

Submission
No 303

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

Organisation: Throsby Villages Alliance Inc

Date received: 24/10/2014

Partially Confidential

throsby villages alliance

Volunteers working for the sustainable Throsby basin villages of Carrington, Islington, Maryville, Tighes Hill and Wickham

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To:

24.10.2014

Select Committee on the Planning Process in Newcastle and the Broader Hunter Region

Chair - Revd the Hon Fred Nile MLC Christian Democratic Party
The Hon Catherine Cusack MLC Liberal Party
The Hon Greg Donnelly MLC Australian Labor Party
The Hon Greg Pearce MLC Liberal Party
Mr David Shoebridge MLC The Greens
The Hon Lynda Voltz MLC Australian Labor Party.

Newcastle, arguably the sixth largest city in Australia with enormous development potential requires scrupulous processes - evidence-based with solid public consultation and transparent decision-making. This has not been perceived to have occurred by our community and the Throsby Villages Alliance(TVA) calls on the inquiry to request that the Premier of NSW should cease actions on matters relevant to the inquiry until they can be cleared of any lack of probity or corruption. This includes the decision to truncate the rail line at Wickham on Boxing Day 2014 and any development applications using new heights for the City Centre above the approved Newcastle Local Environment Plan(LEP)2012.

The TVA advocates for the community in the Throsby Creek basin villages of Carrington, Islington, Maryville, Tighes Hill and Wickham. Wickham is already part of the new city centre map, Islington borders the Newcastle Urban Renewal Strategy(NURS) area and with the other villages are an integral part of the inner city of Newcastle. Walking and cycling distance from the city centre and port.

Consultation Procedural Issues.

Consultation Model – Truncation of the intercity Rail line

None.

It has become clear that discussions with industry and business have taken place over many years. Community has not been included in any way. The recent Call for Papers on Newcastle Rail under standing order 52, for “*there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents, created since 1 January 2012, in the possession, custody or control of the Minister for Planning, the Department of Planning and Infrastructure, including Urban Growth NSW and the Hunter Development Corporation, The Treasury, the Minister for Transport and Transport for NSW relating to planning in Newcastle and the Hunter*” will reveal to the inquiry what the community have only had limited access to even though paying for Freedom of Information and GIPA applications.

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During many public meetings, both government and community, the question has been asked for a show of hands on the truncation of the line. In every case the support for retention was all but unanimous.

Consultation Model – Newcastle Urban Renewal Strategy(NURS)

Many residents of the Throsby villages have taken part in all the offerings of consultation.

During the public meeting in the City Hall for the presentation of the NURS community were instructed that questions on the rail issue would be very limited. Also that any request for information or questions on the reports/studies for the bordering areas would not be answered. One such question salient to Throsby residents was to query the closure of the level crossing on Beaumont Street between Islington and Hamilton. This fact was stated in the introduction(Fig 1.1)to the Railcorp document produced by AECOM Pty Ltd, “*Preliminary Assessment of Newcastle Truncation – Wickham Station*”(11. 11.2010). Although only metres outside the city centre boundary the question was deferred from the City of Newcastle(CoN)

to Hunter Development Corporation’s Bob Hawes to disallow.

Perceived conflict of Interest : It is noted by the TVA that HDC have a conflict of interest in the truncation as HDC is set up to dispose of excess rail land.

March 2014 State Environmental Planning Policy (SEPP) Amendment (Newcastle City Centre)

Insufficient public consultation. The inquiry should investigate why the public exhibition and consultation period was so limited in spite of huge height variations to the LEP 2012, only 16 days.

Consultation Model - Light Rail

Information Sessions: A useful tool but should not be a stand alone method. There is no ability for the public to build their capacity by listening to the views and concerns of other people. That said no adjunct public meeting was held by the Department of Transport.

Perceived conflict of Interest: Urban Growth handling the consultation for Department of Transport. Urban Growth as a major development partner for the NURS will be affected by the final decisions including both the route and actuality of a light rail. Urban Growth is also acting with GPT lobbying the Dept. of Planning for changes, this is another example of conflicts of a state agency and a private developer. UrbanGrowth NSW was able to acquire two thirds of the land in question for \$30 mill. when GPT originally paid approx.\$100 mill.

