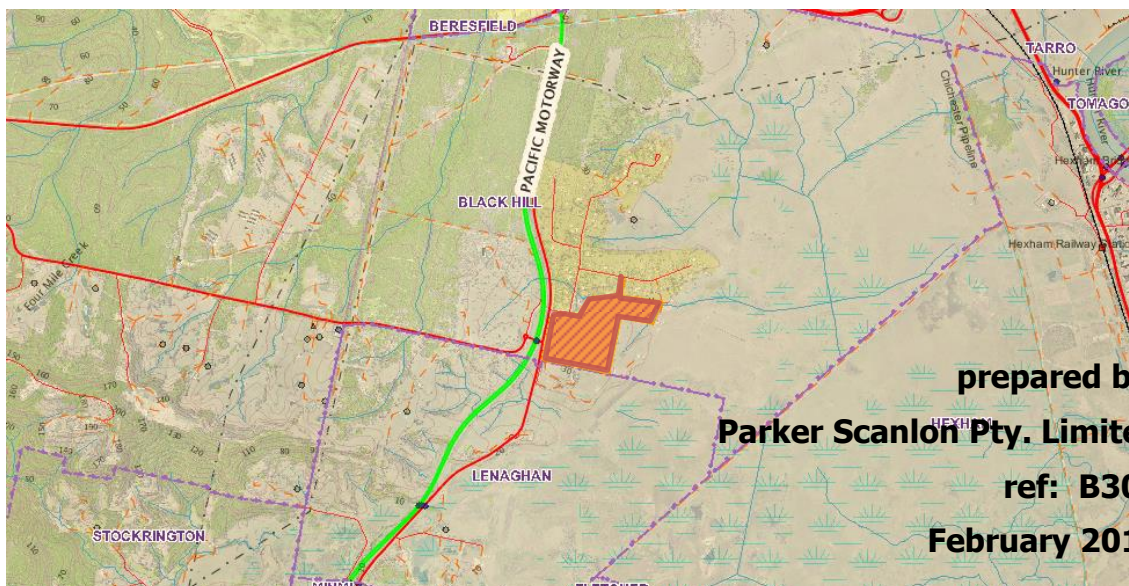


SUBMISSION ON
"DRAFT HUNTER REGIONAL PLAN"

as regards

Lot 1011 in DP 847024
Lenaghans Drive, Black Hill



prepared by:
Parker Scanlon Pty. Limited
ref: B306
February 2016

for ...



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1. INTRODUCTION

This submission has been prepared on behalf of Harness Racing NSW (HRNSW) to address the “*Draft Hunter Regional Plan*” specifically in relation to Lot 1011 in DP 847024 at Lenaghans Drive, Black Hill. It is an updated version of a previous submission prepared to address “*The Lower Hunter over the next 20 years: A Discussion Paper*”.

The site (Lot 1011 in DP 847034) is further shown on **Figures 1, 2 & 3**. HRNSW is seeking a clear direction on whether to pursue a planning proposal to enable the land to be developed for low-density housing.

The submission supports conversion of the site’s minimum lot size development standard from 40 hectares to between 0.6 hectare and 1 hectare to facilitate its use for low-density housing that matches the existing form of housing in the immediately adjacent locality of Black Hill.

Conversion of the site in this manner will improve the Hunter region because: -

- “higher-end” housing can be provided within 1km of the “future freight hub and employment lands” identified by the *Lower Hunter Regional Strategy 2006-31* (LHRS) and the *Newcastle – Lake Macquarie Western Corridor Planning Strategy 2010* (WCPS), and the Black Hill industrial development planning proposals in the course of approval for Coal and Allied and Cessnock City Council;
- the development of the land will directly support the harness racing industry as a significant employer and contributor to the Lower Hunter and NSW economies;
- its proximity to the employment hub and direct access to the M1-Motorway overpass to Blackhill Road already presents as an efficient transport connection and does not require any expansion of public transport infrastructure;
- housing can be provided within 10km of the established Beresfield, Thornton and Fletcher commercial hubs which collectively offer an abundant choice in social infrastructure; and
- housing can be provided on flood-free grassland and open woodland site that is outside the Green Corridor identified by the “Green Corridor Coalition” public interest group in 2007, and is more than 2km clear of the critical corridor pinch point at the “Tank Paddock”.

It is considered that the site can be sensitively and sustainably developed to contribute housing for 32 households in the manner shown on **Figure 4**.

Figure 1: Context of Site in Newcastle-Lake Macquarie Western Corridor Planning Strategy 2010

