

**Submission
No 121**

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

Name: Mr Brian Suters AM

Date received: 22/10/2014

Reverend the Hon Fred Nile MLC
Select Committee on the Planning Process in Newcastle and the Broader Hunter Region,
NSW Legislative Council

Dear Sir

In light of the ongoing destruction of the Peoples' trust in the political systems revealed through the ICAC Investigation, I appreciate the Upper House inquiry into planning decisions here in Newcastle. There are many planning issues that concern me, not least being the precipitous change to the Newcastle Urban Renewal Study which allowed for three towers of 19 storeys in Precinct 7 (HunterStreet Mall). On this occasion however, I wish to draw your attention to the spot rezoning of the King Edward Park Reserve. The process by which this was achieved failed the basic test of probity and transparency.

The King Edward Headland Reserve is situated within the King Edward Park which was part of the Government Domain. It was dedicated to the people as parkland in the middle of the nineteenth century. The Headland commands spectacular views of the coast, park and town and contains the first coal shaft in the country. It contains many historic elements and was known to the Worimi and Awabakal People as Yirranali- a place sacred to these aboriginal tribes. The park is highly valued by all the people of Newcastle.

King Edward Park is to Newcastle what the Domain and Botanic Gardens are to Sydney - both are land forms bequeathed by Nature and developed over two centuries to our cultural heritage. Despite assurances from Newcastle City Council and the Department of Planning, the LEP was amended to exclude the King Edward Headland Reserve from the restriction that related to function centres on public open space. To add further to the feeling that this was "Planning by Developer", in the amendments to the LEP, the wording was precisely that used by the developer in the original Development Application. It is the ultimate irony that the Council and the Developer want to utilise the park's magnificent attributes for their sectional profit, whilst preserving the right to trash it.

To support my assertion of abuse of the planning process, I refer the Committee to the detailed submission from Friends of King Edward Park.

I respectfully request that your committee examine this matter because of the issues of probity and the lack of community consultation.

Yours sincerely

Brian Suters AM