential areas of Maitland.

development does not adversely impact the vision, role and function of existing centres and consider the relationship and network of centres and clusters.

- The vision, role and function of all activity centres – from the Major Regional Centre to all the Neighbourhood Centres – is reflected through the future development and future revitalisation of activity centres;
- All activity centres, particularly the major regional centre and town centres provide high levels of public transport accessibility and provide safe, pleasant connections for pedestrians and cyclists which link residential and employment areas with the activity centres of Maitland;
- Encourage the integration of smaller scale activity centres with new and existing residential areas to reduce car dependence and create walkable neighbourhoods. They will provide high quality, safe public spaces to encourage a range of activities to take place, enhancing opportunities for the participation of residents, workers and visitors in community life; and
- All activity centres are well designed and integrate with the wider public realm. This can be achieved through a variety of elements such as the provision and access to green spaces, linking with existing LGA-wide cycle and pedestrian routes, high quality landscaping, sensitive reuse of heritage buildings and a variety of built forms which present high quality design outcomes

EMPLOYMENT CLUSTERS AND CORRIDORS

Key principles for employment clusters and corridors are embodied in the vision and key policy objectives for each of type of cluster and corridor, as outlined in Part C of this strategy. These principles aim to support the continued growth of Maitland by providing opportunities for a diverse range of employment generating activities to locate in the Maitland LGA to provide jobs and contribute to a robust and thriving local economy.

The principles for employment clusters aim to ensure that sufficient land is available in appropriate locations to provide for a mix of employment generating activities ranging from research and development operations, light industrial and trade activities through to professional and office based enterprises.

REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

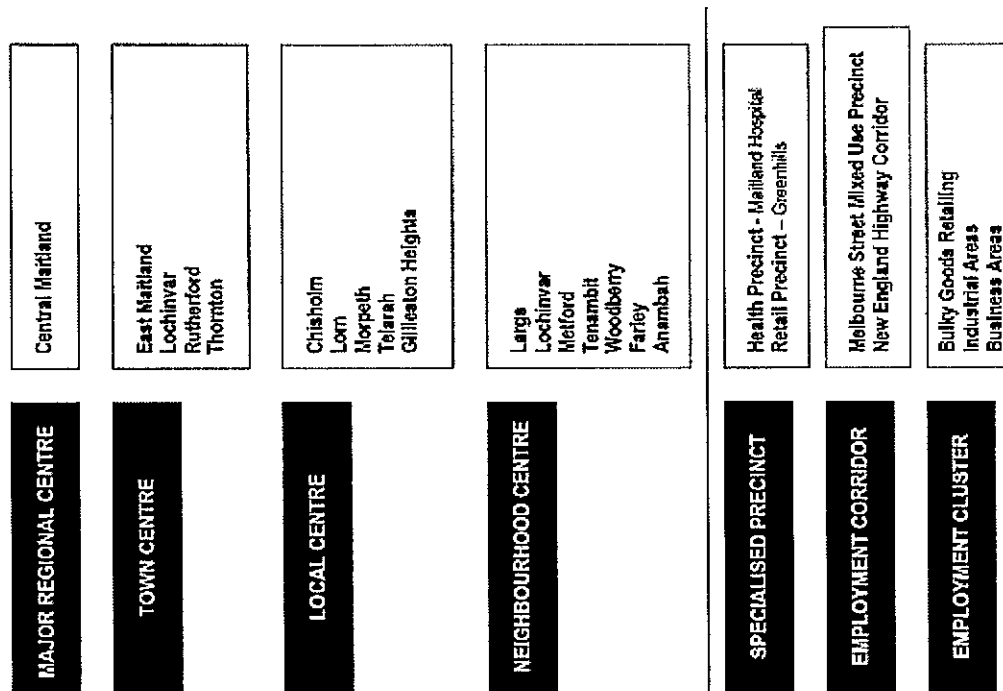


Figure THREE: Hierarchy of Activity Centres
page 7

PART C: MAITLAND'S NETWORK of ACTIVITY CENTRES and EMPLOYMENT CLUSTERS

Set within the local and regional context, this strategy presents a proactive approach to the planning and development of activity centres and employment clusters to manage growth over the next 20 years.