map 4- western corridor planning strategy

SUBJECT SITE

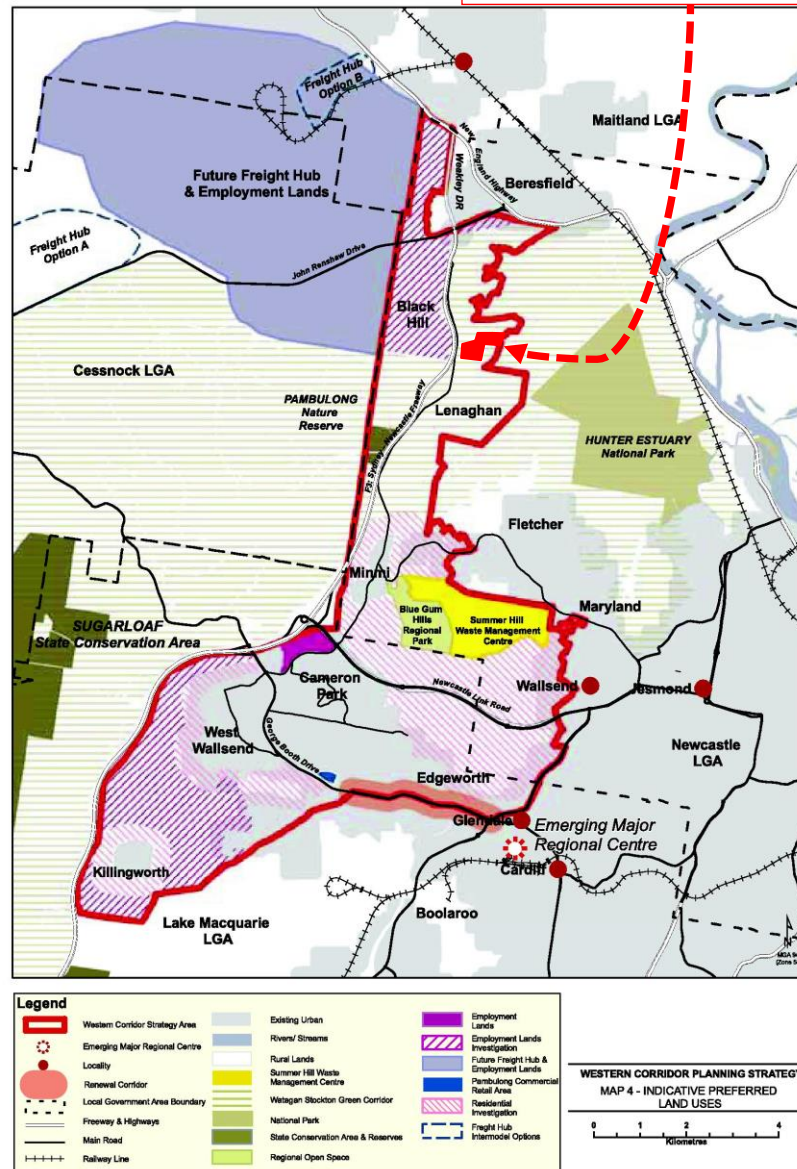


Figure 2: Subject Site - Topography

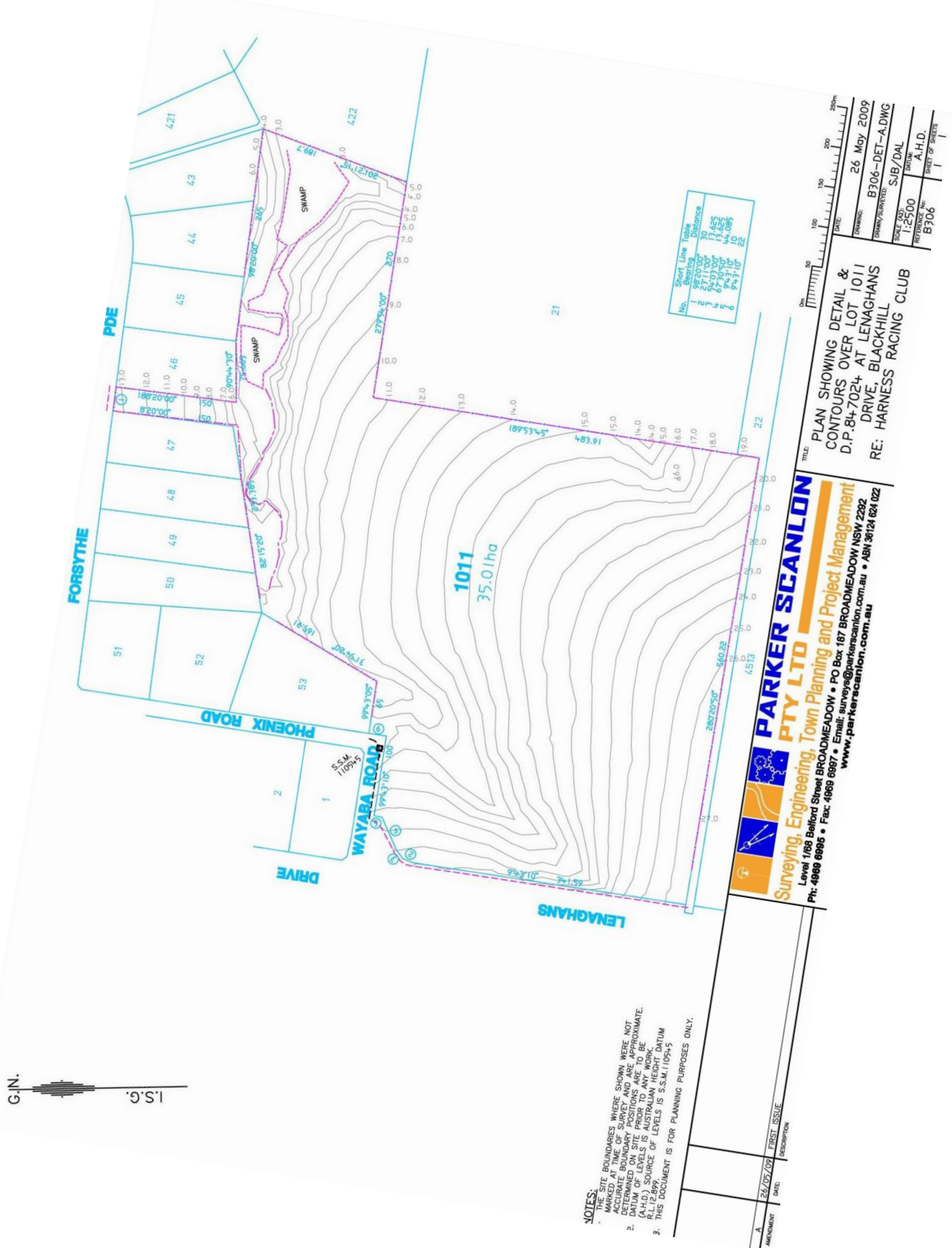
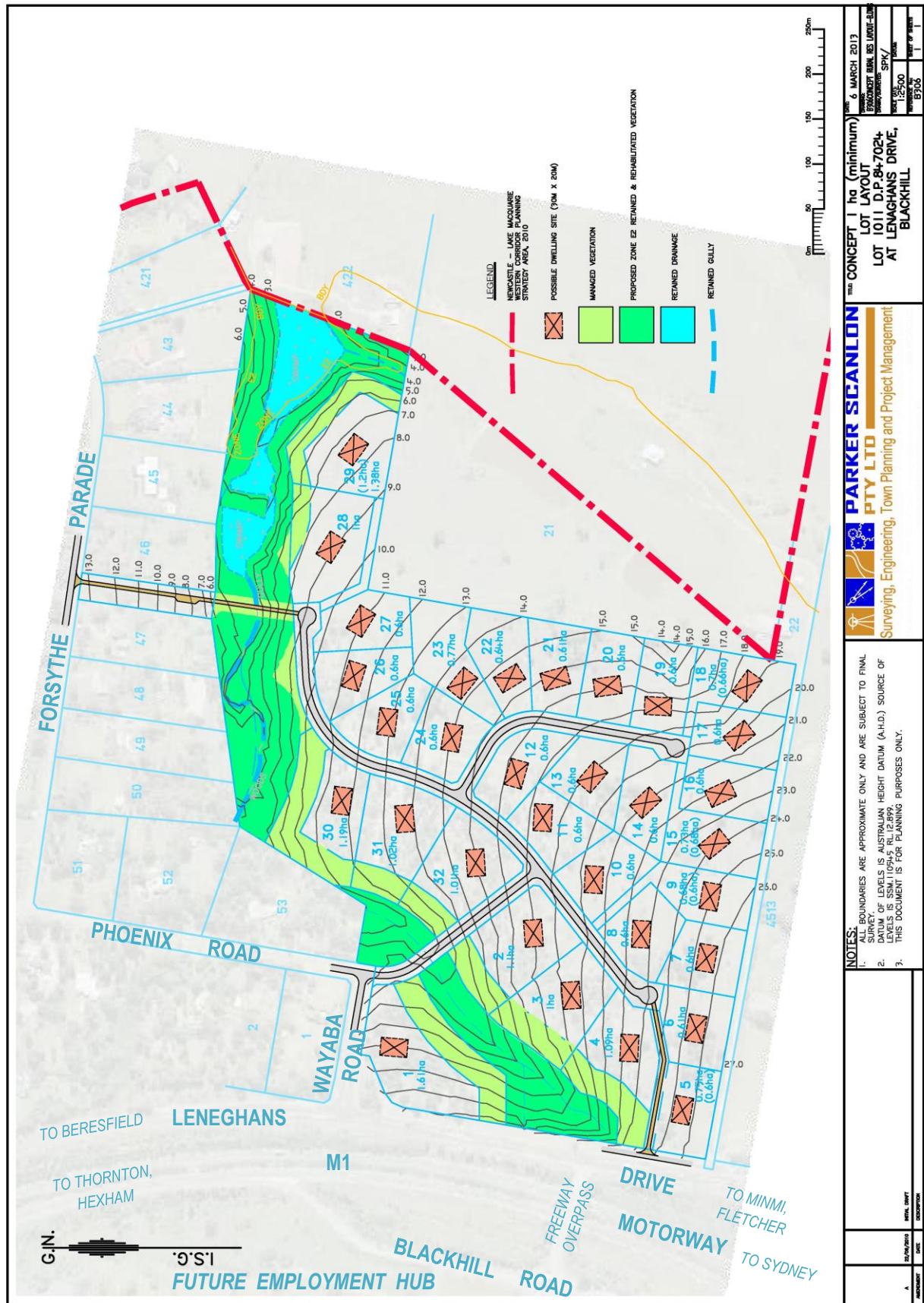


Figure 3: Subject Site – Aerial Image



Figure 4: Concept Low-Density Residential Layout



2. BACKGROUND

Lot 1011 DP 847024 at Wayaba Road was donated specifically for the harness racing industry by Phoenix Diaries Pty Ltd (Mr Milton Morris MP OAM – director) in 1979. It became an asset of the HRNSW on the strict condition that the Authority held the land in trust for the harness racing industry.

Since the late 1990's, the Newcastle Harness Racing Club (on behalf of HRNSW) has sought to maximise the value of the site as a commercial asset. It was then intended that the site provide a means for financing much-needed investment into the Hunter industry, and thereby consolidate the function of the Newcastle International Paceway (established elsewhere at New Lambton) as a core Australian harness racing venue. To this end, the Club established a Trust to manage funds obtained from use and sales of the site.

In 1999, the Club submitted an application to rezone the site for residential development, for which a Draft LEP was prepared to permit "small rural holdings", and was publicly exhibited. However, this application stalled mainly because of Aboriginal archaeological issues.

In 2002, Phoenix Dairies Pty Ltd placed a caveat on the title to the land for a compensation claim in the event the land was either not developed to support the harness racing industry or not transferred back to the previous owner.

Rezoning was reconsidered in preparing the City-wide LEP in 2003, and the site was placed in an "environmental investigation" zone to flag further consideration for increased settlement.

In 2007, the land was formally transferred by the NSW Minister for Gaming and Racing on condition that *"any proceeds derived from the sale of the land, or commercial benefit from the development of the land, be directed towards the further development of harness racing in the Hunter Valley"* (NSW Govt. Gazette 90-4539 dated 13/7/2007).

In 2009, the Club submitted another rezoning application to permit low-density settlement, which attracted no objection from the neighbours in the course of Council-run community consultation, but which was stalled by the site's inclusion in the Watagan-Stockton Green Corridor by the LHRS. The site was again included in the Green Corridor in 2010 by the WCPS, which also incorrectly mapped the site as almost entirely constrained as "flood prone land".

The site's inclusion in the Green Corridor occurred in spite of it being clearly south and north of the respective primary and secondary "important wildlife corridors" identified in the *Lower Hunter Regional Conservation Plan 2009* (LHRCP – see **Figure 5**). Furthermore, the site is outside the Green Corridor mapped by the "Green Corridor Coalition" public interest group in 2008 (see **Figure 6**), and

significantly is more than 2km north of the critical pinch point in the Green Corridor at the “Tank Paddock” (see **Figures 7 & 8**).

2.1 The Harness Racing Industry

A recent snapshot of the NSW Harness Racing Industry (“*Size and scope of the NSW racing industry*”, IER for NSW Govt. 2014) revealed that more than 13,000 persons (equivalent to 1 in 406 adult residents) participate in the industry. In the Hunter region, 1,500 persons (equivalent to 1 in 317 adult residents) participate in the industry where more than 250 full-time equivalent jobs are sustained. Participants include: -

- breeders, breeders’ staff, owners, trainers and stablehands (75%) involved in producing and preparing standardbred racehorses for which about \$128 million is spent annually in NSW;
- full-time, part-time and casual staff, volunteers, barrier, stable and track maintenance attendants, stewards, farriers and vets, and drivers (24%) involved in producing racing product from which about \$184 million direct expenditure is generated annually within NSW in the form of wagering/bookmaking revenue, race field fees, and on-course and off-course customer expenditure; and
- industry administration staff (1%).

About 660 races across 80 race meetings per year are conducted in the Hunter Region, which are patronised by more than 20,000 attendees.

For the NSW economy, the harness racing industry generates more than \$427 million annually as “real gross value added”. In the Hunter, the industry utilises specialist tradespersons and professionals, and trades substantially with other industries such as breweries and fresh produce and meats suppliers, whereby it is a significant generator of income and expenditure for the local economy.

However, in recent decades, the industry has been confronted by: -

- dwindling mainstream appeal;
- falling revenue streams as rival codes intensify efforts to attract sports betting and as corporate bookmakers intensify competition with the TAB to erode TAB distributions to the industry; and
- additional cost burdens created by disease outbreaks, integrity issues, industrial agreements and realising industry visions (“*Harness Racing NSW Strategic Plan 2010-2013*”).

