

SAVE HUNTERS HILL MUNICIPALITY COALITION

A coalition of community and precinct groups and residents determined to save the historic Municipality of Hunters Hill
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The Hon. Barry O'Farrell, MP
NSW Premier
Level 40 Governor Macquarie Tower
1 Farrer Place, Sydney NSW 2000
22 September 2013

Dear Premier,

Re: Proposed Planning Bill

The *Save Hunters Hill Municipality Coalition* (SHHMC) is a community organisation whose aims are to preserve and protect the historic Municipality of Hunters Hill, its heritage and community values and its local democracy. Our website www.savehuntershill.org contains submissions and information relevant to the NSW Government's proposed changes to Planning and Local Government.

The SHHMC position is clear. Our submissions are set out in detail on our website under '[Important links](#)' and recent events are to be found under '[Latest News](#)'

The Government made two election promises amongst others, namely to return planning powers to local communities and no forced amalgamations of councils. Goal 32 of State Plan 'NSW 2021' states – 'People to have a real say and be involved in localised decision making, including through local government'.

The actions the Government has taken over the last year and more in relation to these matters have shaken community trust. An examination of the [Better Planning Network](#) website and Facebook page and the City of Sydney's [Keep It Local](#) reveals widespread dismay and anger.

The Government's proposed Planning laws reached a critical stage with the Minister announcing that a Bill was going to Parliament in September.

The Hunters Hill and wider community strongly supports a fair and balanced planning system, one that properly protects environmental, heritage and community values, ensures local democracy, and encourages well-planned and sustainable development.

The Minister for Planning Brad Hazzard and his Department received 5,000 submissions on the White Paper and proposed Planning Bill. The vast majority are very critical of many of the proposals and provisions in the Bill and for good cause. Many of these detailed submissions are from leading community and professional groups and organisations, councils and individuals.

The Minister and Department are refusing to release their summary of those submissions. This is in clear breach of the State Plan 'NSW 2021' Goal 31 - "The community has the right to openness, accountability and transparency". They must do so immediately.

The last 3 weeks of action leading up to the introduction of the Bill into Parliament shows why now is critical - numerous protests, strong censure by Alan Jones of the Premier and the Minister, a call for direct action at the Rally in Kelly's Bush, the threat by Councils of direct action and attacks in the media. To put it simply, many in the community are highly critical of what this Government is doing over proposed changes to Planning and Local Government – see Annexure A.

The dismissive attitude taken by the Minister to reasoned community submissions has been both wrong and highly insulting. He has accused responsible community groups of “making alarmist assertions” ([17 Aug 13](#)) and “jumping at shadows”, and has expressed disappointment that a “small but vocal group are alarming people by spreading wrong information” ([4 Sept 13](#)). He has accused the Better Planning Network (BPN), an umbrella group of over 420 affiliated community groups across NSW, of being “an apology for the Greens” ([Sept 13](#)). “There would be no substantive changes to the Bill” ([12 Sept](#)), he declared.

The Minister now appears to have done a total backflip and is going to make substantive changes - see SMH '[Planning backflip](#)' 19 Sept 13. The Minister says he will delay the Bill for several weeks “to address public concern”, which is acknowledged as reaching fever pitch. He now states he is willing to consider concessions re “code assessment” and the “triple bottom line” and other substantive changes. In reality the proposed Bill is fundamentally flawed in so many ways, as detailed in the vast majority of the submissions, that it must be withdrawn and re-written.

The Director of Planning Sam Haddad has admitted publicly that his Department in the draft Bill had “gone further than the government intended” and that his staff had spread “inaccurate or misleading information” about proposed changes to the public during the consultation period. This has been highlighted in the media - see [Herald article 13 August](#) and [Herald letters 14 August](#) and also [The Fifth Estate 13 August](#)

The Director must take responsibility and be held accountable for this and his failure to release relevant information to the public. He must resign or be sacked.

The community no longer has any trust or faith or confidence in Minister Hazzard and his Department. The Minister's arrogance, incompetence and lack of respect for community can result in but one action - his resignation or removal by the Premier. Alan Jones has publicly called for him to be sacked over this debacle ([13 Sept](#)) and we agree.

The Minister is not able to take the process forward; he is not a person who can now work with community, councils and stakeholders in designing a fair and balanced planning system.

The Bill that the Minister was going to introduce into the Parliament on or shortly after 10 September has not been revealed to the public, the announcement by the Minister on 19 September that he now has changes in certain areas but is unable to provide precise details – the whole process is a shambles. To say it is going to be brought back to the House in a few weeks is a nonsense.

We demand:

1. To know what is actually happening with these proposed planning law changes;

2. To know why the Government for so long refused to accept legitimate concerns raised by the vast majority of the public and representative groups ; and
3. That the Bill be withdrawn and re-written under the leadership of a **new** Minister and **new** Departmental Head; and
4. That the public be fully consulted over the provisions of any future proposed Bill and be listened to before further legislation comes before the House.

SHHMC is an open and transparent community organisation pursuing the public interest. This document is therefor public.

This letter was emailed to office@premier.nsw.gov.au on 22 September 2013 with copies sent to the local member Anthony Roberts MP and Mayor Richard Quinn, as indicated below.

The matter is urgent - the community is concerned and angry and wants answers, transparency and accountability.

Yours sincerely,



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Ross Williams Emeritus Mayor
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Co-convenors,
Save Hunters Hill Municipality Coalition (SHHMC)

Cc Anthony Roberts MP and Hunters Hill Mayor Richard Quinn

Annexure A

Media Coverage 3 weeks 28 August to 18 September 2013:

[‘Jack’s Back’](#) TWT 18 Sept, [‘Hazardous Future’](#) 16 Sept, [ABC News](#) 14 Sept, [‘Alan Jones 2GB’](#) 13 Sept, [‘Community groups protest’](#) Manly Daily 12 Sept, [‘Threats over planning laws’](#) SMH 11 Sept, [‘Alan Jones 2GB’](#) 10 Sept, [‘Community Protest outside Parliament’](#) Keep It Local 4 Sept, [‘Fighting with Hazzard Tape’](#) NDT 4 Sept, [‘Hunters Hill visits Premier’](#) TWT 4 Sept, [‘Revisit planning reforms’](#) SMH 3 Sept, [‘Hands Off Hunters Hill’](#) News YouTube 2 Sept and [‘Protesters wrapped in Hazzard Tape’](#) Hornsby Advocate 28 Aug.