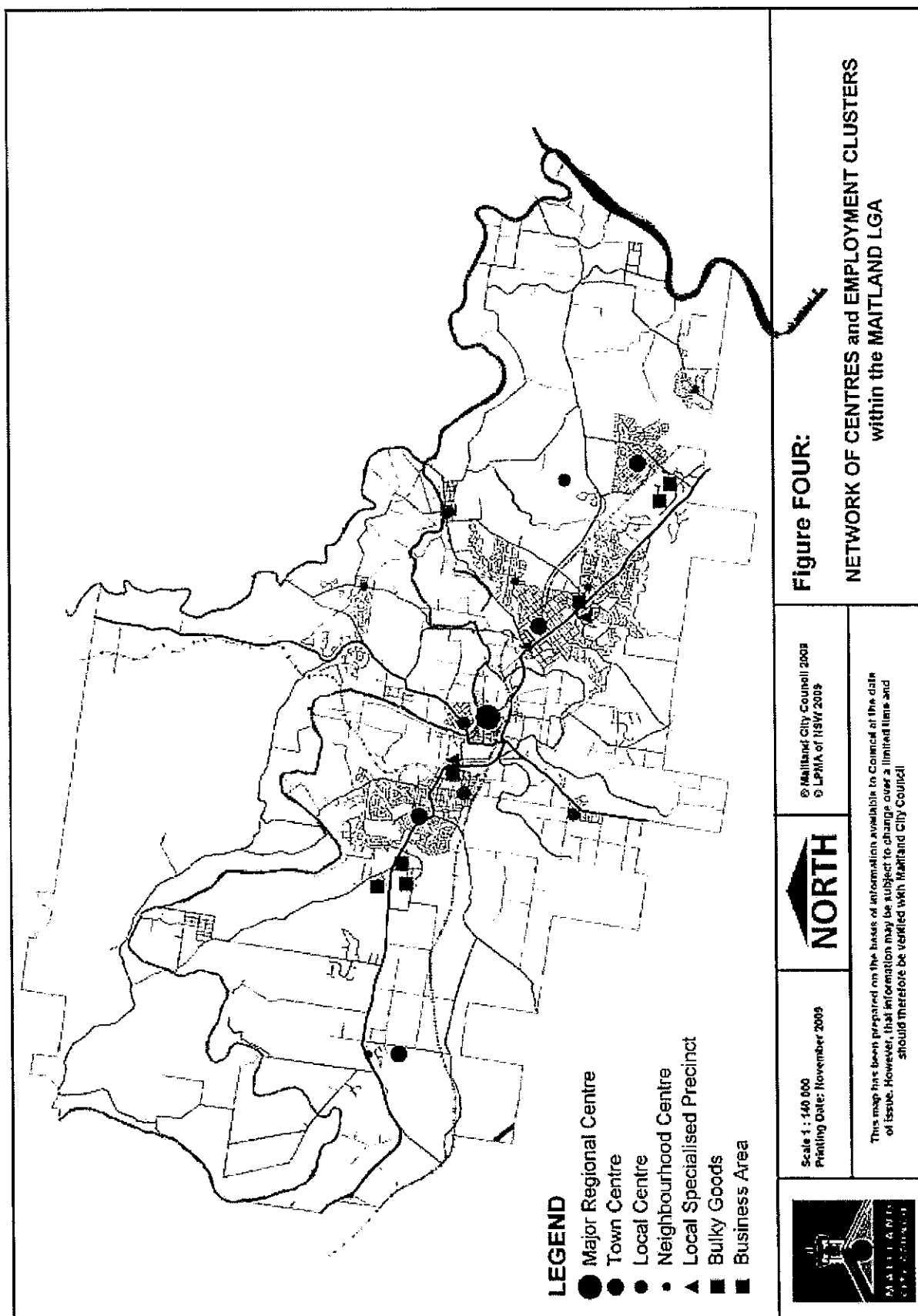
The definition of a network (*the pattern of provision*) and hierarchy (*the role and relationship*) ensures that growth in centres and clusters consider the overall network and how they interrelate. Figure 4 illustrates the network of activity centres and employment clusters in the Maitland LGA. This approach will positively contribute to the prosperity of the local economy and support the residential and working communities, helping to create a more sustainable future for Maitland.

