



# Newcastle Inner City Bypass

Rankin Park to Jesmond

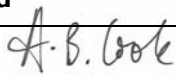
**SUBMISSIONS REPORT**

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Appendix C	Study area
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# I Introduction and methodology

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This submissions report relates to the public display of the preferred route for the proposed Rankin Park to Jesmond section of the Newcastle Inner City Bypass, and should be read in conjunction with the public display material which is included in Appendix A.

The Roads and Traffic Authority (RTA) invited anyone with an interest in the proposal to provide comment and make suggestions.

## I.1 Background

The Newcastle Inner City Bypass (Highway 23) between the Pacific Highway at Bennetts Green and the Pacific Highway at Sandgate is a long standing scheme to provide an orbital road to link Newcastle's road network.

The principal function of the Newcastle Inner City Bypass is to provide improved north-south traffic flow in the inner western suburbs of the city. The bypass, previously known as State Highway 23, now Highway 23 (HW23), would ultimately provide improved connectivity between key destinations such as Bennetts Green, Charlestown, John Hunter Hospital, Jesmond, Newcastle University and the Pacific Highway at Sandgate.

The RTA has undertaken a route options study for the proposed section of the Newcastle Inner City Bypass between Lookout Road at Rankin Park and Newcastle Road at Jesmond. The purpose of this route options study was to review the previously identified preferred route corridor between Rankin Park and Jesmond which was established by the RTA in 1985 and incorporated within Newcastle City Council's Local Environmental Plan (LEP).

The current and future expansion of the John Hunter Hospital campus and the extent of traffic growth along the existing Lookout Road at New Lambton Heights has led to the need to review the previously approved route. In addition new and amended planning and environmental legislation, incorporating the need to investigate biophysical and other constraints identified within the study area, warranted a full review of alignment and connection alternatives.

## I.2 Project and route objectives

The key project objectives of the Rankin Park to Jesmond section are to:

- Provide continuity of the Newcastle Inner City Bypass between Bennetts Green and Sandgate.
- Reduce travel times and the level of congestion on the existing Lookout Road to Newcastle Road route.
- Provide traffic relief to the surrounding road network.

The key route options study objectives of the Rankin Park to Jesmond section are to:

- Identify a preferred route corridor which can be included in council's LEP to protect the route from future development.
- Investigate the feasibility of a western access to the John Hunter Hospital.

### 1.3 Public display and comment period

The RTA placed the preferred route on public display between 12 February 2007 and 30 April 2007 at four locations (refer to Table I.1). All necessary reference material was made available for review at the nominated locations and on the RTA's internet website. The RTA invited anyone with an interest in the proposed Rankin Park to Jesmond section of the Newcastle Inner City Bypass to provide comment and make suggestions on the proposal. Comments were received up until 30 April 2006.

**Table I.1:** Locations where the preferred route was displayed.

Location	Address
Newcastle	<ul style="list-style-type: none"><li>• <b>Newcastle City Council</b> 282 King Street Newcastle</li></ul>
Wallsend	<ul style="list-style-type: none"><li>• <b>Wallsend Motor Registry</b> Shop 41 Wallsend Plaza Wallsend</li></ul>
Lambton	<ul style="list-style-type: none"><li>• <b>Lambton Post Office</b> 97 Elder Street Lambton</li></ul>
Newcastle	<ul style="list-style-type: none"><li>• <b>Roads &amp; Traffic Authority</b> Regional Office 59 Darby Street Newcastle</li></ul>

38 submissions were received and Table I.3 lists all respondents to the public display and each respondent's allocated submission number. The table also indicates where in this report their issues have been addressed in this report.

### 1.4 Community information sessions

Three community information sessions with the project manager were arranged during the public display period at Wallsend Motor Registry (refer to Table I.2).

**Table I.2:** Details of community information sessions.

<b>Type of Event:</b>	Community information session
<b>Venue/Date/Time:</b>	<ul style="list-style-type: none"><li>• Wallsend Motor Registry 22 February 2007 3.30pm – 5.00pm 10 March 2007 9.30am – 12.00pm 21 April 2007 9.30am – 12.00pm</li></ul>

Comments provided during the community information sessions were collated and are included in Appendix B – Community Interaction Report. All issues raised have been covered in this submissions report.

**Table 1.3: List of respondents**

<b>Surname</b>	<b>Given name(s)</b>	<b>Organisation</b>	<b>Representation number</b>	<b>Section where issues are addressed.</b>
Heydon	Marina	Individual	1	2.3, 4.1, 4.2, 4.3, 5.1
Fuller	Grant	Individual	2	4.1
Cottrell	Frank	Individual	3	3.2
Murphy	Brooke	Individual	4	7.1
Urane	Mike	Individual	5	3.1, 3.2
Sloane	Damien	Individual	6	2.5, 4.1
Ross	Colin	Individual	7	4.1, 7.1
		Local resident's group	8	2.4, 4.1, 6.2, 7.1
Mills	John	Local Member for Parliament	9	3.1, 4.1
McGirr	Robert	Individual	10	3.2, 3.3
	Trif	Individual	11	3.2
Davis	Jan	Hunter Environmental Lobby Inc.	12	2.3, 4.1, 4.2
Menk	F & W	Individual	13	2.1, 2.5, 3.2, 3.3, 4.1
Caine	Milton	Milton Cain Christian Democratic Party	14	2.2, 2.5, 3.1, 6.2
West	Ian	Individual	15	3.1
Economos-Shaw	R	Individual	16	3.3, 3.4, 4.1, 4.2
Lewis	Guy	Individual	17	2.4, 3.5, 6.2, 7.1
Scully	Sherah	New Lambton Residents Association	18	6.2
Hetherington	Jan	Individual	19	4.1
Moroney	Wendy	Individual	20	3.4
Fraser	Grant & Gill	Individuals	21	2.3, 2.4, 4.1
Freeston	Ken	Lake Macquarie City Council	22	3.1, 3.2, 3.3, 3.4, 4.1, 4.2
Duncan	Keith	Individual	23	4.2, 4.3
Leeman	Stewart	Hunter New England Area Health Service	24	3.2, 6.3
Hewson	E. G.	Individual	25	2.4, 5.1
Moroney	Wendy	Individual	26	3.2, 4.1, 4.2, 6.3
Green	Michael	National Parks Association of NSW	27	2.3, 2.4, 4.1, 4.2, 8.1

Brock	Ray	Individual	28	3.1
Newton	Greg	Newcastle City Council	29	2.4, 3.1, 3.4, 4.1, 4.2, 6.1
Brock	Noel	Individual	30	2.4, 5.1, 7.1
Davies and James	Kristian and Erica	Individuals	31	2.2, 2.4, 3.3, 4.1, 4.3, 5.2, 7.1, 8.1, 8.2
Evans	Murray & Carrie	Individuals	32	2.2, 2.4, 5.1, 7.1
Abery	Kathleen	Individual	33	2.5, 4.1
Thompson	Barrie & Corinne	Individuals	34	2.2, 2.4, 2.5, 4.1, 5.1, 5.2, 6.2
Scepanovic	Zul & Niki	Individuals	35	2.2, 2.4, 2.5, 3.1, 3.2, 4.1, 5.1, 6.2, 6.3, 7.1, 8.2
Maughan	Leigh	Hunter International Sports Centre Trust	36	2.4
Lewis	Brett	Individual	37	3.5, 4.1
Hassall	Geoff	Individual	38	3.1, 3.2



## **2 Project justification**

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### **2.1 Support for the proposal**

#### ***Submission number(s)***

13

#### ***Issue description***

In summary, the respondents raised the following issues:

- Completion of the Newcastle Inner City bypass would have a long-term benefit to traffic flow within and around Newcastle, in particular to and from the John Hunter Hospital, the University of Newcastle, Stockland, Jesmond and Charlestown shopping centres, and to suburban growth areas. The former two are amongst the largest regional employers, and all produce significant daily traffic volumes.
- The preferred route is considered to be the most sensible and realistic option for this bypass.

#### ***Response***

The support for the proposal contained in the submissions has been noted.

### **2.2 Strategic planning**

#### ***Submission number(s)***

14, 31, 32, 34, 35, 38

#### ***Issue description***

In summary, the respondents raised the following issues:

- The approach of the RTA lacks foresight and the ability to plan an integrated roadway that does not impact upon residential areas.
- There are a series of signalised intersections to the south of the proposed bypass at Cardiff Road and Carnley Avenue which is considered to be a recipe for disaster.
- Highway 23 would become a major thoroughfare and the design should include overall plans from Myall Road to Jesmond. It is no good the RTA deciding on a preferred route for the section between Rankin Park and Jesmond and spending taxpayers money without first investigating the whole proposed project because the RTA may find that it may cost more in the long run when further sections need to be commenced.

#### ***Response***

The Newcastle Inner City Bypass route was first planned in the 1950's to connect the Windale/Bennetts Green area to the Pacific Highway at Sandgate (referred to as the

historical corridor). It was approved in 1957 and subsequently incorporated in the Northumberland County Planning Scheme.

The concept of the Newcastle Inner City Bypass emerged from the decision to route the Sydney to Newcastle Freeway west of Lake Macquarie in the mid 1970's. Up to that point the freeway was proposed east of Lake Macquarie and involved corridor reservations for high standard bypasses of Swansea, Belmont and Charlestown. The corridors for Swansea and Belmont have been abandoned, however the corridor from Bennetts Green to Sandgate has been maintained by the RTA to ultimately provide a bypass of inner Newcastle as State Highway No. 23, now referred to as Highway 23 (HW23).

The road corridors between Bennetts Green and Sandgate have been progressively constructed over the last 20 years, with the most recent construction being the West Charlestown Bypass from Bennetts Green to Kotara Heights completed and opened to traffic in March 2003. Detailed planning is currently underway to extend the Jesmond to Shortland section through to the Pacific Highway at Sandgate.

A summary of the sections of HW23 over its full length from Bennetts Green to Sandgate is provided in Table 2.1.

**Table 2.1 Newcastle Inner City Bypass sections**

Section	Route	Length	Status / Standard
A	West Charlestown Bypass	6.0km	Completed in 2003 – full access control.
B	Kotara Heights to Rankin Park	2.4km	Completed in 1983 – 4 lane arterial road.
C	Rankin Park to Jesmond	3.4km	Strategic planning – subject of this report
D	Jesmond to Shortland	3.2km	Completed in 1993 – full access control
E	Shortland to Sandgate	2.3km	Detailed planning in progress

The section between Kotara Heights and Rankin Park was previously the subject of community debate regarding the location and standard of road to be constructed. In the late 1960's the DMR (now the RTA) proposed to construct a major elevated roadway as part of this section, which would have required a strip acquisition of Blackbutt Reserve between Carnley Avenue and McCaffrey Drive.

At the time, community concerns against the proposals effect on the environmentally sensitive Blackbutt Reserve led to the DMR working with the community to re-evaluate the proposed corridor in this section. As a result, the route through Blackbutt Reserve was abandoned and the existing Lookout Road section was widened and constructed as a four lane arterial road in lieu of freeway conditions, with at-grade intersections at Carnley Avenue, Hurn Street, Cardiff Road and Grandview Road.

