

18 JUL 2013

CRN/1719/CP/Letter/2

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Years.....



15 July 2013

The General Manager  
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Dear Sir,

**COUNTRY REGIONAL NETWORK  
ATTENTION: SHERILYN HANRAHAN  
Re: Draft Lithgow City Local Environmental Plan 2013**

We refer to your letter dated 1 July 2013 regarding the exhibition of the Draft Lithgow City Local Environmental Plan 2013.

The New South Wales Government's Transport for NSW is the land owner of the Country Regional Network (CRN) railway lines across NSW. As of 15 January 2012, John Holland Rail Pty Ltd (JHR) has been appointed to manage the CRN. As such JHR is responsible for reviewing developments, plans and policies adjoining the rail corridor to ensure any potential impacts of or on future rail operations are considered.

As you may be aware the Department of Planning's LEP Practice Note *Zoning for Infrastructure in LEPs* Ref. no PN 10-001 dated 14 December 2010 provides guidance to councils on zoning public infrastructure land in standard instrument local environmental plans and aims to provide greater flexibility for the management of infrastructure.

JHR supports the zoning of railway land in accordance with the principles outlined in this practice note.

The relevant principles are outlined below:

1. Where the infrastructure type is permitted on all land in the Infrastructure SEPP:
  - future infrastructure may be placed in any zone
  - existing 'special use' zones should be rezoned the same as the adjacent zone
2. Where the infrastructure type is only permitted in certain prescribed zones in the Infrastructure SEPP:
  - provide for future infrastructure in prescribed zones rather than special use zones
  - existing 'special use' zones should be rezoned the same as the adjacent land (if a prescribed zone).
  - rezone land SP2 Infrastructure, if there is no adjacent prescribed zone.
3. If currently zoned 'special use', the following infrastructure land should remain zoned

- for a 'special purpose':
- large complexes or strategic sites (rezone as SP2 Infrastructure).
4. Where land is to be zoned SP1 Special Activities or SP2 Infrastructure:
- include flexible zone boundary provisions
  - use generic land use map annotations.
5. Where surplus public land is currently zoned 'special use':
- the land should be rezoned as a compatible land use, or
  - the land should be rezoned consistent with a valid site compatibility certificate.
6. When preparing an LEP, avoid duplicating provisions in the Infrastructure SEPP to manage impacts on infrastructure corridors.

The major affect of the above is the preference for zoning of railway land the same as the adjacent zone in most circumstances.

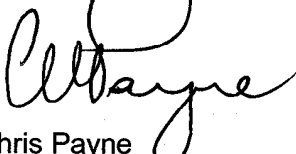
John Holland Rail's preference is for all rail land to be zoned in accordance with the above principles, with land zoned consistent with adjoining zones or with existing uses. It is noted that the draft LEP is not consistent with these principles, zoning railway land SP2 Infrastructure. It would be preferable that at least station yards were zoned to allow uses other than railway uses.

In regard to heritage matters John Holland Rail supports listing of heritage items on railway land within LEPs consistent with the State Heritage Register and Country Regional Network s170 Register.

It would be appreciated if you could provide additional information on those railway items nominated for inclusion in the LEP which are not on the State Heritage Register and further discuss proposed heritage listing of railway owned assets with JHR. The appropriate JHR contact for heritage matters is David Ward at [davida.a.ward@jhg.com.au](mailto:davida.a.ward@jhg.com.au), P9685 5031.

Should you have any further enquiries with regard to this matter please do not hesitate to contact Danny Sloane, JHR Property Agreements Manager, either via email at [danny.sloane@jhg.com.au](mailto:danny.sloane@jhg.com.au) or telephone (02) 9685 5065 / 0421 617501.

Yours faithfully  
**JOHN HOLLAND RAIL PTY LTD**

  
Chris Payne  
**Chief Financial Officer**