

Enquiries

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Our references

Your reference

29 March 2016

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Dear Sir/Madam,

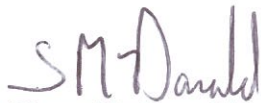
Submission on Draft Hunter Regional Plan

Please find attached Muswellbrook Shire Council's submission on the draft Hunter Regional Plan. We look forward to the Department's consideration of, and response to Council's submission.

Should you have any questions regarding the above matter, please contact Council's Strategic Planner, Pathum Gunasekara on 02 65493860.

Council welcomes the opportunity to comment.

Yours faithfully



**Steve McDonald
GENERAL MANAGER**



**muswellbrook
shire council**

SUBMISSION ON
“Draft Hunter Regional Plan”

This submission is made on behalf of Muswellbrook Shire Council in response to the public exhibition of the NSW Planning & Environment's Draft Hunter Regional Plan (November 2015).

MARCH 2016

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1. Submissions in brief

- i. Significant actions identified in the *Upper Hunter Strategic Regional Landuse Plan 2012* should be reviewed prior to the finalisation of the HRP and where necessary incorporated into this plan so those actions are not lost – where actions are not to be included in this plan justifications should be identified as to why those actions are no longer relevant.
- ii. Facilities and services should not be concentrated in Hunter City alone – the major city centre should to be supported by regional centres across the entire region.
- iii. The HRP perpetuates a lack of consideration of mining activity in zoning terms – it identifies *land releases* for coal and gas extraction without much consideration of the potential conflicts with existing and proposed land uses. This plan should reconcile the *Strategic Biophysical Agricultural Land* and *Selected Primary Industries* with mining.
- iv. The HRP appears to contemplate a reversal of historical policy on conflict between land uses, requiring urban and residential development to not encroach on agricultural and extractive resources lands. The needs of urban growth should be paramount in this policy.
- v. Ongoing and potential land use conflict with mining industry is a key strategic land use planning issue to be addressed in the draft HRP. A comprehensive study should be undertaken to assess the potential urban land use conflict which arises from permitting mining development in such close proximity to existing urban centres. The plan should consider the exclusion zone approach as an effective and practical means of protecting the existing urban footprint and identified future growth areas within the region.
- vi. The HRP should incorporate the following specific action: *“The NSW Government work with mining affected Councils to develop a collaborative mining industry taskforce to explore alternative uses of mining offsets, buffers and final void”*.
- vii. Biodiversity/conservation connectivity as a holistic approach on a landscape scale is strongly supported, and is key to the long-term health of ecosystems in the Upper Hunter. There is an opportunity to provide more functional links to ensure the survival, health and resilience of species at the landscape scale. Consideration should be given to determining how to reconnect isolated vegetation areas and achieve rehabilitation on a regional scale, so the mosaic of ecosystems existing across the landscape can function more effectively.

- viii. The Rescue Helicopter Service needs to be recognised and acknowledged as a key service to the regional community in the Plan.
- ix. The HRP should consider the *Upper Hunter Workforce Plan*, which examines workforce supply and demand over the next 10 years, taking into consideration the high and volatile demand for workers and skills, the requirements for education and training, and the long-term workforce implications of an ageing population.
- x. The HRP must identify the needs of social housing in the Hunter region. Consideration needs to be given to redevelopment of the existing social housing stock in regional towns including Muswellbrook, and the development of new social housing areas close to public transport, community services and employment.

2. Introduction

The Draft Hunter Regional Plan (HRP) recently exhibited by the Department of Planning and Environment (the Department) is considered to be a valuable step in capturing a comprehensive strategic land use planning framework for the Hunter Region. This work addresses the previous problem created by fragmentation of the Hunter into two subregions; the Lower and Upper Hunter subregions, which have been addressed in separate plans by the Department in previous times. It also allows the addition of the Great Lakes area to be considered in the Hunter context.

Muswellbrook Shire Council (Council) considers the region should not be fragmented and needs to be considered as a whole region, particularly given the significant land-use interactions across the entire area.

The draft strategic plan will enable an appropriate context to be developed for local planning and to reinforce the partnerships necessary between government levels to achieve appropriate outcomes. A shortcoming of the draft plan is the lack of engagement of Federal Government activity in future planning and development of the region. It is highly desirable for the Department to address this shortcoming in future versions of the plan.

There are many detailed concerns Council has in regard to the current draft and further opportunities need to be captured as the Plan is developed. Council welcomes the opportunity to put forward its views on this initial draft.

