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Dear Sir / Madam

CITY OF NEWCASTLE SUBMISSION ON THE RECOMMENDED LOWER HUNTER FREIGHT CORRIDOR

Thank you for the opportunity to provide a submission on the recommended alignment for the Lower Hunter Freight Corridor (LHFC). City of Newcastle (CN) understands the LHFC project aims to identify and protect land for a future freight rail line that will bypass Newcastle between Fassifern and Hexham and that this corridor will be protected under *State Environmental Planning Policy (Major Infrastructure Corridors) 2020*.

CN supports preservation of a corridor for a freight bypass and over time has made formal resolutions supporting these investigations and studies. In August 2019, CN made a submission to Infrastructure Australia for the Lower Hunter Freight Corridor to be included in the Infrastructure Priority List for 2020.

This submission outlines the importance of ensuring the future alignment of the corridor responds to the Hunter Region's needs over the long term, particularly in servicing the Port of Newcastle, which is identified in the Greater Newcastle Metropolitan Plan (GNMP) as a catalyst area and 'global gateway, providing international freight connections' and our emerging Black Hill industrial precinct also identified as a catalyst area in the GNMP.

CN seeks assurance that implementation of our key infrastructure projects, such as the Richmond Vale Rail Trail, will not be more onerous or costly as a result of the long-term reservation of the corridor and that there is project integration between the Lower Hunter Freight Corridor, the proposed M1 Motorway extension to Raymond Terrace and our emerging Black Hill industrial precinct.

Should you require any further information on this matter please contact Michelle Bisson, Manager Regulatory, Planning and Assessment on 4974 2793 or mail@ncc.nsw.gov.au.

Yours faithfully



Jeremy Bath
CHIEF EXECUTIVE OFFICER

Attachment 1 CN Submission - Lower Hunter Freight Corridor
Attachment 2 Lower Hunter Freight Corridor Map

Attachment 1

We are pleased to provide our submission on the recommended Lower Hunter Freight Corridor (LHFC), which outlines our key areas of concern and support.

Richmond Vale Rail Trail

City of Newcastle (CN) is undertaking investigation and planning of the Richmond Vale Rail Trail (RVRT). The RVRT extends from Pelaw Main in the west to Hexham in the east, with connections to Minmi and Fletcher. The RVRT project scope also includes connections to Tarro and Shortland from Hexham Junction primarily along the alignment of the Hunter Water pipeline corridor.

While studies for the RVRT were done on a 'whole of trail' basis, approvals are being sought separately by each council through which the rail trail passes. A development application for sections of the trail in the Newcastle LGA is currently being assessed.

At page 56, the Draft Strategic Environmental Assessment notes that the 'recommended corridor avoids impacts to the disused Richmond Vale Railway, which has been identified by CN for a proposed cycleway' and that a 'future crossing of a potential cycleway can be addressed in the next phase of the project development'. Further, at p.61 of the Draft Strategic Environmental Assessment notes that the recommended corridor crosses the proposed future Richmond Vale Rail Trail in two places, at Lenaghan in the M1 Pacific Motorway road reserve and at Hexham and that the crossings would be designed at a future environmental approval stage to ensure that the Richmond Vale Railway embankment can be used for the cycleway. Comments at p.62 note that future design of the freight line would need to interface with the Richmond Vale Rail Trail. At p.68, the report indicates that it 'is assumed the rail trail would be operational before potential future infrastructure is provided in the recommended corridor'. At that stage, the freight project would need to address the operation of the adjacent rail trail at Lenaghan and Tarro where the two infrastructure projects cross to ensure continued operation of the cycleway.' These comments are reiterated at p. 90.

CN contacted the LHFC project team to request further information about the proposed freight line in the vicinity of Tarro. The existing New England Highway and the M1 Pacific Motorway Extension to Raymond Terrace alignment present significant challenges to achieving a safe cycleway connection from the Hexham Junction of the RVRT to Tarro. CN sought confirmation whether the freight corridor would have sufficient elevation at the point it crosses the pipeline corridor (Pipeline Road) to allow the cycleway to pass underneath. CN was advised that the design will not be developed for some time and that existing concepts may change, but that the existing feasibility design indicates that the freight line will have adequate clearance.

