



24 March 2016

General Manager  
Department of Planning and  
Environment Hunter & Central Coast  
PO Box 1226  
NEWCASTLE NSW 2300

Contact: Bo Moshage  
Our Ref: DOC2016/008748  
Your Ref:

Dear Sir/Madam

### **Draft Hunter Regional Plan and Draft Plan for Growing Hunter City**

Cessnock City Council is making this submission in response to the Department of Planning and Environment seeking feedback on the draft Hunter Regional Plan and draft Plan for Growing Hunter City (the draft Plan).

The content of this submission was endorsed by Council at its meeting of 16 March 2016 and provides general comments on the draft Plan and specific comments on the issues of concern associated with the draft Plan.

### **General Comments**

#### **1. Vision, Goals and Implementation**

The draft Plans contains broad and general planning principles rather than focusing on aspirational outcomes to guide development and investment in the Hunter region to 2036 through four (4) goals.

- Goal 1 - Grow Australia's next major city
- Goal 2 - Grow the largest regional economy in Australia
- Goal 3 - Protect and connect natural environments
- Goal 4 - Support robust regional communities

Each Goal is supported by various 'Directions' and 'Actions' to be implemented by the NSW government (many in collaboration with Councils), with emphasis placed on:

- the provision of employment opportunities;
- infrastructure delivery and coordination;
- environmental biodiversity and protection;
- economic development; and
- providing housing.

### Comment

Much of the draft Plan emphasises the primacy of housing and economic development, addressing issues such as road and rail infrastructure, economic growth, sustainability, industry, agriculture, primary industries, regional development and investment, tourism, landscapes, natural resources, environment and biodiversity, water resources, transport, health, housing, education, Aboriginal economic self-determination, resilience to natural hazards, and cemeteries.

Council believes that while these objectives are important and are supported they should not outweigh the principle of achieving balanced development that takes into account all relevant factors such as the environment, servicing capability, transport connectivity, urban quality and social considerations. For example, there is only passing reference to telecommunications and no reference to community, cultural, recreational and sporting services; community, cultural, recreational and sporting infrastructure; and public libraries.

Council recommends that the draft Plan be amended to promote balanced economic, environmental and social outcomes to ensure that any development it may be asked to accommodate under the draft Plan supports economic growth, is of good quality and sustainable with sufficient infrastructure provided to meet the types of service levels generated. All of these are key elements to successful and healthy communities and warrant inclusion in the draft Plan and Council considers that the draft Plan is diminished without them.

## **2. Coordination and Monitoring**

The draft Plan proposes a 'Coordinating and Monitoring Committee that will:

*"prepare an annual report detailing progress against the actions identified in the final Plan and providing recommendations for land use and infrastructure planning to inform local and State planning priorities and budgets".*

### Comment

The proposed 'Coordinating and Monitoring Committee' associated with the draft Plan has representation from the major government infrastructure and environment agencies to drive coordination and delivery of action plan and is generally supported. However, Council considers there to be a significant omission with no representation from the human services agencies and recommends there be a permanent presence from the Department of Family and Community Services, Ministry of Health and Department of Education, as a minimum.

Notwithstanding the above, it is unclear how the 'Hunter Regional Leadership Group' will operate and report to the 'Coordinating and Monitoring Committee' and Council seeks to clarify the composition of this Group.

Council also seeks clarification of what is the role, if any, of the Hunter Joint Organisation (or other planning bodies) and interactions with State owned corporations such as the Hunter Development Corporation and Landcom within the proposed Governance framework and the staffing and related resources that will be required to support the Committee and its activities.

### **3. Regional Planning Framework**

The draft Plan provides “an overarching framework to guide development and investment in the Hunter region to 2036”. It is proposed to replace the existing Lower Hunter Regional Strategy (LHRS), Mid North Coast Regional Strategy, and the Upper Hunter Regional Plan which currently apply to eleven (11) council areas and be consistent with the approach proposed in the NSW Planning Reform White Paper.