The Lower Hunter Regional Strategy establishes a regional hierarchy of centres. The NSW Government's regional hierarchy lists Central Maitland as a Major Regional Centre within the Lower Hunter. This is supported by the identification of town centres at East Maitland, Rutherford and Thornton and a new town centre at Lochinvar to support the associated residential growth. Greenhills is classified as a Stand Alone Shopping Centre which recognises the significant retail offer and specialised function that Greenhills provides the Maitland LGA and the wider region.

The network and hierarchy framework of this strategy provides a clear definition as to the vision, role and function of activity centres, specialised precincts, employment clusters and corridors. It builds on the regional hierarchy, providing a more local approach to defining activity centres and employment clusters. The hierarchy ensures that residents across the LGA have easy access to the higher order centres, as well as the convenience that local and neighbourhood centres offer and jobs in locations close to home.

The network and hierarchy of activity centres and employment clusters must be resilient to positively respond to the inevitable economic and social changes. Review of the strategy and regular monitoring to identify growth and decline of centres and clusters is critical to enable Council to take action for the benefit of residents, workers, visitors and investors of Maitland.

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)



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14.0 RUTHERFORD ENTERPRISE CORRIDOR

The New England Highway (NEH) forms a 914km part of the interstate road link between Sydney and Brisbane. It begins at the end of the Sydney-Newcastle Freeway (F3) travelling north through the Hunter Valley and New England region to Toowoomba and the Darling Downs area of southern Queensland. The NEH runs east-west through the Maitland LGA and is a major arterial road linking suburbs within the LGA, Maitland with Newcastle and the Upper Hunter, as well as servicing the interstate/intrastate travelling public and freight movement.

Existing uses located along the NEH include retail/commercial development, light industrial and large format retail uses, along with a number of schools, parks and community facilities. However, the predominant landuse fronting the NEH is residential.

However, not all commercial and retail development along the NEH is in a cluster pattern. A number of businesses exist as a stand alone, which in turn creates a ribbon of commercial and retail development.

VISION

The New England Highway Corridor will continue to reinforce its primary role as a significant corridor for the movement of freight and people, locally, regionally and nationally and to provide appropriate opportunities for business and residential uses which service the users and utilise this highly accessible corridor.

KEY POLICY OBJECTIVES

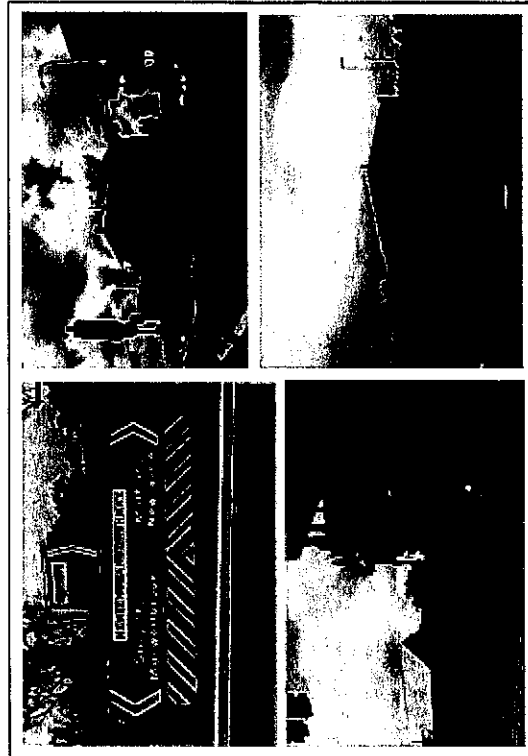
Key policy objectives for the New England Highway Corridor include:

