

**Submission  
No 130**

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

**Name:** Ms Elizabeth Sprott

**Date received:** 22/10/2014

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

Dear Sir,

Firstly, may I thank you for heading this enquiry into Newcastle-centric decisions made by this term of the State Government. The very existence of this investigation does fill me with some hope for democratic government

With regards to the proposed development of a function centre within the crown land that is King Edwards Park, very near to the geographic centre of the City of Newcastle, may I call your attention to the following important facts:

1. • King Edward Headland Reserve (KEHR) is dedicated under s.87 of the Crown Land Act (CLA) to the public for the purpose of public recreation and under the act, need to satisfy two conditions. It must be accessible to the general public as of right, and it must not be used as a source for private profit.

Cynically I could say that the people who will benefit most from this development are not, in fact, any particular members of the public, but, the actual developers themselves. The Developers may cry that Newcastle needs this type of development to surge ahead, but I don't think that this should be at the cost of Crown Land access

2. • Public interest should have been a factor in the rezoning decision. In December 2010 when a DA for a function centre was advertised, 300 objections were received. This vital evidence that was available should have informed the debate but was ignored.

### 3 Non Transparent Process

In June 2011, the Draft 2012 LEP, like the 2003 LEP, excludes function centres on RE1 Land. In June 2011 Newcastle City Council rejects an application to allow a function centre as an exception on KEHR. but, in June 2012 LEP changed to Spot rezone KEHR to allow a function on this land as an exception to other RE1 land. It is unclear why this rezoning has been allowed (yes, read "suspicious"), and all FOI attempts to uncover reasoning have shed no light. Is it any wonder the public distrusts this process/line of decision making

Doubtless, you are considering many recent decisions made for and about Newcastle. It could be that all decisions made, when objectively scrutinised, are found reasonable. So be it.

In the meantime I fear that having had a developer slant in NCC, with many closed camera sessions in council, with the GM having had perhaps too much say, in consultation with the LM, that the public's interest have not been served as well as possible. You can understand why there is an air of distrust about, even before the ICAC made some long held suspicions well grounded

Development is not necessarily a bad thing, but must be done with an entire city's good at heart. Does the city need all the high rise that we are told it does. Does the city in fact have the employment/opportunities that such building suggests.

Thank you for looking at these issues. I look forward to hearing your committee's findings

Elizabeth Sprott