

**Submission  
No 326**

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

**Name:** Name suppressed  
**Date received:** 24/10/2014

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*Partially Confidential*

24th October 2014

**The Director  
Select Committee on the Planning Process in Newcastle and the Broader  
Hunter Region  
Parliament House  
6 Macquarie St  
Sydney NSW 2000**

This submission is made in my personal capacity, though I am also a member of the Newcastle Inner City Residents Alliance (NICRA) and in my role as the latter, have attended meetings with the former member of Newcastle, Tim Owen and Newcastle Council Meetings convened by the former Lord Mayor Jeff McCloy.

I wish to express concerns with the NSW Legislative Council (or Upper House) Inquiry into *Planning Process in Newcastle and the Broader Hunter Region*. Specifically with reference to inadequate community consultation, probity, a lack of transparency and 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 Project DA2014/323*.

Whilst I am in support of urban renewal in Newcastle, I am alarmed at the proposal submitted by joint developers the GPT Group and UrbanGrowth NSW, for high-rise apartment towers in the low rise, historic inner city Newcastle. This development trebles existing height limits to 20 storeys and, hence, significantly increases floor space ratios. The development site is located in the historic Hunter Street Mall, bounded by Hunter Street, Perkins Street, King Street and Newcomen Street, Newcastle.

Since buying my property in July 2009, I have received quarterly Newcastle City Council requests for payments, most recently a few days ago, 20 October 2014. However, it is interesting to *not* have received any courtesy letters in any quarterly period that would have referred to the proposed changes in the inner city precinct or invitations to meetings or information sessions; in other words, it seems that everything was kept in hiding. For further information in that regard, please see the following link in that regard as well, published in the Newcastle Herald today, 24th October 2014, entitled:

“Critical building heights report on Newcastle’s East End was ‘hidden’; the article is available here:

<http://www.theherald.com.au/story/2647346/east-end-building-heights-report-was-hidden/?cs=12http://>

Overall and in particular, these matters are concerning in regard to their proximity to

those recently investigated by the Independent Commission Against Corruption (ICAC) during ‘Operation Spicer’, regarding illegal developer donations at the NSW state government level, relating to Newcastle.

What this suggest is that “the regulator” and “the approver” of the State Environmental Planning Policy (SEPP) are the same government body — hence, it seems odd that there has not been any consideration in regard to conflicts of interest.

The **Newcastle Urban Renewal Strategy (NURS 2012)** comprises urban renewal planning documents for future development in inner Newcastle. The NURS 2012 acknowledged the historic significance of the city’s East End by maintaining a maximum 24 metres (or 8 storeys) height limit. This maximum height limit would protect the human scale, significant public vistas and historic character of this area.

The NURS 2012 document was developed with wide-spread community consultation during 2012 and 2013, and was supported by many residents as well as prominent members of Newcastle’s business community, e.g., “*The strategy (NURS 2012) sets out a very exciting vision for making Newcastle a truly world-class city*”. Andrew Fletcher, Regional Director, Property Council of Australia, 2013).

### **Conflicts of Interest**

The changes to the Newcastle DCP were assessed by the NSW state government (Planning Department), which has been unable to alleviate community concerns of a potential conflict of interest regarding the Government’s own financial investment in UrbanGrowth NSW (formerly Landcom), and also the Government being the assessing and consent authority (through the Department of Planning).

A disturbing aspect of the entire planning process surrounding **The East End Project DA2014/323**, is the apparent lack of impartiality and lack of transparency on the part of the Minister of Planning, Planning Department executive \_\_\_\_\_, former Newcastle Lord Mayor Jeff McCloy and former local Member for Newcastle Tim Owen, whose many decisions and actions appear biased in favour of developers GPT and UrbanGrowth NSW. This raises serious concerns about compliance with Local and State Government code of conduct standards and probity in this planning process. Both Tim Owen and Jeff McCloy made public statements (radio, meeting with Owen, Newcastle Council meetings) reiterating the comprehensive community consultations that had been undertaken; whilst this is correct as far as the NURS is concerned, those comprehensive community consultations do not appear to have been facilitated in regard to **Newcastle East End Project DA2014/323**.

However, **in late July 2014** Minister Pru Goward approved massive changes to the Newcastle Urban Renewal Strategy (2012) and to the Newcastle Local Environmental Plan (2012), through State Environmental Planning Policy (SEPP) amendments (2014), severely disadvantaged the wider urban development community and many Newcastle residents. The minister’s spot re-zoning effectively shifted the focus of development opportunities away from balanced growth across the city (including away from Newcastle’s West End) to GPT/UrbanGrowth’s NSW heritage inner city site.

Yours faithfully,