CN is pleased that the preferred alignment of the LHFC avoids the Minmi to Hexham section of the RVRT. It is also reassuring that the Draft Strategic Environmental Assessment acknowledges planning by Lower Hunter councils for the RVRT, assumes that the trail will be in place when the freight corridor is implemented in future and that planning for the freight line will be premised on continued operation of the cycleway.

The Explanation of Intended Effects indicates that the proposed amendment to State Environmental Planning Policy (Major Infrastructure Corridors) 2020 will require any development over a capital investment value to be subject to concurrence from Transport for NSW and that in providing concurrence, Transport for NSW must consider:

- The nature and context of the proposed development, including the need to carry out the proposed development;
- The timing of carrying out the proposed development and the proposed timing for constructing infrastructure;

- The likely additional costs of delivering the infrastructure in the future resulting from the carrying out of the proposed development.
CN seeks assurance that implementation of future sections of the cycleway, particularly the connection between Hexham Junction and Tarro, will not be made more onerous and costly by the referral process.

Project integration with emerging Black Hill Precinct and M1 Motorway extension to Raymond Terrace

CN requests that TfNSW give greater consideration to the future integration between the LHFC, the proposed M1 Motorway extension to Raymond Terrace (M1toRT) and the emerging Black Hill Precinct.

The Hunter Regional Plan 2036 (DPE 2016) and Greater Newcastle Metropolitan Plan 2036 (DPE 2018) recognise that the Black Hill Precinct is of strategic importance to the region and identifies it as a Catalyst Area.

The first part of the overall anticipated development for the Emerging Black Hill Precinct has recently been approved by CN under [DA2020/01497](#), being a 1 lot into 62 lot subdivision on 198 Lenaghans Drive, Black Hill. This has followed on from Council's endorsement of the [Staging Plan and Indicative Lot Layout](#) at its June 2021 meeting to satisfy Condition 1.10 of the Concept Approval ([MP 10 0093](#)) which shows, at full development, 200 industrial allotments on this land.

The second part of the Precinct is located immediately west of the first and within the Cessnock LGA on which a development application for subdivision is currently being considered. Combined, the two sites are expected to result in the development of over 300 hectares of land for light industrial, freight and logistic uses.

As part of the M1toRT EIS, sensitivity analysis has been done which explores possible options to improve network performance as the Emerging Black Hill Precinct develops over time. This involved modelling the inclusion of additional southern access / egress to the Emerging Black Hill Precinct gained via northbound and southbound access ramps at the Black Hill Road interchange. Chapter 7 of the EIS identifies that:

Page 7-41

"The provision of south-facing ramps connecting Black Hill Road to the M1 Pacific Motorway was found to improve the performance of the road network, particularly during the evening peak. Improvements were evident at the M1 Pacific Motorway/Weakleys Drive/John Renshaw Drive and Black Hill interchange southbound merge, in the vicinity of the Emerging Black Hill Precinct. These improvements are a result of more direct access to the site from the south, which reduces the distance travelled by vehicles accessing and departing the site. This consequently reduces the number of vehicles travelling the network surrounding the Emerging Black Hill Precinct and improved the southbound M1 Pacific Motorway ramp operation to LoS B."

It is promising to see that there would be opportunity to achieve both the objectives of the M1toRT and LHFC while also supporting the future of the Emerging Black Hill Precinct. However, CN raises concern that a southern access to the Precinct gained from Black Hill Road may not be viable to achieve in practice, thereby placing at risk the future of the Precinct. Currently there are private properties between Black Hill Road and the southern boundary of the Emerging Black Hill Precinct that do not form part of either project. A private developer does not have the same range of acquisition powers as Government to secure access through this land. The distance of any access roads, in the order of 1km, may also be cost prohibitive to the developers of the Precinct. While the EIS suggests there could be other equivalent

southern access options, it is not apparent what these options may entail or how this would be achieved.

