

16<sup>th</sup> December 2016  
1A Marshall Street  
NEW LAMBTON HEIGHTS  
NSW 2305

Department of Planning and Environment  
Hunter and Central Coast  
Level 2, 26 Honeysuckle Drive  
Newcastle NSW 2300

Dear Sir/Madam,

**RE: NEWCASTLE INNER CITY BYPASS**

This submission is in response to the EIS for the Newcastle Inner City Bypass that was placed on exhibition from 16<sup>th</sup> November to 16<sup>th</sup> December 2016. This submission is to outline our objection to the proposal to construct a filled batter and access road on our property at 1A Marshall Street New Lambton Heights, proposed as part of the Southern Interchange Works.

We object to the construction of the batter, access road and water control basin on our property for the following reasons:

1. We do not consider that the proposed batter solution is necessary, as an extension of the flyover proposed for the off ramp to Lookout Road from the Bypass would eliminate the need for the batter, and therefore eliminate the need to disturb our property.
2. We were not consulted at the time the design solution to introduce the batter was adopted, and only found out about it when we attended a public information session earlier this year. It appears from the EIS documentation that options for the southern interchange were considered, but the impact on our property, and other solutions that could minimise this impact were not canvassed. Other interested parties were at workshops to resolve the design, but we as significant landholders were not consulted or involved.
3. We consider that the steep topography of the area will result in unusually steep sides to the constructed batter, and that erosion will be difficult to handle, particularly if water from the Bypass roadway and verges is also directed down the batter. This appears to be the case as indicated on the proposed drainage infrastructure diagrams prepared by Aurecon and included in the EIS. This area already suffers from significant erosion problems caused by uncontrolled water from Lookout Road being directed onto our property. The tributary of Blue Wren Creek which crosses our property is already badly eroded, and needs to be rectified and stabilised whatever solution is adopted for the Bypass works.

4. We have had one preliminary meeting with the RMS in September this year, at which the prospect of RMS acquiring a significant part of our property (approximately 2.5 acres) was raised, but we have not been given any formal advice or details of the proposal (apart from what we can determine from the EIS). We note that other affected landholders have already had property issues resolved well in advance of the preparation of the updated design and EIS.
5. The EIS drawings show a cross section through the batter which would require mechanical stabilisation, as the angles of the fill exceed recommended natural batter slopes. We consider that construction of the batter will be quite difficult from an engineering perspective taking into account the topography of the area. The section at Chainage 7340 in the Visual Impact Assessment shows the batter at less than half its full extent, so the real quantum and difficulty of construction is not indicated in the documentation.

We therefore request that if the batter solution and associated works that will extend across our property at 1A Marshall Street is to be pursued by RMS, that the following occurs before the approval of the EIS is granted:

1. We are provided with further details of the batter design, including:
  - how stormwater would be handled
  - how the Blue Wren Creek tributary will be restored and further erosion prevented
  - how the vertical faces of the batter will be stabilised (ie what is the construction material)
  - the level of replacement vegetation (eg pot sizes and quantity of planting) to be provided to ensure the batter achieves the desired bushland regeneration as quickly as possible.
2. We are provided with an acceptable in-principle agreement that outlines fair compensation for the 2.5 acres that we understand the RMS wants to acquire. As discussed in our meeting with RMS in September, we consider that this should be in the form of a land swap, ie if we agree to hand over land RMS require to undertake the Bypass works, we are in return granted surplus land adjacent to McCaffrey Drive that the RMS do not need to complete the project.

In conclusion, we do not consider it appropriate for the current design as outlined in the EIS to be approved by the Department of Planning, without our concerns about the construction of the batter and fair compensation for loss of property is agreed.

The current uncertainty we currently face regarding the future of the property should not be allowed to continue. Nor should addressing our concerns be delayed to some indeterminate time in the future, when it may become too late for us to have input into the design solution, and therefore lose any ability to mitigate the significant impact of the proposed batter on the property that we have owned for over twenty years.

Yours faithfully

Property Owners

1A Marshall Street New Lambton Heights