

**Submission
No 58**

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

Name: Mr George Paris

Date received: 14/10/2014

The Hon. Catherine Cusack MP.,
Select Committee on the Planning Process in Newcastle and the Broader Hunter Region
Parliament House,
Sydney,
NSW 2000.

Wednesday 1st October 2014.

Dear Ms. Cusack,

Please accept my heartfelt appreciation that finally someone is listening. My submission to the Select Committee on the Planning Process in Newcastle and the Broader Hunter Region is included for your convenience. Should you require any confirmation of any detail within the submission or other information please don't hesitate to contact me on

This corruption in Newcastle has become endemic and I wonder how far it has spread beyond the Hunter Region, I do hope that this Upper Houser inquiry will be an effective tool to return some respect to NSW politics.

I wish you and your colleagues perception and wisdom to penetrate the mire of this last quarter century that has unfortunately characterised Hunter planning.

Thank you for your time,

George Paris.

3rd October 2014.

PS: I'll lodge this also by email also for your convenience.

This corruption in Newcastle has become endemic and I wonder how far it has spread beyond the Hunter Region, I do hope that this Upper Houser inquiry will be an effective tool to return some respect to NSW politics.

I wish you and your colleagues perception and wisdom to penetrate the mire of this last quarter century that has unfortunately characterised Hunter planning.

Thank you for your time,

George Paris
10/10/14
10/10/14
10/10/14

George Paris
10/10/14

Select Committee on the Planning Process in Newcastle and the Broader Hunter Region
Submission by George Paris

INDEX:

	PAGE
Summary Observations:	1
History 1993 – 2014	2
Why close passenger rail services?	2
Bus or Train?	4
Light rail or heavy rail?	4
Parking and road traffic:	5
The cost of ‘revitalisation’	5
Would corrupt politicians break the law to achieve their objectives?	5
Can it be legal to destroy very costly infrastructure?	5
Does the government have a mandate?	5
Do corrupt politicians and developers make honest town planners?	6

Summary Observations:

- a) The Independent Commission Against Corruption (ICAC) has identified ten Hunter politicians as criminally corrupt. Of the remaining ninety who have not yet been examined it is difficult to believe that none of those are also corrupt. There is pending local government and state bi-elections to replace the corrupt politicians as well as the outcome of this Upper House inquiry. Yet the government presses on with these clearly corrupted projects in the Hunter to meet some hidden agenda as though their existence depends upon it - perhaps it does.
- b) To condemn Hunter travellers to 2 years of inferior passenger rail services before the light rail alternative is complete is not only unconscionable and contrary to the government's promises but is unnecessary and an act of vandalism with no legitimate purpose.
- c) There is no mandate for the position the government has adopted. The government is proceeding with objectives that are clearly disapproved of by a very large majority of the people affected.
- d) A government which initiates activities that create strong disapproval by the electorate *after the elections* is corrupting the intention of democracy.
- e) A government that hides its activities and decision making process is a government that is doing things that the electorate cannot approve of.
- f) Accepting money from any source other than tax payers to fund elections will always be bribery.
- g) There is no kudos or respect for a government when normal consultation must be effectively forced through unusual channels.
- h) The government is planning to break the law or change it to suit the objectives of property speculators.
- i) There has not been any cost/benefit analysis made public to justify any current work in Newcastle.
- j) The motivation for cutting rail services is to gain control of rail lands for the convenience of property speculators.
- k) There is clearly a hidden agenda that is too terrible to reveal publicly.
- l) To pretend that the proposed changes to Hunter transport are *better* is contrary to all the available evidence.
- m) The government's initiatives will be worthless while ever they seek leaders of commerce and industry views and ignore the community views as their source of knowledge.
- n) Light rail from Wycombe to Newcastle Beach is a journey that can never be viable nor will it be convenient or popular with most commuters.
- o) Commuters will be unable to arrive at their destination as timely as a direct heavy rail connection currently does, so they will be forced to seek earlier services to meet their obligations.
- p) Being forced to seek earlier services will complicate many domestic arrangements particularly child minding and school hour activities.
- q) Newcastle parking and traffic congestion and inconvenience will be exacerbated by this proposal.

History 1993 – 2014

In March 1993 the then Planning Minister Robert Webster signed an authority enabling Newcastle property speculators and business people to be joined with the state government to plan and execute the future development in the Hunter, commencing the Honeysuckle Development Corporation, now known as the Hunter Development Corporation (HDC).

Prior to that time Newcastle Council had commenced the Joy Cummings Foreshore Plan to build parks and gardens from Nobbys to Carrington. By September 1994 the first of six attempts to take over rail properties in Newcastle was refused by then Transport Minister Carl Scully. Minister Scully observed that he could see no sense in destroying one expensive infrastructure system (heavy rail) with another expensive infrastructure system (light rail). Besides, he said that there was no public support for the proposal having received a petition conducted by Save Our Rail of 6000 signatures.