- Activities fronting the NEH cater for the travelling public, without impacting on its primary function – being an interstate corridor for the movement of goods and people;
- The reduction of 'ribbon' development and the consolidation of clusters close to existing centres along the NEH;

- Activities along the NEH provide for a range of employment and residential uses, without limiting the vitality and viability of centres and in locations which have accessibility to high frequency public transport routes;
- That residential development located directly fronting the NEH is adequately soundproofed and designed to minimize adverse impacts of noise and pollution.

FUTURE OPPORTUNITIES

While the location on the NEH is desirable for these businesses, in the long term it creates a situation in which commercial/retail development is stretched out along the corridor which can lead to issues with accessibility and impact on the flow of traffic, also the impact on existing centres and their viability. However, to support the role of the NEH as a transport corridor, uses and activities to support the travelling public will continue to be encouraged to develop in this location.



REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

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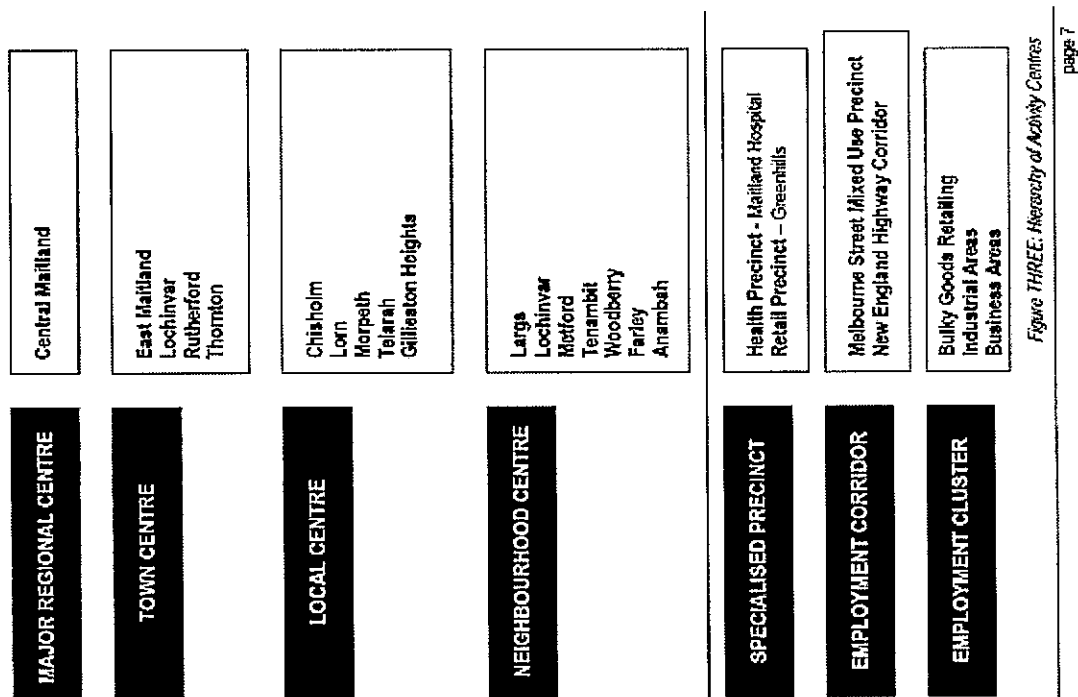