The *Harness Racing NSW Strategic Plan 2010-2013* emphasised the importance of generating secondary forms of income. In this regard, the sale of the Harold Park Paceway in Sydney has established a precedent for generating such funds;

however, the Harold Park sale proceeds are targeted for growth projects elsewhere in NSW outside the Hunter Region.

HRNSW recognises it must urgently invest additional income to sustain its present levels of participation, and in consolidating the function of the Newcastle International Paceway. In particular, the present base of participants in the Hunter is aging, and there is no additional income available to upgrade facilities to “best-practice” standards across the full participation range for attracting younger participants in the Hunter region.

The industry’s strategy to address these challenges prioritises (*“Harness Racing NSW Strategic Plan 2015 to 2017”*): -

- optimising the harness racing system to increase race-start field sizes by revising handicapping and race programming, by developing and targeting the use of a “future fund”, and by further regionalising the industry;
- increasing the perception of professionalism by creating, monitoring and adapting systems that promote a service-focussed culture across the industry, and by working at grass roots level with Clubs to target feature race days;
- adapting the industry to best practice and new technologies to increase its appeal to new participants and as sporting entertainment by developing clearer participation pathways, coordinated training and junior development programs and a commercial plan structured around regional hubs, by developing new streams of income, and by engaging Clubs to achieve their share of this outcome;
- increasing industry recognition across the community by developing new marketing strategies, including, connecting with customers, reinforcing probity, developing skills, providing “come and try” participation opportunities, and transitioning into new technologies whilst maintaining the traditional grass-roots-level-Clubs-to-pinnacle-level-Principal-Club harness racing structure; and
- maintaining the industry’s sound reputation by enforcing compliance in all operations by adjusting organisation framework to ensure best practices are implemented to achieve and preserve industry integrity.

HRNSW has developed investment strategies for creating new income streams, including the development of self-perpetuating returns on any commercial gain received from land sales. These can be re-invested in infrastructure, in prize money for participants, in public benefits, and in the development of a viable “best-practice” training centres that sustain existing participants and attract young and new participants to harness racing.

It is the contention of HRNSW that the residential development of Lot 1011 in DP 847024 at Black Hill as per **Figure 4** (see Section 3.2 below) would generate a new income stream to assist sustaining the harness racing industry in the Hunter region.

2.2 Site Description

2.2.1 Context

Lot 1011 DP 847024 comprises 35 hectares and has a frontage of 420m to Lenaghans Drive. Lenaghans Drive is an established thoroughfare between Beresfield (3km to the north) and Minmi (5km to the south), and forms an extension of the M1-Motorway corridor. The site is within 10km of established commercial hubs at Beresfield, Thornton and Fletcher which collectively offer an abundant choice in social infrastructure.

The site is directly opposite the freeway overpass link between Lenaghans Drive and Blackhill Road (see **Figure 3**). The overpass – Blackhill Road intersection has frontage to land identified as “future freight hub and employment lands” by the LHRs and the WCPS (see **Figure 1**). The Black Hill industrial development planning proposals in the course of approval for Coal and Allied and Cessnock City Council apply to the land within 1km of the site via the freeway overpass. These proposals include establishing reticulated sewerage systems, which may points for connection via the freeway overpass from Lenaghans Drive.

The site also has frontages to Wayaba Road (100m), Phoenix Road (20m) and Forsythe Parade (30m), which are established bitumen-sealed streets. The streets service the Black Hill low-density residential settlement which contains about 90 “higher-end” dwellings. The subject site forms a logical extension of the south-western corner of the Black Hill settlement. All utility services, except reticulated sewerage, service the settlement, where, for each dwelling, an independent on-site wastewater management system is operated.

2.2.2 Current zoning

The site is mainly zoned “E4 Environmental Living” under the *Newcastle Local Environmental Plan 2012* (NLEP), and partly “E2 Environmental Conservation” at its flood-prone eastern extremity. These recently replaced the “7(c) Environmental Investigation” and “7(b) Environmental Protection” zones that applied under the *Newcastle LEP 2003*. The 7(c) zone was intended to flag further consideration for increased settlement.

2.2.3 Topography

Except for the eastern extremity, the site is flood-free, extending in height to RL 27m AHD (see **Figure 2**). This is clearly at odds with the WCPS which incorrectly maps the site as almost entirely “flood prone land”.

The partially tree-lined Woods Gully defines the northern extremity of the site, whilst, towards its western perimeter, another un-named gully traverses diagonally in a north-easterly direction towards Woods Gully. The Woods Gully catchment is small, originating from the immediate western edge of the M1-Motorway.

2.2.4 Vegetation and context with Green Corridor

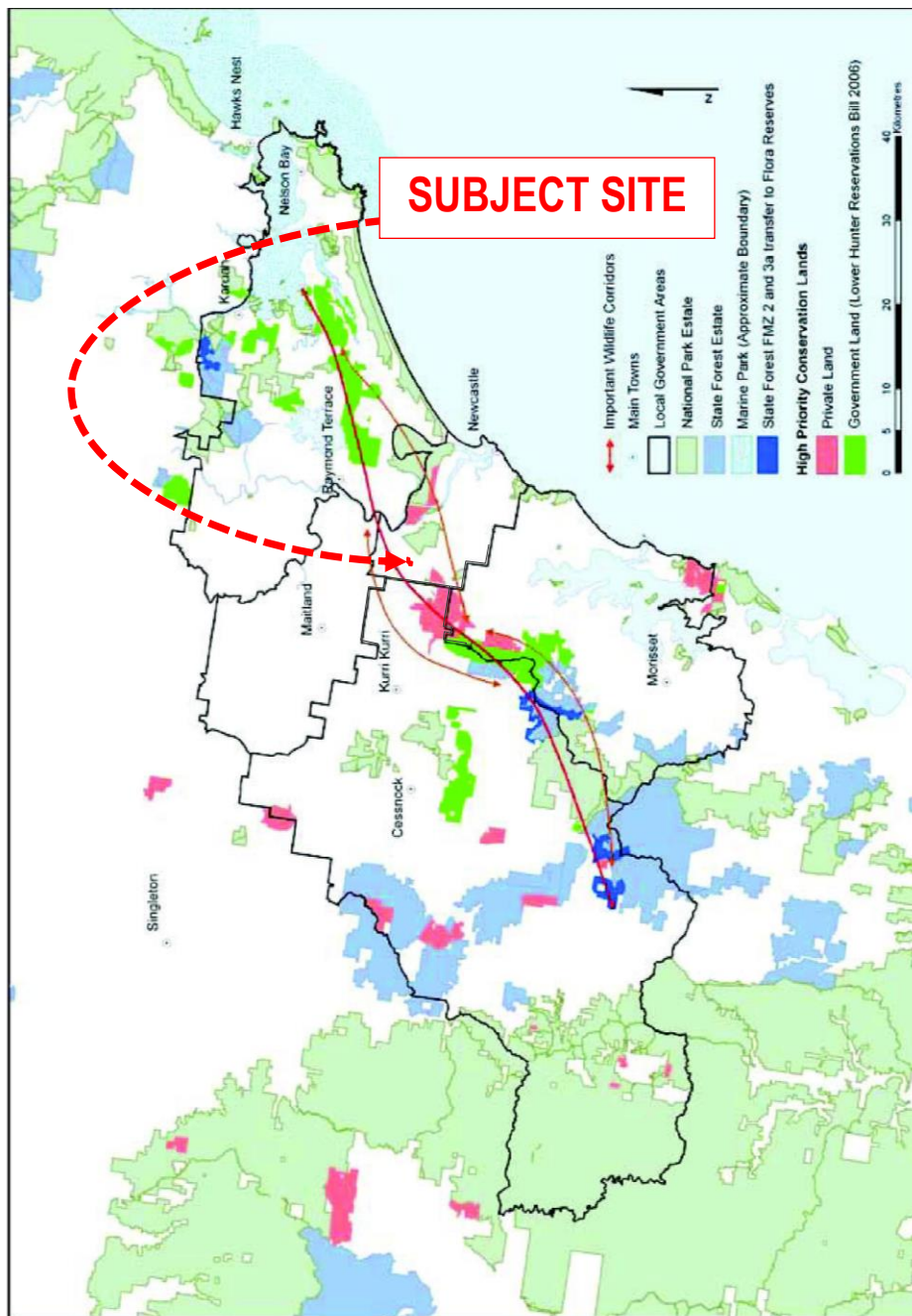
The site contains woodland vegetation that is concentrated in the north-western part along the gully corridors. Away from the gullies, the woodland vegetation is less concentrated, and ranges between open woodland and open grassland. The site is not identified as containing any remnant vegetation of ecological significance.

The site's woodland vegetation forms part of an isolated pocket of vegetation that has no linkage to any continuous woodland vegetation. Consequently, the site is mapped as partially having only an isolated bushfire hazard risk which can be easily managed.

The site is included in the Green Corridor by the LHRS and the WCPS. However, the LHRCP maps the primary and secondary "important wildlife corridors" as clearly north and south of the site respectively (see **Figure 5**). The development of the "employment hub" immediately west across the freeway will effectively eliminate the northern corridor as the primary Green Corridor route, and will further isolate the Black Hill pocket of vegetation. Therefore, the southern corridor will emerge as the primary Green Corridor route.

Regardless, the site is outside the Green Corridor as mapped by the "Green Corridor Coalition" public interest group in 2008 (see **Figure 6**), and significantly is more than 2km north of the identified critical pinch point in the Green Corridor at the "Tank Paddock" (see **Figures 7 & 8**).