The campaign to keep the rail was supported by the Newcastle Herald and other media, the Newcastle Trades Hall Council, all the local State and Federal politicians and many local community groups.

By May 1997 Minister for Roads Craig Knowles removed the Newcastle City Council planning powers cancelling the Joy Cumming's Foreshore Plan so that a hotel could be built on the Newcastle Harbour foreshore contrary to the wishes of the people. A survey conducted by Newcastle Herald showed that 90% of 7,000 respondents were opposed to the hotel plan.

The 1994 plan to cut passenger rail services from Sydney and the Hunter into Newcastle differed from the 2014 plan only in that it proposed closure east of Civic Station instead of Wickham Station. Since 1994 there have been proposals to terminate at Broadmeadow, Warabrook, Hamilton and several at Wickham. Most proposals commence about a year after elections and terminate at the next elections.

HDC has trumpeted for the last two decades that they will; 'revitalise the Newcastle CBD, stop the decline of population in the city and keep businesses in the CBD'. The results to this time have been quite the opposite and businesses and residents continued to depart Newcastle for more people friendly destinations. Since the inception of HDC the Newcastle CBD has consistently deteriorated. If they had claimed they would move the CBD to the wharf then they would have had a little more credibility.

Why close passenger rail services?

The emotive statements by HDC and (parroted by the government) of purported 'evidence' supporting their current plans for Newcastle have no basis in fact. They have taken a stance of making outlandish statements and then stonewalling all attempts to have the erroneous information corrected.

For example;

1) *'There is huge support for cutting passenger rail services.'* There is an abundance of clear evidence of unwavering support to retain heavy rail throughout the last twenty years. If ever this needed absolute proof a referendum of the Hunter region would show greater than 70% support to retain heavy rail. Maitland, Lake Macquarie, Cessnock and several other local government councils have notified the HDC that they do not support cutting passenger rail into Newcastle. But how does anyone know that HDC passes these concerns on to the government? The government has focussed its attention on the Newcastle city electorate with a lesser attention to Maitland and almost none to Lake Macquarie which is almost a mirror image of the actual rail patronage and population.

2) *'Trains in and out of Newcastle travel empty'* This is an excellent example of the Goebel's logic deception in making an outrageous statement and then defying or blocking any response. If anyone actually believed this, then they have never travelled on a train particularly during peak or festival times. During peak times trains often have no seating capacity by the time they pass the Civic Station. Travellers must stand all the way to Maitland before seats become available again. A rail line, just like a sewerage pipe, must have the capacity to pass its' maximum load. People may recall that the government added an

extra carriage onto the Maitland train a couple of years ago to reduce travellers' congestion.

3) *'Newcastle is the second largest city in NSW'*. To be the second largest city it is claimed Newcastle population is more than 500,000. It is actually 185,000. To be 500,000 it would include Lake Macquarie city plus Maitland, plus Cessnock plus Port Stephens Shire. Newcastle is the 14th largest city in NSW according to the ABS. If population were the criteria for expending public monies then Lake Macquarie would have been the first considered.

4) *'The rail is blocking the CBD from the wharf'*: Over the last few decades seven rail crossings have been removed between Hamilton and Newcastle. Then a campaign commenced declaring that the rail divides the city from the wharf. Every attempt to replace the rail removed crossings is staunchly resisted although HDC promise to install 11 rail crossings after the rail is cut.

5) *'Trains are delaying road traffic'*: The main contention quoted is Stewart Avenue, also known as the Pacific Highway it is seriously loaded with through traffic not destined for Newcastle at all and one may time the many traffic lights from Glebe Road through to Wharf Road as well as the delays resulting from the closure of rail gates. Referring to Table 1, taken from the Trainlink timetables, one will see that during weekday peak times, that is 4.30 pm to 5.30 pm there are 11 trains passing Stewart Avenue. One can also observe that the maximum road delay by the rail gates is about 30 seconds although usually much less. The table does not predict that a number of trains pass through concurrently and so the calculation is absolute maximum possible delay which is 330 seconds during the peak hour or less than 9.2% down time per hour. During my tests I found the traffic lights between Glebe Road and Wharf Road delayed me an average 2 minutes. There was only a 9.2% chance that I would be delayed by the railway gates, so if the road traffic lights were all favourable I had better than a 90% chance of travelling through without any delay. The government proposal to place a bus interchange to Wycombe terminus within this very seriously congested road is a certain recipe for disaster.

