

Parks and Playgrounds Movement Inc.

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Thursday, 6 January 2005

**Director General
Infrastructure Assets Development Branch
Australian Department of Defence
Fax 62668103**

Dear Sir

Request to honour 1999 former Adamstown Rifle Range Land Agreement to transfer 25ha land 2/827809 to NSW National Parks Service

Parks and Playgrounds Movement is a community organisation that has served the Hunter Region for over fifty years. The Movement has been the chief community advocate for the establishment of the Glenrock State Conservation Area.

We are concerned that the Defence Department has not honoured the undertakings made in 1999 to transfer the 25 hectare bushland lot 2 in DP 827809 to the NSW National Parks and Wildlife Service as part of the Newcastle Council's agreement to rezone 5ha of open space for urban development of the former Adamstown Rifle Range Defence Department property.

The department of defence had wrongly negotiated with the NSW RTA and confounded the Newcastle City Councillors, the Parks and Playgrounds Movement and the general public into thinking the 25ha of land was to be transferred to the Parks and Wildlife Service for addition to the Glenrock SRA.

Transfer of land was delayed for three years while a special benefit was obtained for the NSW RTA with further rezoning and subdivision unbeknown to all parties and the people of Newcastle.

The essential facts are:

- * * The land described as Lot 2 in DP827809 was the subject of the undertakings in 1999 and was to be transferred into the Glenrock State Recreation Area and that the land was 25ha in area or thereabouts.**

- * * **The parties to the agreement in 1999 to allow rezoning of 5ha of openspace for urban uses and transfer 25ha as compensatory habitat to Glenrock SRA were: 1. Newcastle Council, 2. The Commonwealth, 3. The NSW NPWS and 4. The RTA.**
- * * **Lot 2/827809 is at the southern end of the former Adamstown Rifle Range.**
- * * **The Commonwealth of Australia held title to the property in 1999.**
- * * **The whole property has been zoned open space purposes since 1952 and has never been zoned Special Uses for an arterial road. The NSW RTA's only interest in the agreement was to transfer the land as compensatory habitat parkland to the Parks and Wildlife Service.**
- * * **The exhibited LEP 2000 for the whole of the Newcastle Local Government area retained the open space zoning on the whole of Lot 2.**
- * * **The current zones and Lots do not reflect the 1999 Agreement.**
- * * **Newcastle Council and the public believed that all parties were in agreement to allow the rezoning of the 5ha of open space for housing in 1999 and transfer 25 ha for parkland.**
- * * **Letters from all parties and articles in the local Newspaper indicate clearly that *Lot 2 DP 827809* was the subject of the agreement and that the area of the land was *25 hectare in area*.**
- * * **The RTA approached me to support the acquisition of *lot 2/827809* as compensatory habitat not as land for a future controlled motorway development or road works.**
- * * **I had discussions with the Parks Service the RTA and the Lord Mayor and with Councillors and I never felt that any of the parties were acting dishonourably.**
- * * **The transfer of lot 1022/1055066 rather than *lot 2/827809* from the commonwealth to NSW RTA for the sum of *\$48,000.00* does not reflect the 1999 agreement and was wrong. The Members of parliament, the Movement, Councillors and the public should have been informed that a change to the agreement was proposed. It was not an agreement just between the Defence Dep. and NSW RTA and the undertakings were made in good faith.**
- * * **The creation of the altered parcel of land lot 1022/1055066 was wrong on the part of the Commonwealth and clearly contrary to the intention of the Minister the Hon Brendan Nelson's letter to the Member for Newcastle Mr Allan Morris MP 9/5/2001)**
- * * ***lot 2/827809* should have been conveyed to the NSW National Parks Service in 1999.**

*** * The RTA's involvement was to facilitate the conveyance by designating the land, as Compensatory Habitat and providing the nominal parkland funding required.**

The fact that the Department of defence transferred a parcel of land that was not the agreed parcel of land to the NSW RTA at a discounted price for parkland was wrong. There can be no confidence in planning or authorities that do not act with probity and transparency especially in matters such as this.

The Movement asks you to direct the transfer of the full 25ha parcel *lot 2/827809* to the NSW Parks and Wildlife Service as agreed in 1999 by the all the parties. The land is not only satisfactory compensatory habitat for the West Charlestown Bypass it contains important Military heritage Items (1911 Rifle Range mantelets and target machinery) that would be worthy features for inclusion in the Glenrock Conservation Area where they could be properly exhibited.

This matter should have been finalised 1999 and I would be grateful you would see that this matter is dealt with as a matter of urgency.

**Trusting in your help.
Yours Sincerely,**

**Doug Lithgow
Freeman of the City of Newcastle
President, Parks and Playgrounds Movement Inc
<http://www.geocities.com/parksandplaygrounds/>**