Figure 5: Lower Hunter Regional Conservation Plan



Map 2: High priority regional conservation areas for the Lower Hunter Region – Stage 1 outputs

Figure 6: Green Corridor by Green Corridor Coalition (2008)



Figure 7: Context of Green Corridor and “Tank Paddock”

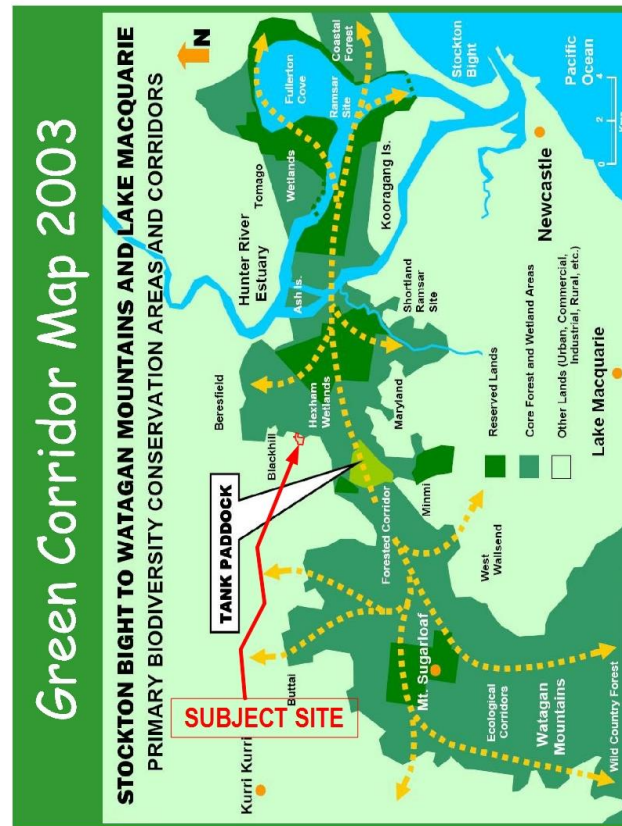


Figure 8: Green Corridor through “Tank Paddock” pinch point



2.2.5 Heritage

The site or nearby locality has been identified as containing two items of Aboriginal heritage significance (see **Attachment A**). The precise location of these items, and the extent of ongoing management required, has not yet been investigated.

3. DEVELOPMENT OPPORTUNITIES

3.1 Equine training facility

Under the present planning controls that apply, HRNSW could develop the site as an “animal boarding or training establishment” with consent.

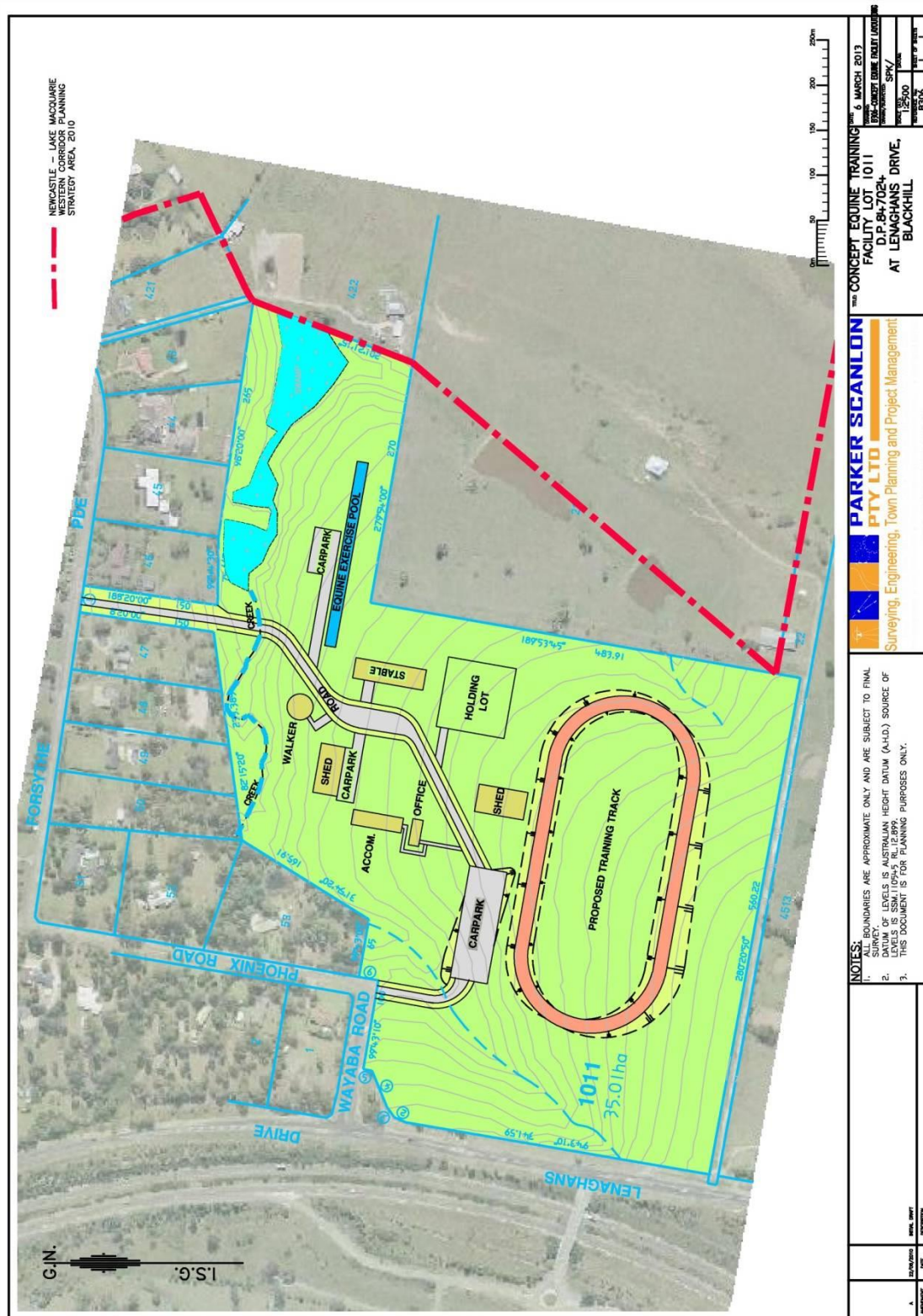
A concept for such a facility is shown in **Figure 9**, where the track is designed to minimise cut and fill earthworks, and achieve reasonable clearance to the gullies.

3.1.1 Appraisal of equine training facility

The concept facility is significantly undersized, and does not match the HRNSW minimum circumference guideline of 950m. It otherwise creates a significant scar on the landscape, and would appear better suited to a larger land parcel on level terrain.

Furthermore, HRNSW has other sites for such a facility on which it would prefer to focus its resources, and considers such a facility inconsistent with the locality’s emerging pattern of development. Clearly, investment by HRNSW in such infrastructure at the site would be unviable to the industry.

Figure 9: Concept Equine Training Facility



3.2 Low-density housing

A concept for low-density “higher-end” housing, that matches the form of the existing Black Hill settlement, is shown in **Figure 4**. The concept suggests 32 housing sites can be provided sustainably across the site, subject to Aboriginal archaeological investigation. Riparian zones are created along the gully corridors for retaining and rehabilitating native vegetation, for which rezoning to “E2 Environmental Conservation” is suggested. Additional managed vegetation zones are also created either side of the riparian zones for bushfire management purposes.

The allotments are then typically no less than 1 hectare adjacent to the gully corridors, and no less than 0.6 ha elsewhere. Across the site, the concept yields 1 lot per 1.02 hectare exclusive of roads. For the adjacent Black Hill settlement, lot sizes are 0.9 hectare or more, and are typically 1 ha.

The concept allotments are considered sufficiently sized to maximise tree retention across the lesser vegetated parts of the site and to achieve the siting of 20m x 30m dwelling footprints together with stormwater and wastewater disposal areas. Principal access is designed from the Wayaba Road – Phoenix Road intersection, whilst separate emergency accesses are provided to Forsythe parade and Lenaghans Drive.

The allotments are also considered sufficiently sized to each utilise on-site secondary or tertiary level treatment systems for the management of domestic wastewater. Alternatives to this include using a packaged treatment plant for the estate, and connection via the freeway overpass to the reticulated sewerage system proposed for the “future freight hub and employment lands”.

3.2.1 Appraisal of low-density housing

Housing improvements to the Hunter Region

The concept provides a “higher-end” supply of housing within 1km of the “future freight hub and employment lands” identified by the LHRS and the WCPS, and the Black Hill industrial development planning proposals in the course of approval for Coal and Allied and Cessnock City Council.

The concept’s supply of 32 low-density allotments assists the Lower Hunter by meeting the housing demands of the white-collar workforce anticipated for the employment hub directly nearby that hub.

The Draft Hunter Regional Plan (DHRP) identifies the necessity of “rural lifestyle” housing within close proximity to both the Hunter Valley vineyards and the city. Furthermore, the plan identifies the expected increased demand for housing in rural areas, including rural lifestyle lots (p. 63, p. 66). The concept provides desirable

“rural lifestyle” lots that would effectively help connect the “city” with the communities in the Western Hunter area.

However, in spite of recognising its importance as a form of housing in the region, the DHRP does not provide a clear direction for future low density residential development of the site.

Job improvements to the Hunter Region

The concept will generate the sale of “higher-end” allotments, and thereby provide a much-needed secondary form of income for the HRNSW. The profit revenue from those sales will be invested by HRNSW, using stringent accountability systems, to further generate a self-perpetuating income stream for re-investment into the infrastructure and operations of the harness racing industry in the Hunter region at “best-practice” levels of standard.