The road corridor between Lookout Road at Rankin Park and Newcastle Road at Jesmond has been identified for some time, and is generally well known by the wider Newcastle community. In the early 1980's, the RTA commissioned an environmental impact statement (EIS) for the Rankin Park to Jesmond section as the previous (1957) corridor was affected by the then proposed John Hunter Hospital.

The EIS was completed in June 1985 and led to the adoption of a preferred route corridor which was included in Newcastle City Council's LEP. The road design proposal involved an intersection with Lookout Road close to the existing hospital intersection, with the alignment close to and parallel to the southern boundary of the hospital, near the existing multi-level car park.

## 2.3 Existing route

### *Submission number (s)*

1, 12, 21, 27

### *Issue description*

In summary, the respondents raised the following issues:

- A preferred option would be the upgrading of the existing road network, rather than construction of a new road.
- Our first preference is for upgrading the existing route along Croudace and Newcastle Roads and leaving the urban bushland untouched.
- The route options study has not seriously considered the most obvious option that is, upgrading of the existing route of Highway 23 (Croudace Street and Newcastle Road).

### *Response*

The existing road network and major traffic routes within the Rankin Park to Jesmond study area comprise the following major arterial routes:

- Charlestown Road/ Lookout Road / Croudace Street (existing HW23 route) between Charlestown Bypass and Newcastle Road.
- Newcastle Road (MR82) generally between Wallsend and Broadmeadow, but specifically between Blue Gum Road, Jesmond and Croudace Street, Lambton.
- HW23 between Newcastle Road at Jesmond and Sandgate Road at Shortland.

Other connecting routes are as follows:

- Howe Street, from Lambton to New Lambton
- Russell Road, from New Lambton Heights to New Lambton
- McCaffrey Drive, from Rankin Park to Elermore Vale
- Cardiff Road (MR223), from Cardiff Heights to Cardiff.
- Carnley Avenue, from Kotara Heights to New Lambton

A number of traffic volume surveys have been conducted as part of the route options study. These include seven day vehicle classification counts on key roads and peak hour intersection counts at all key intersections. This data and other historical records from RTA publications are used to describe the existing traffic regime and current network performance.

Average annual daily traffic (AADT) volumes are quoted in Table 2.2 for a selection of key locations in the vicinity of the Rankin Park to Jesmond proposal.

**Table 2.2 Daily traffic volumes (AADT)**

Road	Location	1992	1995	1998	2001	2004
H23	Charlestown Road, south of Carnley Avenue	-	-	-	-	38886
H23	Charlestown Road, north of Carnley Avenue	18833	25993	25489	22013	33279
H23	Lookout Road, north of Cardiff Road	-	29774	29515	28014	36859
H23	Lookout Road, south of Ridgeway Road	-	35149	35596	36907	38154
H23	Croudace Street, north of Howe Street	25284	22398	29247	28695	33571
MR82	Newcastle Road, west of Blue Gum Road	26215	40073	37447	37608	37880
MR82	Newcastle Road, west of Croudace Street	26942	38722	40942	-	43669
MR82	Griffiths Road, west of Lambton Road	25349	32445	34362	32980	38304
H23	North of Newcastle Road, Jesmond	-	-	-	-	24776
H23	South of Sandgate Road	-	14525	15945	16153	16966
MR223	Russell Road, east of Croudace Street	-	15420	16397	15246	15788
Local	McCaffrey Drive, west of Lookout Road	-	-	-	9361	14522
MR223	Cardiff Road, west of Lookout Road	12851	13331	13938	13847	15234
MR603	Carnley Avenue, east of Charlestown Road	13159	12219	12619	8655	13861

Points to note from the daily traffic volumes data are as follows:

- Newcastle Road is the dominant road with an AADT approaching 45,000 at North Lambton and almost 40,000 west of Jesmond.
- The HW23 route through New Lambton Heights and Lambton typically carries 35,000–40,000 vehicles per day.
- The other east-west connecting roads generally attract AADT figures in the 10,000-15,000 range and these are typical for urban arterial roads within Newcastle.

The existing route of HW23 from New Lambton Heights to Lambton, via Lookout Road and Croudace Street and the section of MR82 along Newcastle Road to Jesmond is currently taking significant volumes of traffic on a four lane undivided road, with numerous intersections and property accesses. Existing daily traffic volumes are high ranging from 35,000 to 45,000 vehicles per day and the route is often congested in peak periods.

Travel patterns on the route are complex and numerous trip origins and destinations in Newcastle and Lake Macquarie utilise short sections of the HW23 route, highlighting a significant number of turning movements at all of the key intersections. Traffic control signals at existing intersections are currently managing the major turning movements from the north-south H23 route to the adjoining east-west routes. As further development takes place around the HW23 corridor, the existing route would continue to become more congested in future years. The existing roads and associated intersections would not be able

to cater for substantial additional traffic in their current format. Major upgrading of the existing route is not favoured because of the following factors:

- The existing route has numerous intersections and property accesses, as well as highly variable vertical alignment in a number of areas. These characteristics provide limiting factors in the efficiency of the existing route.
- Any upgrades to provide more capacity are likely to require major property acquisitions and public utility adjustments along the existing route and all upgrading works would be required to be undertaken in close proximity to existing traffic flows.

## **2.4 Options investigation**

### ***Submission number(s)***

8, 17, 21, 25, 27, 29, 30, 31, 32, 34, 35, 36

### ***Issue description***

In summary, the respondents raised the following issues:

- There is little difference between the preferred route and the three other routes in terms of functional, geotechnical, engineering and economic considerations.
- The preferred route is based primarily on cost rather than meeting demands placed on vital road infrastructure.
- The justification for choosing the preferred route is at best superficial and the reasons as to why this particular route was chosen and why the alternatives were discarded is sought.
- There has been an inadequate disclosure of reports detailing the study route options, and specifically why the preferred route was selected above all others.
- It was understood that the previous route would go much farther west of properties located along Lookout Road and would not adversely affect these nine homes.
- Submissions were interested in examining traffic flows around the McCaffrey Drive and Lookout Road interchange.

### ***Response***

#### ***2.4.1 Development of route options***

The RTA displayed the preferred route to enable a preferred route corridor to be finalised and included in council's LEP. Beyond the LEP inclusion, no timeframe has been determined for the further development of the proposal including the detailed environmental assessment stage. Detailed reports were not included in the public display material however a detailed analysis of the preferred option and other options considered would be included in the future environmental assessment stage.

As part of the route options study preliminary road design concepts have been developed by the RTA within alternative route alignments. These have been prepared in sufficient detail to establish engineering feasibility and to allow a realistic appraisal of functional aspects such as

intersection design and operation. The study area was approximately 100 hectares in size and comprised all of the routes under investigation as illustrated in Appendix C.

A total of four different route options, including a version of the existing LEP route, were considered during the options investigation phase and two of these were short listed for detailed evaluation.

In addition to a detailed assessment of the short listed route options, a full traffic and economic analysis of the Rankin Park to Jesmond section has been undertaken. This has included a review of traffic assignments to the proposed route through a strategic traffic model, preparation of detailed cost estimates for each of the short listed route options and a road user cost benefit analysis to test the feasibility of the options.

#### **2.4.2 Constraints identification**

Numerous constraints to the development of major highway infrastructure occur in the study area and these are summarised in the following sections.

##### *Physical constraints*

The physical constraints of the study area are primarily topography oriented and present a major challenge for the route options phase. The terrain of the area is such that there is a 120 metre elevation difference between Lookout Road and Newcastle Road, with a 70 metre natural surface drop from Lookout Road at the southern end of the route length. Given that road gradients are generally maximised at 6% to 8%, depending on the standard of the road, the need for high fill embankments and/or steep grades on the southern sections would be mandatory.

Other constraints at the southern end of the study area are two Hunter Water reservoirs on the western side of Lookout Road, north of Grandview Road.

##### *Property*

At the northern end of the study area the majority of the LEP corridor is owned by the RTA. At the southern end, in the valley between McCaffrey Drive and the hospital, the alternative route alignments are outside of the LEP Corridor. This land is owned by either NSW Health or Newcastle City Council. South of McCaffrey Drive, there are nine residential properties on the western side of Lookout Road within the study area.

##### *Geotechnical investigations*

A geotechnical investigation was undertaken by the RTA as part of the route options study to assess the geotechnical issues considered likely to affect the potential route options.

The study area is located within the Newcastle mine subsidence district. The RTA assessment was based upon available geological and mining data. More detailed investigations would be required to be undertaken during the future development of the concept design for the preferred route option. This is likely to include drilling to investigate the condition of mine workings and the extent of remediation required.

Records indicate that route options being considered would traverse underground coal mine workings in both the Victoria Tunnel Coal Seam and the Borehole Coal Seam. The Victoria Tunnel Seam appears to be confined predominantly to the southern part of the site. Data obtained from the Mine Subsidence Board (MSB) indicates that the Victoria Tunnel Seam is typically 70-80m deep in this area. The lower Borehole Seam underlies the entire site and has been extensively mined. Data obtained from the MSB indicates that the depth to the worked seam increases in depth toward the south-east from approximately 15m to 35m at the northern end to depths typically greater than 100m around Lookout Road.

Structures prone to subsidence effects along the alignment include bridges, retaining walls and major cuts as well as general road assets such as pavements, culverts, verges, kerbs, drainage and services. Reinforced soil retaining walls are susceptible to even small movements. Extensive geotechnical investigation and/or remediation are likely to be required if reinforced soil retaining walls are adopted.

Bridges are likely to require grouting of mine workings or an allowance for settlement in design. Longer bridges would be more complex and their design would be more difficult. A detailed investigation would be required to confirm the condition of mine workings and determine an appropriate remediation scheme.

With the exception of the two bridge structures which have been provided for drainage, fauna movements and pedestrian access, the design of the route options has been to use cut and fill batters to limit geotechnical issues in relation to mine subsidence, which are associated with bridging structures and retaining walls.

The identified mine workings would impose a range of risks and constraints on the proposed works. The options for reducing the impact of the footprint of the proposal by use of bridging structures can be investigated during the future concept design phase following the result of more detailed geotechnical investigations.

#### *Environmental investigations*

The RTA commissioned investigations into a variety of environmental constraints in the Rankin Park to Jesmond study area. These studies included:

- Ecological constraints analysis
- Non-Aboriginal heritage assessment
- Aboriginal heritage assessment

Constraints identified within each study are outlined below.

#### Ecological constraints analysis

The principal objective of the study was to identify any significant ecological issues in the study area which may assist in the selection of a route which minimises likely ecological impacts.

Key results of the investigation are as follows:

- One threatened flora species was recorded in the study area, namely black-eyed susan (*Tetradlea juncea*).
- Seven threatened fauna species were identified in the study area namely the powerful owl (*Ninox strenua*), grey-headed flying-fox (*Pteropus poliocephalus*), yellow-bellied sheath-tail bat (*Saccolaimus flaviventris*), eastern freetail bat (*Mormopterus schreibersii oceanensis*) and greater broad-nosed bat (*Scoteanax rueppellii*).

