

**NEWCASTLE INNER-CITY RAIL CORRIDOR PRESERVATION BILL 2014**

**Bill introduced on motion by Mr Greg Piper, read a first time and printed.**

**Second Reading**

**Mr GREG PIPER** (Lake Macquarie) [10.07 a.m.]: I move:

That this bill be now read a second time.

Having observed the debate on the Newcastle heavy rail line truncation and spoken to many people on the subject over a long period, I felt the compelling need to introduce the Newcastle Inner-City Rail Corridor Preservation Bill 2014. The object of this bill is to preserve the Newcastle inner-city rail corridor for the purposes of public open space, passive recreational activities or public transport after the heavy rail line that currently occupies the corridor is removed.

< 2 >

On 14 December 2012 the State Government announced that the rail line into the Newcastle central business district would be cut at Wickham, which is approximately 2.5 kilometres west of the current terminus, and that the section to be removed would be replaced by a light rail service into the city. In May this year the Government announced its chosen route for the new light rail service. This route is a hybrid of the two original options, which travels partly along the existing heavy rail corridor before deviating into the nearby Hunter Street and then into Scott Street to complete the journey to the east end of the city. The option was introduced late into the debate and bewildered urban and transport planners as to why it would deviate off a dedicated adjacent and existing corridor. Understandably it created much conjecture within the community about the prospect for future development of this land.

The community has become increasingly suspicious of the motives behind the choice of the hybrid route over the original stated plan for light rail, which was to run the service along the existing corridor. The corridor is believed to be largely free of the undermining issues that complicate building projects in much of the inner city and is a tract of land that no doubt developers would love to get their hands on. The support of pro-development interests, including support from the former Lord Mayor and the Hunter Chapter of the Property Council of Australia, for a light rail option that leaves all or the greater part of the corridor open has heightened concerns about the land being used for residential or commercial development once the heavy rail line has been removed. The Minister for Planning gave weight to speculation of this nature when she confirmed to 1223 ABC Newcastle in June that some development was anticipated on the heavy rail corridor. She said:

This is all subject to further consultation with the business community, with residents, with people who commute to the city, but I think you would be unsurprised to think we would probably end up with a combination of public space and some development.

With respect to the Minister, I understand the comment was made very early in her new

role. I acknowledge her comments that were quoted in the *Newcastle Herald* several days later when she stated that a conspiracy between developers and the Government was ludicrous. She said:

It makes no sense to take down the dingo fence and replace it with a Berlin Wall of buildings.

She added:

It would go against the entire logic of the urban renewal strategy, and contradict the understanding we have with the community.

Despite this apparent softening of stance, the Government has consistently refused since then to categorically rule out development on the heavy rail corridor post-truncation. Further, comments made by the planning department to a series of questions put by the *Guardian* and published on 22 September suggest that development of part of the corridor is now squarely on the agenda. The department was asked what sort of development proposals the Government would consider for the rail corridor and it confirmed that UrbanGrowth NSW was considering uses that support housing and jobs. It further stated:

Some areas of rail land are degraded and are located between buildings and are perhaps best suited to uses other than public open space.

When asked further whether there were any types of developments that would not be considered, the department declined once again to take the opportunity to rule out housing and commercial development. Its answer, which was evasive, is as follows:

UrbanGrowth is considering all development that is compatible with surrounding land use and is consistent with the jobs and housing targets set in the Newcastle Urban Renewal Strategy.

There is strong community support for the corridor to be quarantined from high-rise or medium-density development and instead be dedicated for open space and recreational use. I believe this outcome is consistent with the Government's previously stated intentions for the land but it is not clearly articulated in the Newcastle Urban Renewal Strategy.

The introduction of this bill endeavours to end the conjecture once and for all to ensure that the inner-city rail corridor in Newcastle is preserved for open space and passive recreational uses. The bill also provides that if there is a change of heart now or in the future about removing the heavy rail line or routing the light rail down Hunter Street, the land can continue to be used for public transport. The bill deals with the parcel of land between Wickham station and Newcastle station terminus, which is owned by RailCorp and is currently occupied by the electrified heavy rail line and associated infrastructure. It encompasses the length of rail line spanned by Wickham, Civic and Newcastle railway stations.

The corridor is bound by Stewart Avenue—or the A43 as it is known by Roads and Maritime Services—at the western end and Watt Street at the eastern end. The corridor is currently

enclosed by fencing, apart from the level crossing at Merewether Street just east of Civic station. The bill will prevent high-rise or medium-density development on the corridor and will allow only limited infrastructure associated with the specified land uses. The term "open space" in the bill refers to areas not built upon and includes parklands and gardens, pedestrian paths and walkways, cycleways and squares or playgrounds. The term "passive recreational use" allows for facilities such as bike hire stations, outdoor exercise stations, public seating and small-scale infrastructure such as kiosks, cafes and other amenities related to the allowable land uses.

Uses or development that will not be permitted on the corridor include high-rise or medium-density buildings, residential accommodation, commercial sports centres or gymnasiums and commercial premises of any kind other than those relating to passive recreational use. The bill expressly forbids the construction of any building of a size or nature that would preclude reinstatement of public transport along that corridor. The bill makes Newcastle City Council the consent authority for any development of the land and prohibits any development carried out on the corridor from being declared State significant infrastructure under part 5.1 of the Environmental Planning and Assessment Act 1979.

Newcastle is undergoing significant change. Much of the talk around the revitalisation has been about poor building, shopping centres and exclusive apartments. The bill brings some balance to that conversation. A green corridor along the existing inner-city heavy rail route would be a fantastic community asset for Newcastle and an attraction for tourists and residents of the region. It could be a venue for markets and festivals. It is also in line with the aims of the Cyclesafe Newcastle Network Proposal, a well-supported local campaign that aims to promote a safe network for dedicated cyclepaths across the region. The people of Newcastle support the corridor being retained for public open space and passive recreation. Each time this issue arises in the local media, feedback from readers and listeners is overwhelmingly in favour of the land use this bill will enshrine in legislation.

I am happy to introduce this bill to the Parliament on behalf of the people of Newcastle, who are currently without representation in this place. In doing so, I act also on behalf of the people of my electorate and other electorates in the Hunter. Newcastle is the centre of a vibrant and interconnected region. It is not a silo that exists and operates only for the benefit of those who live within the electorate or its local government boundaries. People in the Hunter have a stake in the revitalisation of Newcastle and people throughout the region want to see the heavy rail corridor retained as a public asset. Opinions vary on whether the rail line should be cut or whether light rail is the best solution to inner-city public transport needs. On the matter of preserving the corridor for open space and public use, the regional voice is almost unanimous, with the obvious exception of the pro-development lobby.

If the rail line is cut and light rail is successfully implemented in Newcastle and its immediate

suburbs the availability of the rail corridor land for use as described in this bill would give Newcastle an opportunity to have open space and an aesthetic appeal rivalling great cities in Australia and around the world. It would be a bastard act to lose that opportunity or to steal the opportunity for future Novacastrians to adopt emergent public transport options that serve only short-term interests. I am pleased to commend the bill to the House. I look forward to cross-partisan support for a proposal that is certainly in line with the type of rhetoric and statements that preceded the final decision to truncate the heavy rail line in Newcastle.

**Debate adjourned on motion by Mr Gareth Ward and set down as an order of the day for a future day.**