In June 2021, CN, with the support of TfNSW, approved an indicative road and lot layout to guide development of the eastern part (Lot 30 DP870411) of the Emerging Black Hill Precinct. On the recommendation of TfNSW, allowance has been made for a potential southern connection across the eastern site boundary to the M1 Motorway that would not rely on other private landholdings or upgrading / closure of Black Hill Road. As the Emerging Black Hill Precinct has now progressed, including approval of the first DA on the site, the LHFC project needs to acknowledge and ensure the future southern connection to the M1 Motorway can be provided.

It is critical that the three strategically significant projects including the M1 extension to Raymond Terrace, Lower Hunter Freight Corridor and the Emerging Black Hill Precinct integrate and leverage off the other rather than pose barriers to success. CN would therefore recommend that TfNSW investigate in more detail access to the Emerging Black Hill Precinct as part of both the M1 Pacific Motorway Extension Project and the Lower Hunter Freight Corridor Project and confirm the preferred option for southern access ramps and access connecting to the Emerging Black Hill Precinct. While the construction of access ramps / access may not fall within the Projects briefs, the inclusion of such within the Projects design stage could ensure that a viable access is achievable and integrated between the Projects.

Project integration with emerging Black Hill Precinct

The Emerging Black Hill Precinct includes approximately 300 hectares of land for light industrial, freight and logistic uses. CN has recently approved the Staging Plan and Indicative Lot Layout to guide the subdivision pattern for 200 lots on 198 Lenaghans Drive.

The preferred LHFC corridor is shown to encroach into and affect the approved indicative lot layout for stages adjacent the sites eastern boundary. This part of the Emerging Black Hill Precinct is expected to be developed in the next decade, well before refined planning and design for the LHFC project is expected to commence.

CN requests that TfNSW investigate this encroachment in greater detail and identify the industrial land required for the rail corridor so that appropriate amendments to the approved indicative layout can be considered by the land subdivider and CN. These investigations should be completed in association with the work to confirm preferred options for the southern access ramps connecting to the M1 Motorway,

Further, CN considers it appropriate for this body of planning work to also consider if a rail siding from the LHFC into the Emerging Black Hill Precinct would be appropriate and allow this large industrial, freight and logistics precinct to leverage off this infrastructure investment and enable a greater modal shift of freight haulage away from road / truck dependency.

The Further Environmental Assessment Requirements imposed on the approved Concept Plan (refer Schedule 2 Part D) do not require any assessment of rail noise or vibration as the proximity of a rail corridor was not known at that time. CN considers it also appropriate that the LHFC project consider the potential impacts of noise and vibration on permissible uses in the IN2 (Light Industrial) zone within this precinct and make allowances for appropriate mitigation measures.

Flooding and Hydrology

CN acknowledges that the future freight rail line is not anticipated to be required in the next 10 to 20 years and at that time, the detailed design of the infrastructure will address and manage environmental impacts. However, CN would like to draw early attention to the following matters that will need to be considered as part of the future environmental approval process.

CN welcomes the Draft Strategic Environmental Assessment's intent to 'maintaining the hydrological regime at Hexham Swamp and Pambalong Nature Reserve'. An assessment of risks to waterway health will need to be undertaken at design stage and be in accordance with NSW Guidelines at the time, current guidelines are the *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions (2017)*.

The vertical alignment, culverts and bridges associated with the proposed freight corridor needs early consideration of impacts to wetland hydrology, including drying hydrology. Hydrological targets in relation to wetland drying would be consistent with TFNSW's guide to 'Applying Water Sensitive Urban Design Principles to NSW transport projects' and the NSW Riverflow Objectives.

Where the proposed corridor intersects CN land, stormwater management will need to conform to CN controls currently found in Section 7.06 Stormwater of CN Development Control Plan and the Stormwater and Water Efficiency for Development Technical Manual. Water quality must at a minimum satisfy targets nominated on Table 4 of the Stormwater DCP before discharged to receiving body.

Hydraulic and hydrological modelling

Hydraulic and hydrological modelling is required to demonstrate conveyance of the 10% AEP. This should also include quantifying changes to catchment characteristics and the impact on upstream and downstream network.

Where discharging to CN land, all outlets must be fit for purpose (scour resistant, suitable capacity and energy dissipation) and allow for appropriate access to perform maintenance.