Key ecological opportunities and constraints were nominated as follows:

- Ecological opportunities are limited to maximising the preservation of hollow-bearing trees and threatened flora species, particularly clumps of black-eyed susan.
- No specific roost or nest tree for the powerful owl, or roost or maternity sites for threatened microchiropteran bats, are known to occur in the study area, therefore constraints cannot be discussed around their presence.

- The current preferred route location is that which impacts on the smallest area, results in the smallest fragmentation of bushland, and requires the least number of habitat trees and clumps of black-eyed susan to be removed.

#### Non Aboriginal heritage

The principal objective of the study was to identify material cultural evidence that may be located within the study area and at some risk from direct or indirect effects of the proposal. The study integrated the results of investigation of the archaeological and historical records and the physical evidence of the study area.

From the study the following heritage item was located:

- The corridor of the former Newcastle-Wallsend / Plattsburg Tramway

The potential impacts on the tramway were assessed as follows:

- Penetration of surface and sub-strate by geotechnical drilling.
- Modification of surface and sub-surface by excavation and road base fill.
- Soil movement within the tramway fragment.
- Movement of machinery, vehicles and workers in the study area exposing the sub-surface of the tramway.

Mitigation measures in relation to the tramway would be considered in greater detail during the concept design and detailed environmental assessment stage.

#### Aboriginal archaeology

The principal objective of the study was to assess the Aboriginal cultural and archaeological heritage values to identify an option which would have the least impact on the heritage values of the study area.

A search was conducted of the Department of Environment and Climate Change (DECC) Aboriginal Heritage Information Management System (AHIMS) register for any sites that had been previously recorded within the vicinity of the proposal. An inspection of the study area was undertaken by the archaeology team and a member of the Awabakal Local Aboriginal Land Council.

Based on the investigation it was concluded that none of the proposed route options had values that would make it more significant or more worthy of conservation from an Aboriginal or archaeology perspective.

### ***2.4.3 Options considered***

In consideration of the various constraints described above, a number of route options have been investigated. The route options were colour coded in the public display material which is included in Appendix A.

As the majority of the constraints are in the area south of the John Hunter Hospital campus, there is no substantive variation to the LEP corridor north of the hospital. As such the major variation in route alignments is within the deep valley between the hospital and McCaffrey Drive. The various route options differ in both their approach and connection with Lookout Road.

#### *Northern connection to HW23 at Newcastle Road Jesmond*

All of the proposed route options coincide at the northern end and this connection is not a distinguishing factor between options. It is proposed as a full grade separated interchange to



provide separation of north-south and east-west traffic flows. The existing Jesmond roundabout has been previously constructed to allow for future bridging of HW23 over Newcastle Road, however the final configuration of the interchange would be determined in future phases of the development of the proposal.

#### *Western hospital access*

Consideration of a new western access to the John Hunter Hospital from the HW23 proposal has been investigated. The most appropriate location for consideration of a new western access is common to all of the route options. The preliminary concept design can accommodate a future access road intersection or interchange if required.

#### *Southern connection to Lookout Road*

The southern connection to Lookout Road provides a key point of difference between the respective route options. Because of the substantial terrain related constraints in the vicinity of Lookout Road and McCaffrey Drive the respective route alignments clearly lend themselves to either an intersection or an interchange solution.

#### *Options comparison*

Of the four route options investigated the defining features of each has been assessed against the key constraints identified as follows:

- Topographical and physical constraints – the terrain in the vicinity of the John Hunter Hospital is very undulating and the whole route is characterised by a series of prominent ridges and deep gullies. Physical constraints at the southern end include properties along Lookout Road.
- Mine subsidence - all route options traverse old mine workings at various depths and as such varying degrees of mine subsidence risk have been able to be allocated to each route option.
- Local ecology impact – the aim has been to limit the fragmentation of the existing bushland corridor.
- John Hunter Hospital – allowance for future expansion of the hospital campus.

The relative merits of each route option are outlined as follows:

- Green option

The green option is an effective replica of the existing LEP route corridor. It would connect with Lookout Road at the existing hospital access intersection. There would be a need to relocate the hospital access elsewhere, most likely through the original Rankin Park Hospital grounds. The need for a new intersection to provide access to the hospital in such close proximity to the recently reconstructed hospital access intersection is a major flaw in the practicality of the green option.

- Blue option

The blue option maintains the existing LEP route corridor for a lesser length, swinging to the south away from the hospital and providing a direct connection to Lookout Road south of its intersection with McCaffrey Drive. The blue route passes through the upper part of the deep valley between McCaffrey Drive and the hospital and would require steep grades (maximum 8%) on the Lookout Road approach. The blue option impacts on nine properties along Lookout Road. It is aligned to provide a continuous approach to Lookout Road and offers the opportunity to provide a grade separated interchange with McCaffrey Drive which is favoured from a traffic management perspective. It minimises fragmentation of the bushland corridor with an easterly sweep of the deep valley between the hospital and McCaffrey Drive.

- Yellow option

The yellow option is located to the west of the existing LEP route corridor at the western end of the hospital and passes through the middle of the deep valley. The yellow option cuts McCaffrey Drive further west than the blue option and as a result would require a much longer overpass bridge for that road. The skewed approach of the yellow option to Lookout Road, further south than the blue option, would increase the difficulty and cost of an interchange, with its connection closer to Grandview Road near substantial Hunter Water infrastructure assets. The yellow option requires the highest fill embankments through the deep valley and has the largest footprint. It also requires the greatest length of new construction and results in the greatest fragmentation of the bushland corridor. It has higher risk associated with mine subsidence due to the alignment passing through the middle of the deep valley and the large bridging required as part of the interchange with Lookout Road and McCaffrey Drive.

In summary the yellow option is not favoured for a number of reasons including:

- Undesirable connection to Lookout Road closer to Grandview Road.
- Extent of earthworks and larger footprint.
- Impact on bushland fragmentation.
- Higher risk associated with mine subsidence.
- Potential impacts on Hunter Water infrastructure.

- Red option

The red option takes a westerly path to align closely to McCaffrey Drive. This option provides an alternative, almost perpendicular approach to Lookout Road. It would connect with Lookout Road as an at-grade intersection, approximately 200 metres south of the existing McCaffrey Drive intersection, impacting on four properties. McCaffrey Drive would pass below the route of HW23 and the existing intersection would be retained. As the route passes across the western side of the valley between McCaffrey Drive and the hospital it provides less fragmentation of the existing bushland corridor than the yellow option. It does however, pass through a longer length of George McGregor Park north of McCaffrey Drive. The red option also requires large areas of retaining walls which have an associated mine subsidence risk.

As a result of these considerations it was determined that the blue and the red option would be short listed for further investigation including traffic modelling and economic analysis.

#### ***2.4.4 Traffic modelling and economic analysis***

Traffic modelling of the proposed Rankin Park to Jesmond section of HW23 has been undertaken using the RTA Tranplan model of the Lower Hunter road network. The Tranplan model has been used to assess the likely traffic attraction, or assignment, to the new route and to predict trip redistribution and travel pattern changes across the wider network.

Three scenarios have been developed to assess network wide impacts from the respective implementation of the two remaining Newcastle Inner City Bypass projects against the existing base network for two planning horizons, nominated as 2006 and 2016.

- Scenario 1: 2006 - Rankin Park to Jesmond without Shortland to Sandgate.
- Scenario 2: 2006 - Rankin Park to Jesmond with Shortland to Sandgate.
- Scenario 3: 2016 - Rankin Park to Jesmond with Shortland to Sandgate.

Table 2.4 provides details of modelled volumes on the key sections of HW23 in comparison with the respective existing network base model volumes.

**Table 2.4 Improved network scenarios - modelled volumes**

H23	Location	2006 Base	2006 Scenario 1	2006 Scenario 2	2016 Base	2016 Scenario 3
A	Charlestown Bypass	37182	39201	39886	39390	42073
B	Kotara Heights to Rankin Park	35141	45293	46806	43070	52270
C	Rankin Park to Jesmond	-	23604	24414	-	29132
	Lookout Road at NIB	33438	21814	22586	42197	24769
D	Jesmond to Shortland	17678	27843	33504	25957	38453
E	Shortland to Sandgate	-	-	25981	25571	32007

Key points to note from the modelling results are as follows:

- The Rankin Park to Jesmond section would be well patronised with an AADT of approximately 24,000 for 2006 scenarios and 29,000 for the 2016 scenario.
- There would be comparable volumes on the Rankin Park to Jesmond section and Lookout Road. This highlights that Lookout Road would remain a key arterial link.
- There would be increased utilisation of the existing Jesmond to Shortland section with the new link in place from Rankin Park to Jesmond.

In addition to traffic modelling, an economic evaluation of the proposal has been undertaken from a comparison of the estimated costs of the proposal to the projected savings to motorists in terms of travel time, vehicle operating costs and reduced accident costs. The total savings from the three sources are aggregated and allocated monetary values based on parameters outlined in the RTA Economic Analysis Manual. The total cost savings for each option were accumulated on an annual basis and were analysed in conjunction with the estimated construction and future maintenance costs. Strategic cost estimates have been prepared for both of the short listed options for use in the economic analysis.

The key indicators arising from this road user economic analysis are benefit cost ratio (BCR) and incremental benefit cost ratio (IBCR), which respectively represent the ratio of present benefits and costs, and the ratio of additional benefits over additional costs associated with one option over another. A summary of the estimates and economic analysis are provided in Table 2.5.

**Table 2.5 Comparison of cost and economic analysis**

Description	Red Option	Blue Option
Estimate (\$2006)	\$164M	\$168M
Economic Analysis - BCR	2.0	2.5
Incremental BCR - Blue vs Red	N/A	20.0

Key points from the analysis are as follows:

- The estimates show that the respective options are very similar in overall cost terms, with the difference between \$164M and \$168M being significantly less than the construction contingency allocated.
- The BCR of the blue option is higher than the red option at 2.5 and 2.0 respectively.

- The incremental BCR which calculates the ratio of the additional benefits over the additional costs, associated with the blue versus the red option is a very high at 20.0. This means that there are substantial benefits from the additional money spend on the blue option.

The economic analysis summary shows that the blue option, while marginally more expensive than the red option, is the best performed of the route options with a BCR of 2.5 and IBCR of 20.

#### ***2.4.5 Preferred option selection***

Both the blue and red options adopt the following key features:

- Grade separated interchange at the northern connection with the existing Newcastle Road to Shortland section of the bypass.
- Same route alignment from Newcastle Road to the western side of the hospital.
- Potential for a new western access to the John Hunter Hospital.
- Bridge structures along the route to provide for drainage, fauna movements, and pedestrian access across the bushland corridor.

Despite their common features and similarities in the northern section, the blue option and the red option are markedly different at the southern section of the proposed H23 route.

From a costing and funding perspective the options are very similar and therefore the key difference between them would be the functional performance and the relative savings in road user benefits across the surrounding road network.

