

**Submission  
No 276**

**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*

23 October, 2014

**Planning process in Newcastle and the broader Hunter region (Inquiry)**

<http://www.parliament.nsw.gov.au/newcastleplanning>

Reference: Development Application 2014/300, Newcastle City Council  
Property: LOT: SEC J DP : 978703;  
62 Dawson Street, COOKS HILL, NSW, 2300

Members of the Newcastle Planning Committee,

I wish to make a submission to the Inquiry regarding an anomaly in process related a development application consent, 3<sup>rd</sup> July 2014.

This submission makes reference to a suburban lot located in the inner-city of Newcastle. Cooks Hill is a quaint and highly valued suburb of historical significance. The residents of Cooks Hill show significant support for the Heritage value of the area.

In a recent community survey of residents conducted by Newcastle City Council (March-April 2014) it was identified that the elements residents most valued about Cooks Hill were the streetscape and character (86%), the proximity to facilities and services (84%), and the heritage houses and building (82%).

*“Please don't let the developers in to knock down the old and replace with Mac mansions.”*

*“The area should be maintained with all the character of a heritage area so that high rise developments should be excluded.”*

Heritage Conservation Area- Cooks Hill Survey Results 2014: Page 17

[www.newcastle.nsw.gov.au/council/community\\_engagement/completed\\_consultations/heritage\\_conservation\\_surveys](http://www.newcastle.nsw.gov.au/council/community_engagement/completed_consultations/heritage_conservation_surveys)) accessed 21 Oct, 2014.

Cooks Hill is the subject of Heritage restrictions to development and thus, development applications require close scrutiny and consistency.

I refer to the Inquiry an anomaly leading to the consent of DA: 2014/300; demolition of existing dwelling and development of LOT: SEC J DP : 978703, 62 Dawson Street, Cooks Hill.

An earlier development application (DA 2013/151) to demolish the existing weatherboard cottage (circa 1920) and erect a two-story dwelling was rejected by Council on 3<sup>rd</sup> September 2013. The application attracted 14 submissions in objection. The grounds for refusal were many and are

outlined in attachment A (Development Application Assessment 2013/151, 79C 2013.0151 \_ND+D, Cooks Hill, Refusal\_.pdf).

A subsequent development application (DA 2014/300) to again demolish the existing weatherboard cottage and erect a two-story dwelling of same design and scale was given consent by Council on 3<sup>rd</sup> July, 2014. The application attracted 11 submissions in objection. Inspection of architectural plans indicates little discernable design changes between Issue A and Issue F of plans. It is argued that final plans submitted to Council should not have warranted consent for DA 2014/300.

What is of concern is what may have occurred to facilitate an approval of the second development application (2014/300) when the previous and similar application was rejected.

It is argued that the justification for the refusal of development application 2013/151 continued to be of relevance to the second development application 2014/300. A number of departures from DCP 2012 (NDCP2012) remain evident in the development application 2014/300 which were the basis of rejection in development application 2013/151; Attachment B Development Assessment Panel Report, DAP Report. DA 2014.0300 - 62 Dawson Street Cooks Hill.pdf.

The Statement of Environmental Effects (KDC, March 2014) accompanying the second development application (DA 2014/300) indicates that the applicant met personally with former Lord Mayor Jeff McCloy on two occasions regarding the development application process.

***22nd April 2013***

*It was resolved that Council would accept a revised dwelling design on the site which would achieve specific requirements specified by Council and their Heritage Consultant.*

*10th December, 2013 - The proponent attended a meeting with Lord Mayor Jeff McCloy to discuss the sequence of events to date, the changes we have made to the design along the way, and a way forward.*

*Statement of Environmental Effects, KDC, March 2014; page 2.*

It would appear highly irregular and a procedural departure for the Lord Mayor to become personally involved in domestic development application matters.

It is of concern that the demolition of a dwelling that contributes to the historical character of the area and the site's subsequent development, at such scale, has been approved in a Heritage sensitive area when previously rejected.

This consent represents a precedent for further development in the Cooks Hill Heritage area that is of a gross scale and street frontage that is not in keeping with the heritage-scape. In addition, the incremental loss of character housing as evidenced at 62 Dawson Street, Cooks Hill, will over time, compromise the conservation area until it is no longer worthy of heritage listing.

I am concerned that the Lord Mayor has become personally involved in domestic development application matters and that this represents an anomaly to Council process.

It is unclear what has caused a fundamental shift in Council's thinking with regard to the consent for development (2014/300).

I request that the Members of the Newcastle Planning Committee give this matter their consideration.

Yours sincerely