It is understood that once finalised, the Draft Plan will replace existing regional strategies such as the Upper Hunter Strategic Regional Landuse Plan 2012. There were significant actions identified in that plan that should be reviewed prior to the finalisation of this plan. It would be appropriate to cross-reference actions from that Plan so that work already undertaken in identifying appropriate actions are not lost.

Where actions are not to be included in this plan justifications should be identified as to why those actions are no longer relevant.

3. Vision

The identified vision has a particular focus on growth and economic investment. Whilst growth is a critical element of the plan, it is considered that it must be balanced with a requirement for that growth to be *sustainable*, and that conservation and preservation of environmental attributes should also be fundamental to the vision of the plan. There should also be a capture of social aspirations and recognition of the social support role delivered to the regional population by existing communities.

The four goals listed are considered appropriate but the style of wording which indicates a “*biggest and best*” style of inspiration is not considered necessary. Growth is appropriate for the regional community in the balanced way of achieving sustainability in its own right. It is not considered necessary to say that the Hunter is to be assessed in *international or global terms*, or that it needs to be the *biggest and most productive regional economy in Australia*. Achieving sustainability and balanced growth should be the most appropriate measure in its own right.

In terms of the structure of the plan, Council raises questions about the distinctive nature of the landscape subregions. The subregions proposed do not recognise agricultural activity or agricultural communities at all. The separate valley systems along the Hunter and Gloucester Rivers are significant landscape units in their own right. The Great Dividing Range landscape units have more to do with each other than simply losing them in the proposed landscape units of *Western Hunter* and *Northern Tops*.

It is in the valley systems that most of the land use activity occurs, and it is in these areas that many of the actions of the Plan will be targeted and actioned.

Council also has some reservations about the proposed mechanism for delivering the Plan. The scope and purpose of the Plan is complex and broad in the issues it deals with. A single coordinating committee as proposed would be a cumbersome mechanism for the scope of issues to be addressed. As currently proposed there are many State Agencies not represented, and significant local organisation such as Hunter Water are not represented. Consideration should be given to a number of coordinating committees perhaps focused on each specific goal, with an overall coordinating committee targeted on implementation connected to the Department of Premier and Cabinet and the state budget processes would be more useful.

It would also be useful to have measures or means of determining whether the Draft HRP is succeeding or not. The State mandates for local government in its IP&R Framework for our plans to be connected to *Delivery Plans* and *Resourcing Strategies*. The same discipline should be applied to this significant plan from the State.

4. Goal 1 – Grow Australia’s next major city

Goal 1 focuses on the development of Hunter City as established by the Draft Plan. Muswellbrook Shire Council supports the need a regional Centre to continue to grow and prosper, to provide the highest level of regional facilities for the whole regional community.

It is important however to not just concentrate facilities and services in Hunter City alone, but for the major city centre to be supported by regional centres across the entire region. Council sees Muswellbrook has a significant regional centre for the Upper Hunter community, and will continue to invest in services and facilities to further develop that role.

Muswellbrook is involved in the following activities as a regional centre;

- Muswellbrook township has a high potential to develop as a centre of educational excellence in the Upper Hunter region, particularly developing vocational education and training activities, for example the recently completed Upper Hunter Tertiary Education Centre, the recently opened Sam Adams Student Accommodation facility in association with Hunter TAFE, the Mining Skills Centre at Muswellbrook, the refurbishment of Campbell’s Corner that will host the Upper Hunter Conservatorium of Music. Plans are currently being developed for a multi-purpose performance facility, and a purpose built civic services precinct in the CBD are also being developed as part of the CBD revitalisation project.
- It is evident that there are relatively high levels of employment in government agencies in Muswellbrook, making the township well placed to be the regional public administrative centre in Upper Hunter Region.
- Proposed redevelopment of Muswellbrook Showground site to initiate a bulky goods and commercial development will complement strong commercial growth throughout the township, particularly enhancing economic viability of retail sector in Muswellbrook and will facilitate future economic growth in the Upper Hunter region.
- Council is developing a regional capacity waste management facility that will have the capacity to cater for the waste and recycling requirements of the Hunter Region for coming decades.
- The Calvary Aged Care development is underway with independent living units through to high dependency care. This development, with redevelopment of Muswellbrook District Hospital has encouraged expansion of Integrated Living’s Muswellbrook headquarters and expansions of its services

It would be appropriate for the Draft Plan to recognise the role of regional support centres with specific actions in the Draft Plan.