The key aspects and differentiating features of the red option are as follows:

- At-grade connection with Lookout Road makes it least preferred from a traffic management perspective.
- There would be two signalised intersections with Lookout Road in close proximity and while these would be coordinated, there would be operational impacts to be considered.
- Major southern deviation from the existing LEP route corridor.
- Higher impact on George McGregor Park.
- Impacts on four residential properties.
- Passes through higher risk mine subsidence area.
- Long sections of retaining walls due to steep topography and alignment adjacent to McCaffrey Drive. These have associated mine subsidence risks as well as issues with practicality of construction.

The key aspects and differentiating features of the blue option are as follows:

- Grade separated interchange with Lookout Road and McCaffrey Drive, which caters for future traffic volumes. This provides a connection that provides for free flow between Lookout Road (south) and HW23 in both directions.
- The proposed interchange for the blue option represents a viable connection opportunity that is not available with the red option. In direct comparison it would replace two signalised T-intersections with a more efficient partially signalised facility that has the majority of through traffic removed by grade separation of McCaffrey Drive.

- Most preferred from a traffic management perspective as it provides the greatest benefits to the surrounding road network.
- Primarily keeps within the existing LEP route corridor.
- Minimal impact on George McGregor Park.
- Impacts on nine residential properties.
- Passes through medium risk mine subsidence area.
- Provides highest BCR and has a high incremental BCR advantage over the red option.

The blue option has therefore been recommended as the preferred route as it provides the best overall balance between functional, environmental, geotechnical, engineering and economic considerations.

## **2.5 Alternative options**

### ***Submission number(s)***

6, 13, 14, 33, 34, 35

### ***Issue description***

In summary, the respondents raised the following issues:

- The original Marshall Street plan provided a steady and uninterrupted flow of traffic whereas the current proposal does not.
- The RTA could have the preferred route go to the north of the hospital, essentially follow the existing power lines from Lookout Road and then moving to the current preferred route.
- A tunnel option aligned under the existing corridor from McCaffrey Drive through to a bit further north of the Myall Road/Tickhole Tunnel is considered to be the ideal solution. This option would preserve bushland and houses, and would address traffic flows especially between Carnley Avenue and Grandview Road.
- Further alternative routes that should be taken into consideration includes the provision of a western route similar to the 'red route' but instead linking Lookout Road further south ensuring no impact to houses.
- Alternative options that should be taken into consideration include extending Metcalfe Street and Douglas Street at Wallsend and extending Robinson Avenue at the eastern end of Jesmond Park. These options would remove the need to extend the SH23.

### ***Response***

The route options study examined a variety of route options within the study area as detailed in section 2.4. The alternative options which have been suggested through the public display process are not considered to offer any overall benefits compared to the preferred route option.

Further to this the following comments are made:

- The Marshall St alignment is a Newcastle City Council scheme which has never formed part of the Newcastle Inner City Bypass corridor.
- The 1985 EIS study examined a route option north of the hospital. The study considered this option to be the most hazardous from a geotechnical perspective because a significant proportion of its length passes over old mine workings. There would also be reduced traffic benefits from the adoption of a route north of the existing hospital entrance.
- A tunnel option is considered beyond the scope of the proposal. There would be significant geotechnical issues to address due to the previous mine workings in the Rankin Park to Jesmond corridor. In addition the cost implications of providing a tunnel option are significant and would be difficult to justify on an economic basis.

## 3 Design

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### 3.1 Hospital access

#### *Submission number*

5, 9, 14, 15, 22, 28, 29, 35, 38

#### *Issue description*

In summary, the respondents raised the following issues:

- In essence residents feel the proposed connection to the John Hunter Hospital to the northwest is inadequate as it does not permit both northbound and southbound vehicles to enter and exit the hospital. Instead access is limited to entry of vehicles travelling south along the bypass.
- The proposed northwest connection is considered to have no regard for the internal movement of traffic at the hospital and is thought to simply be an ad hoc approach.
- The major issue is the lack of attention given to the proposed hospital connection whereby cars are brought into a remote bottom level car park with no link to the main hospital entrance.
- The potential hospital connection should be made a priority as it would ensure an additional means to access the hospital which is paramount in an emergency.
- A hospital ramp for Shortland/Sandgate bound traffic such as an underpass near the proposed hospital connection, or an overpass in the location of the proposed hospital connection, is needed.

#### *Response*

An objective of the route options study was to investigate the feasibility of a western access to John Hunter Hospital. The preferred route identifies a potential hospital connection point located to the north-west of the hospital. This location is the most suitable with respect to topography in the study area and grades of the access road. Any access further to the south is not practical due to substantial elevation differences between the proposed alignments and the hospital position on the major ridgeline above. The most appropriate location for consideration of a new western access is common to all route options investigated.

The type of intersection which would be provided at this location and how it would be connected to the internal road network of the hospital are both subject to further discussions with NSW Health in relation to their requirements for the use of the western access. While a left-in/left-out T-intersection has been provided as part of the preferred route option, the proposed route corridor in the vicinity of the hospital connection point has been made sufficiently wide to enable alternative intersection types to be constructed if required. The need for an alternative access is to be determined by NSW Health in conjunction with the RTA.

## 3.2 Interchanges

### *Submission number(s)*

3, 5, 10, 11, 13, 22, 24, 26, 35

### *Issue description*

In summary, the respondents raised the following issues:

- The prime issues surrounding the McCaffrey Drive interchange is the absence of ramps for vehicles to exit right onto McCaffrey Drive or left onto Lookout Road when travelling south along the proposed bypass. Further, there is no opportunity for vehicles to make a right hand turn from Lookout Road or left from McCaffrey Drive onto the bypass in order to travel north.
- The proposed interchange does not cater for southbound traffic exiting the highway to turn left onto Lookout Road or to turn right onto McCaffrey Drive. Also, the traffic from McCaffrey Drive is unable to turn left onto the bypass and travel to Jesmond-nor is it able to turn right and travel to Charlestown.
- Jesmond roundabout should be upgraded to a full grade separated interchange to facilitate traffic flows in all directions. This is considered to provide great access to Lookout Road and further on to Charlestown Bypass, and would ease the amount of traffic entering the roundabout and causing congestion.

### *Response*

#### *Northern connection to H23 at Newcastle Road Jesmond*

The proposal includes a full grade separated interchange at the northern connection with the existing Newcastle Road to Shortland section of the bypass to provide separation of north-south and east-west traffic flows at this location. The existing Jesmond roundabout has been previously constructed to allow for future bridging of H23 over Newcastle Road however the final configuration of the interchange would be determined in future phases of the project development.

#### *Southern connection to Lookout Road*

The proposal includes a grade separated interchange at the southern connection with Lookout Road and McCaffrey Drive to provide separation of north-south and east-west traffic flows at this location. This interchange does not however provide a northbound on ramp or southbound off ramp. This is due to the following reasons:

- The traffic modelling indicated that both ramps show only modest use and their incorporation can not be justified on that basis. Alternative routes exist for residents in the local area wishing to enter or exit the bypass. By not providing these ramps it has allowed a grade separated interchange to be provided at this location.
- The grade of the bypass in the vicinity of the interchange is 8%. The grades of the on and off ramps would therefore need be in the vicinity of 15 to 20% which is too steep and well outside design guidelines.



### **3.3 Cyclists/pedestrian provisions**

#### ***Submission number***

10, 13, 16, 22, 31

#### ***Issue description***

In summary, the respondents raised the following issues:

- Residents are seeking provision of a shared pathway for the entire length of the bypass with good connections to the surrounding road network.
- Would there be cycle/pedestrian access along the length of the bypass from Jesmond to Lookout Road as there is along the Jesmond to Shortland section? If not, it should be included as it would make a great access to Lookout Road and then onto the Charlestown Bypass.

#### ***Response***

There are no off road cycle or pedestrian facilities proposed as part of the Rankin Park to Jesmond section of the bypass. However the typical cross section of the proposed route provides a 2.5m outer shoulder adjacent to two 3.5m travel lanes. Cyclists would be able to utilise the outer shoulder of the respective carriageways, however steep grades on the southern section of the bypass may limit cycle activity.

### **3.4 Elevated roadway**

#### ***Submission number***

16, 20, 22, 29

#### ***Issue description***

In summary, the respondents raised the following issues:

- The cut and fill batters required for the proposed route option substantially expands the footprint resulting in adverse environmental impacts. The bypass should instead be elevated on piers to reduce some of these impacts.
- The cut and fill required for the preferred option would substantially expand the footprint.

#### ***Response***

There are significant geotechnical and cost implications to address with the adoption of an elevated roadway in the Rankin Park to Jesmond corridor.

As detailed in section 2.4.2, a geotechnical investigation was undertaken by the RTA as part of the route options study to assess the geotechnical issues considered likely to affect the potential route options.

The study area is located within the Newcastle mine subsidence district and records indicate that route options being considered would traverse underground mine workings in both the Victoria Tunnel Coal Seam and the Borehole Coal Seam.

Structures prone to subsidence effects along the alignment include bridges, retaining walls and major cuts as well as general road assets such as pavements, culverts, verges, kerbs, drainage and services. Reinforced soil retaining walls are susceptible to even small movements. Extensive geotechnical investigation and/or remediation are likely to be required if reinforced soil retaining walls are adopted.

Bridges are likely to require grouting of mine workings or an allowance for settlement in design. Longer bridges would be more complex and their design would be more difficult. A detailed investigation would be required to confirm the condition of workings and determine an appropriate remediation scheme.

With the exception of the two bridge structures which have been provided for drainage, fauna movements and pedestrian access, the design of the road has been to use cut and fill batters to limit geotechnical issues in relation to mine subsidence, which are associated with bridging structures and retaining walls.

The identified mine workings would impose a range of risks and constraints on the proposed works. The options for reducing the impact of the footprint of the proposal by use of bridging structures can be investigated during the concept design phase following the result of more detailed geotechnical investigations.

In addition to the geotechnical issues, the cost implications of providing an elevated roadway are high and their use beyond that provided for in the preferred route would be difficult to justify on an economic basis.

### **3.5 Property access**

#### ***Submission number***

17, 37

#### ***Issue description***

In summary, the respondents raised the following issues:

- Residents living along the eastern side of Lookout Road want the RTA to maintain a safe, reasonable, and effective method for them to access and exit their homes when travelling north along Lookout Road.
- Residents fear the current difficulties of accessing their homes may be exacerbated as a result of the bypass.

#### ***Response***

The preferred route option has been designed to maintain the current left-in/left-out access for houses on the eastern side of Lookout Road in the vicinity of the proposed southern interchange. The design of the access to these properties would be further considered during the future concept design stage.

