



## PRESIDENT'S REPORT 9 May 2011

Ku-ring-gai is special – architecturally, culturally, and environmentally at local, state and national levels. For this reason we have fought to safeguard it over many years. Given its significance, our fight cannot be dismissed as mere nimbyism. Our concerns are with all of - lack of respect for and value placed upon our built, cultural and natural heritage in the mindless rush to densification; and the adverse social implications highlighted by the absence of proper infrastructure to support it. Ku-ring-gai does not ask for or expect privileged treatment. It does, however, ask for and expect sensitive and proper treatment of its unique heritage for the benefit, not only of its residents, but of the wider Australian community, both current and future.

*“Ku-ring-gai is an environment whose location, topography, landscape and buildings make it a place of heritage significance.”* The late Emeritus Professor Gareth Roberts AM at the Ku-ring-gai Heritage Awards 1998.

*“You have something special here. Fight for it”*

The Hon Tom Uren AO, at FOKE's 2001 Public Forum. Mr Uren, a former Minister for Regional Development in the Whitlam Government launched the 2000 Australian Council of National Trusts Endangered Places List which included Ku-ring-gai's National Trust Conservation Areas

*“Successive NSW governments have treated Ku-ring-gai people with contempt.* Mr Jack Munday AO addressing a Rally of Community Groups from across NSW in 2009.

The grim situation facing Ku-ring-gai was recognised again in 2009 when The Australian Council of National Trusts listed Ku-ring-gai Town Centres and the Jim Mc Dougall House in “AUSTRALIA'S TOP TEN HERITAGE PLACES AT RISK”. The Listing states:

*“Ku-ring-gai Town Centres and the Jim McDougall House” - at imminent risk of destruction.*

*THE THREAT: Loss of settings and entire garden streetscapes; loss of trees and bushland; demolition of many individual outstanding heritage homes and replacement by six storey apartment blocks and loss of community under insensitive development and unsympathetic rezonings. The threats to Jim Mc Dougall House are symptomatic of the threats to Ku-ring-gai.”*

Deaf, blind and undeterred, the previous scandal-ridden Labor Government gazetted the Ku-ring-gai Town Centres Plan. This had previously been rubber-stamped by its own Planning Panel at the infamous 27 May 2009 Lindfield UTS meeting. This meeting was notable for its uproar and the denial of citizens' rights to speak. Of the Ku-ring-gai Town Centres Plan a Town Planner has observed:

- The previous (Labor Government-appointed) Planning Panel has disregarded the Metropolitan Strategy with regard to Ku-ring-gai. Planning in Ku-ring-gai is not consistent with Metropolitan Strategy – the context is ignored.
- No environmental study has been undertaken.
- The scale and intensity of commercial development exceeds recommendations.
- The Plan doubles the number of dwelling units (18-20 thousand).
- The Plan provides for 6 Town Centres i.e. there is no clear hierarchy of centres.
- The Plan is inconsistent with key issues – protection of biodiversity and Blue Gum High Forest as well as other forest species found in Ku-ring-gai.

- The (previous Labor) State Government refused to allow the Ku-ring-gai community to develop their own housing strategy – unlike other parts of the metropolitan area in NSW.
- There has been a complete lack of goodwill to the Ku-ring-gai municipality. This would have to be one of the worst cases of planning discrimination in NSW.
- The attack on Ku-ring-gai is a national attack.
- Only a change of Government will allow KMC to amend the current planning.

We have that change of Government, with the resounding election of the Liberal/National Coalition in March 2011.

It is time now for the newly-elected Coalition Government to heed what the people have been saying during the long destructive years of successive Labor Governments and to right the wrongs. Marred in controversy, the planning policies and processes of recent years must be urgently replaced to address the issues that facilitated the desecration of Ku-ring-gai. Policies and processes must be introduced which require recognition of Ku-ring-gai's significant heritage and the valued and valuable Ku-ring-gai context.