Table 1. Trains passing Stewart Avenue at evening peak

Day	From	To	Time	Gates down
Friday	Newcastle	Central	1639	30
Friday	Newcastle	Central	1658	30
Friday	Newcastle	Central	1719	30
Friday	Newcastle	Central	1728	30
Friday	Central	Newcastle	1647	30
Friday	Central	Newcastle	1710	30
Friday	Maitland	Newcastle	1650	30
Friday	Maitland	Newcastle	1721	30
Friday	Newcastle	Maitland	1638	30
Friday	Newcastle	Maitland	1708	30
Friday	Newcastle	Maitland	1725	30
Totals			Seconds	330

6) *'Cutting the rail will revitalise the CBD'*. There has been no explanation of how the absence of the rail line would cause buildings to appear in the CBD nor any project so far proposed cannot proceed with the rail operating just as it is now, has ever been made public. This can only be explained that there is a secret agenda too terrible to share with the public.

Bus or Train?

Last week I met with a lady recently employed by the government to plan the bus services that are to replace the heavy rail services between Broadmeadow and Newcastle for at least the next two years while the light rail is built. Typically the government cannot or will not explain the desperate urgency to destroy the heavy rail services nor are they able to explain any reason why the light rail cannot be completed before destroying the heavy rail service.

This lady has a very complicated job and amongst the many subjects discussed I asked if the new bus services would operate to the same pattern as the trackwork buses do and the answer was 'roughly yes'. I expressed concern that trackwork buses will wait if there is another train due on the other line up to ten minutes later. She assured me that this was not planned for the new bus services as each bus will be dedicated to each rail service. I asked was this to be the same as the bus/train service at Fassifern? She wasn't too sure but thought it may be. I pointed out that that what she has suggested was the same promise made by Nick Greiner in 1990 when the train service to Toronto was removed. However since then it seems that all promises have been forgotten and there is no relationship between bus and rail timetable. One must leave Newcastle quite early of an evening if one hopes to get the last bus. As promises are demonstrated by this government as unimportant, I expect this will be the fate of commuters on the Newcastle end too.

It seems challenging to consider how the new dedicated bus services will make their way up Scott Street while it is being dug up to install the new light rail when they could be getting off the train at Newcastle station without complication or delay for the following two years. This would not be a problem if the heavy rail services continued until the light rail was completed and available as the government promised.

Light rail or heavy rail?

I'm told by people who work in this profession that the proposals for replacing heavy rail with light rail in Newcastle will cost around \$1.2 billion. HDC in their usual manner only release parts of the costs and don't relate them together as a whole, apparently to reduce public anxieties.

The first point to account is that to do nothing costs nothing. From there on costs escalate. There is no evidence showing any potential development that cannot proceed with the rail continuing as it has done for 119 years.

Heavy rail is designed to convey large numbers of people quickly between towns and cities. Light rail is designed to operate at slower speeds within cities and promote fast transfer of passengers to and from the vehicle. Professor Peter Newman of Perth fame, in an interview on Newcastle ABC radio in May 2010 spoke enthusiastically of new light rail systems that run on a battery powered source and recharge the batteries at each stop. He said this is attractive as it avoids unsightly cables hanging over streets as the old tram systems did. He went on to say that recognising that travellers don't appreciate interchanges it would be desirable for such a system in Newcastle to continue back to Maitland and/or Morisset. He also observed that it would be 'ludicrous' to tear up the streets for a new system as it should sensibly run on the existing heavy rail lines. As the government does everything in secret it is impossible to forecast just what plans are proposed for Newcastle.

Considering that one of the main arguments for replacing the heavy rail with light rail is that 'the heavy rail service is under-utilised' it is difficult to explain how a proposed light rail system would be viable. The planned route of the tram appears to be another property speculator's dream, as it must leave as much rail lands clear for development as possible and so all they can think of is to tear up the streets nearby about 40 meters from where the heavy rail is currently. Observations during holiday periods show that there is no justification for light rail east of Newcastle Station as the majority of pedestrians walk to the Foreshore (over the road) and comparatively few people to Newcastle Beach.

Parking and road traffic:

Parking conditions which are arguably the prime cause of driving people and business out of Newcastle CBD will become more inaccessible if the heavy rail through services are interfered with by forcing an unnecessary interchange which will drive more rail travellers back to road transport.

Road gridlock which is already the norm in the Hunter Street/Stewart Avenue region of the city will become significantly worse particularly as it is apparently proposed to install a bus interchange where the rail gates are now in the middle of the Pacific Highway and close important by-roads such as Railway street.

The cost of 'revitalisation'.

It's interesting that Lake Macquarie businesses have gearing up for what they describe as twenty years of development disruption in Newcastle.

I asked the transport minister if she was aware that many businesses would be out of service for very long periods during the 'revitalisation'? She agreed this was true. I asked; "does the government plan to compensate these businesses for loss of patronage, earnings or possible closure". The answer was; 'No'.