The draft Plan identifies four (4) subregional landscapes: ‘Western Hunter’, ‘Northern Tops’, ‘North East Coast’ and ‘Hunter City’, and the actions that will maximise the economic and/or environmental values of each landscape and support their local communities.

The Cessnock LGA is located in the proposed ‘Western Hunter’ subregion, along with the western parts of the Singleton, Muswellbrook and Upper Hunter Council areas. The Western Hunter subregion is defined as an ‘economic powerhouse’, containing coal, gas and mineral resources, fertile agricultural lands and well established rural industries.

‘Hunter City’, which is defined as the “metropolitan area extending from Toronto and Swansea in the south to Raymond Terrace in the north and from Newcastle Harbour in the east to Lochinvar in the west” is supported by the Draft Plan for a Growing Hunter City.

Finally, as an interface between Hunter City and its surrounding landscapes subregions, is an area which is influenced by proximity to activities in Hunter City (and Cessnock). This area is identified as the ‘Hinterland’.

#### Comment

The draft plan includes several new and important initiatives that have the potential to deliver positive outcomes for the Hunter Region, including the Cessnock LGA. However, understanding the content and operation of the draft Plan and the approach to the application of the identified ‘Directions’ and ‘Actions’ needs to be better understood to ensure these productive outcomes can be delivered. For example, the identification of ‘Hunter City’ emphasising the importance of the area both nationally and regionally as an area of concentrated managed growth for the future is acknowledged. However, Council seeks clarification as to why there are not separate sub-plans for each of the Hunter subregions. That is, one each for ‘Hunter City’, ‘Western Hunter’, ‘Northern Tops’ and ‘North East Coast’. Council is concerned that the draft Plan runs the risk of being ‘Hunter City-centric’, with Hunter City being singled out with its own specific Growth Plan and infrastructure improvements.

Also, links to reforms of Local Government need to be clarified. For example, the proposed phase 1 amendments to the Local Government Act propose that regional priorities are reflected in individual councils’ strategic business planning. In particular, a Council’s community strategic plan must identify key regional priorities and strategies; and a Council’s delivery program must include all Council actions to address key regional strategies. It is highly likely that the draft Plan will form the basis of the new regional statement of priorities and, in turn the basis of future delivery programs for each of the Region’s Councils.

As a result, Council considers that it is imperative that the draft Plan reflects and build upon the local priorities that will contribute to the Federal and State governments' objectives of encouraging development along infrastructure corridors, and recommends that the following issues and actions be incorporated:

**Goal 2 – Grow the largest regional economy in Australia**

**Objective 2.3 – Enhance inter-regional transport connections**

Link to *Cessnock 2023 Community Strategic Plan* – Objective: Better Transport Links

***Cessnock Airport***

Cessnock Airport is ideally situated to become a large regional aviation centre. Newcastle Airport (a key piece of regional infrastructure) is leased from the Department of Defence and general aviation is not the key priority for the site.

The draft Plan notes that the Hunter Strategic Infrastructure Plan, has identified as a key issue, the passenger servicing limitations at Newcastle Airport (due to on-ground facilities) to accommodate continued growth in both passenger and freight markets while maintaining critical defence operations.

As a result, there is the opportunity for Cessnock Airport to become the region's second airport, to accommodate smaller aviation operations and provide a back-up facility if Newcastle Airport is unavailable or required for its primary purpose.

In addition, Cessnock Airport is in closer proximity (than Newcastle Airport) to the heavy rail network (Hunter Valley Coal Chain) and the inter-regional road freight corridor – the Hunter Expressway.

***Rail Transport***

The Community Strategic Plan, *Cessnock 2023*, identifies, to meet its "better transport links" objective, a strategic direction of a new passenger train service to Cessnock.

This would enhance the ability of people (by increasing accessibility and reducing travel times) to move into the metropolitan core (Hunter City) and access the services there.