This will assist in sustaining the interest of existing participants in the industry, and in attracting younger and new participants to reverse the aging trend of the industry’s base of participants in the Hunter Region.

More importantly, the income stream anticipated from the sale of allotments will assist the Hunter region by protecting an established industry that: -

- provides 250 full-time equivalent local jobs;
- directly spends \$184 million annually in NSW;
- generates \$427 million annually in “value added” to Gross State Product; and
- trades substantially with local specialist industries and suppliers.

Transport improvements to the Hunter Region

The concept provides a supply of housing within 1km of the “future freight hub and employment lands” identified by the LHRS and the WCPS, and the Black Hill industrial development planning proposals in the course of approval for Coal and Allied and Cessnock City Council.

The site’s proximity to the employment hub and direct access to the M1-Motorway overpass to Blackhill Road assists the Hunter region by providing an efficient “door-to-door” transport connection. Furthermore, it does not require any expansion of public transport infrastructure, and will provide employees that are resident in the estate with the option of walking or cycling to work.

Community Infrastructure improvements to the Hunter Region

The concept provides a supply of housing within 10km of the established Beresfield, Thornton and Fletcher commercial hubs from Lenaghans Drive. These collectively offer an abundant choice in social infrastructure.

The site's accessibility to and from Beresfield, Thornton and Fletcher assists the Hunter region by ensuring future residents are not isolated from social infrastructure and social interaction opportunities.

Environment improvements to the Hunter Region

The concept provides a supply of housing on across a flood-free site that is outside the Green Corridor identified by the LHRCP and public interest groups. More importantly, it is more than 2km clear of the critical Green Corridor pinch point at the "Tank Paddock", and it does not contain any remnant vegetation of ecological significance.

The concept will restrict development to those least vegetated grassland and open woodland parts of the site. Its location partly within an isolated pocket of woodland vegetation ensures that bushfire hazards can be easily managed.

The concept assists the Hunter region by formally isolating and conserving the riparian values of the site, and by proposing allotment sizes that maximise tree retention and provide flood-free housing sites.

However, whilst low density residential development of the site can be achieved sensitively, the DHRP provides no clear indication that a planning proposal for such a development could be pursued.

4. CONCLUSION.

Appraisal of the development opportunities for Lot 1011 in DP 847024 at Lenaghans Road, Black Hill clearly suggest that its conversion to low-density “higher-end” housing (as presented in **Figure 4**) is a more desirable outcome than its conversion to an equine training facility (as presented in **Figure 10**).

Conversion of the site in this manner will improve the Hunter region because: -

- housing can be provided for part of the future workforce within 1km of the identified employment lands;
- land sales generated from its development will directly support a significant employer and contributor to the Hunter and NSW economies;
- it has direct access to the M1-Motorway overpass to Blackhill Road that provides efficient transport connection and options without requiring any expansion of public transport infrastructure;
- it is within 10km of abundant social infrastructure choice at Beresfield, Thornton and Fletcher; and
- it is almost entirely flood-free, outside the Green Corridor, and more than 2km clear of the critical Green Corridor pinch point at the “Tank Paddock”.

Furthermore, conversion of the site in this manner is desirable because it proposes a built environment that matches the general transformation of the Black Hill settlement. It is also desirable because management controls can be formally proposed that conserve and enhance the site’s natural environmental values.

HRNSW therefore presents conversion of the site in the general manner shown in **Figure 4** as its preferred outcome.

HRNSW requests that a clear direction be now provided on whether to pursue a planning proposal to enable the site to be developed for low-density housing. It is requested that the Draft Hunter Regional Plan (DHRP) be amended to include specific reference to the site at Black Hill and recognition of its suitability for conversion to low density housing.

5. ATTACHMENTS.

Attachment A: AHIMS Database Search	23
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Attachment A: AHIMS Database Search



Office of
Environment
& Heritage

AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : B306

Client Service ID : 213025

ParkerScanlon Pty Ltd
PO Box 986 17 William Street
Hamilton New South Wales 2303
Attention: Madeline Thomas
Email: madeline.thomas@parkerscanlon.com.au

Date: 23 February 2016

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot: 1011, DP:DP847024 with a Buffer of 50 meters, conducted by Madeline Thomas on 23 February 2016.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

2	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



PARKER SCANLON
PTY LTD

Surveying, Engineering, Town Planning and Project Management

Our Reference: B306

24 March 2016

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

Attention: Robert Hodgkins – Acting Manager- Regional Growth Planning (Hunter Central Coast), NSW Planning

Re: Harness Racing NSW Addendum to Submission on “Draft Hunter Regional Plan” as regards Lot 1011 in DP 847024 at Lenaghans Drive, Black Hill, dated February 2016.

Parker Scanlon Pty Ltd previously prepared and lodged a Submission on “Draft Hunter Regional Plan” dated February 2016. With reference to Section 2.2.4 of our previous submission (i.e. 2.2.4 Vegetation and Context with Green Corridor), we have undertaken additional investigations in the form of:-

- (a) “Desktop Assessment for Habitat Corridor Potential of 167 Lenaghans Drive, Black Hill”, prepared by RPS Newcastle (ref: PR131356:LV), dated 23 March 2016 (see **Appendix A**); and
- (b) Review of recently approved (ref: SSD 10_0093) Major Project’s proposal (Coal & Allied Industrial Expansion and Biodiversity Offsets) supporting reports, in particular:
 - RPS (2011) Ecological Inventory Report – Lower Hunter Lands.

Additional investigation included review of the following documents:

- RPS (2011) Ecological Inventory Report – Lower Hunter Lands. Report prepared for Coal and Allied. Broadmeadow;
- NSW Government (2015) Draft Hunter Regional Plan;
- NSW Government Department of Planning (2010) Newcastle-Lake Macquarie Western Corridor Planning Strategy.
- Parker Scanlon (2016) Submission on “Draft Hunter Regional plan” as regards Lot 1011 in DP847024 Lenaghans Drive, Black Hill for Harness Racing NSW;
- National Parks and Wildlife Service (2000) Lower Hunter and Central Coast Regional Environment Management Strategy Vegetation Survey, Classification and Mapping; Lower Hunter and Central Coast Region (LHCCREMS).
- The Green Corridor Coalition (No date) Map of Central Green Corridor Lands Showing Continuity when existing pledged transfers are completed. Accessed online 14 March 2016, from: <http://www.ourgreencorridor.org/assets/files/map2.pdf>
- NSW Office of Environment and Heritage Bionet Wildlife Atlas; and
- Department of the Environment Protected Matters Search.



Item (a) concludes that *'the site presents a remnant isolated patch of vegetation that does not connect to larger tracts of native vegetation in any direction'*. This statement is based on consideration of (see Figure 3 of **Appendix A**):

- the current land use of surrounding land;
- consideration of the approved and potential development of land to the north, north west and west; and
- the perpetual physical barrier provided by the M1 motorway,

Furthermore, assessment against the Biobanking Assessment Methodology (BBAM)(EOH 2014) supports evidence that the site does not satisfy any parameters in relation to a 'state significant biodiversity link'.

As regards Item (b), the Coal & Allied Major Project proposal is relevant because our client's site is nearby lot 30/870411 (see **Figure 3** in **Appendix A**) which will comprise Coal & Allied's industrial development component. The conservation components of this Major Project are located 2km south and south west of our client's site (see **Figures 1 & 2** below). The specific focus point for conservation is appropriately the "Tank Paddock" pinch point which presents a large intact corridor link between the Hexham Swamp Nature Reserve and Sugarloaf State Conservation Area.

In comparison, our client's site is part of disturbed lands located adjacent to the Black Hill settlement and the M1 Motorway, and nearby the Black Hill Employment Lands (Investigation Area). It contains only some remnant vegetation and offers no significant regional conservation value.

This additional investigation reinforces the conclusion of our previous submission that our client's site is suited to conversion to low-density "higher-end" housing; it will improve the Hunter Region because:-

- housing can be provided for part of the future workforce within 1km of the identified employment lands;
- land sales generated from its development will directly support a significant employer and contributor to the Hunter and NSW economies;
- it has direct access to the M1-Motorway overpass to Blackhill Road that provides efficient transport connection and options without requiring any expansion of public transport infrastructure;
- it is within 10km of abundant social infrastructure choice at Beresfield, Thornton and Fletcher; and
- it is almost entirely flood-free, outside the Green Corridor, and more than 2km clear of the critical Green Corridor pinch point at the "Tank Paddock".

Furthermore, conversion of the site in this manner is desirable because it proposes a built environment that matches the general transformation of the Black Hill settlement. It is also desirable because management controls can be formally proposed that conserve and enhance the site's natural environmental values.