5. Goal 2 – Grow the Largest Regional Economy in Australia

In terms of Goal 2, Council acknowledges the need to consider the Hunter Region as a whole region, not two separate subregions. The economic activity in the Upper Hunter is very significant for the overall economy. Significant developments in both of these industries (power and coal) have led to steady economic growth in the Shire over the past decades. Council recognises the local, regional and national importance of thermal coal resources as an asset for power generation and acknowledges the cyclical nature of the mining industry and supports the development of new industrial activities within the Shire, driven by new trends in and visions for economic diversification and sustainability. The next decade will be a period of transition for much of the Muswellbrook Shire's existing industrial base. Council and the State Government through the *Upper Hunter Workforce Plan* has identified aged care, education, intensive agriculture, manufacturing, tourism as areas of focus in the diversification of the local economy.

Muswellbrook is the main centre for the State's power generation and a major centre of the Upper Hunter coal mining industry. This chapter should acknowledge the changes planned for the power industry in the Valley, and commitments by major corporations as AGL to move to sustainable energy. Strong partnerships should be established between State and local agencies in regard to this shift over the 20 year period of this Plan.

There is also a need to reference the change that will occur in coal mining over the life of this Plan. The thermal coal industry is continuing to experience headwinds which are impacting different parts of the region in different ways. These impacts should be considered with specific actions in the Plan.

It is unfortunate that there continues to be lack of consideration of mining activity in zoning terms. Figure 5, 6 and 7 on pages 20-22 seem to identify *land releases* for coal and gas extraction without much consideration of the potential conflicts with existing and proposed land uses. This plan should reconcile the *Strategic Biophysical Agricultural Land* and *Selected Primary Industries* (pg. 30) with mining.

Council considers that the activity referenced in Goal 2 needs to be more representative of the breadth of activity in the local economy. Education and training is absent from this chapter and is significant to the local economy. The University of Newcastle has a significant presence, as does the TAFE system in its support for many trades underpinning the local economy. There are also increasing areas of training such as those being invested in by Council in Muswellbrook including new Territory Education Campus and Conservatorium of Music. Council has identified education as a significant contributor to the regional economy both as an economic activity in its own right and to provide the necessary skills base in the workforce to match the future needs of industry.

In terms of inter-regional transport connections the Plan is silent on major actions that should be contemplated, including the rail conflict from coal trains with the urban needs of communities such as Muswellbrook. Council believes a rail bypass of Muswellbrook township to service the coal haulage route should be a key action to be achieved in the life of the plan.

Council is also dismayed to see in action 2.4.2 a complete reversal of historical policy on conflict between land uses. This section requires urban and residential development to not encroach on agricultural and extractive resources lands. This policy is usually written the other way around to require extractive resources and agricultural activity to not encroach on land identified for urban and residential expansion. Surely the needs of urban growth should be paramount in this policy.

The Draft Plan has also ignored the impacts of mining activities on the existing urban areas such as Muswellbrook. Within an eight (8) kilometre radius from the Muswellbrook town centre, 56 percent of land is owned by mining companies and is used for environmental offsets or buffer areas. It is acknowledged that mining companies are operating on a project by project basis, with requirements to provide offsets and buffers by the regulatory system. The regulatory system does not factor in any long-term growth of Muswellbrook, which potentially sterilises land required for future growth of the township.

Council considers that the ongoing and potential land use conflict with mining industry is a key strategic land use planning issue to be addressed in the draft HRP. Consideration should be given to a comprehensive study to assess the potential urban land use conflict which arises from permitting mining development in such close proximity to existing urban centres. Council recommends the exclusion zone approach can be an effective and practical means of protecting the existing urban footprint and identified future growth areas within the region.

In 2012, the NSW Government released the final Upper Hunter Strategic Regional Land Use Plan (UHSRLUP). The UHSRLUP emphasises that *“there is a need to closely monitor demand and supply for employment land regularly and to take action to ensure the planning and delivery of additional employment land, should the need arise”*. The future actions listed in the UHSRLUP identifies local councils as a lead agency for rezoning of land through their Local Environmental Plans to ensure an adequate supply of employment land.

In early 2015, Council commissioned Cardno (NSW/ACT) Pty Ltd to undertake a Shire wide Industrial Lands Audit (ILA). The aim of this project was to investigate employment generating lands within the LGA, review industrial land supply and demand, and identify future industrial land needs and any opportunities to inform future planning.

One of the most significant findings identified in the ILA was the sheer scale of mining land ownership surrounding the Muswellbrook. The future utilisation of the mining

buffer lands for a range of uses would have direct benefits for Muswellbrook Shire. Consideration was given to a range of additional industries that could be developed. A collaborative and multi-agency approach was recommended to explore and realise this potential. An inter-agency and industry taskforce approach has been proven throughout regional NSW – e.g. Tamworth Poultry Industry Support Group, The Steel River Project Group. Consideration should be given to amending planning instruments to enable these opportunities.