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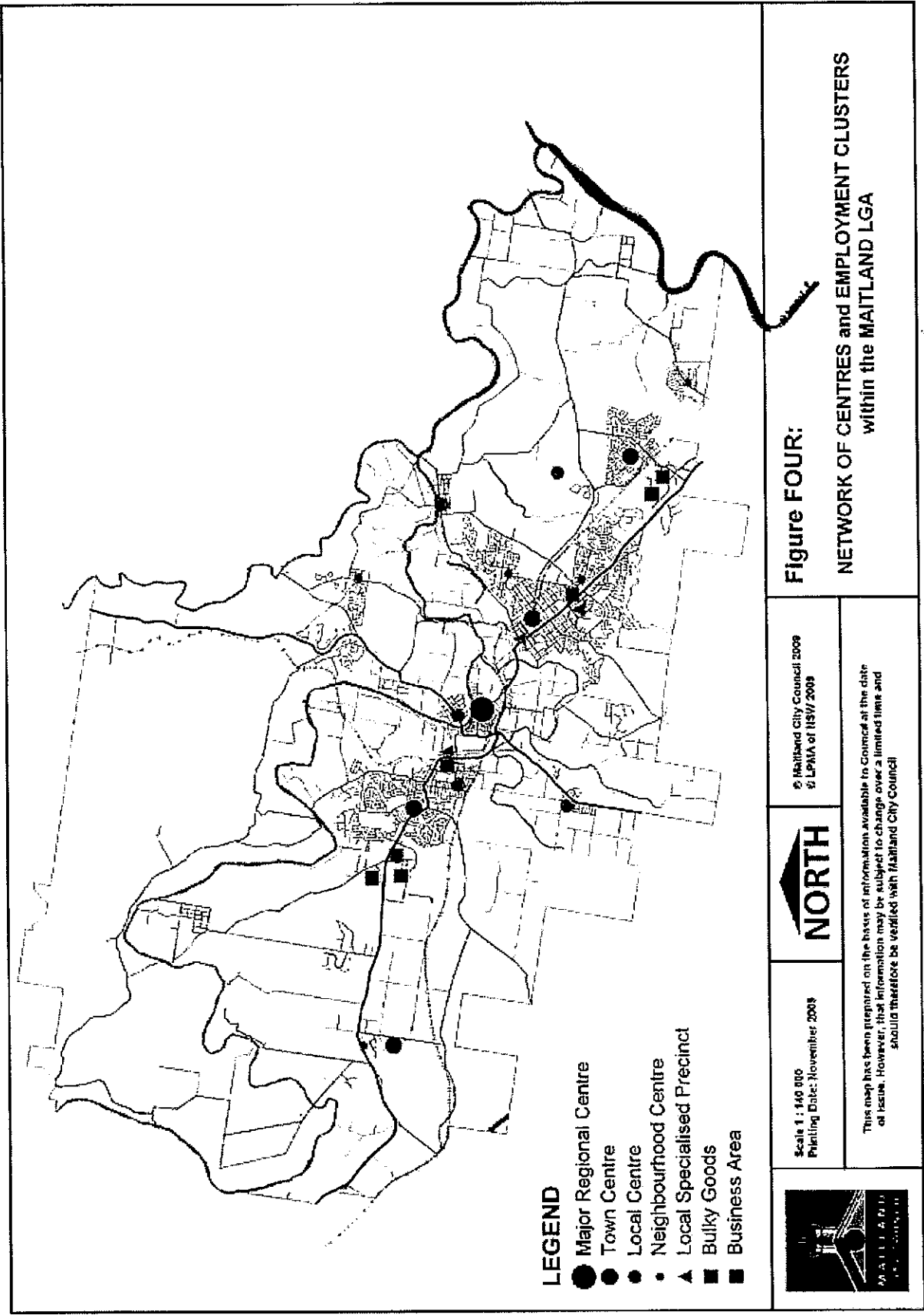
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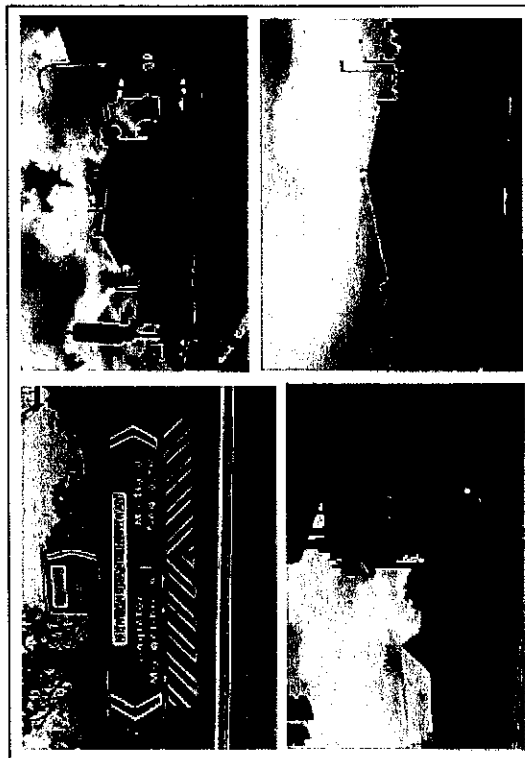