**Goal 4 – Support robust regional communities**

**Direction 4.3 – Build the region's resilience to natural hazards**

Link to *Cessnock 2023 Community Strategic Plan* – Objective: Promoting Safe Communities

***Testers Hollow***

Recent storm events have highlighted the need to address the issue of access along the residential growth corridor between Maitland and Kurri Kurri. As well as inconveniencing local residents and making it difficult for them to access services; the (increasingly) regular closure of Main Road Cliftleigh (at Testers Hollow) makes it difficult (in times of natural disaster) for the Local Emergency Management Officer (for the Cessnock local government area) to access the regional emergency management/recovery committee meetings in Maitland.

### **Direction 1.3 - Enhance City-wide transport**

Link to *Cessnock 2023 Community Strategic Plan* – Objective: Better Transport Links

The Community Strategic Plan, *Cessnock 2023*, identifies, to meet its “better transport links” objective, a strategic direction of a new passenger train service to Cessnock.

This would enhance the ability of people (by increasing accessibility and reducing travel times) to move into the metropolitan core (Hunter City) and access the services there.

### **Direction 7.2 – Manage growth to protect strategic assets**

Link to *Cessnock 2023 Community Strategic Plan* – Objective: Better Transport Links

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The draft Plan notes that the Hunter Strategic Infrastructure Plan, has identified as a key issue, the passenger servicing limitations at Newcastle Airport (due to on-ground facilities) to accommodate continued growth in both passenger and freight markets while maintaining critical defence operations.

As a result, there is the opportunity for Cessnock Airport to become the region's second airport, to accommodate smaller aviation operations and provide a back-up facility if Newcastle Airport is unavailable or required for its primary purpose.

## **4. Proposed Boundaries**

The draft plan includes various mapping of Hunter City which identifies a range of features including the Hunter City ‘urban area’, Hunter City ‘landscape’, Hunter City ‘rural hinterland’, and ‘strategic centres’.

### Comment

The purpose of the mapping of the ‘Hunter City’ and supporting ‘Districts’ and the ‘Landscape Subregions’ is unclear, contradictory and potentially confusion as they do not accurately reflect the distinct character and diverse landscape of the Lower Hunter. Specifically:

- More than two-thirds of the Hunter City landscape consists of environmental lands and habitat corridors, important agricultural lands, flood prone land and waterways located between Newcastle, Maitland and Raymond Terrace. These areas are coloured ‘grey’, are not defined in the legend, and can be misinterpreted as land that could form part of the Hunter City’s urban area in the future (e.g. new development areas).
- The boundary between the Hunter City landscape and Hunter City’s rural hinterland is inconsistent with the landscape character, and does not follow landscape boundaries, for example:
- Rural uses or environmental lands with similar characteristics are both within the Hunter City and Hinterland;
- Significant urban areas such as Huntlee and the Kurri Kurri Growth Corridor are within the ‘Hunter Hinterland’, which is identified to remain a predominantly rural landscape;

- Major visual and geographic features such as the Watagan Mountains or low lying flood prone land are both within the Hunter City and Hinterland;
- The mapped extent of the Hunter City landscape and Hunter City's rural hinterland varies, with Cessnock located outside the Hunter City's Rural Hinterland on Figure 2 (page 10), and within the Hunter City's Rural Hinterland on Figure 4 (page 14) and Figure 17 (page 78).

The Hinterland as proposed is a popular lifestyle destination, with towns, villages and surrounding rural areas subject to greater demand for new housing, including visitor accommodation, and associated infrastructure. Balancing growth in rural and resource areas will continue to be a challenge for Council.

It is considered that the Hinterland mapping anomaly is reflected in a lack of adequate definition and role for the proposed 'Hinterland', as it is neither its own distinct subregion nor a part of the 'Hunter City'. Given the types of issues that will need to be managed around the proposed 'Hunter City' generally and in and around the Cessnock LGA in particular, Council seeks urgent discussions with the Department to define this area, perhaps as a potential fifth Hunter subregion, with its own defined directions and goals.