Under attack for more than a decade, Ku-ring-gai residents and their supporters have shown their determination to have planning appropriate to and respectful of Ku-ring-gai's nationally significant, carbon absorbing and mature tree canopy and its built context. In their thousands they have rallied, written submissions and letters; signed petitions; attended site inspections; given evidence in the Land and Environment Court; taken thousands of photographs; and made scale models of the Town Centres, videos and films. The situation has rightly attracted widespread media coverage. But they, and expert advisers and consultants, have all been ignored.

The unnecessary fight has come at great personal cost and stress. Some have defended their homes against huge overhanging blocks of flats, not just once, but three times in the Land and Environment Court. Film maker Dennis Grosvenor, motivated by the devastation wrought by gross over-developments on his Ku-ring-gai home and the surrounding quiet, wildlife-friendly valley, spent three years filming the documentary *State of Siege*. Its powerful ongoing message of universal relevance, including the arrogance of power, incorporates hidden camera footage from the notorious 27 May 2009 Lindfield UTS meeting. With its Ku-ring-gai origins *State of Siege* is in increasing demand from communities and academic institutions across Australia.

FOKE requests and challenges the new NSW Government:

- To heed the Petition containing in excess of 3,000 signatures tabled in the NSW State Parliament on behalf of FOKE by Mr Jonathan O'Dea, Member for Davidson. The Petition called for *the Legislative Assembly to ensure that the draft Ku-ring-gai Local Environmental Plan (Town Centres) 2008 does not come into force*. The signatories, both residents and non residents, registered their objection to the corrupted planning policies and processes inflicted on Ku-ring-gai by successive State Labor Governments, and in particular the then draft Ku-ring-gai Town Centres Plan. (Emphasis added).
- To heed the Ku-ring-gai residents' response to a housing target survey conducted by the North Shore Times in which 94% of responses supported a cap of 6,000 dwellings with only 6% of responses against.
- To heed the 2009 *Top Ten Heritage Places at Risk in Australia* listing and previous listings in 2007 and 2000.
- To heed the calls for the wrongs imposed on Ku-ring-gai by the previous Labor Governments to be redressed.
- To heed the basic principles of sustainability.

*Sustainability recognises the significance and diversity of community and regions for the management of the earth, and the critical importance of "sense of place" and heritage (buildings, townscapes, landscapes and culture) in any plans for the future.* "In Search of Sustainability ""Sense of place and heritage". (Edited by Jenny Goldie et Al, CSIRO, 2005).

- To heed the expert involved with Sydney's planning who said: *"There is a need for different urban regions with unique characteristics, there is a need for urban variety. Don't bulldoze a city and rebuild it all in the same mould"*.

At this crossroad in Ku-ring-gai's history we are reminded of the words of Hon Justice Kirby “*Protecting our heritage - it's a human right.*” 1995. Those concerned with the heritage of Ku-ring-gai call upon, and need, the newly-elected State Government to provide to Ku-ring-gai's heritage that very protection.

## **POPULATION**

Footage from FOKE's 2010 Public Forum, Dick Smith's “*Populate – Prosper or Perish?*” was included in the subsequent widely-shown film, *Dick Smith's Population Puzzle*. So too, were examples of the destruction and heart-ache brought upon Ku-ring-gai by the inappropriate high density apartment blocks. There has been a lack of any agreed population policy for Australia. “Population” is now on the national agenda. There is ever-increasing evidence that infrastructure - road, rail, power, water, stormwater, sewerage, hospitals, open space etc are unable to cope with the existing population, let alone an increased one. The interests of *all* citizens should be recognised, not just those of vested interests. Otherwise, State housing strategies will increasingly be seen to serve the symbiotic relationship between major political parties and the development industry.

Supposedly intended to house an increased population, there is growing evidence that many of the Ku-ring-gai blocks of units have been built for an overseas investment market, as opposed to providing “housing choice”. This is another reason why the new Liberal/National Coalition Government must act swiftly. The public has every right to feel “duped”.

