

MINUTES

Lochinvar Reference Group Meeting 12th July 2010 – Sixteenth meeting

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

Present:

Clr Henry Meskauskas (ClrHM)
John Whittle (JW)
Jim Aird (JA)
Alan Wells (AW)
Craig White (CW)
Leanne Harris (LH)
Monica Gibson (MG)
Josh Ford (JF)

Apologies:

Clr Stephen Mudd
Steve Barlow

2. **Business arising from previous meeting**

- Nil.

3. **Submission – 3rd Railway Track Project**

- AW expressed concerns over the lack of detail regarding the proposed Lochinvar overbridge in the Part 3A application for the Maitland to Minimbah Third Track project, stating that he had not seen the detailed design drawings for the overbridge.
- It was noted that the overbridge was a separate application and assessment to the third track application, and that the overbridge application was not publicly exhibited in the same way as the third track.
- JF explained that Council had been consulted informally about the rail overbridge some time ago, and that detailed design drawings were provided to Council for that project - which is anticipated to be completed prior to construction commencing on the Third Track project should it be approved. The matter was reported to Council at the 10 November 2009 Council meeting.
- Landowners were reminded that there was an opportunity for individuals to also make submissions in response to the third track application.

4. Status of Outstanding Environmental Studies

- AW highlighted that information remains outstanding from the submitted draft Aboriginal archaeology assessment, and that this information would likely be submitted to Council within 2 weeks.
- AW explained that recommendations in the draft Aboriginal archaeology assessment remained unchanged and that further reports would be prepared to support future Development Applications for urban development within the Lochinvar Investigation Area.
- AW reminded the group that the draft sewer servicing strategy has been reviewed by Hunter Water Corporation and has been submitted to Council. AW noted that the draft water servicing strategy is currently being prepared by Parsons Brinckerhoff and is approximately 6-8 weeks from being forwarded to Hunter Water Corporation.
- AW identified potential connections to greywater within the Lochinvar Investigation Area, based on discussions with Parsons Brinckerhoff and Hunter Water Corporation.

5. Review of Environmental Studies & Draft LEP Timing

- JF explained that due to the potential impacts from the proposed Maitland to Minimbah Third Track, Council would require additional investigations regarding noise, vibration and emissions generated from operational movements along the rail corridor.
- JF explained that Council was generally satisfied with the outcomes of the environmental studies supporting the rezoning of the Lochinvar Investigation Area, particularly given the potential to undertake further detailed studies during preparation of precinct plans / development control plans for the site. However, it was explained that the Third Track project had presented issues that could have major impacts on land within the site and that this resulted in Council reviewing its position on the suitability of studies undertaken to date, including those in association with the Lochinvar Structure Plan 2007.
- JF explained that the Environmental Assessment (EA) for the Maitland to Minimbah Third Track project did not identify the type, nor the extent, of proposed methods of noise/vibration attenuation for the rail corridor adjoining the Lochinvar Investigation Area. The lack of detail makes it impossible for Council to predict the likely impacts on potential future urban development in the southern area of the site. Council needs to assess the compatibility of increased rail movements adjoining potential future urban development, and this requires additional environmental studies to be completed to determine the extent of constraints generated from the Third Track project.
- Cllr HM argued that all the decision-making power in regards to noise/vibration attenuation appears to be outside Council's hands, given that the Third Track project is a Part 3A project under the Environmental Planning and Assessment Act 1979, and that Council is not the determining authority for this matter. AW agreed

with Clr HM that Council's ability to demand more information regarding details of noise/vibration attenuation methods at this stage of the project appears to be highly constrained.