REZONING OF RUTHERFORD ENTERPRISE CORRIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

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page 36

DESCRIPTION OF THE CORRIDOR

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Activity Centres and Employment Clusters Strategy 2010
Maitland City Council

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Planning, Environment and Lifestyle Reports

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD

Concept Plan

Meeting Date: 26 June 2012

Attachment No: 3

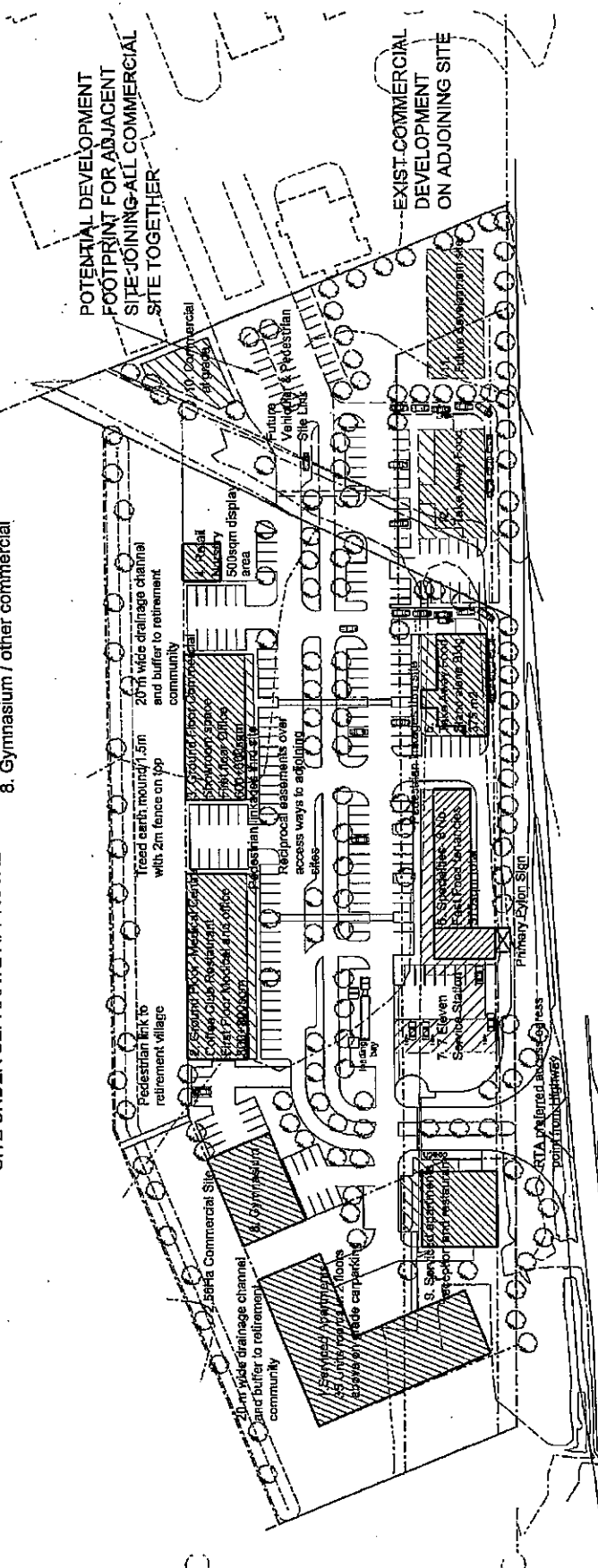
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POTENTIAL USES