## 4 Environmental

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### 4.1 Environmental assessment

#### *Submission number(s)*

1, 2, 6, 7, 8, 9, 12, 13, 16, 19, 21, 22, 26, 29, 31, 33, 34, 35, 37

#### *Issue description*

In summary, the respondents raised the following issues:

- The large amounts of runoff from the road would cause erosion of the surrounding bush and silting of the drains. This would either destroy or impact negatively on other local creeks and wildlife.
- The preferred route contains creeks which have some of the highest value in the Newcastle LGA. The proposal needs to ensure that the design and construction of the road would protect and maintain the creek condition and associated biodiversity values.
- There is concern as to how issues of visual impacts and loss of amenity, the disruption of flora and fauna, and the issues of noise and vibration been addressed.
- There is a failure for the RTA to provide information on impacts to noise, pollution, dust and air quality, and visual amenity.
- The effects of car emissions should be accounted for and appropriately managed, as the bypass merely contributes further to the entrenchment of private car ownership.
- The preferred route would have a serious impact upon the recreational amenity and opportunities of George McGregor Park. Further, the park which is one of the few remaining tracts of bushland provides essential ecosystem services such as clean air and water. The preferred route would compromise such uses.
- An Environmental Impact Statement is sought to be undertaken with the intention of making the document available for public comment.
- The issue of flash flooding from uncontrolled stormwater needs to be addressed in the flood prone area of Jesmond. Flood management issues should follow the principles of the NSW Government Floodplain Development Manual (2005).
- Houses in the New Lambton Heights area are “Landmarks”, which have heritage values and should therefore be avoided.

#### *Response*

The proposal is in the early stages of the development phase and has not progressed to a point where environmental impacts have been able to be fully assessed.

Following the public display, the next steps are to finalise the preferred route corridor and to protect the route from future development by assisting Newcastle City Council to include the modified route corridor in their LEP.

Beyond the LEP inclusion, no timeframe has been determined for the further development of the proposal including the undertaking of the detailed environmental assessment. The detailed environmental assessment phase of the project would be expected to take around 18 months to complete and require significant funding. It would be inappropriate to undertake the environmental assessment too far in advance of construction as the

assessment may need to be redone to accordance with future legislative change if the project is not built soon after. The assessment would also need to consider the surrounding environment, both natural and built, which could change over time.

From the planning evaluation undertaken to date, it is expected that the major environmental issues to assess would be in relation to protection of flora and associated native fauna, road traffic noise, visual amenity, air quality and socio-economic assessment. The environmental impact assessment (EIA) would be undertaken in accordance with the *NSW Environmental Planning and Assessment Act, 1979* (EP&A Act) and, if applicable, the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The purpose of the EIA would be to describe the proposed works, to document the likely impacts upon the environment, and to detail protective measures to be implemented.

## 4.2 Ecological impacts

### *Submission number*

1, 12, 16, 22, 23, 26, 29

### *Issue description*

In summary, the respondents raised the following issues:

- The proposed bypass may impact upon significant species known to exist within the bushland such as the powerful owl and masked owl through the disruption of the breeding cycles and removal of foraging vegetation and habitat.
- The removal of hollow bearing trees and foraging habitat would impact upon the significant squirrel glider, grey headed flying fox (EPBC listed) and possibly a number of microchiropteran bat species (TSC listed). The proposed bypass would act as a barrier and would fragment the populations of these species which require large areas for maintenance of their viability.
- The proposal would removal and fragment significant species occurring within the bushland such as the *Tetratheca juncea* (TSC listed), *Macrozamia flexuosa* (TSC listed) and *Hakea backeriana* (regionally significant). The vegetation removal would sever vegetation corridors and threatened species viability.
- Fragmenting corridors and reducing the biodiversity of George McGregor Park would adversely impact regional biodiversity.
- The bypass would result in the loss of high quality, largely undisturbed remnant bushland and open space which provide significant habitat value and recreational space. The loss of high quality habitat would impact upon the ecology of the bushland and of the larger northern Lake Macquarie-Newcastle region.
- It would appear that the biodiversity and natural asset value of the proposed route has not been adequately considered in selecting the preferred route. 'Local ecology', among other matters, is identified in public exhibition information as a 'significant constraint in the study area' however the information indicates that the preferred route selection does not take these values into account.
- The proposed bypass would result in the loss of connectivity between the northern and southern bushland areas causing fragmentation of vegetation and fauna habitat. The

bypass is likely to result in the local extinction of species that cannot be off set in the area.

### ***Response***

The RTA commissioned an ecological constraints analysis as part of the route options investigation. The principal objective of the study was to identify any significant ecological issues in the study area which may assist the RTA in the selection of a preferred route that minimised likely ecological impacts.

The study area was approximately 100 hectares in size as illustrated in Appendix B.

Initial flora and fauna field surveys were undertaken from December 2004 to January 2005. Additional flora survey's were undertaken from July 2005 and November 2005, and additional fauna habitat survey's undertaken from August 2005 to October 2005.

General information on the ecology of the area was collected to allow for consideration of the potential impact on a number of ecological features including:

- Movement corridors and habitat connectivity;
- Threatened flora and fauna species, and their habitat's;
- Endangered populations and endangered ecological communities;
- Threatened or significant ecological communities;
- Critical habitat;
- Condition of habitat;
- Proximity to conservation areas; and
- Existing pressures on threatened species, populations or ecological communities within the region.

### ***Methodology***

- Flora

Vegetation mapping was undertaken using large scale colour photographs of the study area. The mapping delineated vegetation communities and detailed sub-formation of the communities. Field surveys aided in the mapping of vegetation communities as it allowed on the ground identification of vegetation structure, abundance, condition, and vegetation community boundaries and species richness. Importantly the field surveys identified any threatened species.

- Fauna

Detailed habitat assessments were undertaken throughout the study area during the 2004-2005 summer and again in winter/spring 2005. Habitat features which were recorded included loose bark, tree density and height, community type, topographic position, the presence and location of hollow bearing trees. Following the detailed habitat analysis, hollow bearing trees supporting potential powerful owl (*Ninox strenua*) roots or nest sites were stag-watched for signs of activity, and surveys for the grey-headed flying fox (*Pteropus poliocephalus*) were undertaken to determine the distribution of the species across the site.

Targeted searches were undertaken for seven threatened species potentially occurring within the within the study area and included the squirrel glider, yellow bellied glider, koala, barking owl, masked owl, sooty owl, and the powerful owl. Further targeted searches were undertaken for micro-bat Echolocation species potentially occurring in the study area. The

targeted searches included spotlighting for arboreal species, stag watching for owl species, and call playbacks.

### Results

- Flora

One threatened flora species was recorded within the study area which was the black-eyed susan (*Tetradlea juncea*). Although it is listed as vulnerable under the TSC Act and the EPBC Act, this species occurs widely throughout the Newcastle and Lake Macquarie districts.

Despite there being no further threatened flora species identified, there was potential habitat of the vulnerable Newcastle doubletail (*Diuris praecox*), and the vulnerable leafless tongue-orchid (*Cryptostylis hunteriana*). The potential impact on these species could potentially be high if the proposed development required the removal of important habitat, given the paucity of records for these species in the local area. However, given that extensive surveys have been conducted for these species with no observations made, the likelihood of these species being significantly impacted by the proposed development is low.

There were no endangered flora populations, endangered ecological communities or critical habitat recorded within the study area.

Depending on the approval pathway, there is the potential that a species impact statement may be required to assess the impacts of the proposed development, and to develop suitable mitigation measures, for the black eyed susan. There is also the potential that a referral to DEWR maybe required for the likely impacts on black-eyed susan. However this would be reassessed once the concept design of the proposed route is further developed.

- Fauna

Seven threatened fauna species were identified within the study area during constraints analysis fieldwork, namely the powerful owl (*Ninox strenua*), grey-headed flying-fox (*Pteropus poliocephalus*), yellow-bellied sheath-tail bat (*Saccolaimus flaviventris*), eastern freetail bat (*Mormopterus norfolkensis*), little bentwing-bat (*Miniopterus australis*), eastern bentwing-bat (*Miniopterus schreibersii oceanensis*) and greater broad-nosed bat (*Scoteanax rueppellii*).

Of these, the grey-headed flying-fox is the least likely to be affected by the proposed development, because it is known to utilise the large camp at nearby Blackbutt Reserve (which is the major regional camp for this species), and it is highly mobile, frequently flying over 100 kilometres each night.

The powerful owl is also known to nest in Blackbutt Reserve, based on observations by the Hunter Bird Observer's Club and verified during surveys for this project. It is likely that the powerful owl roosts, at least on occasions, within the study area. The study area would also provide important foraging habitat for the powerful owl. The impact of the proposed development on the powerful owl would partly depend on the mitigative measures and management actions proposed to minimise impacts. There is the potential that this species may need to be addressed by a species impact statement (depending on the approval pathway). However, this would be reassessed once the concept design of the proposed route is further developed.

Of the microchiropteran bats, the eastern bentwing-bat and the little bentwing-bat preferably use caves, mines and structures for roosting and maternity sites, however they may use tree hollows where these other sites are in short supply. The yellow-bellied sheath-tail bat, eastern freetail bat and greater broad-nosed bat all typically use tree hollows for roosting and maternity sites on a more frequent basis. These latter three species are

more likely to be affected by the proposed development through the loss of potential roost or maternity sites. There is the potential that these species would need to be addressed by a species impact statement (depending on the approval pathway). There is also the potential that the eastern bentwing-bat and the little bentwing-bat would need to be addressed by a species impact statement as well. However, this should be reassessed once the concept design of the proposed route is further developed.

No endangered fauna populations occur within the study area.

- **Fragmentation**

The study area adjoins Blackbutt Reserve to the southeast and the two areas are divided by Lookout Road. Together the two bushland areas form an island of habitat surrounded by an expanse of urban development which is not connected to any remnant vegetation within the Newcastle area. The proposed development would result in further fragmentation of the study area and would potentially limit faunal movement. The opportunity to use mitigative measures through road design, clearing and construction practices would be considered during the concept design and detailed environmental assessment phase.

#### *Preferred route location*

The key ecological opportunities and constraints from the study were nominated as follows:

- Ecological opportunities are limited to maximising the preservation of hollow-bearing trees and threatened flora species, particularly clumps of black-eyed susan.
- No specific roost or nest tree for the powerful owl, or roost or maternity sites for threatened microchiropteran bats, are known to occur in the study area, therefore constraints cannot be discussed around their presence.
- The current preferred route location is that which impacts on the smallest area, results in the smallest fragmentation of bushland, and requires the least number of habitat trees and clumps of black-eyed susan to be removed.

The selection of the preferred route included consideration of the potential environmental impacts of each of the developed route options. The identified preferred route minimises the fragmentation of the bushland corridor with its easterly sweep of the deep valley between the Hospital and McCaffrey Drive.

### **4.3 Corridor use**

#### ***Submission number***

1, 23, 31

#### ***Issue description***

In summary, the respondents raised the following issues:

- Residents fear that the well patronised walking trails between the Rankin Park area and the John Hunter Hospital would become redundant or substantially reduced as a result of a noisy, wide, high speed road corridor.
- The ground for objection of the preferred route is the loss of access and usage of the public bushland.

- There is inadequate provision of pedestrian walkways for pedestrians seeking to cross the bypass by foot.

***Response***

The preferred route provides bridge structures in the northern and southern sections of the route to provide for drainage, fauna and pedestrian access across the corridor.