Flooding

Large sections of the current alignment exist within areas identified as 'flood storage' and 'floodway' as defined by CN's 2012 Floodplain Risk Management Study and Plan. CN recommends that decreasing flood storage volume and flood impact to existing residents, are given stronger consideration than currently expressed in the Draft Strategic Environmental Assessment.

Further flood investigations should be expanded to consider the cumulative impact of the freight corridor in combination with the M1 extension. It should not be investigated further in isolation. Flood impact at Sapphire Close, Beresfield will be an issue as already identified as part of the work on the M1 extension

In addition to meeting industry best practice for flood impact assessment of the project, further studies should also consider:

- Velocity afflux particularly around inter embankment impacts to the M1 extension.
- Above floor flooding afflux.
- Flood afflux to the Hexham straight section and the impact the rail embankment will have the Highways flood immunity. That is, overbank flooding unable to spread and store within the wetland. Noting the Draft Strategic Environmental Assessment does indicate the parallel rail embankment along the Hexham will retain a similar elevation.
- Utilisation of dynamic grid cell sizing, floor level flood impact to affected residents should not be presented on coarse grid cell sizing, consider a finer mesh around sensitive areas of the floodplain, including the appropriate resolution of channels.

Corridor alignment

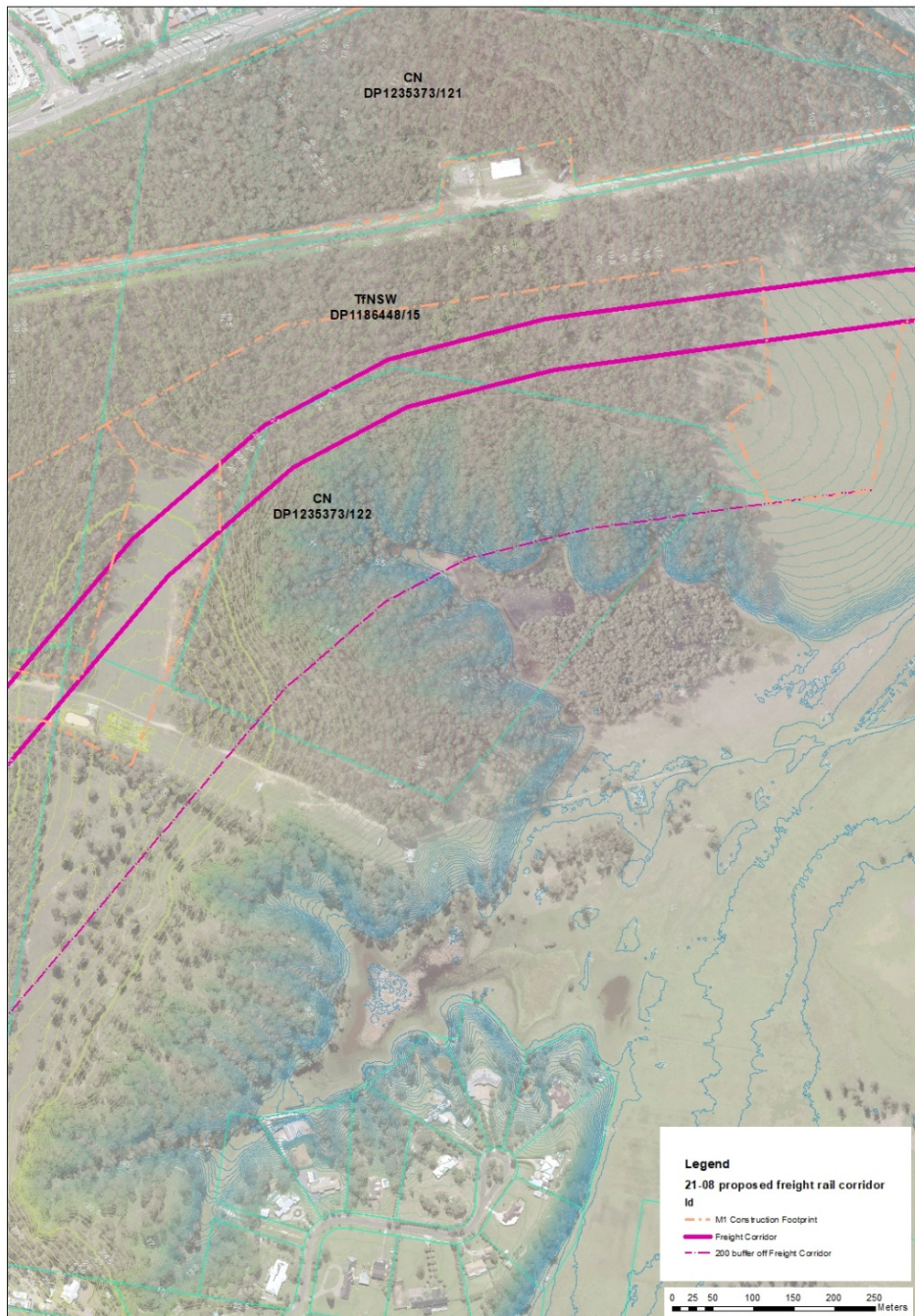
The following comments are made in relation to the rail alignment.

