

MINUTES

Lochinvar Reference Group Meeting 16th August 2010 – Seventeenth meeting

1. **Meeting opened:** 4:00pm

Present:

Clr Henry Meskauskas (ClrHM)
Ian Higgins (IH)
John Whittle (JW)
Jim Aird (JA)
Alan Wells (AW)
Steve Barlow (SB)
Josh Ford (JF)

Apologies:

Leanne Harris (LH)
Monica Gibson (MG)

2. **Business arising from previous meeting**

- Nil.

3. **Status of draft LEP**

- JF provided an overview of the status of the draft LEP for the Lochinvar Urban Release Area following Council's resolution on 27th July 2010 to forward the proposal to the Department of Planning seeking a gateway determination.
- JA asked whether a change in state government at the next state election was likely to have an impact on the rezoning process and if this could affect the Lochinvar proposal. JF responded by stating that it would be highly unlikely that any change in government would impact on the rezoning of the Lochinvar URA, particularly given the progress that has occurred with the proposal. AW and SB agreed with this point.
- IH drew the group's attention to the Maitland to Minimbah Third Track proposal and its potential to impact on the draft LEP for the Lochinvar URA.
- JF reminded the group that part of Council's resolution from 27th July 2010 stated that:

Written representations be made to the Minister for Planning and the Department of Planning noting the substantial planning work undertaken for the Lochinvar Investigation Area, requesting that this be recognised during the assessment of the Maitland to Minimbah Third Track project.

JF explained that a letter had been sent on 6th August 2010 to the Honourable Tony Kelly MLC - Minister for Planning, Infrastructure and Lands reinforcing the work undertaken to date for the Lochinvar URA and demonstrating the potential impacts of the Third Track on Lochinvar. JF provide a copy of this letter to the group members.

- JF asked whether the group had any issues with the submission to the Department of Planning regarding the Third Track EA, as some people in the community had misinterpreted the information in the EA and thought Council was trying to limit the potential for development in some URAs by excluding land or applying “buffer zones”. The group members explained that they understood the content of the EA and how it applied to Lochinvar. It was understood by group members why further investigations were required in the southern area of the site to inform the rezoning.
- IH explained that he had met with MP Frank Terenzini regarding the Third Track and potential impacts on Lochinvar. MP Frank Terenzini contacted the Hunter 8 Alliance and requested that IH be updated on the proposal. IH was told that the Minister for Planning has been forwarded a letter and a copy of the submission regarding the EA for the Third Track.
- Cllr HM suggested that a meeting be held with MP Joel Fitzgibbon and MP Frank Terenzini to provide them with a background on the Lochinvar URA and to explain why there is some angst regarding the Third Track proposal and potential land use conflicts.
- JA raised concerns over the nominated 500m wide area of affectation and whether the Department of Planning may not rezone this land to urban purposes, given the potential for land use conflicts if the Third Track is approved. JF explained that it would not be in the interests of the Department of Planning or Council to not advocate for the land to be developed for urban purposes. This is particularly so since the site has been identified in the Lower Hunter Regional Strategy 2006. In any case, it is not likely that the area of affectation would remain as extensive as shown once further detailed investigations demonstrate the actual areas of the site impacted by the Third Track or once mitigation measures to reduce noise, vibration and emissions are identified by ARTC in the detailed design phase of the project. AW agreed with this point, stating that the area of affectation presents as an area likely to be significantly reduced once further investigations are undertaken.
- AW highlighted that Hunter 8 Alliance would have an idea of the likely environmental impacts associated with noise, vibration and emissions and the mitigation measures to counter these within the vicinity of Lochinvar, given that topography is similar to some areas of the first stage of the project between Whittingham and Minimbah, which has been constructed.
- IH explained to the group that noise levels are currently unacceptable, so even if the Third Track proposal did not proceed or was not approved, the rail corridor currently presents issues regarding noise and vibration which need to be addressed.

4. Status of Outstanding Environmental Studies

- AW forwarded an email to JF earlier today regarding the Aboriginal Heritage Study for the Lochinvar URA, explaining that the completed study was due to be completed this Friday or Monday week.
- AW stated that Hunter Water Corporation is currently assessing the water servicing strategy for the site, which they are likely to finalise within 6 weeks.
- AW highlighted that the next stage of the project will involve detailed precinct planning, however this would be some time away given that a gateway determination was yet to be issued for the rezoning proposal.
- JF explained that the gateway determination issued by the Department of Planning will identify formal requirements for consultation with stakeholders and possibly requirements for additional detailed environmental studies, even though Council is comfortable with the level of detailed studies completed to date for the rezoning. Additional studies will be required for precinct planning stage and some would also be likely at the DA stage.
- AW asked about the timing of the amendment, and whether it will form an amendment to the MLEP 1993 or the proposed MLEP 2011. JF explained that while it was Council's intention for the rezoning of Lochinvar to occur as soon as practicably possible, the Department of Planning is currently assessing a number of comprehensive LEPs for local Councils and these were the focus given the scope of comprehensive LEPs, therefore it is likely that the proposed rezoning will form an amendment to the proposed MLEP 2011.

5. General Business

- Nil.

6. Next meeting time

- Next meeting date and time is to be decided following either (i) a response from both MP Joel Fitzgibbon and MP Frank Terenzini regarding a meeting with the LRG; or (ii) issue of the gateway determination from the Department of Planning regarding the proposal. Group members are to be contacted following whichever event occurs first.

7. Meeting Closed: 5.10pm