A full review of the existing recreational use of the corridor would be undertaken during the detailed environmental assessment and concept design phase. This would include review of bushwalking and cycle tracks within the existing bushland corridor, as well as the potential impacts on the corridor as a result of the proposal and any mitigation measures to be provided.



## 5 Property acquisition

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### 5.1 Impacts and compensation

#### *Submission number*

1, 25, 30, 32, 34, 35

#### *Issue description*

In summary, the respondents raised the following issues:

- The affected residents do not want to be worse off financially or otherwise, and feel they should not be out of pocket for any expenses incurred as a result.
- Residents feel a true compensation evaluation should include both financial and non-financial sacrifices such as mortgage payout (including any penalty interest incurred for early payout), mortgage insurance, discharge of mortgage fees, stamp duty on purchase, legal expenses on purchase, removalist expenses, building insurance, council/water rates and electricity costs.
- Should the road go ahead it would be detrimental to the property values in the vicinity of the proposal.
- The RTA's objectives of building roads should not outweigh dispossessing families of their homes.
- No amount of compensation is enough should the proposal go ahead and demolish affected peoples homes.
- There is concern when the acquiring authority is a Government department as they should be acting in the public interest. Instead the RTA's willingness to invoke their acquisition powers is seen as an abuse of power, particularly where the property owners is not fairly compensated.

#### *Response*

The selection of the preferred route was based on an investigation and assessment of the defining features of each of the route options against the key constraints in the study area, as well as an analysis of the economic benefits of the short listed options. As detailed in section 2.4, property impacts were considered as part of this assessment. As further detailed in section 2.4.5, the blue option has been recommended as the preferred route as it provides the best overall balance between functional, environmental, geotechnical, engineering and economic considerations.

The RTA is responsible for providing a safe and efficient road transport system in NSW. Often it is necessary to acquire land to upgrade existing roads or construct new roads. The *Roads Act 1993* authorises the RTA to acquire land and payment for land is assessed in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*. One objective of the *Land Acquisition (Just Terms Compensation) Act 1991*, is to encourage the acquisition of land by negotiated purchase in preference to compulsory process. The RTA fully supports this objective.

The RTA generally purchases property as an owner initiated acquisition either under the "hardship" provisions of the Act or its "preferred option" policy or as an RTA initiated acquisition in preparation for immediate roadworks.

In the case of the Rankin Park to Jesmond proposal, the properties affected by the preferred route proposal are not designated land because the actual route has not been finalised and including in Newcastle Council's LEP. Consequently the owners of such properties are not eligible for consideration to have their property acquired under the owner initiated acquisition provisions of the Act at this stage. The RTA is however prepared to consider the acquisition of such property outside the provisions of the Act under the RTA's "preferred option" policy.

As a result of the public display the preferred route has become known. This public knowledge could frustrate attempts by owners to sell properties potentially affected by the taking of land. The RTA would consider a request for acquisition if an owner can demonstrate hardship using the criteria specified in the Act. To meet the Act's criteria for "hardship" acquisition an owner must demonstrate that it has become necessary to sell for pressing personal, domestic or social reasons or to avoid a loss in income and that attempts to sell the property have been unsuccessful because of the potential for acquisition by the RTA. If an owner meets the hardship criteria to the RTA's satisfaction, the RTA in effect becomes the purchaser that cannot be found in the market place.

The acquisition would be at the discretion of the RTA and subject to the availability of funds with each party being responsible for all their own costs. The basis of the purchase price would be the assessment of market value unaffected by the road proposal. No other payments in addition to the unaffected market value are made as the owner's willingness to sell the property in the market place is taken as a preparedness to accept the normal costs associated with selling a property. It should be noted that in most circumstances an owner would not be responsible for a sales commission that would otherwise be payable if the property had been successfully marketed and sold through a real estate agent.

Where an agreement cannot be reached on the purchase price, the following procedure is available:

- The offer is withdrawn.
- The owner to choose a valuer from a panel of independent valuers nominated by the Australian Property Institute and referred to the owner by the RTA for selection. In this way the valuer chosen is mutually acceptable to both the owner and the RTA.
- The selected valuer would act as an independent expert and would be commissioned by the RTA to carry out a valuation of the subject property.
- Each party is to be responsible for the payment of 50% of the valuation fee.
- The owner or the RTA may make written submissions to the valuer within the first seven (7) calendar days after the valuer is instructed.
- The independent expert's determination would be binding on both parties if the owner wishes to proceed.
- No further valuations would be obtained and the offer to acquire at the determined value would remain open for a period of three (3) months, after which time the offer would lapse.

If the offer lapses and a subsequent decision is made to proceed with the preferred option and the property remains affected, the RTA would recommence negotiations to acquire that part of the property required for roadworks when road construction is imminent.

When land is required for road construction the RTA would initiate acquisition by way of a letter to owners of property affected by the taking of land. The letter would advise the owner that a valuer representing the RTA would make arrangements to inspect the property and carry out a valuation for the purpose of submitting a formal offer for the owner's consideration. The letter invites land owners to submit an asking price, if that is

desired, and also advises, that if the owner engages a registered valuer to value the property, the RTA would reimburse fees to the maximum amount specified in the letter.

Division 3 of Part 4 of the Act, in particular Section 55, details the relevant matters to be considered when assessing payment and can be summarised as follows:

- Market Value. (unaffected by road proposals)
- Special Value.
- Severance.
- Disturbance.
- Solatium, and
- Any increase or decrease in the value of adjoining or severed land.

For a fuller understanding, refer to Sections 55 - 62 of the Act which are reproduced in Appendix D. The heads of compensation to be considered are the same whether the acquisition is a negotiated purchase or is completed by compulsory process.

## **5.2 Duty of care**

### ***Submission number***

31, 34

### ***Issue description***

In summary, the respondents raised the following issues:

- Residents affected by the proposal feel the RTA should have released information sooner on the proposed changes intended for the Newcastle LEP. Had such information been made available for prospective home buyers they would not have entered into a transaction relying on information that was false.
- We are in the opinion that the RTA was negligent in its duty of care in not advising us of the 'preferred route' affecting our property. If this had been the case, we would definitely have not gone through with the purchase and incurred the necessary conveyancing expenses and most of all the added stress.

### ***Response***

The owners who purchased properties in the affected area of Lookout Road in December 2006 were at the time advised by the RTA in writing that

*"...the property is located within a study area which is currently under investigation for possible upgrading of Highway 23 known as Inner City Bypass. At the present time planning has not progressed to a point where it is possible to determine the extent of impact, if any, on this property".*

No further enquiries were made with the RTA prior to purchasing the properties. As the preferred route had neither been adopted or approved for public display at that time, the advice provided to the prospective purchasers was correct and in accordance with RTA policy.

## 6 Consultation

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### 6.1 Government and stakeholder consultation

#### *Submission number (s)*

29

#### *Issue description*

In summary, the respondents raised the following issues

- There is disappointment that the RTA did not consult with Newcastle City Council prior to the exhibition of the preferred route.

#### *Response*

Newcastle City Council was invited by the RTA to comment on the preferred route at the same time as the community. The RTA has had on-going correspondence with Newcastle City Council during the course of the route options study.

### 6.2 Community consultation

#### *Submission number (s)*

8, 14, 17, 18, 34, 35

#### *Issue description*

In summary, the respondents raised the following issues:

- Unhappy with the method, extent and timing of the consultation process. There was a lack of consultation between the RTA and the potentially affected residents.
- The deadline for submissions is considered to be limited and requested to be extended.
- Residents are angered that earlier proposals were abandoned with a new (markedly different) route without any prior advice.
- There was only minimal media coverage following the announcement of the preferred route, and appears to be a tokenistic approach to make this public.
- The RTA should have notified the 9 affected residents of this proposal well before it was released for public display on Monday, 12 February 2007.
- The issue of the preferred route should be publicised more widely throughout the community, particularly in the New Lambton Heights area.
- The RTA has failed to deliver a fair, open and transparent consultation process with residents.

### ***Response***

The RTA began its community consultation process once the proposal had been formally announced by the Government. The preferred route option was announced by the NSW Government on the 12 February 2006. Affected residents were advised on the same day, 12 February 2006, via letter that the preferred route impacts on their property and that RTA staff were available to meet with them to discuss the proposal in more detail. At the request of individual property owners, individual consultation was undertaken during the course of the public display period.

The preferred route was originally placed on display for a five week period from 12 February to 16 March 2006. This timeframe is in keeping with other RTA proposals placed on public display. However due to community interest, the comment and display period was extended to 30 April 2007, resulting in a public display period of 11 weeks.

In addition three community information sessions with the project manager were provided as part of the community consultation process.

The preferred route public display was advertised in local newspapers.

## **6.3 Future consultation**

### ***Submission number (s)***

24, 26, 35

### ***Issue description***

In summary, the respondents raised the following issues:

- It is requested that any progress made with issues raised in submissions be passed onto the affected people.
- There are questions as to whether the public or directly affected residents would have an opportunity for input if an environmental impact assessment was conducted.
- Hunter New England Area Health stated the following in relation to impending consultation:

*“It is strongly requested that the RTA hold further discussions in the future with NSW Health prior to planning proceeding beyond the point where any option is passed over.”*

### ***Response***

This Submissions Report will be placed on the RTA website for community information. Planning for the Rankin Park to Jesmond section is in the development phase. The preferred route is still subject to a detailed environmental impact assessment, however no timeframe has been determined for undertaking this assessment. There would be opportunities for future community consultation as the proposal progresses through the detailed environmental assessment and concept design phase.

The RTA will hold further discussions with NSW Health regarding the potential western hospital access. The RTA will consult with Newcastle City Council regarding their specific requirements to assist with amending the LEP.

## 7 Timeframe

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### 7.1 Timeframe

#### *Submission number (s)*

4, 7, 8, 17, 30, 31, 32, 35

#### *Issue description*

In summary, the respondents raised the following issues:

- Residents have been waiting for this project to proceed for the last 35 years and are annoyed that after 20 years the best the RTA can come up with is a preferred route proposal.
- Concern that the proposed route would not advance further than the 1986 stage because it would go back to Council to redraw its planning documents.
- Details relating to the estimated timeframe for the proposed development are sought from Newcastle City Council in order to assist with amending the LEP.
- We feel the uncertainty with project timelines leaves us in limbo, making it difficult for us to plan short-term and long-term improvements to our property.
- Lives have effectively been put on hold as there have been no exact timeframes given.
- The local traffic is in chaos at the Shortland end, and the connection to Hexham is needed as soon as possible.

#### *Response*

The timing of the construction for the Rankin Park to Jesmond proposal has not been determined.

Currently priority for development of the Newcastle Inner City Bypass is being given to the Shortland to Sandgate section as per the NSW Government's *State Infrastructure Strategy 2006-07 to 2015-16*. The Shortland to Sandgate section of the Newcastle Inner City Bypass has been included in the strategy however the Rankin Park to Jesmond section has not been included.

Following the public display, the next steps are to finalise the preferred route corridor and to protect the route from future development by assisting Newcastle City Council to include the modified route corridor in its LEP.