## **5. Habitat corridors**

The draft plan identifies that the NSW Government will:

- *support councils to further develop, share and continuously update strategic planning tools including vegetation data and modelling toolkits; and*
- *provide more options for investing in and conserving land, including managing biodiversity offsets as part of the planning approvals process.*

### Comment

The draft plan does not include any reference to the 'Lower Hunter Regional Conservation Plan', which was identified as a companion planning document in the Lower Hunter Regional Strategy. There is a bilateral agreement between the Australian Government (Department of Environment) and the NSW Department of Planning and the NSW Office of Environment and Heritage to undertake a Strategic Assessment of the Lower Hunter. This assessment was to look at Matters of National Environmental Significance (under the Environmental Protection and Biodiversity Conservation Act) and the potential future impact upon them from the implementation of the revised Lower Hunter Regional Plan. The strategic assessment process was to identify areas that were to be excluded from development and provide direction for offset areas. It was also to provide certainty for future development by negating the requirement in the assessed area for federal government environmental approval.

While the background studies that were done to support the Strategic Assessment are identified in the draft Plan, clarification is required on how does the draft Plan relate to the Lower Hunter Regional Conservation Plan generally and the Lower Hunter Strategic assessment particularly and how does the NSW government proposes to provide more options for investing in and conserving land, given the Upper Hunter Strategic Assessment has just been completed in relation to mining activities.

Also, Council is concerned that the focus area for sustaining regional connectivity indicates that for the Stockton Watagan Corridor, the intention is to “Enhance connectivity through delivery of Urban Transport and Infrastructure”. This action is to include the creation of biodiversity stepping stones. This concept as described is contradictory. Clarification between the needs of habitat connectivity and proposed further development to support national transport corridors is required.

### **Specific Comments**

#### **1. Local Planning Framework**

As it applies to the Cessnock Local Government Area, the draft Plan:

- identifies a different hierarchy of centres compared to the adopted Lower Hunter Regional Strategy (LHRS);
- excludes Cessnock as a major regional centre;
- identifies Cessnock, Kurri Kurri and Huntlee within the Hunter City ‘Rural Hinterland’;
- Identification and contradictory application of the Hunter Expressway Corridor.

#### **Comment**

#### **Strategic Centres**

The draft plan identifies nine (9) strategic centres and two (2) global transport gateways. However, there is no centre hierarchy and the draft Plan does not provide strategic guidance on the role of each centre. The draft plan differs from the LHRS, which details the role of centres. The exclusion significantly reduces the level of strategic guidance provided by the draft plan. To address this, it is recommended that a framework describing the role and function of strategic centres in collaboration with Councils be developed.

#### **Proposed Boundary**

Clarification is sought on what, if any, implications for urban land being located outside the proposed ‘Hunter City’ boundary, and Cessnock not being identified as a strategic centre. For example, the Cessnock LGA is identified as part of the Western Hunter sub-region, and the draft Plan appears to have little to offer most of the Cessnock community with the region’s focus on the Hunter City. This is notwithstanding that 36% of the Hunter region’s population is located outside of Hunter City.

The draft Plan refers to strategically managing population growth. However, there appears to be no mention within the draft Plan of Huntlee. Council considers this to be a serious omission as Huntlee is one of the largest new town developments in NSW representing 7,200 allotments over 20 years.

The area between the round-a-bout on the New England Highway in the Maitland LGA and the round-a-bout on the Hunter Expressway in the Cessnock LGA is developing into an important ‘Growth Corridor’. Five (5) significant Urban Release Areas (URA) are currently being developed within this area and a yield of 5,300 allotments anticipated which will result in significant additional demand on services and facilities provided by Council.

Both proposals have strategic merit and are located adjacent to the Hunter Expressway and residents can travel significantly faster into central Newcastle from Huntlee and Kurri Kurri than from Maitland LGA. Notwithstanding, the draft Plan seeks to only develop a land use and infrastructure strategy for Maitland to coordinate the planning and delivery of State and local infrastructure. Council considers this to be an oversight that could have significant policy implications for Council that could limit development and hinder growth.

