

Wickham Lands Pty Ltd

P.O. Box 161 The Junction NSW 2291

Phone 0411 154160

ABN 62 085 862 997

Email parkvila@optusnet.com.au

22nd February 2013

Manager Centres and Urban Renewal
Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Sir/ Madam

Re: Newcastle Urban Renewal Strategy

I am a developer with 30 years experience specialising in in-fill development. I currently hold land in the western section of Wickham.

What I am proposing would help deliver the outcomes you are seeking and would allow private developers to get going now and stop relying on the government to do all the heavy lifting. Right now today the only development taking place is government backed (Landcom, the Courts and the University).

Please find below my submission regarding the Newcastle Urban Renewal Strategy which takes the form of two parts.

1. The removal of clause 10 from S.E.P.P. Urban Renewal.

This clause basically removes the opportunity for the subdivision of land either by Torrens Title or Strata. The net result of this has managed to prevent any form of in-fill development or the re-use of existing buildings unless it can be proven that the developer has taken advantage of the increased F.S.R.

In the alternate of the removal of clause 10 in its entirety, a satisfactory outcome would be for this clause to apply directly and only to the three identified growth precincts being the West End (southern side of Hunter Street), Civic and the Newcastle Mall area.

The net result of this minor change will allow smaller developers like myself to deliver a greater diversity of smaller scale commercial development, mixed with residential.

2. Transferrable F.S.R.

Speaking from my own point of view, my site has too much F.S.R. for my use and historically many of the larger developers tend to fall short of F.S.R. for their high rise towers especially now that we have the ability to build up to 30 storeys.

The net result of transferrable F.S.R. is a win, win, win.

Win for the smaller developer who has too much F.S.R.

Win for the big developer who needs more F.S.R.

Win for the City of Newcastle whereby all of the floor space proposed by these changes is available to the city.

For your consideration,

1. The removal of Clause 10 from S.E.P.P. Urban Renewal, or in the alternative, for Clause 10 to apply only to the three identified growth precincts.
2. Transferrable F.S.R.

I look forward to your response.

A handwritten signature in black ink, appearing to read 'Peter Ryan', with a long, sweeping horizontal stroke extending to the left.

Peter Ryan
Wickham Lands Pty Ltd

State Environmental Planning Policy (Urban Renewal) 2010

Current version for 25 February 2011 to date (accessed 11 March 2012 at 19:08)

Part 2 Clause 9

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9 Proposals for potential precincts

- (1) The Director-General must undertake a study or arrange for a study to be undertaken for the purpose of determining:
 - (a) whether a potential precinct should be developed as an urban renewal precinct, and
 - (b) the appropriate land use and development controls for the precinct.
- (2) The study must assess the suitability of a potential precinct as an urban renewal precinct having regard to the following:
 - (a) the planning significance of the site,
 - (b) the suitability of the site for any proposed land use taking into consideration environmental, social and economic factors, the principles of ecologically sustainable development and any applicable government State, regional or metropolitan planning strategy,
 - (c) the implications of any proposed land use for local and regional land use, infrastructure and service delivery,
 - (d) any other matters required by the Director-General.
- (3) The Director-General is to arrange for any such study to be publicly exhibited with an invitation to the public to make written submissions.
- (4) The Minister may direct that an inquiry be held as part of the investigation of a potential precinct.
- (5) The Director-General is to provide the Minister with a copy of any such study and any recommendations relating to it.

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State Environmental Planning Policy (Urban Renewal) 2010

Current version for 25 February 2011 to date (accessed 22 February 2013 at 13:52)

Part 2 Clause 10

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10 Development in potential precincts

- (1) This clause applies to a development application to carry out development on land that comprises all or part of a potential precinct if the proposed development is or involves subdivision, or has a capital investment value of more than \$5 million, and is not exempt or complying development.
- (2) The consent authority must not grant development consent unless it is satisfied that the proposed development is consistent with the objective of developing the potential precinct for the purposes of urban renewal.
- (3) For the purposes of subclause (2), the consent authority is to take into account whether or not the proposed development is likely to restrict or prevent the following:
 - (a) development of the potential precinct for higher density housing or commercial or mixed development,
 - (b) the future amalgamation of sites for the purpose of any such development within the potential precinct,
 - (c) access to, or development of, infrastructure, other facilities and public domain areas associated with existing and future public transport in the potential precinct.
- (4) This clause does not apply to a development application to the extent that it involves subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size permitted under an environmental planning instrument applicable to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,

- (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.