- Stockrington Road Minmi – Freight corridor to pass over Stockrington Road or Stockrington Road relocate west within road corridor considering adjoining National Park.
- Cedar Hill Drive Black Hill - Freight corridor to pass over section of Cedar Hill Drive or Cedar Hill Drive relocated west within road corridor considering adjoining National Park.
- Woodlands Close Tarro, Pipeline Road and Shortland to Tarro section of Richmond Vale Rail Trail – Freight corridor to pass over Woodlands Close, Pipeline Road and Richmond Vale Rail Trail to allow vehicles and cyclists to pass underneath.
- Aurizon Access Road Tarro – Freight line to pass over Woodberry Road with elevated railway or bridge and allow for heavy vehicle loads to pass under.
- Woodberry Road Tarro – Freight line to pass over Woodberry Road with elevated railway or bridge and allow for heavy vehicle loads to pass under.

Environmental impacts

The proposed freight corridor appears to cross through approximately 1.5ha of Council owned land on lot DP1235373/122. As shown on the diagram, the corridor traverses a ridge, approximately 120m uphill of an E2 Environmental Conservation zoned, Coastal SEPP wetland. This wetland is also identified as a high potential Groundwater Dependent Ecosystem in the EIS for the M1 Expressway extension Black Hill to Raymond Terrace.

CN intends to manage this land parcel primarily for environmental purposes. This land offers what is now a very rare direct connection for wildlife - between the wetlands and remnant woodland fringes around the Hunter River floodplain.



CN requests that this portion of the proposed freight corridor is relocated out of CN land and consideration is given to co-locating the freight rail within the excavated corridor of the M1 project in this vicinity. This may also provide both noise mitigation and visual amenity benefits to the residents of Black Hill.

Clearing of woodland and habitat fragmentation

Page 80 of the Draft Strategic Environmental Assessment notes:

"The northern section of the recommended corridor occurs in the green corridor mapped by the Lower Hunter Regional Strategy, and therefore has conservation importance in maintaining connectivity from the western bushland at Seahampton further northeast across Hexham Swamp and Tarro through to the Hunter River ... "

The assessment also recognises that *'there is a patch of good condition Lower Hunter Spotted Gum Ironbark Forest Endangered Ecological Community at Black Hill'* which *'would be further fragmented by the recommended corridor'*.

Taken together, the Beresfield Expansion Project (identified in the GNMP), M1 Expressway Extension and freight line will clear up to 70ha of mature woodland in the vicinity of Black Hill. It is desirable to get the best local biodiversity mitigation outcome from all project approvals.

CN requests that arrangements for residual lands south of the rail corridor provide an integrated corridor of forested mature woodland of at least 200 metres width on the southern side of the proposed rail corridor in the vicinity of Black Hill. A review of buffer lands provided between residents and the proposed corridor in Lake Macquarie (page 60 of the Draft Strategic Environmental Assessment) indicates that typically a minimum forested buffer of 200 metres width has been provided.

CN proposes that the primary function of this corridor is environmental conservation, given the land locked nature of these parcels and their environmental value. Such a corridor would also provide a visual buffer for adjacent rural residential lots to the south.