1. Serviced Apartments
2. Medical Centre/Business Office/ Cafe Restaurant
3. Business Office / Gym
4. Retail Nursery / Automotive sales
5. Take Away Food Premises
6. Cafe / Restaurant / Shop / Fast Food
7. Service Station/Shop
8. Gymnasium / other commercial

ADJACENT RETIREMENT VILLAGE
SITE UNDER SEPARATE APPROVAL

Total Site area for Commercial	2.56Ha
Area for development With existing Easement after redirecting the	1.874 Ha
Drainage easement	1.86Ha



NEW ENGLAND HIGHWAY

SUBJECT TO DEVELOPMENT APPROVAL



SITE PLAN



F ARCHITECTS
HAMILTON KAYE HENDERSON ARCHITECTS PTY LTD
1403 FOX ROAD, BOWENPOINTE, GLEN CASTLE 4216, AUSTRALIA
PO BOX 8846, GLENCASTLE, 5796, QUEENSLAND, AUSTRALIA
(A/esthete) (P) 5528 0036 Fax: (07) 558 0046
E-mail: f.architects@nsw.com.au

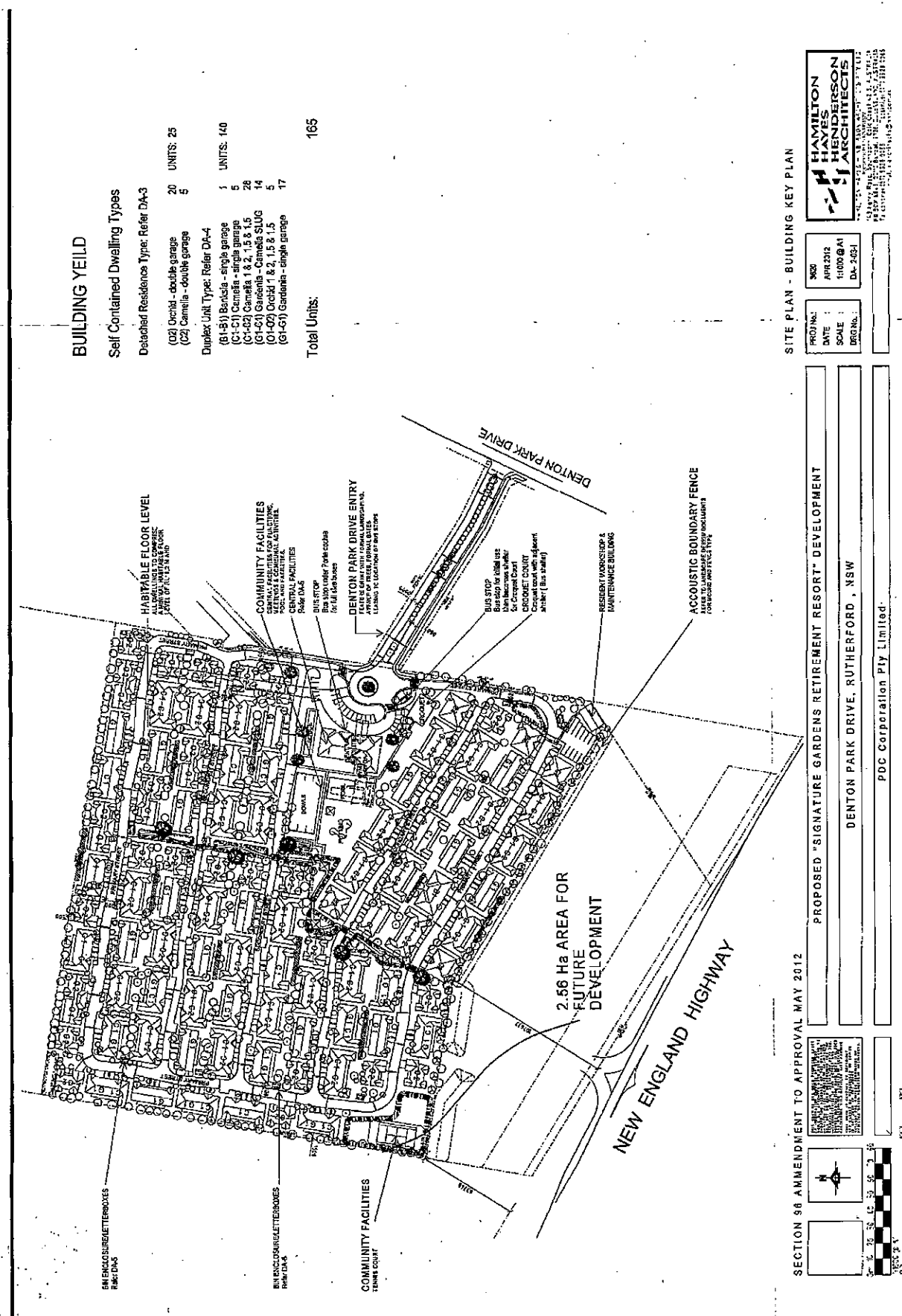
PROJ No: 4029
DATE: MAR 2012
SCALE: 1:500 @ A1