HRNSW again requests that a clear direction be now provided on whether to pursue a planning proposal to enable the site to be developed for low-density housing. It is requested that the Draft Hunter Regional Plan (DHRP) be amended to include specific reference to the site at Black Hill and recognition of its suitability for conversion to low density housing

Yours faithfully

PARKER SCANLON PTY. LIMITED

Ed Munday
Certified Practicing Planner and Registered Surveyor

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Appendices

Appendix A: Desktop Assessment for Habitat Corridor Potential of 167 Lenaghans Drive, Black Hill



Figure 1: Context of Green Corridor and “Tank Paddock”

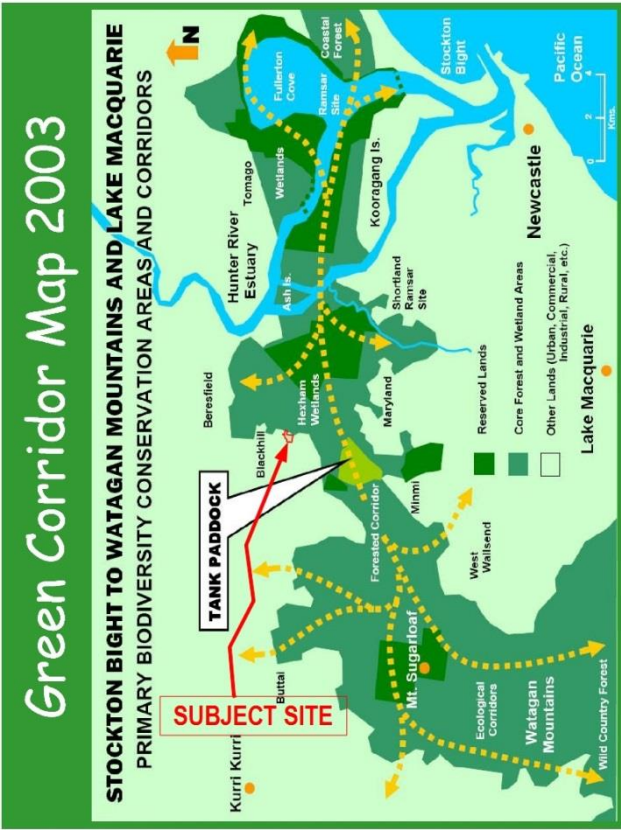


Figure 2: Green Corridor through “Tank Paddock” pinch point



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Our Ref: PR131356:LV
Date: 23 March 2016

Attn: Brad Draper
Parker Scanlon
PO Box 986
Hamilton NSW 2303

Via: Email

Dear Brad

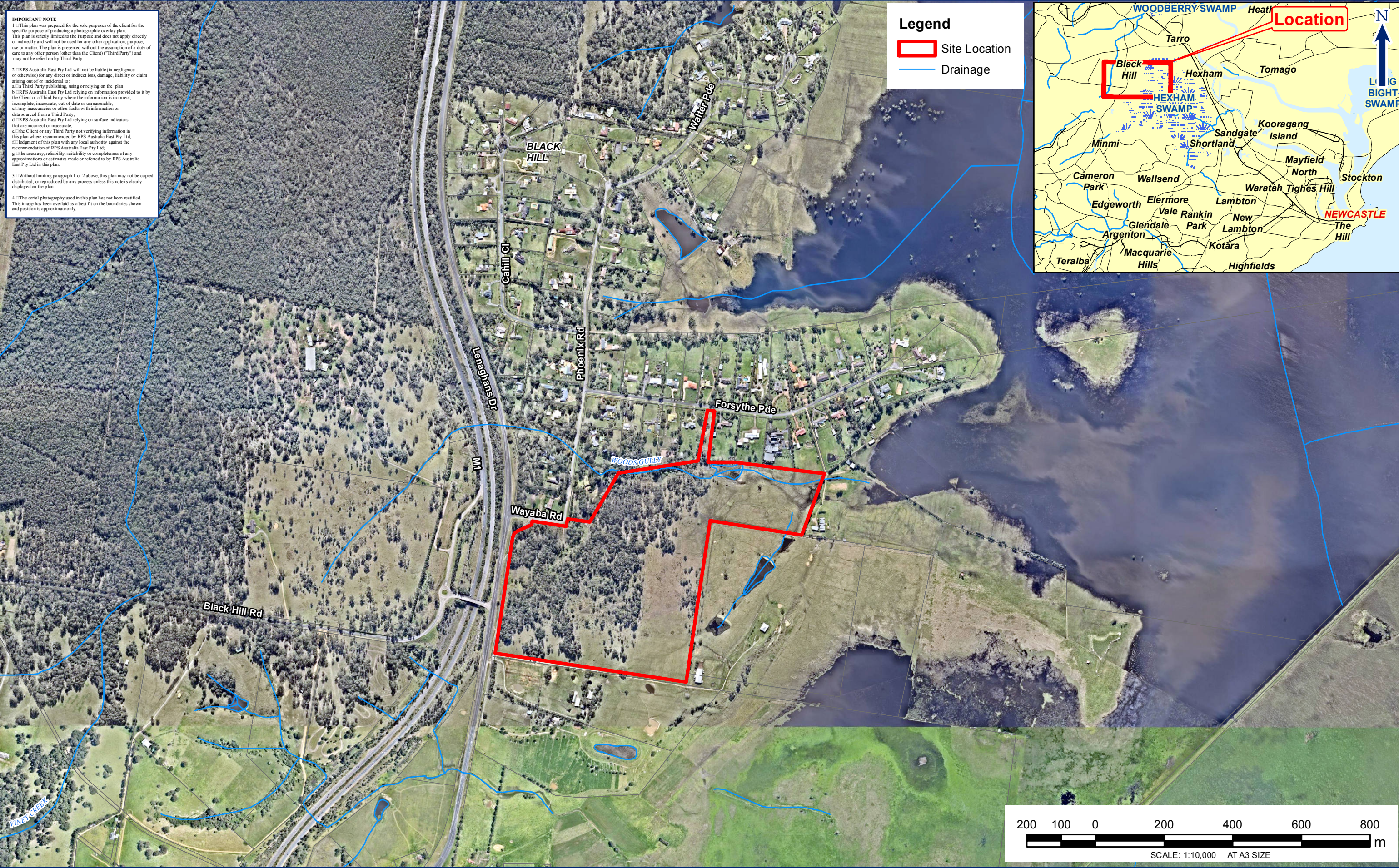
RE: DESKTOP ASSESSMENT FOR HABITAT CORRIDOR POTENTIAL OF 167 LENAGHANS DRIVE, BLACK HILL NSW

Introduction

RPS has been engaged by Parker Scanlon on behalf of the Harness Racing NSW to investigate potential habitat corridors surrounding and including land at Lot 1011 DP849024 167 Lenaghans Drive, Black Hill, NSW (hereafter referred to as the 'site') (see **Figure 1**). A desktop assessment has been undertaken to assess the potential for the site to be considered a green corridor in relation to the surrounding land use context.

In preparation of this assessment, the following literature has been referred to:

- RPS (2011) *Ecological Inventory Report – Lower Hunter Lands*. Report prepared for Coal and Allied. Broadmeadow;
- NSW Government (2015) *Draft Hunter Regional Plan*;
- NSW Government Department of Planning (2010) *Newcastle-Lake Macquarie Western Corridor Planning Strategy*.
- Parker Scanlon (2016) *Submission on “Draft Hunter Regional plan” as regards Lot 1011 in DP847024 Lenaghans Drive, Black Hill for Harness Racing NSW*;
- National Parks and Wildlife Service (2000) *Lower Hunter and Central Coast Regional Environment Management Strategy Vegetation Survey, Classification and Mapping; Lower Hunter and Central Coast Region (LHCCREMS)*.
- The Green Corridor Coalition (No date) Map of Central Green Corridor Lands Showing Continuity when existing pledged transfers are completed. Accessed online 14 March 2016, from: <http://www.ourgreencorridor.org/assets/files/map2.pdf>
- NSW Office of Environment and Heritage Bionet Wildlife Atlas; and
- Department of the Environment Protected Matters Search.



Site Context and Assessment

The site is situated to the immediate east of the M1 Motorway in Black Hill and abuts Lenaghans Drive for approximately 420m. The site contains both cleared lands and native vegetation. Wooded vegetation is concentrated in the north-western portion of the site along gully corridors. As described by Parker Scanlon (2016) “away from the gullies, the woodland vegetation is less concentrated, and ranges between open woodland and grassland”.

