

**Submission  
No 86**

**INQUIRY INTO PLANNING PROCESS IN NEWCASTLE  
AND THE BROADER HUNTER REGION**

**Name:** Ms Kate Tuohy-Main

**Date received:** 19/10/2014

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Name Kate Tuohy-Main

Date 19-10-14

PLANNING PROCESS IN NEWCASTLE AND THE BROADER HUNTER REGION (INQUIRY)  
Legislative Council  
NSW Parliament  
6 Macquarie Street  
SYDNEY NSW 2000

RE: BIASED PLANNING PROCESS FAVOURING GPT/URBANGROWTH NSW HIGH RISE DEVELOPMENT FOR NEWCASTLE'S HERITAGE CITY CENTRE – DA2014/323

To Whom it May Concern,

I wish to raise concerns with the NSW Legislative Council (or Upper House) Inquiry into Planning Process in Newcastle and the Broader Hunter Region. Specifically with reference to probity, a lack of transparency, inadequate community consultation, perceived conflict of interests and excessive developer influence on planning decisions surrounding the spot rezoning of Newcastle's Mall and East End heritage area to facilitate the development application Newcastle East End DA2014/323.

These matters are especially concerning given their proximity to those recently investigated by the Independent Commission Against Corruption (ICAC) during 'Operation Spicer', regarding illegal developer donations at the state government level, specifically relating to Newcastle.

While I support urban renewal in Newcastle I am alarmed at the proposal submitted by joint developers GPT Group / UrbanGrowth NSW, for high rise apartment towers in the low rise heritage precinct of inner city Newcastle. This development triples height limits to 20 storeys and significantly increases floor space ratios. The development site is bounded by Hunter Perkins King and Newcomen Streets Newcastle.

The proposed development runs contrary to the guiding principles of the adopted Newcastle Urban Renewal Strategy (NURS-2012) in which high-rise towers were to be located at Wickham, or Newcastle West End, not in the heritage East End. How this excessive and inappropriate development plan came to be produced and submitted when the existing strategic planning documents specifically ruled out high rise in Newcastle's East End heritage precinct requires investigation.

The GPT/UrbanGrowth NSW high rise plan could only proceed with changes made to the Newcastle Local Environment Plan (LEP-2012), through significant amendments to the State Environmental Planning Policy (SEPP-2014) that specifically favoured two developers – GPT/UrbanGrowth NSW. Those amendments were recently approved through ministerial spot rezoning, on 25 July 2014. The reasons for the SEPP amendments being approved have not been adequately explained and should be investigated.

I am concerned about the lack of transparency, and the role of local and state government agencies and officers in changing planning controls.

My specific concerns that I hope the inquiry will investigate include:

Refusal or failure to properly investigate reasonable alternative options.

Many historic buildings could be renovated and adapted for accommodation. Particularly with the need for students with the new Law Faculty being built in town.

High rise in Newcastle will completely spoil the look and feel of Newcastle and is totally unnecessary. Lining the pockets of developers who have no interest in the community seems to be the basis of decision making to date.

I am concerned that current decisions can not be trusted on the basis of corruption activities that have led to the dismissal of The Lord Mayor and Members of Parliament and that some critical decisions have not been based on factual evidence.

I am concerned that there may have been inappropriate influence by developers on decision makers, and / or conflicts of interest that need to be investigated, specifically:

- There is evidence of processes or outcomes that appear to privilege or favour vested interest over public interest
- also actual or potential evidence of improper political interference in decision making processes

I respectfully urge the Upper House Committee to please consider making the following recommendations:

1. Revoke the SEPP amendment by providing a revised SEPP amendment overriding the 2014 approval.
2. With respect to building heights, restore the NURS (2012) that includes:
  - acceptable height limits (maximum 24 metres or roughly 8 storeys)
  - appropriate floor-space density provisions
  - maintains iconic public vistas to and from the city, and
  - facilitates high rise development in the West End rather than the heritage precinct.
3. Place an immediate moratorium on all development associated with the amended parts of the Newcastle LEP.

In conclusion, I trust this information may assist the Parliamentary Inquiry into Planning Process in Newcastle and the Broader Hunter Region and hope the Committee will consider my concerns regarding the controversial GPT/UrbanGrowth NSW development proposal - DA2014/323 - for high rise towers in Newcastle's heritage city centre.

I hope the information provided will assist the Committee to better understand how poor planning decisions, that will burden Newcastle's future, were made.

This information is intended for the Planning Process In Newcastle and the Broader Hunter Region (Upper House Inquiry).

Thank you.

Yours sincerely,

Name Kate Tuohy-Main