

**Submission  
No 350**

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

**Name:** Ms Margaret Henry

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

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Margaret Henry

24 October 20014

**PLANNING PROCESS IN NEWCASTLE AND THE BROADER HUNTER REGION (INQUIRY)**

Legislative Council

NSW Parliament

6 Macquarie Street

SYDNEY NSW 2000

**RE: PLANNING PROCESS FOR HIGH RISE DEVELOPMENT IN  
NEWCASTLE'S CBD – DA2014/323**

**AND TERMINATION OF THE RAIL LINE INTO NEWCASTLE STATION**

To Whom It May Concern,

I am raising concerns with the NSW Legislative Council (or Upper House) Inquiry into *Planning Process in Newcastle and the Broader Hunter Region*.

As a former councillor and Deputy Lord Mayor of Newcastle City Council, I deplore the lack of probity and transparency, the inadequate community consultation, perceived conflict of interests and inappropriate developer influence on planning decisions, in respect to the spot rezoning of Newcastle's Mall and East End heritage area to facilitate the development application **Newcastle East End DA 2014/323**.

I am especially concerned with the lack of due process involved with the proposal to terminate rail services to Newcastle Station. I was a founding Chairperson of Save Our Rail almost 30 years ago and am highly critical of the scant, if any, attention paid by the State Government and especially the Ministers for Transport and Planning to the large number of expert reports in support of retaining rail services into the city and the refusal of the Government to release its own reports requiring the termination of the rail. I support the arguments advanced by Save Our Rail for reexamination of the process involved in the decision to terminate rail services to Newcastle.

I recently attended several sessions of the Independent Commission against Corruption (ICAC) during 'Operation Spicer', where the matter of illegal developer donations and improper process at the state and local government level, relating to

Newcastle were raised. Since the findings are yet to be released, there is even more reason to conduct this Inquiry before irrevocable decisions or actions are taken.

As an Honorary Life Member of the National Trust, I am alarmed at the proposal submitted by GPT / UrbanGrowth NSW, for high rise apartment towers in the low rise heritage precinct of inner city Newcastle. I do not believe that consideration of the impact of these developments would have on the heritage fabric of the city has been made. While the accompanying heritage impact statement is satisfactory, the proposal ignores all previous LEPs and statutory instruments involving good design principles. I support the submission tendered by the Chair of the Hunter Regional Committee of the National Trust of which I am a member.

The proposed development runs contrary to the guiding principles of the adopted Newcastle Urban Renewal Strategy (NURS-2012) and Newcastle City Council planning instruments such as Newcastle City Centre LEP 2008 and Newcastle LEP 2012 in which high-rise towers were to be located at Wickham, or Newcastle West End, not in the heritage City East Precinct (east of Darby Street). 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.

As a National Trust member I urge re-examination of the process involved in the approval of the proposed inappropriate development on the King Edward Park former bowling club site. I support the submission presented by the Friends of King Edward Park, of which I am a member .

As a resident of Wickham I am aware of the complete disregard of the Wickham Development Control Plan (DCP) which rezoned the suburb as mixed commercial residential. Wickham is evolving into an attractive suburb in accordance with the DCP, with a new shopping centre and medium density housing. The termination of the rail at Wickham , the construction of the poorly designed interchange with little or no provision for parking and with traffic arrangements which can only be described as potentially chaotic will jeopardize Wickham's will turn the suburb ( already parked out by commuters) into a parking lot and a traffic disaster .

The Newcastle Urban Development Strategy, NURS-2012, proposed high rise development in the West End. Some high rise developments have already occurred. Significantly, recent developments eg on the former Museum site and other adaptively recycled and renovated commercial premises have elected not to take the high – rise option. Changes to the Newcastle Local Environment Plan (LEP-2012), through amendments to the State Environmental Planning Policy (SEPP-2014) specifically favoured two developers – GPT/Urban Growth NSW and allow for high rise development in the CBD heritage precinct (Mall). Those amendments were approved through a Department of Planning Draft SEPP and Draft DCP 2014. The reasons for the approval of the SEPP amendments have not been adequately explained and should be investigated. High rise is not appropriate in the Newcastle CBD heritage precinct.

I have been present at the overflowing meetings organized by Newcastle Inner City Residents Group (NICRA) and other community groups where resolutions calling for

accountability, [transparency](#) and due process have been passed unanimously. The committee of NICRA is composed of planners and other professionals, councillors and former councillors and community members and groups who have been active for decades in defending the public realm and demanding integrity and accountability from their elected representatives and those who wield power in the community.

I endorse the list of matters which they have drawn up [in their submission](#) requiring investigation by the Commission.

**I urge the Upper House Committee to make the following recommendations:**

1. Revoke the SEPP **and DCP** amendment by providing a revised SEPP **and DCP** amendment overriding the 2014 approval.
2. With respect to building heights, restore the [LEP](#) (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 **2014** amended parts of the Newcastle LEP.
4. **In particular revoke the decision to terminate heavy rail line into the rail into Newcastle Station**

I am forwarding this submission to the Parliamentary Inquiry into *Planning Process in Newcastle and the Broader Hunter Region*.

Yours sincerely

Margaret Henry