Council considers that the draft Plan should be amended so that similar demands are placed on the NSW Government and service providers to develop a land use and infrastructure servicing strategy in conjunction with Council to service all identified URA in the Cessnock LGA, including Bellbird North at Cessnock, Huntlee and the developing Kurri Kurri corridor. If this requirement cannot be met, Council would seek to have the proposed 'Hunter City' boundary changed to incorporate these significant growth areas within the metropolitan planning framework.

### **Regional Centres**

Council seeks clarification from the Department on what justifications were used for changing the centres hierarchy from 'regional' to 'strategic', why have specific objectives for each strategic centre not been included and why Cessnock was downgraded from a 'regional centre' in the Lower Hunter Regional Strategy to a 'settlement' in the draft Plan.

### **Hunter Expressway**

Finally, the draft Plan notes that *"The primary purpose of the Hunter Expressway is for intra-regional traffic, including the movement of freight to the Port of Newcastle. Any consideration of further development that relies on using the Hunter Expressway as access will not be supported if it impacts on this primary purpose"*.

Council understands that part of the rationale for the Hunter Expressway was to relieve traffic density on the New England Highway, particularly to by-pass Maitland and facilitate development in the upper lower Hunter and Council seeks clarification of this statement, which it considers to be contradictory with the following statements within the draft Plan:

*"Integrated land use and transport planning and management will assist growth and sustainable communities, maximise the benefits of existing infrastructure, and allow the district to capitalise on its strategic location as the western gateway to Hunter City."*

*"This will also recognise broader opportunities to deliver strategic employment locations along the Hunter Expressway"*.

## **2. Infrastructure Planning**

The draft plan identifies that the NSW Government will work with Councils to:

- review and revise planning controls for strategic centres and transport gateways in accordance with the draft Plan;
- prepare an integrated housing strategy for each Local Government Area;
- align and progress transport plans;
- develop a comprehensive green grid plan for the Hunter City;
- monitor the size, location and capacity of land supply;
- prioritise infrastructure delivery; and
- review special infrastructure contributions.

### Comment

A whole of government commitment to regional plan making is fundamental and Council support the collaborative approach to strategic planning for the Hunter Region. A key success requirement is that they are prepared and developed in conjunction with key government agencies such that on adoption they will bind those agencies to a planning outcome. However, the scope of works and implications for Council resourcing are unclear. For example, what is the role of Council in preparing the plans and strategies, and will funding be available to assist in the preparations of the plans.

The draft Plan should also be supported by NSW Treasury to cost and provide for or identify funding mechanisms (including private or public funding) that may be required to deliver the draft Plan's actions. Funding mechanisms should be identified to reduce and discourage ongoing policy assessment on a development by development basis. A similar open and transparent costing and auditing approach should apply to State Infrastructure Contributions (SIC).

Amend the draft plan to include an action for the NSW government to provide financial assistance to help Councils implement the actions of the adopted plan.

### **Conclusion**

The draft Hunter Regional Plan has many implications for the Cessnock LGA. It, in combination with the NSW Planning reforms could see significant change to the amount, type and quality of future suburbs and existing towns, management of environmental assets and the role and involvement of community consultation in important planning decisions.

Overall, Council is not supportive of the draft Hunter Regional Plan in its current format. Council considers there to be major limitation with the lack of an adequate justification and definition of the proposed Hunter subregional landscapes and Hunter City's rural hinterland; infrastructure and service planning and maintaining the role, function and capacity of Cessnock as a 'strategic' centre within the Hunter Region.

The draft Plan needs to ensure that the actual characteristics of Cessnock in particular and the Cessnock LGA generally, including its great underlying potential, are suitably analysed and planned for at the strategic level to ensure that high quality development are adequately serviced in a way that benefits the local community, economy and environment.

Council trusts that the observations provided and the clarifications sought will be seen as constructive and adding value to these initiatives and to the ongoing discussion regarding the management of the growth in the Hunter Region over the next 20 years and seeks to meet with the Department to discuss any or all of the matters raised in this submission.

If any further information is required, please do not hesitate to contact Council's Coordinator Strategic Land Use Planning, Mr Bo Moshage on telephone 4993 4241.

Yours faithfully



Martin Johnson  
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