In this context, Council recommends inclusion of a separate action under the Direction 2.4, Action 2.4.1, as *“The NSW Government work with mining affected Councils to develop a collaborative mining industry taskforce to explore alternative uses of mining offsets, buffers and final void”*

6. Goal 3 – Protect and connect natural environment

Muswellbrook Shire Council is strongly supportive of this goal. Local government is broadly active in local areas but it is considered that this plan would benefit from requiring an environmental enhancement plan at the regional scale, to identify State commitments to align with environmental planning by local councils.

In Muswellbrook Shire, there are a number of actions relevant to the Regional Strategy. The Great Eastern Ranges Initiative (GER) is a strategic response to the ongoing decline and mass extinction of native species in Eastern Australia. It draws together over 180 community, industry, government and non-government organisations active in the conservation of natural heritage, seeking to promote landscape-wide connectivity and high priority biodiversity projects within the corridor. The GER initiative is of regional (National) significance and should be incorporated into the draft HRP.

Biodiversity/conservation connectivity as a holistic approach on a landscape scale is strongly supported, and is key to the long-term health of ecosystems in the Upper Hunter. There is an opportunity to provide more functional links to ensure the survival, health and resilience of species at the landscape scale. Consideration should be given to determining how to reconnect isolated vegetation areas and achieve rehabilitation on a regional scale, so the mosaic of ecosystems existing across the landscape can function more effectively.

The recommendations of the following projects need to be considered in determining the biodiversity/conservation corridors within the Muswellbrook LGA.

- Greater Eastern Ranges Project focus areas
- The Vegetation of the Central Hunter Valley (Travis C Peake, 2006)
- Wybong Uplands Lands Management Strategy 2011
- Greater Hunter Native Vegetation Project

Council recommends the following actions for inclusion in the Plan;

- Manobalai Nature Reserve and Goulburn River National Park be mapped within the identified corridors/focus areas for conservation planning (figure 12, page 52)
- The Hunter River be identified in the Draft Plan for enhancement of its riparian vegetation.
- Widespread exotic weeds and water quality need to be high priority issues to be addressed throughout the catchment.
- A comprehensive mapping exercise needs to identify potential offset areas within the region in consultation with relevant local councils.
- Investigate opportunities for better access to crown and public lands (i.e. national parks, nature reserves) for recreation purposes
- Incorporate '1 in 100 Flood Area' of Council's Hunter River Flood Study 2014 - Muswellbrook and Denman into draft Plan (Figure 14, page 60)
- Address the impact of climate change on the viability of some agricultural uses within the region
- Address increased bushfire risk due climate change

7. Goal 4 – Support robust regional communities

The ageing population of the Hunter should be specifically addressed in the Plan. Muswellbrook intends to develop aged housing and support services for the Upper Hunter area. Specific actions for the entire region should be included in the Plan,

Action 4.2.7 requires '*Planning for the expansion of health facilities to service the region*'. The plan fails to recognise Muswellbrook District Hospital as a significant component of the health care facilities in the region. In addition, the Westpac Rescue Helicopter Service needs to be recognised and acknowledged as a key service to the regional community in the Plan.

Action 4.2.4 of the Plan states that '*NSW Government will work with local councils to develop local strategies to support diversification of local employment opportunities in regional towns and villages*'. The Department should consider the *Upper Hunter Workforce Plan*, which examines workforce supply and demand over the next 10 years, taking into consideration the high and volatile demand for workers and skills, the requirements for education and training, and the long-term workforce implications of an ageing population.

Council is disappointed to see that '*social housing*' has not been addressed in the draft Plan. The social housing system supports a specific demographic and it is a safety net for the most vulnerable in the community, including the elderly and people with a disability. Among the other housing options discussed in the draft Plan, it is essential to identify the needs of social housing in the Hunter region. Consideration needs to be given to redevelopment of the existing social housing stock in regional towns including Muswellbrook, and the development of new social housing areas close to public transport, community services and employment.

Action 4.2.3 of the Plan requires local councils to prepare local housing strategies to deliver housing to meet the changing needs of the community. It is noted that Council adopted the Muswellbrook Residential and Rural Residential Strategy in March 2014. This strategy was endorsed by the Department in May 2015.

8. Conclusion

Muswellbrook Shire Council supports the Department's intentions with the development of this Plan but considers significant additions are needed as detailed in the submission.