## **8 Beyond the scope of the proposal**

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### **8.1 Alternative forms of transport**

#### ***Submission number***

27, 31

#### ***Issue description***

In summary, the respondents raised the following issues:

- The scarcity of transport funds would be better spent on improving the lower Hunter's public transport system up to an acceptable standard.
- We question the need to spend \$200M on a road system when all the current and future signs on environmental and global issues point to the need to reduce car levels on roads and increase public transport infrastructure and public walkway facilities to encourage health promotion activities.

#### ***Response***

The above issues have been noted. Consideration to them however, has not been given as part this proposal as they are considered to beyond the proposals scope.

### **8.2 Hospital expansion**

#### ***Submission number(s)***

31, 35

#### ***Issue description***

In summary, the respondents raised the following issues:

- The expansion of the John Hunter Hospital has been poorly managed in relation to the proposed road corridor. The extension has sparked questions as to how this encroachment has been allowed to take place.

#### ***Response***

The above issues have been noted. Consideration to them however, has not been given as part this proposal as they are considered to beyond the proposals scope.

## 9 Main issues raised in submissions

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The information below provides a summary of the main issues raised in submissions to the preferred route:

- Residents object to the preferred route option as it would result in the loss of their homes. Furthermore, the compensation awarded for acquiring their homes does not take into account all costs incurred.
- The proposal would result in the fragmentation of the bushland corridor causing isolation and impacts to threatened species such as the black eyed susan, powerful owl, masked owl, squirrel glider, grey headed flying fox and a number of microchiropteran bat species.
- There is concern that the RTA has not provided information on environmental impacts such as air quality, visual amenity, flora and fauna, and noise and vibration.
- The preferred route option would result in the lack of access opportunities for bushwalking or cycling within the bushland corridor, cycling along the preferred route, or crossing the preferred route.
- The RTA lacks foresight in planning an integrated roadway that takes into account the section of HW23 south of the proposed bypass.
- Dissatisfaction at the level of information provided as to why the preferred route option was chosen above all others.
- The preferred route option has not provided vehicular opportunities for vehicles to exit right onto McCaffrey Drive or left onto Lookout Road when travelling south. Additionally there is no opportunity for vehicles to make a right hand turn from Lookout Road or left from McCaffrey Drive onto the bypass in order to travel north.
- The hospital connection is inadequate and should have been an integral part of the project.



## **10 Additional commitments**

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Submission issues have been considered and RTA responses provided. No modifications of the preferred route option are proposed.

## **II References**

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Newcastle Inner City Bypass. Rankin Park to Jesmond. Preferred Route (2007) RTA/Pub. 07.17

NSW State Infrastructure Strategy 2006-07 to 2015-16 (2006)

## **Appendix A**

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Public display material



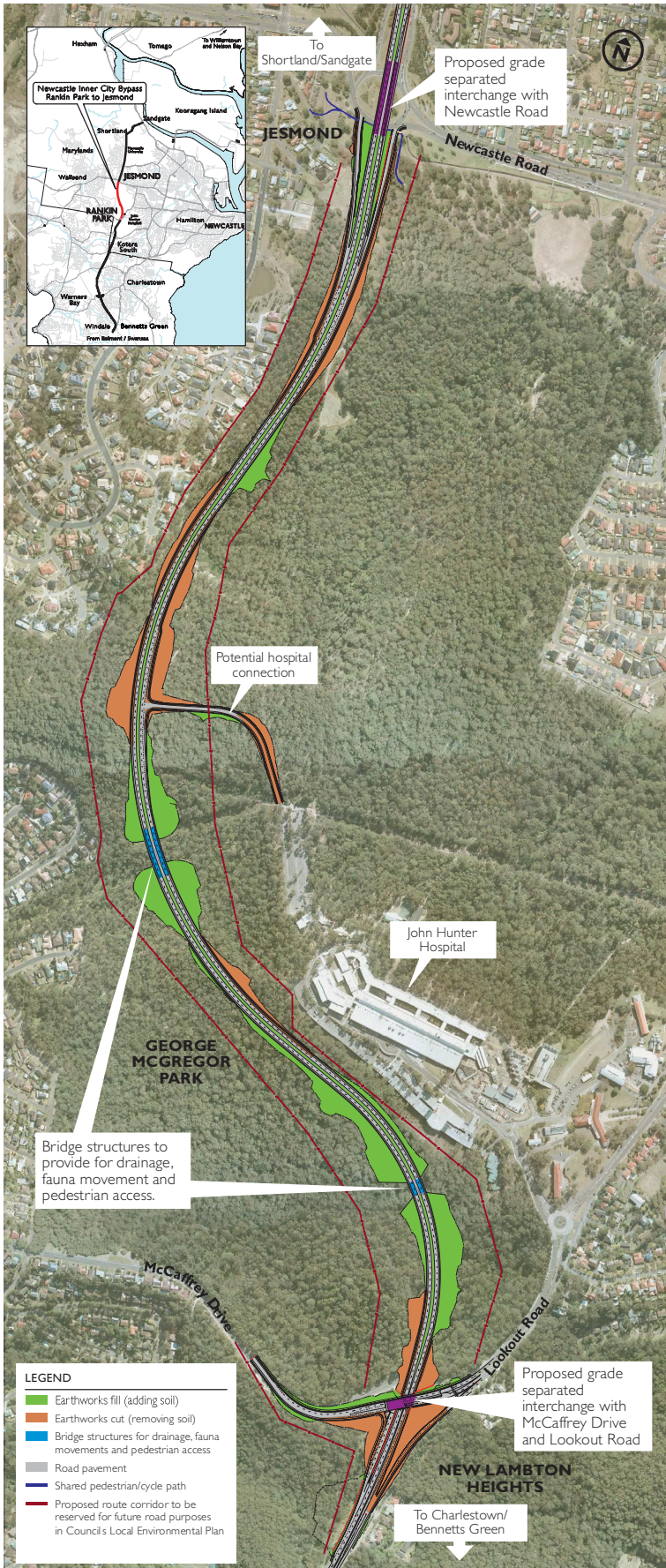
A New South Wales Government Initiative



# Newcastle Inner City Bypass

## Rankin Park to Jesmond

PREFERRED ROUTE FEBRUARY 2007



The Newcastle Inner City Bypass (Highway 23) between the Pacific Highway at Bennetts Green and the Pacific Highway at Sandgate is a long standing scheme to provide an orbital road to link Newcastle's road network. A preferred route has been identified for the Rankin Park to Jesmond section of the bypass and is now on display for community comment. This project is fully funded by the NSW Government.

### Background

In 1986 a preferred route was adopted for the section of the bypass between Rankin Park and Jesmond and the corridor was reserved for future road purposes in Newcastle City Council's Local Environmental Plan. The location and connection of the bypass to Lookout Road as proposed in 1986 is no longer feasible due to the expansion of John Hunter Hospital and the growth of traffic along Lookout Road. A route options study investigated the route and the potential for a western access to John Hunter Hospital.

### Objectives and benefits

An objective of this investigation is to identify a future route for the Rankin Park to Jesmond Section of the Newcastle Inner City Bypass, with consideration of the feasibility of a future connection to a western access to John Hunter Hospital.

The revised road corridor can then be included in Newcastle City Council's Local Environmental Plan and preserved for the future road link, which would provide a final link in the Newcastle Inner City Bypass.

The section of the bypass between Rankin Park and Jesmond would provide traffic relief to the surrounding road network, in particular the existing route of Lookout Road, Croudace Street and Newcastle Road.

### Local constraints

Four route options have been investigated. Only one cost effective and practical option was identified due to significant constraints in the study area, including:

- Mine subsidence areas.
- Undulating terrain.
- Local ecology.
- The John Hunter Hospital.

### The preferred route

The 'blue option' was chosen as the preferred route as it provides the best overall balance between functional, geotechnical, engineering and economic considerations. The preferred route:

- Provides enhanced connectivity with Lookout Road, and best caters for future traffic volumes.
- Provides the greatest benefits to the surrounding road network.
- Has less risk associated with mine subsidence areas.
- Minimises impact on George McGregor Park.
- Primarily follows the existing Local Environmental Plan route corridor.

The preferred route would be a four lane dual carriageway, 3.4km in length and include:

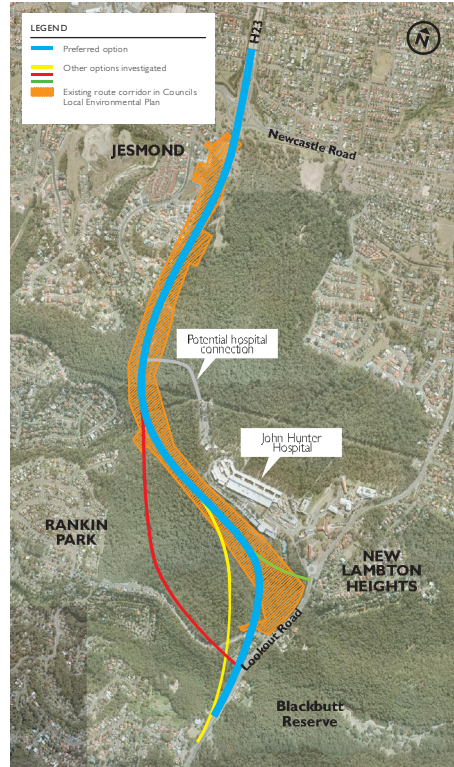
- A grade separated interchange at the northern connection with the existing Newcastle Road to Shortland section of the bypass.
- Potential for a connection to the rear of John Hunter Hospital.
- Bridge structures along the route to provide for drainage, fauna movements, and pedestrian access.
- A grade separated interchange with Lookout Road and McCaffrey Drive at the southern connection.

### What happens next?

Following the public display, the next steps are to finalise the preferred route corridor and to protect the route from future development by assisting Newcastle City Council to include the modified route corridor in their Local Environmental Plan.

### Please provide your comments

Your comments are welcome and written submissions will be received until Friday 16 March 2007. If you would like further information please contact the project manager (details below).



➔ For further information

✉ Matthew Mate, Project Manager, roads and Traffic Authority, Locked Bag 90, Newcastle NSW 2200

✉ Matthew\_Mate@rta.nsw.gov.au

☎ (02) 4924 0646

🌐 rta.nsw.gov.au

All information included in correspondence is collected for the sole purpose of assisting in the assessment of this proposal. The information may be used by the RTA and/or the RTA's project contractors.

All information received, including names and addresses of respondents, may be published in subsequent assessment documents unless clear indication is given in the correspondence that all or part of that information is not to be published.

## **Appendix B**

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### Community Interaction Report

## COMMUNITY INTERACTION REPORT

<b>Project:</b>	Newcastle Inner City Bypass - Rankin Park to Jesmond
<b>Type of Event:</b>	Community Information Session
<b>Venue/Date/Time:</b>	Wallsend Motor Registry 22 February 2007 3.30pm – 5.00pm  Wallsend Motor Registry 10 March 2007 9.30am – 12.00pm  Wallsend Motor Registry 21 April 2007 9.30am – 12.00pm
<b>Support Staff:</b>	Matthew Mate, Project Manager: 22/2/07, 10/3/07, 21/4/07 Liam Barrett, Business Trainee: 22/2/07 Corinne Thompson, Communications: 10/3/07, 21/4/07

### 1. INTRODUCTION

The Newcastle Inner City Bypass between Pacific Highway at Bennetts Green and the Pacific Highway at Sandgate is a long standing scheme to provide an orbital road to link Newcastle's road network.