With respect to public lands within this buffer corridor, it requested that the residual portion of TfNSW land DP879741/50 remains as bushland and minor adjustments are made to the boundaries of DP1235373/122 so this land's boundaries reflect the existing topographical, forested, and ecological condition of the E2 Environmental Conservation zone wetland it supports.

CN recommends that all cumulative impacts be considered by all stakeholders, so any project specific mitigation efforts are invested to directly support linkages between residual environmental lands in this area and broader wildlife corridors. Biocertification is not likely to achieve this local outcome for the Newcastle Local Government Area.

Page 60 of the *draft Strategic Environmental Assessment* states that the Motorway will remain the 'dominant source' of noise, visual, air quality and amenity impact to residents on the eastern side of the M1, between Minmi and Black Hill.

CN requests preliminary noise assessments are undertaken to satisfy concerns that no additional noise or amenity impacts will be felt by current and future residents in the Newcastle LGA. Preliminary assessments should be undertaken to a degree to confirm that any deleterious additional impacts from the freight line can be mitigated through control measures which can be implemented at the design stage.

Given the potential elevation of the rail line to enable aerial crossing of the M1 and other roads, CN requests that these preliminary noise and visual impact assessments consider residential receivers near Lenaghans Drive; the northern end of Walter Parade, Black Hill; and Cahill Close, Black Hill.

At the public consultation session on the 17 of August, TfNSW representatives indicated it would allow 4WD access through the freight corridor to allow vehicles to gain entry to adjacent private lands - where agreements are in place with private landholders.

CN requests that TfNSW liaise as required with the *NSW National Parks and Wildlife Association* and Council in order to identify and implement ongoing controls to stop illegal vehicular access from the corridor into adjacent environmental and conservation lands; or utility easements.

Aboriginal and non-Aboriginal heritage

The strategic review of the potential impacts associated with the LHFC on Aboriginal heritage and an AHIMS search identified sites within the recommended corridor. However, the Draft Strategic Environmental Assessment leaves site investigations to the next phase of the project development to confirm the location of the recorded sites and identify any previously unrecorded sites (p.82 Draft Strategic Environmental Assessment).

CN recommends that the assessment of significance of Aboriginal heritage and potential for discovery of sites and artefacts should be further investigated at this corridor selection phase rather than the future design phase where it may not be practical to develop optimal design approaches to avoid impacts on Aboriginal heritage sites and cultural values.

Non-Aboriginal heritage

The recommended corridor passes through or is near a number of non-Aboriginal heritage items that relate to the mining and transport history of the Hunter Valley. The recommended corridor also passes close to a number of local heritage items. The Draft Strategic Environmental Assessment found that there could be impacts on these heritage items from the provision of any future rail infrastructure within the recommended corridor (p.85). However, it is recommended that further heritage impact assessment be carried out at the next (design) phase of the development.

CN recommends that the heritage impact assessment be undertaken as part of the corridor selection phase to provide more certainty around the impacts on these heritage items and recommendations should be made as part of the heritage impact assessment in relation to the significance of these items that the design of the rail infrastructure should ensure is retained.