-Staff: Notes were being taken while speaking to the public these were often by very junior members of staff without the background in the area.

-Reports: Public were expected to make comment on a piece meal presentation, apologies were given so the department was aware of the situation that reports such as traffic and modelling of flow were not yet available.

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Consultation Model Wickham Interchange

Review of Environmental Factors(REF) Information Session:

Although facilitated by an independent consultation agency the community was never clearly advised on this stage of a planning process. Unless attendees made a written submission on the available forms or a more formal submission no discussions with staff were being recorded or reported by the staff. This was not procedurally possible because of the use of the REF for consultation.

There was also no ability for the public to build their capacity by listening to the views and concerns of other people. That is, no public meeting held by the Department of Transport.

Reports: Again the public were expected to make comment on a piece meal visual presentation, apologies were given so the department was aware of the situation that reports such as traffic flow modelling were not yet available. For example, the modelling of the traffic movements out of the village of Wickham itself from the Wickham Interchange drop off area; the timing of the proposed light rail, requirement for turning right from Industrial Drive/Hannell Street to drop off or traffic light requirements.

-Requested copies of the reports/presentation have never been forthcoming.

No integration of specific public interest:

-Requests at and after the first information sessions to the department and consultation facilitators for a Q&A session to be included in one of the many information sessions fell on deaf ears.

-No staff available at either session at the Croatia Club to discuss the design chosen for the Interchange. As this design, often called a carport and shed, has been a matter for discussion in the press and community this was a serious shortcoming.

City of Newcastle elected council meeting, 16th June 2009.(see att.

The night the Hunter Development Corporation Report was wedged through council by was an outrage. Some councillors walked out of the chamber.

, left the chamber with developer Hilton Grugeon , in the light of the ICAC's Operation Spicer and this parliamentary inquiry on Hunter planning corruption this action may now have context.

City of Newcastle council's support of the seminal HDC report(to this inquiry clarifies the report's significance, unfortunately does not also mention he's also on the Hunter Infrastructure Committee.)

Approval of the HDC report amongst other things also meant supporting the cutting of the rail. This was without notice at council, so drastically limiting democratic open debate.

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Related matters.

There is disquiet in our community about the procedures around many decisions made by both levels of government in New South Wales, who has influenced them and whether outcomes benefitted the general community. For example,

Increasing decision making by

Crown Land at King Edward Park headland,

Handling of the BHP Site - ref. the ICAC and Buldev and loss of container terminal,

Leasing of the Port of Newcastle,

Landholders adjacent to the rail corridor.

Conflicts of interest of various executive positions held should be examined by the inquiry,

For example(to our best knowledge);

Hunter Development Corporation/Hunter Business Chamber / Property Council of Australia.

Mr Bob Hawes - HDC General Manager

Operations Manager - Honeysuckle Development Corporation from 1999 to 2007.

Buldev – development partner

Since 2011 General Manager of the Hunter Development Corporation.

Currently also,

Director of the Hunter Business Chamber,

Chair of the Business Chamber's Regional Infrastructure Committee,

Board of the Government's Hunter Infrastructure Development Fund.

Many years as a spokesperson in print for the Property Council of Australia.

Throsby Villages Alliance seeks the restoration of public confidence in our planning process, our public service, and our ability to trust our elected representatives are free from undue influence.

Thank you for the opportunity to address our local community's concerns to this inquiry.

Yours faithfully

Lynette Kilby – Co-ordinator Throsby Villages Alliance

Representing the delegates to the TVA

Throsby Villages Alliance Inc. submission made under the proviso that,

*“Submissions received by the Committee become Committee documents and attract parliamentary privilege. If you republish or distribute a submission, including your own, **it will not be a privileged publication as authorised by the Committee.** After the Committee has published it, you may include a link to the submission on the Parliament's website”*