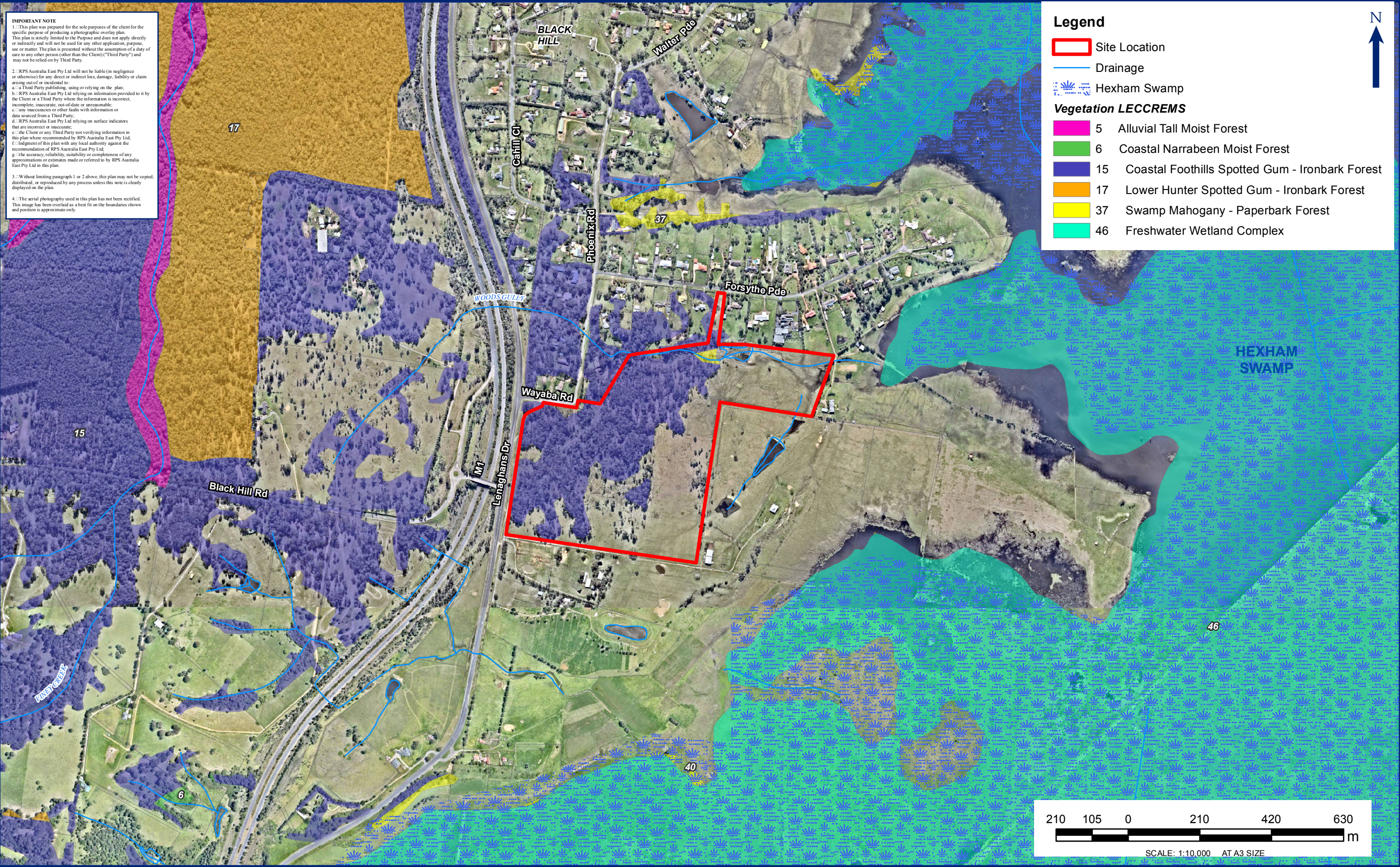
The vegetation within the site is mapped in the Lower Hunter and Central Coast Regional Environmental Mapping System (LHCCREMS) (NPWS 2003) as Map Unit (MU) 15 Coastal Foothills Spotted Gum – Ironbark Forest and MU 37 Swamp Mahogany – Paperbark Forest (refer to **Figure 2**). MU 15 is not commensurate with any endangered ecological communities (EEC) listed under the *Threatened Species Conservation Act 1995* (TSC Act) or the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). MU 37, which occupies a small patch to the very north of the site, is commensurate with the TSC Act EEC *Swamp Sclerophyll Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions*.

Rural residential properties adjoin the site to the north with two large cleared agricultural properties occurring to the east and south of the site. These two large lots contain almost no native vegetation. Further to the east lies the Hunter Estuary Wetlands and Hexham Swamp. To the west lies Lenaghans Drive, followed immediately by the dual carriage M1 Motorway. Two semi-cleared lots exist on the western side of the M1 Motorway (lots 10 and 11 DP829154) with surrounding land containing vegetation to the north, west and south of these lots. Lots 10 and 11 DP829154 are situated within the ‘Employment Lands Investigation’ area as outlined in the Newcastle-Lake Macquarie Western Corridor Planning Strategy (NSW Gov. 2010) (see **Figure 3**).

It is important to note that Lot 30 DP870411 Lenaghans Drive which is situated northwest of the site as shown in **Figure 3** is subject for development under a recent State Significant Development approval (SSD 10_0093). The approved concept plan includes the development of the entire lot (refer to **Attachment 3**). Removal of native vegetation within this lot largely reduces the capacity for regional connectivity in a south to north direction.

Approval was also granted for multiple areas of conservation lands, the closest of which, the Tank Paddock, occurs >2km south of the site. The Tank Paddock is the critical pinch point in the Green Corridor mapped by the “Green Corridor Coalition” public interest group (refer to **Attachment 1**). Additionally, the map designates the site as an ‘Investigation Area’, which is not dedicated to the current green corridor.

Refer to **Figure 3** for site context.



TITLE : **FIGURE 2: VEGETATION**

LOCATION : **167 LENA HGANS DRIVE
BLACK HILL**

DATUM:GDA 1994

PROJECTION: GDA 1994 MGA Zone 56

DATE : **14/03/2016**

PURPOSE: **ECOLOGY**

VERSION (PLAN BY): AA3 (Natalie.Wood)

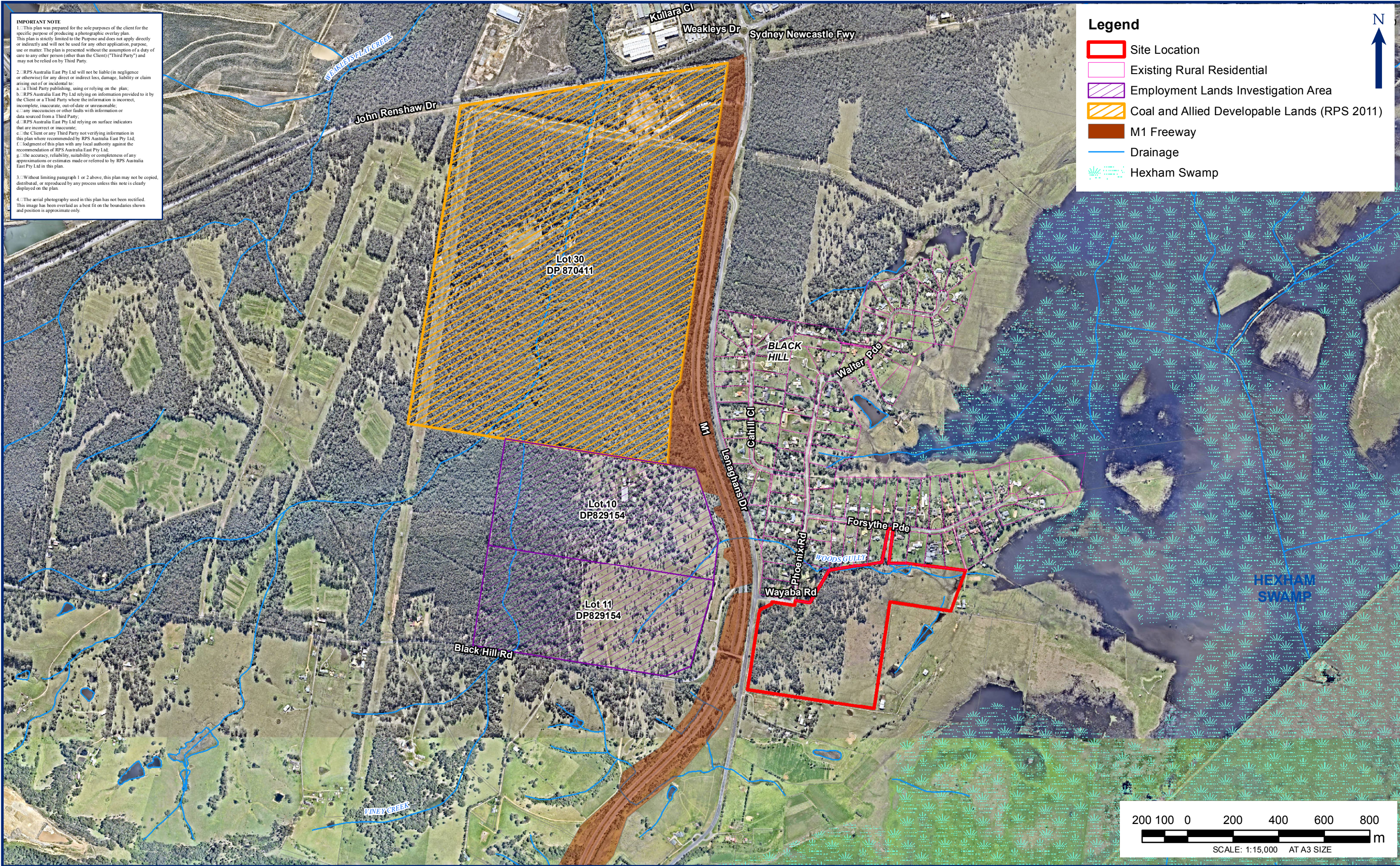
PATH: J:\JOBS\131K\131356 Black Hill\10 - Drafting\Arcgis Map Documents\Ecol\131356 Figure 2 A A3 20160314.mxd

CLIENT: **PARKER SCANLON**
JOB REF: **PR131356**

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TITLE : **FIGURE 3: SITE CONTEXT**

LOCATION : **167 LENA HGANS DRIVE
BLACK HILL**

DATUM: GDA 1994

PROJECTION: GDA 1994 MGA Zone 56

DATE : **22/03/2016**

PURPOSE: **ECOLOGY**

VERSION (PLAN BY): AA3 (Natalie.Wood)

PATH: J:\JOBS\131K\131356 Black Hill\10 - Drafting\Arcgis Map Documents\Ecol\131356 Figure 3 A A3 20160314.mxd

CLIENT: **PARKER SCANLON**
JOB REF: **PR131356**

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The Draft Hunter Regional Plan (NSW Gov. 2015) (referred to herein as the 'draft plan') is a 20 year plan for the Hunter region that prioritises growing and diversifying the Hunter economy. It also provides goals and actions to develop environmental protection, including proposed areas of habitat connectivity throughout regional landscapes.

Data used to identify high environmental values in the draft plan is intended to provide a regional-level overview for the purposes of strategic planning. Therefore, the draft plan is not at a local scale and is not site specific.