A preferred route has been identified for the Rankin Park to Jesmond section of the bypass and was placed on display for community comment between 12 February and 30 April 2007.

Three (3) community information sessions were organised at Wallsend Motor Registry to allow the community to speak to RTA representatives about the proposal.

### 2. VENUE

#### **Wallsend Motor Registry**

The venue was located adjacent to Wallsend Plaza, with plenty of associated car parking. The viewing area was indoors, air conditioned and relatively quiet.

A medium size desk was set adjacent to the display poster which was attached to a large pin board. As the motor registry is situated adjacent to Wallsend Plaza it was an ideal location for local residents to attend.

### 3. COMMUNITY DISCUSSION POINTS

The RTA staff members were in continual discussions with people visiting the display.

- There were in the order of 12 people who visited the display on the 22 February 2007.
- There were in the order of 25 people who visited the display on the 10 March 2007.
- There were in the order of 10 people who visited the display on the 21 April 2007.

Discussion points raised by the community included:

### **Preferred Route Corridor**

- The proximity of the roadway to residential housing i.e. Silver Ridge Estate and the North-East side of Rankin Park.
- Is this the only route that can be used? Have other routes been looked at?
- Reasons for corridor through this section of natural bushland.
- Congestion off Jesmond roundabout section on Newcastle Road is currently an issue.
- Why can't the bypass connect with Lookout Rd north of the hospital?
- Access for fire fighting services.
- Flooding in Jesmond.
- Concerns regarding acquisition.
- Design of access to northbound lane at Shortland end of roundabout.

### **Pedestrian & Cyclist Access**

- Residents from Silver Ridge/Rankin Park require access to bushwalking tracks etc. Can an overpass/underpass be provided in the northern portion of the proposal?
- More crossing near Silver Ridge.
- Destruction of bushland would limit the nature trails for walker as well as cyclists.
- Bushwalk access.

### **Noise**

- Proximity of bypass to residential areas is a concern.
- Concrete sound barriers would eliminate excessive noise from motorists.
- Will the trees be kept between Silver Ridge Estate and the roadway?
- A natural sound barrier would be preferred by lowering the road in a cutting.
- Limit destruction of trees along bypass as they can be used as a natural sound barrier as well as a more aesthetically and environmentally pleasing option.
- Concern over noise radiance.
- Concern over existing and proposed noise at McCaffrey Drive intersection.
- Visual/sound impact to the area.

### **Environmental Impacts**

- Potential destruction of endangered habitats.
- Impacts on local flora and fauna most notably the Powerful Owl.
- The best option is the one with least disturbance to birdlife.
- Visual and sound impacts to local residents.
- Drainage effects to natural creeks and water hole areas.
- Possible spreading of noxious weeds in and around John Hunter Hospital as well as George McGregor Park.
- What environmental studies have and will be undertaken to assess the effect on local fauna and flora?
- Concern over disturbance to wildlife and fauna.
- Least disturbance to birds including powerful owl.

### **McCaffrey Drive Interchange**

- What access is there from McCaffrey Drive to the bypass and Lookout Road?
- Access to freeway to McCaffrey Drive.
- Concern about increase in traffic on McCaffrey Drive.
- Access concerns at McCaffrey Drive.

### **Hospital Access**

- The western access to the hospital should be a priority.
- Access from hospital for heading north.

### **Support for project**

- Bypass road is a sensible option that needs to be implemented ASAP.
- The sooner the better for Newcastle and the hospital.
- Hurry up.
- Bot soon for me. Hurry up.
- General interest – support for the proposal.

### **General comments**

- The RTA personnel staffing the display were very helpful.
- Displaying posters in local areas informing residents of the community meeting was considered successful.
- Information day venues were considered to be appropriate.
- Nice to see the RTA meeting with the community.

### **Overall Reaction**

- Overall reaction was generally in favour of designs to eliminate the congestion around John Hunter Hospital and along the existing route.
- Understanding that this project is one stage of a five stage Newcastle Inner City Bypass.
- Most residents understood that this project was long standing and the purpose of this particular display was to establish the route corridor, and that there would be plenty of opportunity for future community comment as the project progressing through the development phase.

## **4. COMMITMENTS MADE**

### **Further contact**

- A contact list was available at both venues and people were encouraged to leave their contact details and comments. Our commitment was that we would post/email any updates in information and ring them back with any further information on the questions asked.
- Residents were assured that any letters/emails sent to the RTA regarding the project would be acknowledged and considered.
- Residents were assured that there would be further opportunities for future community comment as the project progressing through the development phase.



## **Appendix C**

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Study area

# Newcastle Inner City Bypass Rankin Park to Jesmond study area



## **Appendix D**

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Extract from the Land Acquisition (Just Terms) Act 1991

## EXTRACT FROM THE LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Relevant matters to be considered in determining amount of compensation.

55

In determining the amount of compensation to which a person is entitled, regard must be had to the following matters only (as assessed in accordance with this Division):

- (a) the market value of the land on the date of its acquisition;
- (b) any special value of the land to the person on the date of its acquisition;
- (c) any loss attributable to severance;
- (d) any loss attributable to disturbance;
- (e) solatium;
- (f) any increase or decrease in the value of any other land of the person at the date of acquisition which adjoins or is severed from the acquired land by reason of the carrying out of, or the proposal to carry out, the public purpose for which the land was acquired.

### **Market value**

56.

(1) In this Act:

“market value” of land at any time means the amount that would have been paid for the land if it had been sold at that time by a willing but not anxious seller to a willing but not anxious buyer, disregarding (for the purpose of determining the amount that would have been paid):

- (a) any increase or decrease in the value of the land caused by the carrying out of, or the proposal to carry out, the public purpose for which the land was acquired;
- and
- (b) any increase in the value of the land caused by the carrying out by the authority of the State, before the land is acquired, of improvements for the public purpose for which the land is to be acquired; and
- (c) any increase in the value of the land caused by its use in a manner or for a purpose contrary to law.

(2) When assessing the market value of land for the purpose of paying compensation to a number of former owners of the land, the sum of the market values of each interest in the land must not (except with the approval of the Minister responsible for the authority of the State) exceed the market value of the land at the date of acquisition.

### **Special value**

57.

In this Act:

“special value” of land means the financial value of any advantage, in addition to market value, to the person entitled to compensation which is incidental to the person’s use of the land.

### **Loss attributable to severance**

58.

In this Act:

“Loss attributable to severance” of land means the amount of any reduction in the market value of any other land of the person entitled to compensation which is caused by that other land being severed from other land of that person.

### **Loss attributable to disturbance**

59.

In this Act:

“loss attributable to disturbance” of land means any of the following:

- (a) legal costs reasonably incurred by the persons entitled to compensation in connection with the compulsory acquisition of the land;
- (b) valuation fees reasonably incurred by those persons in connection with the compulsory acquisition of the land;

- (c) financial costs reasonably incurred in connection with the relocation of those persons (including legal costs but not including stamp duty or mortgage costs);
- (d) stamp duty costs reasonably incurred (or that might reasonably be incurred) by those persons in connection with the purchase of land for relocation (but not exceeding the amount that would be incurred for the purchase of land of equivalent value to the land compulsorily acquired);
- (e) financial costs reasonably incurred (or that might reasonably be incurred) by those persons in connection with the discharge of a mortgage and the execution of a new mortgage resulting from the relocation (but not exceeding the amount that would be incurred if the new mortgage secured the repayment of the balance owing in respect of the discharged mortgage);
- (f) any other financial costs reasonably incurred (or that might reasonably be incurred), relating to the actual use of the land, as a direct and natural consequence of the acquisition.

#### Solatum

60.

(1) In this Act:

“solatum” means compensation to a person for non-financial disadvantage resulting from the necessity of the person to relocate his or her principal place of residence as a result of the acquisition.

(2) The maximum amount of compensation in respect of solatum is:

- (a) except as provided by paragraph (b)-\$15,000; (see note at end of Extract) or
- (b) such higher amount as may be notified by the Minister by notice published in the Gazette.

(3) In assessing the amount of compensation in respect of solatum, all relevant circumstances are to be taken into account, including:

- (a) the interest in the land of the person entitled to compensation; and
- (b) the length of time the person has resided on the land (and in particular whether the person is residing on the land temporarily or indefinitely); and
- (c) the inconvenience likely to be suffered by the person because of his or her removal from the land; and
- (d) the period after the acquisition of the land during which the person has been (or will be) allowed to remain in possession of the land.

(4) Compensation is payable in respect of solatum if the whole of the land is acquired or if any part of the land on which the residence is situated is acquired.

(5) Only one payment of compensation in respect of solatum is payable for land in separate occupation.

(6) However, if more than one family resides on the same land, a separate payment may be made in respect of each family if:

- (a) the family resides in a separate dwelling-house; or
- (b) the Minister responsible for the authority of the State approves of the payment

(7) If separate payments of compensation are made, the maximum amount under subsection (2) applies to each payment, and not to the total payments.

1

#### **Special provision relating to market value assessed on potential of land**

61.

If the market value of land is assessed on the basis that the land had potential to be used for a purpose other than that for which it is currently used, compensation is not payable in respect of:

- (a) any financial advantage that would necessarily have been forgone in realising that potential; and
- (b) any financial loss that would necessarily have been incurred in realising that potential.

#### **Special provision relating to acquisition of easements or rights, tunnels etc.**

62.

(1) If the land compulsorily acquired under this Act consists only of an easement, or right to use land, under the surface for the construction and maintenance of works (such as a tunnel, pipe or conduit for the conveyance of water, sewage or electrical cables), compensation is not payable except for actual damage done in the construction of the work or caused by the work.

(2) If land under the surface is compulsorily acquired under this Act for the purpose of constructing a tunnel, compensation is not payable (subject to subsection (1)) unless:

- (a) the surface of the overlying soil is disturbed; or
  - (b) the support of that surface is destroyed or injuriously affected by the construction of the tunnel;
- or

(c) any mines or underground working in or adjacent to the land are thereby rendered unworkable or are injuriously affected.

(3) If the land compulsorily acquired under this Act consists of or includes an easement or right to use the surface of any land for the construction and maintenance of works (such as canals, drainage, stormwater channels, electrical cables, openings or ventilators), the easement or right is (unless the acquisition notice otherwise provides) taken to include a power, from time to time, to enter the land for the purpose of inspection and for carrying out of any additions, renewals or repairs. Compensation under this Part is payable accordingly.

**Note in respect to Solatium**

In accordance with Section 60(2)(b) the maximum amount of Solatium was increased to ***\$21,823 effective from the 1 March 2007***. There may be further increases in the maximum amount of Solatium from time to time and it is suggested that you speak with the RTA's Property Acquisition staff for the latest information.