- MG noted that the boundary of the Lochinvar Urban Release Area (URA) would not be altered if part of the site was to be identified as requiring further investigation. It was explained that only the area of land within the overall URA that could be rezoned may change, and that this would ultimately be dependent on Council receiving additional information to support the inclusion of any such area identified as requiring additional investigations.
- MG explained the potential impacts resulting from the Third Track project, such as noise, vibration, air quality, and why further investigations are required to confirm the extent of such impacts on land within the Lochinvar Investigation Area.
- AW asked whether the Minister for Planning is likely to impose a condition regarding noise attenuation when a determination is made for the Part 3A Maitland to Minimbah Third Track project.
- CW argued that a 500m "buffer" noted in Council's submission to the Department of Planning regarding the Third Track project effectively gives weight to ARTC's intentions for the project to proceed.
- AW highlighted to the group that noise is different to air quality, and that the receptor buffer highlighted in Council's submission has different implications dependent on whether the receptors are for air or noise.
- MG responded by highlighting that the purpose of a "buffer" in Council's submission was to note the extent of impacts from the Third Track project on identified and endorsed urban release areas like Lochinvar, for which much planning work has been undertaken. It was noted that the "buffer" was identified in the EA prepared by Hunter 8 Alliance, and that this was simply replicated in the submission made by Council. It is not intended to be interpreted in Council's submission as a sterilised area, but an area where further investigation is warranted.
- JW explained that approaches to noise attenuation had been discussed with Hunter 8 Alliance when they briefed the group earlier in 2010, however no firm commitment was given to any form of attenuation methods.
- MG highlighted that many discussions have occurred historically with the Department of Planning regarding the Lochinvar Urban Release Area, particularly given that the Department helped fund the Lochinvar Structure Plan 2007 (LSP 2007), and has endorsed the Maitland Urban Settlement Strategy 2008 (and previous editions) in which Lochinvar is identified as a Category 1 investigation area. MG noted that previous planning work undertaken by Council has not considered the potential impacts of the Third Track, since that project was not on the agenda when the LSP 2007 was prepared.
- CW argued that Council's submission should have noted "500m receptor buffer by ARTC". MG responded by saying that Council is looking for a sensible planning outcome, and the buffer is only indicative based on information contained in the EA

for the Third Track project. The buffer identified in Council's submission for the EA does not indicate Council's intention for zoning this area of the site (southern extent 500m north of the rail corridor).

- AW stated that the LSP 2007 notes the intention to upgrade Lochinvar Railway Station, however the loss of land - should any land be deferred from the proposal based on the need for additional studies - may have implications for being able to achieve this objective.
- LH responded by stating that, even if some land within the site is subject to further detailed investigations as a result of the Third Track project, the entire URA will still be identified for rezoning to urban purposes. However, the extent of land which can be rezoned without the need for additional noise, vibration or air quality studies will be identified as being subject to further investigations.
- Clr HM requested that the council report for the rezoning of the Lochinvar Investigation Area should include a recommendation that the Minister for Planning note the significant planning work undertaken historically for the Lochinvar Investigation Area, and note the significance of potential impacts from the Third Track on the site, and therefore the impact on the substantial work undertaken so far.
- LH highlighted that the staging of development within the site, based on the need for further investigations relating to noise, vibration and air quality in the southern area of the site (within 500m of rail corridor), is not likely to affect the logical staging of the URA. This is because existing services and infrastructure are located in the northern extent of the site and logic would dictate that development will tend to progress from north to south within the URA over time.
- CW again argued that the "buffer" identified in Council's submission for the Third Track effectively sterilises land within 500m of the rail corridor. LH responded by stating that Council will not be deterred from pursuing the goals of the LSP 2007, which was prepared with the intention of rezoning land to urban purposes within the site, and that the buffer does not indicate Council's zoning intentions for land within this area of the site.
- LH explained that the Maitland to Minimbah Third Track project is only in the assessment stages and has not yet been constructed, which means that confirmation of the extent of environmental impacts is difficult at this point in time.
- Clr HM asked that the Minister for Planning be made aware of the history of the site and the substantial planning work undertaken to date, given that the information relating to Lochinvar and the planning for the URA is hardly acknowledged, and lacks any real detail, in the EA for the Third Track project.

6. General Business

- AW asked LH if the rezoning of the Lochinvar Investigation Area was likely to be reported to Council at the last meeting in July 2010. LH responded by saying that the intention was to report the matter to Council on this date. AW asked that the members of the LRG be notified when the matter is to be put before Council.

7. Next meeting time

- Next meeting to be held at 4pm on Monday 2nd August 2010 in the Paterson Room.

8. Meeting Closed: 4.55pm