The draft plan depicts a regional habitat corridor extending from the Watagans National Park northeast towards Port Stephens, encompassing the subject site (refer to **Attachment 2**). Despite this, the site specific mapping (**Attachment 1**) that was previously discussed in paragraph five of the site context and assessment section does not include the site in a habitat corridor. The assumption that the corridor put forth in the draft plan includes everything within the designated corridor arrow is unrealistic, and it is not perceived to be the plan's intention. Rather the designation of this regional corridor is to indicate where the potential regional corridor should go in relation to site-specific possibility. With regard to this assumption, it is concluded that site specific assessments of land, such as this, within this designated habitat corridor are justified.

To further support this view, the BioBanking Assessment Methodology (BBAM) (OEH 2014) defines a state significant biodiversity link as:

- An area identified as being part of a state significant biodiversity link in a plan approved by the Chief Executive, OEH; OR
- A riparian buffer 50m either side of a 6th order stream or greater; OR
- A riparian buffer 50m around an important wetland or an estuarine area.

A regionally significant biodiversity link is defined under the FBA as:

- An area identified as being part of a regionally significant biodiversity link and in a plan approved by the chief Executive, OEH; OR
- Riparian buffer 20m either side of a 4th or 5th order stream.

With regard to these connectivity values, the site is not considered as a state or regional biodiversity link under the BBAM.

Conclusion

Initial investigations of the site and surrounding land use contexts of the site have shown that land to the north, northwest and west include existing, approved and potential development respectively. The current land use of the adjacent southern and western lots does not contain vegetation and are privately owned lands. The M1 motorway will present as a permanent physical barrier in perpetuity to the west. As the site stands, and with consideration of future development potential of multiple surrounding lots, the site presents a remnant isolated patch of vegetation that does not connect to larger tracts of native vegetation in any direction.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

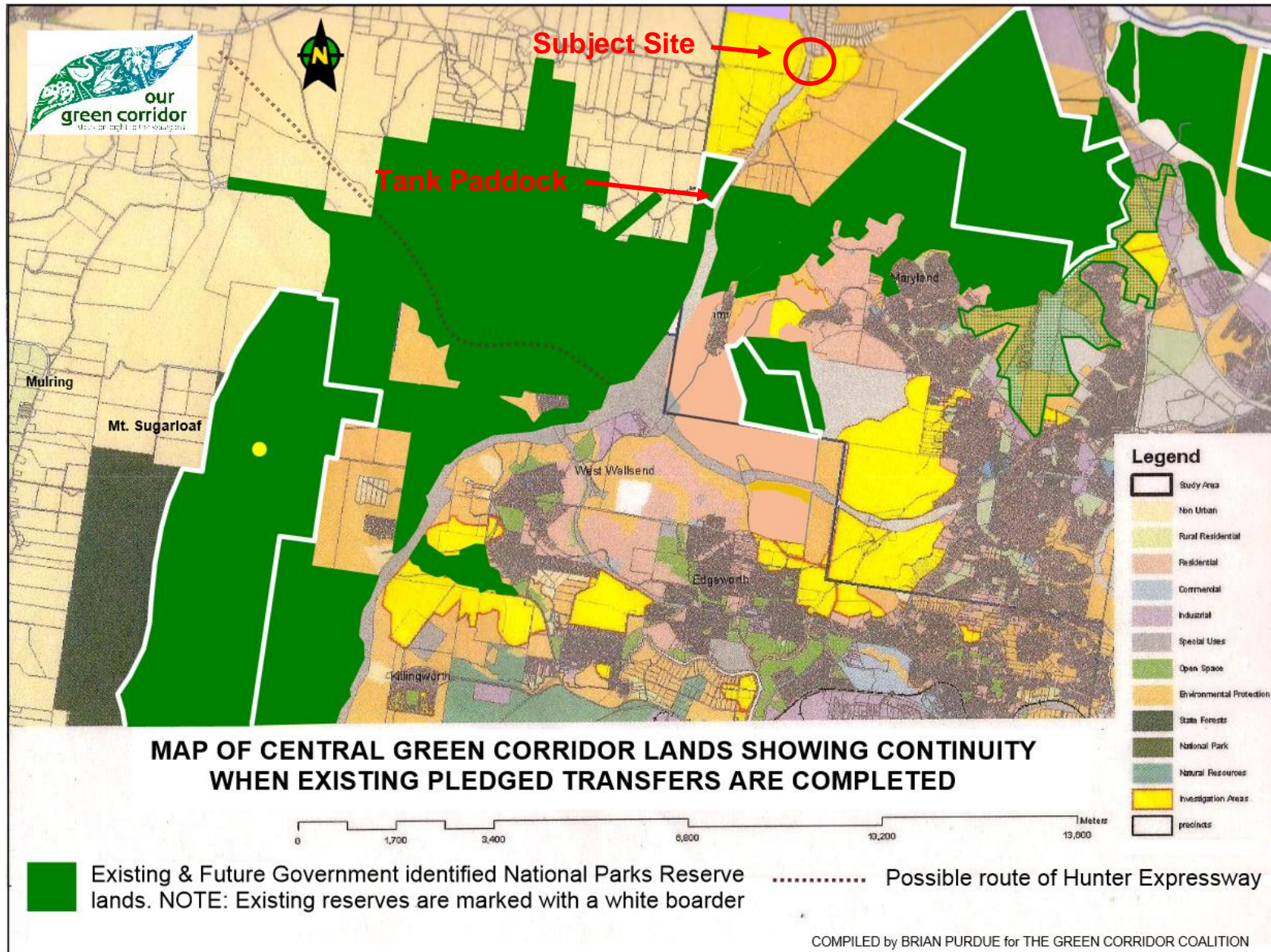
Yours sincerely
RPS

A handwritten signature in black ink, appearing to read 'Lauren Vanderwyk'.

Lauren Vanderwyk
Ecologist

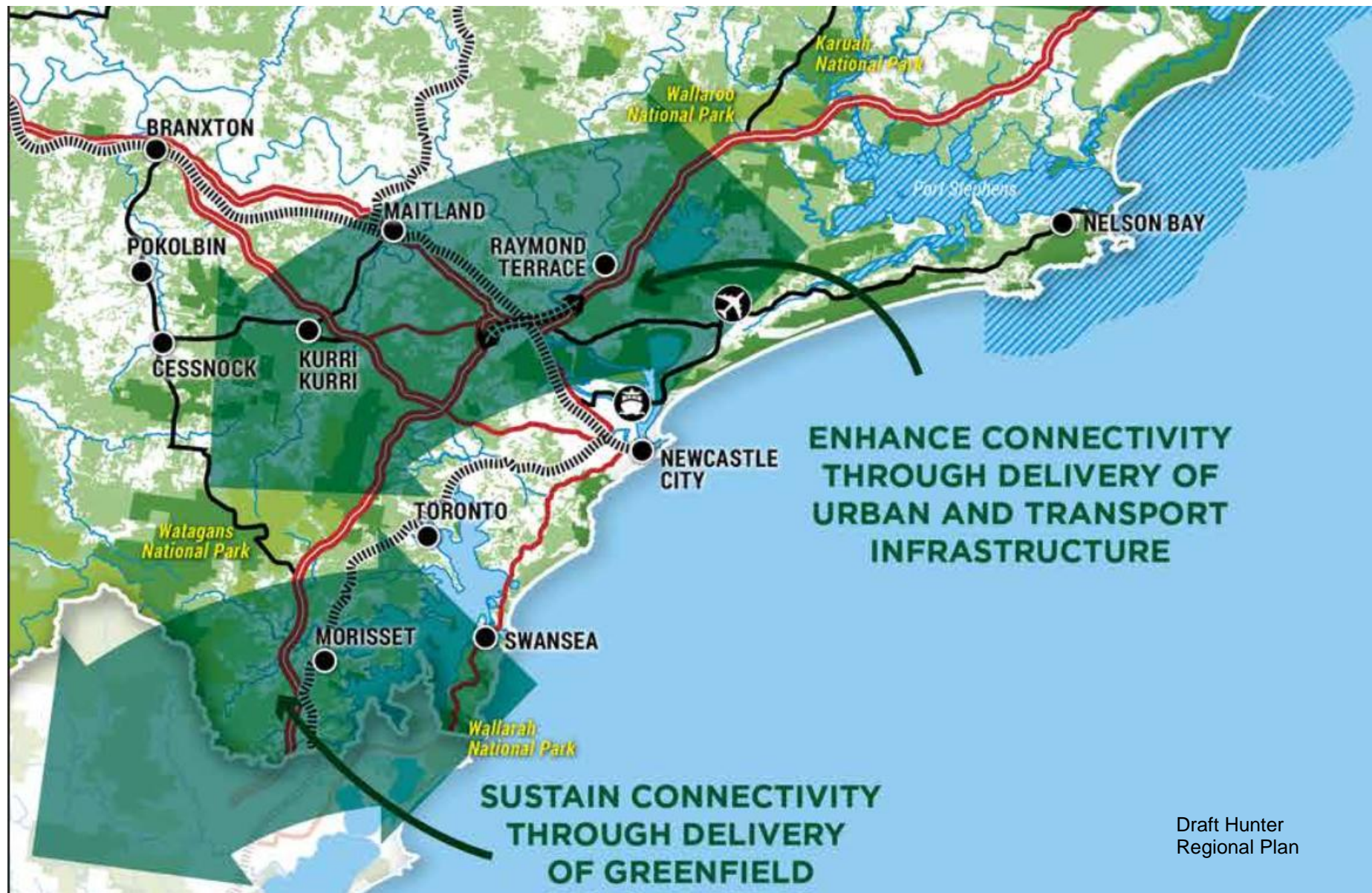


Attachment 1





Attachment 2





Attachment 3

