

30 November 2017

Director
Hunter Region
Department of Planning and Environment
PO Box 1226
NEWCASTLE NSW 2300

Dear Director,

This letter is a submission on the *draft Greater Newcastle Metropolitan Plan 2036* (draft plan).

Thank you for the opportunity to provide feedback on the first ever draft plan. It is greatly appreciated that this milestone has been reached and such extensive consultation has taken place to build on the foundation of the *Hunter Regional Plan 2036* (Hunter plan).

It is encouraging to see that the future of Greater Newcastle is maturing as a world-class and global city built on a blueprint of smart and responsible growth. Smart initiatives such as, but not exclusive to, the Hunter SIC, implementation programs every 5 years and the collaborative governance framework are encouraging to see.

Notwithstanding the opportunities that lie ahead, this submission seeks to provide particular feedback on the legislative and governance approach to:

Strategy 4.3 – Protect Major Freight Corridors

The policy intent behind this strategy is supported, however the actions and principles in which to achieve the goals are not. In practice, it is believed this matter will cause conflicting policies between a range of instruments and provide unnecessary uncertainty in the application process. Conflicting policy includes:

State Environmental Planning Policy (Infrastructure) 2007 (SEPP). The draft plan conflicts with the SEPP in its principles of Part 3, Division 17, Subdivision 2, Section 101 – Development with frontage to classified road.

Background

- The objectives of section 101 are clear in the fact of stating that '*new development does not compromise the effective and ongoing operation of ...the road*'. A reasonable party can provide their case through supporting information to assess and consider the role that their development has on the effectiveness and operation of the road;

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- Part 1, Clause 8 – Relationship to other environmental planning instruments. This matter identifies the SEPP prevails to the extent of any inconsistency for an environmental planning instrument. Given a local environmental plan will be required to be amended to reflect the draft plan, a clear inconsistency between policy objectives will occur.

Implications

- Conflicting environmental planning policies, SEPP prevails;
- Unnecessary uncertainty in development assessment and gateway processes;
- Hidden prohibition.

Recommendation

- Given the draft plan's policy does not support this reasonable assessment, it is recommended that the draft plan principle be removed; or
- SEPP is either amended or updated.

Hunter plan. The draft plan could appear to conflict with the Hunter plan.

Background

- Page 23, establishes clear principles for enabling development that relies on the Hunter Expressway interchanges provided it encourages efficiencies to the inter-regional transport network;
- Page 23, 63 etc. Investigation is first required to determine the region-shaping potential of the Hunter Expressway.

Implications

- Conflicting regional and environmental policies, regional plan prevails.
- Pre-mature policy, limiting opportunity for due-diligence and investigation of its regional-shaping potential for both residential and industrial;
- Unnecessary uncertainty in development assessment and gateway processes;
- Hidden prohibition.

Recommendation

- Remove principles, await further investigation and detailed consideration of Hunter Expressway strategy.

Macro plan Dimasi report – Greater Newcastle Metropolitan Strategy: Economic Prospects to 2036. The draft plan conflicts with the principles identified by the commissioned report by the Department of Planning and Environment.

Background

- Page 58, establishes clear principles for enabling development that relies on the Hunter Expressway, identifying investment to occur to realise the roads potential. It also identifies the important aspect of the Hunter Strategic Infrastructure Plan, identified below.

Implications

- Unnecessary uncertainty in development assessment and gateway processes.

Recommendation

- Remove principles, await further investigation and detailed consideration of Hunter Expressway strategy.

Hunter Strategic Infrastructure Plan (HSIP). The draft plan conflicts with the publicised principles and strategies of the HSIP. This joint document by the NSW Government has set a precedent for the role and value that growth plays in supporting and not jeopardizing the Hunter Expressway. Page 51 outlines:

- *'there needs to be a suite of matching strategies to leverage the full regional benefits from these investments';*
- *Optimising residential growth along the Hunter Expressway corridor to connect employment centres.*

Notwithstanding the differences between these documents, it is commonly known that the efficiency of an industrial road network and interchanges are primarily reduced by heavy vehicles and not that of passenger vehicles. Protecting the operation by encouraging hubs of industrial activities will limit, rather than support the operational efficiencies of the interchanges and the ongoing road network.

Overall Recommendation

Given the disparity between the range of publicised government publications, and the prohibition of future development adjacent to the corridor, clarity and consistency is required for the community.

To achieve this, it is recommended that the principles for the Hunter Expressway within the draft plan be amended to:

- *Protect sensitive uses (such as residential development) from the adverse impacts of the Hunter Expressway. (Development outcomes could include: Noise sensitive design, planting and separation buffers from the adjacent motorway edge);*
- *Development does not result in a worsening of operational efficiency of the Hunter Expressway interchanges;*
- *Development protects the ongoing role and operation of the Hunter Expressway through its primary role as a freight corridor;*
- *No additional access is supported to the Hunter Expressway; or*
- *Be removed and await the Hunter Expressway Land Use Strategy.*

Please advise if this letter does not meet the statutory requirements for a submission on the draft Greater Newcastle Metropolitan Plan 2036.

Thank you again for this opportunity.

Regards, Thomas Holmes.