PROPOSED COMMERCIAL PREMISES

NEW ENGLAND HIGHWAY, RUTHERFORD , NSW

PDC Corporation Pty Limited

REZONING OF RUTHERFORD ENTERPRISE CORIDOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)



REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND
HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

Planning, Environment and Lifestyle Reports

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD

RMS Preliminary Comments

Meeting Date: 26 June 2012

Attachment No: 4

Number of Pages: 1

REZONING OF RUTHERFORD ENTERPRISE CORIDOOOR - LOT 611 DP867207 & LOT 603 DP874384 NEW ENGLAND HIGHWAY & DENTON PARK DRIVE, RUTHERFORD (Cont.)

307.564; 1 11/772 BK	 

Northern Transport Planning and Engineering
Shop 3 / 187 King Street
Newcastle NSW 2300

Attention: Mr Ron Brown

**NEW ENGLAND HIGHWAY (HW9): POTENTIAL COMMERCIAL DEVELOPMENT
BETWEEN ANAMBAH ROAD AND RACECOURSE ROAD, NEW ENGLAND
HIGHWAY, RUTHERFORD**

Dear Mr Brown,

I refer to your email of 26 May 2011 requesting advice from the Roads and Traffic Authority (RTA) regarding access controls on the New England Highway between Anambah Road and Racecourse Road, Rutherford.

The RTA can advise there are currently no formal controls in place restricting access to the New England Highway. However, you should be aware that the RTA has consistently required all development fronting the New England Highway in this area to obtain access via one of the surrounding local roads. Direct access to the New England Highway has not been permitted to maintain the safety and efficiency of the highway.

However, should direct access be desired for commercial reasons it is expected that it would be restricted to left turn movements only and should be integrated with access to adjacent developments. The RTA would not accept a situation that may lead to a number of minor access points onto the highway. An access road to service all development on the northern side of the highway should be given consideration. This will require consultation with affected landowners.

Should you require further advice please contact me on 4924 0240.

Yours sincerely,



Dave Young
Manager, Land Use Development
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