Corridor options

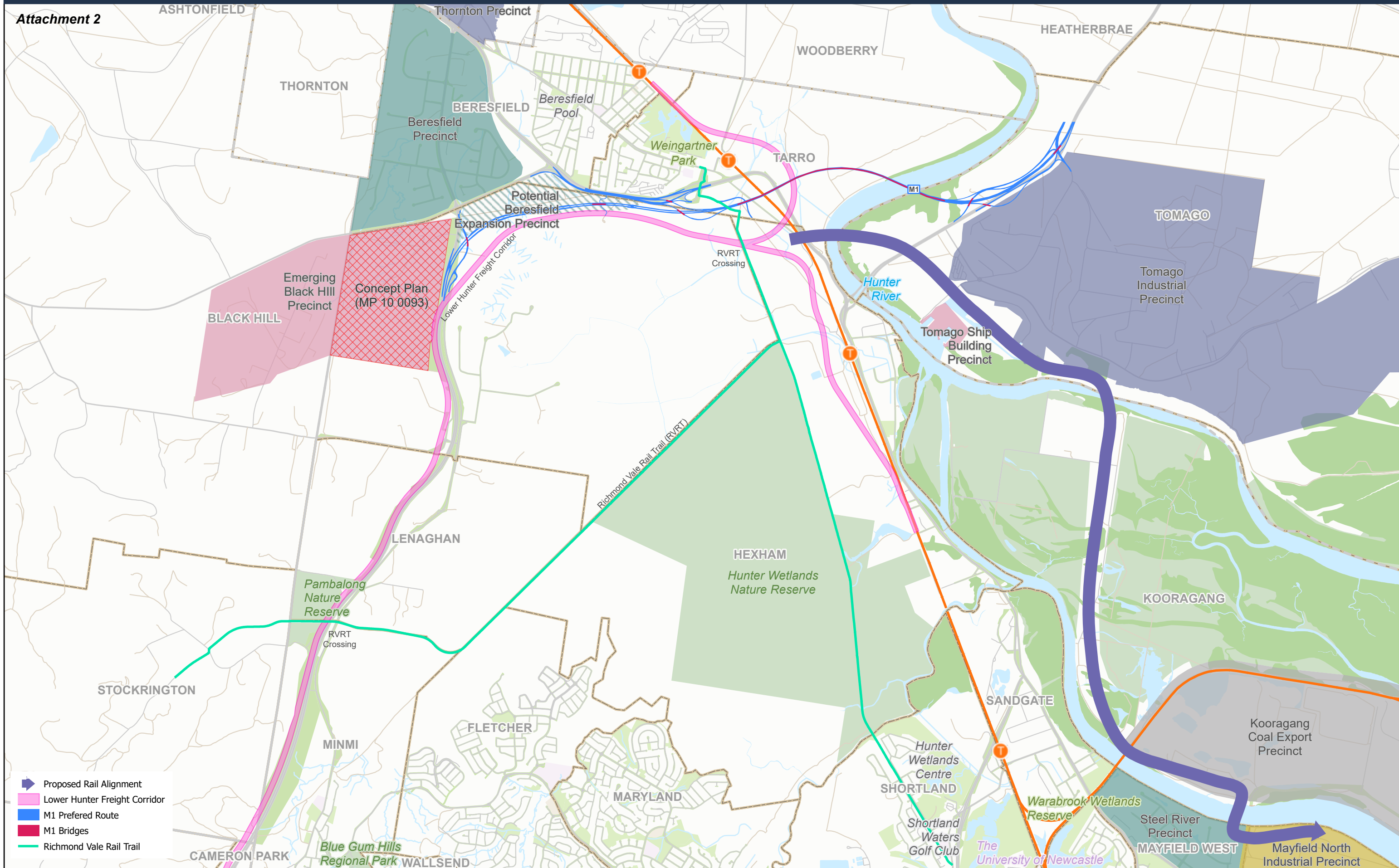
The Strategic Environmental Assessment discusses the corridor options considered by TfNSW. The short-listed options considered criteria relating to: freight movement, economic growth, community impacts, integrated land use and transport and future proofing. Only one alignment – the Pink Option – was identified that would meet the objectives of the LHFC and avoid significant impacts on communities and the environment.






CN generally supports this option (subject to comments in this submission) however recommends that the corridor alignment be reconsidered at Hexham – southern junction. For the Port of Newcastle to realise its potential as a global gateway over the longer term, the freight corridor will need to function 24 hours a day / seven days a week. None of the corridor options (not even the long list of potential corridor alignments) considered the management of rail freight as it passes through residential areas from Hexham to the Port. To enable 24/7 operation, the corridor will need to maximise separation from existing inner-city communities such as Mayfield.

CN recommends investigation into an option at Hexham, where the corridor could cross over Maitland Road and the Hunter River to Ash Island and continue south on the northern side of the river, maintaining a reasonable distance from the suburb of Mayfield to a point where it can cross the river again on Kooragang. This alignment would meet all the criteria used to examine performance by future proofing the freight rail corridor and by minimising community impacts and supports economic growth.

City of Newcastle Submission on the recommended Lower Hunter Freight Corridor

Attachment 2



-  Proposed Rail Alignment
-  Lower Hunter Freight Corridor
-  M1 Preferred Route
-  M1 Bridges
-  Richmond Vale Rail Trail

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