

**Submission  
No 379**

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

**Name:** Lord Mayor Nuatali Nelmes

**Date received:** 18/12/2014

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OFFICE OF THE LORD MAYOR  
COUNCILLOR NUATALI NELMES  
CITY HALL NEWCASTLE  
NSW 2300

18 December 2014

Rev the Hon Fred Nile MLC  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Reverend Nile,

Thank you for the opportunity to put in a late submission to the Select Committee conducting the Inquiry into the Planning Process in Newcastle and the Broader Hunter Region. As Lord Mayor, I write on behalf of Newcastle City Council and the people of Newcastle. Newcastle is the second city of NSW and the regional capital of one of the most important wealth producing areas of the nation. To indicate the importance of the Region, it's interesting to compare the Hunter with the state of Tasmania. The Hunter's population is 661,000; significantly more than Tasmania's 513,000. The Hunter's Gross Regional Output (GRO) is \$91B per annum, close to double that of Tasmania's \$50B GRO per annum.

In many countries, especially reasonably prosperous ones like ours, a population of 500,000+ guarantees quality planning and facilities for the population. As a matter of course, the Hunter should get a share of the state budget that approximates its share of the NSW population ... around 10%. At the moment, it is nowhere near that amount. Our fair share of NSW's GST alone should be more than \$5B.

The Liberal Government leased out the Port of Newcastle for approximately \$1.7B, and has committed to spending only 26% of this (\$440M) on Newcastle, replacing existing infrastructure. In November 2014, the NSW Government released a plan to spend the \$20B expected for the sale of 49% of the State's electricity poles and wires on infrastructure – mainly earmarked for Sydney roads and rail. It is now time the NSW Government funded Newcastle infrastructure commensurate with the population size and economic value of the City and Region. The current rail truncation plan doesn't add to or improve public transport in Newcastle and the Hunter.

Council resolved on 9 December 2014 that a rail line to Newcastle Station should be retained. I strongly advocate the retention of the existing rail line to Newcastle Station. If this State Government insists on truncating the rail, I advocate for an inter-change at Woodville Junction, not at Wickham, in support of the Hunter Independent Public Transport Inquiry (HIPTI) (2012) concept of a multi-modal inter-change.

*To quote the HIPTI: Transport corridors must also be planned in conjunction with adjacent land use, most notably the spread of residential areas. The previous State Government made a start with the 25-year strategy plans for the Central Coast and Hunter but failed to follow through with the complementary transport plans, that for the Central Coast being long delayed and that for the Hunter never being released.*

I write to discuss another issue, where consultation and planning have been again rushed through and inadequate.

### **CBD Building Heights**

As I explained during my presentation to the Inquiry on 21 November 2014 at Newcastle City Hall, significant changes were made to the Newcastle Local Environmental Plan 2012 LEP, affected by the Newcastle City Centre SEPP (gazetted in July 2014), without broad and meaningful consultation with the community nor with Council.

The Department of Planning's Newcastle City Centre Finalisation Report comments on the submissions to the further amendments to the Newcastle Local Environmental Plan that were exhibited in March 2014. The Department reports that a total of 266 submissions were received together with a petition signed by over 500 people and an online petition with 676 signatures were also received, mainly objecting to the new building heights.

**A widely held belief with the community and among Councillors was there is a vital need to reinstate more appropriate height limits for future development in the East End.**

Therefore on 2 December, 2014, Council received briefings from relevant Council officers and the Urban Design Consultative Group regarding the changes between 2012 and 2014 Newcastle Urban Renewal Strategy and effect on the LEP.

Council's Urban Design Consultative Group (UDCG) reports that the amended 2012 LEP represents a very substantial change in the permitted building heights and types of development. The amendments bring about a significant departure from the urban design strategies of successive planning control instruments that have been in place in the city over several decades, which have consistently focussed on maintaining and enhancing the legibility of the unique land form of the Hill with its fine-grained, low-scale development.

To quote the UDCG's report July 2014 *The fabric of the city has evolved on the basis of an urban form and steps up to the historic hilltop of Christ Church Cathedral. The Cathedral dominates the existing topography of the city, providing a cohesive focus for development of the lower lands to the north, cascading down to the harbourside. This part of the fabric of Newcastle is reflective of other long-valued international cityscapes and their relationship to iconic buildings e.g. the City of London that is focused on St Paul's Cathedral.*

*The distinct urban form at the centre of the city of Newcastle is a critical part of the historic character and visual identity of the region, and it is the Group's view that it must be respected by any new development. In Newcastle, the adopted urban strategy is for tall*

*towers to be located at Wickham, where they will not be intrusive and destroy the unique qualities of the historic city.*

The main concern of residents, Councillors, and indeed the UDCG, is the changes to the LEP allowing three tower buildings with maximum heights in the East End of RL 96.5 (corner of Perkins and King Streets), RL54.5 (Wolfe Street between Hunter and King Streets) and RL 58.5 (corner King and Newcomen Streets) – effectively allowing a range of heights on the sites from 20 metres to 60 metres.

The UDCG is of the view that the existing LEP represents the maximum heights that these sites can be developed to without serious negative visual impact on the overall area. Broadly, this control is a maximum above ground height of 24 metres, with a provision for the height of a building on land within the area bounded by Hunter Street, King Street, Newcomen Street and Perkins Street not to exceed the 40AHD maximum height if the site area concerned is greater than 10,000 square metres and the height of any building on that land does not exceed 40 metres Australian Height Datum.

Significantly, on 9 December, 2014, Council resolved to write to the Minister for Planning and request that the Newcastle LEP 2012 be amended with respect to building heights, by returning those building heights to those previously endorsed by the community and amend the Height of Building Map to include a maximum permissible height of 40 AHD over the subject land.

***I urge the Committee to do all in its power to enable reinstatement of more appropriate height limits for future development in the East End of Newcastle in accordance with the wishes of the community.***

Thank you for your consideration

Yours Sincerely,

**Cr Nuatali Nelmes  
Lord Mayor of Newcastle**