

**Submission
No 40**

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

Name: Mr Bernard Griffin

Date received: 12/10/2014

12/10/2014

The Director

The Select Committee on the Planning Process

In the Newcastle and the Broader Hunter Region

Legislative Council

Parliament House

Macquarie Street Sydney NSW 2000

Dear Director

Last year I spoke on behalf of a small residential community in opposition to a development application as it was outlined to Lake Macquarie City Council for a new enlarged residential community on land at Teralba. The amended DA was proposed by McCloy's an arm of developer Jeff McCloy, disgraced former Lord Mayor of the City of Newcastle.

Council voted in favour of the amended DA based on the advice of council development officers. A number of objections were received and I spoke against the recommendation to approve the DA, essentially on fire safety grounds.

Since that time, I have as a long term resident of Lake Macquarie, worried about the safety implications of the council decision in favour of the amended DA.

I stress that I am writing to you as a ***private citizen*** and I am not representing any group as I have neither sought nor obtained permission to write on behalf of any organisation.

The DA in question was proposed about a decade ago by a developer, on-sold to another developer and then to McCoy's early last year.

In the original guise the proposal was for about 400-500 dwellings with the important provision that in order for that number of dwellings a second access across the Northern Rail line near Woodrising was to have been built. Until that access was available the number of blocks that could be developed was to be restricted to about half the full number.

About 12 years ago much of Western Lake Macquarie was subject to a very large bushfire which burnt all of the land subject to the DA. Local residents have indicated that the fire swept across the rail corridor to the west of the DA site and up and over the hill within minutes. Only the hard work of the local bushfire brigades prevented the small residential community from being lost.

As a result of this fire and the fact that access is restricted to only one bridge across the rail line on Pitt Street Teralba, Lake Macquarie Council decided to enforce the provision that the DA would be restricted to the smaller number of buildings until that second access across the railway was built. The member for Lake Macquarie Greg Piper was the mayor at the time and championed the provision of a second access point.

I live in a small village, Holmesville, which is about the same size as the proposed DA. Should the village be attacked by a fierce bushfire, threatening to destroy the houses, then we have **three exodus points** in which to flee to safety. The approved DA has **only one**, a single road across a rail bridge. A second emergency road is proposed to the west across an unused rail corridor. At some stage I believe that the ARTC will reactivate the rail line for freight trains and the emergency access would not only be in the direction a fire is most likely to approach but also across an active train line.

Officers at the council were in agreement that the DA needed a second access point and that was the arrangement that Lake Macquarie City Council agreed with when the DA was originally voted upon several years ago.

After the land was sold to McCloy's an application to amend the DA was placed before the council. Essentially the same officers dealt with the amended application but this time agreed to change the provisions to allow a full scale development, with only one access road, across the rail line.

While the financial arrangements were different, with Landcom now no longer involved, exactly the same safety concerns remained. It is these safety concerns that I believe have not been addressed. I am aware that the Rural Fire Service has signed off on the amended DA. I believe that that does not exonerate council officers from exercising great caution with respect to fire danger. How often has the Rural Fire service been wrong?

What is the value of a resident's life in the event of another firestorm? All predictions about our changing climate indicate that hotter, drier conditions will continue to increase with increasing fire hazards for our communities.

Recent revelations aired through ICAC indicate that Jeff McCloy made tens of thousands of dollars available to a number of local politicians who accepted the illegal donations. McCloy also provided another large cash donation to another Liberal MP and was implicated in seeking favours for land developments in Port Stephens.

I seek an assurance that there was ***absolutely no improper pressure applied to officers by others***, within or without, Lake Macquarie City Council to change the original recommendation from one of caution in allowing only a smaller number of houses to be built, to a recommendation that allowed over 400 blocks to be developed.

It is my firm belief that governments should ensure that all new developments, especially ones that front bushland should have a minimum number of access points, ***certainly not just one***. This is a recommendation that I believe should be endorsed by the committee.

Yours faithfully,

Bernard Griffin CM JP