Would corrupt politicians break the law to achieve their objectives?

According to the ICAC - Yes. To proceed with the plans for Newcastle so far outlined by HDC it is necessary to break a number of existing laws. Whether it is hoped that nobody is aware of these laws or it is intended to 'tough it out' or being that the government as a co-developer, will use their government powers to change the law is yet to be revealed.

Some of these laws that I believe would be at risk are:

- 1)The Aged and Disability Act.
- 2)Various, Anti Discrimination Acts.
- 3)The NSW Environment and Heritage Act 1977.
- 4)Transport Administration Act 1988.

Can it be legal to destroy very costly infrastructure?

If one is to believe the HDC proposal now being implemented by the NSW government, Wickham, Civic and Newcastle rail stations are to be made redundant and all rail infrastructure destroyed. Then it is all to be rebuilt again at Wycombe (the name given to the proposed interchange west of Stewart Avenue by the government's transport planner). Millions of dollars were spent on all these stations upgrading and modifying them over the last decade – all to be wasted.

Does the government have a mandate?

Governments have rarely demonstrated any compulsion to honour pre-election promises and at the approach of the 2011 elections all candidates were closely questioned as to their plans for heavy rail passenger services into Newcastle. The only candidate confirming her intention to cut this service was the sitting member Jodi McKay who was not re-elected. Ms. McKay circulated letters throughout the electorate prior to the 2007 elections promising to keep rail services but followed the pattern of changing her mind a year after the elections.

Consultation with the people affected was staged and contemptuous. It was soon obvious that government staff were either selected for what they didn't know or instructed to act dumb. Officers who had attended meetings for years suddenly had other things to attend to and did not come. The most frequent responses to reasonable planning questions were; 'We're awaiting planning designs or quotes or that will become obvious or it's a decision of Cabinet'. There was never any evidence that during the 'Information sessions' held usually in Newcastle, occasionally in Maitland and rarely in Lake Macquarie, that the government had taken a shred of notice of anything that they had been told by the community. Another ploy was to make rules about what people were permitted to discuss. 'The rail is not a not a transport

issue, we're here to talk about planning'.

Do corrupt politicians and developers make honest town planners?

Not according to the ICAC. It is unreasonable to believe that a government found to have ten corrupt politicians in the region (who have been shown to accept huge illegal bribes from property speculators and developers) where many contentious proposals are being forced on the community are making those decisions in the best interest of affected persons.

With ten members of State government found guilty of corruption by the ICAC one can only wonder how many of the remaining 90 members would pass the same investigation unscathed. So how could any person believe that these corrupt politicians have made uncorrupted planning decisions?

Considering that former members for Newcastle and Charlestown, Messrs. Owen and Cornwell were both new to the political world before 2011 and that they had both reported to the ICAC that they had sought advice from their senior politicians, it is believable that if these disgraced politicians took their convictions to the Equity Court they would be found innocent of corruption. But what are we to believe of their superior advisors? In other words the real corruption emanated from high in the Liberal Party which the ICAC evidence appears to show has been endemic since Archimedes was a boy.

Observing the corruption in Newcastle for some decades and naïvely believing the new Liberal government's promise to be 'open and transparent in contrast to the previous ALP government' I joined a delegation to warn the new Planning Minister Brad Hazard of the impending attempt by HDC to mislead the government. The day after we met with the minister a letter was addressed to me excusing the HDC's current behaviour. So there could be no doubt *we were too late to warn the minister: the damage was already done.*

Still optimistic that the government was not entirely corrupt I joined about a hundred other people representing the citizens of the Hunter Region in April 2012. We hoped to outline the main ambitions of the community for the future twenty years of transport in the Hunter. Most people I spoke to after the workshop were pleased that the government could no longer have any doubts (if they ever did) that there was considerable support for retaining passenger rail services into Newcastle. However we were soon disabused of this fantasy when the government's official report of the workshop became available. It reported an entirely contrary outcome of the workshop and all requests for the original documents of the meeting were refused. Many people complained bitterly with minimal results. From this time on I lost all confidence in the government's pretended honesty and I believed that the government was just as bad as their predecessors and were marching to a secret agenda the content of which we could only guess.

It's been normal practice for business people to pay up to \$10,000 to dine with their favourite politician. One business person was telling me that he was pleased with this token investment as, he said, I would be surprised what matters can be arranged over a roast dinner and a glass of red. This would be before the elections naturally and a year or so after the elections the proletariat would be informed of the 'brave new decisions' of government. Any unhappy citizens could then paint a few words on a piece of cardboard, compose a catchy slogan, join with likeminded people and march up and down outside Parliament hoping that someone will take notice. This seems to me to be a corruption of democratic principles.

George Paris.

30th September 2014.