## **ADDITIONAL IMPORTANT MATTERS**

Once again, this year, the fight has been intense with FOKE being very active in pursuit of its aims and objectives. The following highlights some additional important areas in which FOKE has also been involved in the past year.

### **• HERITAGE CONSERVATION AREAS HCA's**

Ku-ring-gai is virtually the only Local Government Area in NSW not to have HCA's in place prior to urban densification. The blame lies significantly in the refusal of successive past Labor State Planning Ministers to gazette Ku-ring-gai's HCAs. The few HCA's established as part of the Town Centres Plan are inadequate. While FOKE is strongly supportive of HCAs, it firmly believes that much work remains to be done to develop appropriate and acceptable HCA's for Ku-ring-gai.

### **• RECLASSIFICATION OF COMMUNITY LANDS (UNABLE TO BE SOLD, LEASED etc) TO OPERATIONAL LANDS (CAN BE SOLD, LEASED etc).**

The lands for consideration are part of the appalling Town Centres Plan courtesy of the previous Labor Government. As Council continues to address the reclassification issue it should also be mindful of the comments of the President of the Local Government Association, Ms Genia McCaffrey, namely that community land should not be sold, as there is so little of it.

### **• INFRASTRUCTURE**

FOKE highlighted the lunacy of increasing densities with cavernous car parks without simultaneously improving public transport and transport infrastructure. It became apparent that no one authority was counting the number of car spaces approved under LEP 194 and Part 3A developments. FOKE was therefore gratified to see in the NRMA's pre-election “Open Road” the *Gloves Are Off* which took up the issue with reference to Sydney's northern suburbs.

### **• FOKE PHOTOGRAPHIC RECORDS**

Accompanied by a Town Planner, FOKE was finally able to present its award-winning publication “A PHOTOGRAPHIC RECORD OF SITES AND STREETSCAPES IN KU-RING-GAI, IMPACTED BY LEP 194/200/202/204/207 RESIDENTIAL DEVELOPMENT STRATEGY STAGE 1” to the Planning Institute of Australia (PIA -NSW Division) through a PIA Sub Committee at Macquarie University Masters of Environmental Planning Graduate School of the Environment. FOKE subsequently participated in its research program into community groups in Ku-ring-gai: “*Multiple Suburban Publics: Rethinking Community Opposition to Consolidation in Sydney.*”

The publication's 2,000 photographs serve as a valuable reference point by which the loss of Ku-ring-gai's and New South Wales and Australia's heritage in Ku-ring-gai, can be measured. Of the rezoned homes earmarked for 5 storey development, 75% of these are situated within National Trust Urban Conservation Areas. One quarter of these Areas has already been destroyed. We regularly receive requests for use of images from the Photographic Record.

FOKE continues its program to photograph the replacement buildings – variously described as resembling “egg crates”, “shipping containers”, “Eastern Soviet-style army barracks” and “big ugly boxes” - in severe contrast to

their context. *Beautiful place, but terrible buildings* is how one inter-state visitor described the replacement blocks. (April 2011).

FOKE is also photographing the deeply excavated, moonscaped building sites.

#### ● **FOKE NEWSLETTERS**

During the year FOKE produced three Newsletters informing and urging our membership to act in the FOKE cause. Requests for copies of FOKE's Newsletters have come from other community groups, librarians and academics. We also issued 13 email newsletters on matters requiring urgent action. The mutual exchange of Newsletters continues to maintain important links with other community groups.

#### ● **FOKE WEBSITE** [www.foke.org.au](http://www.foke.org.au)

FOKE is delighted that webmaster Graham Lewis has been recognised by the 2011 Ku-ring-gai Lions Community Awards Program for his long, selfless and varied work within the community. Under Graham's supervision FOKE's website provides a most valuable contact point for media and the public alike. The pillaging of Ku-ring-gai can be accessed by the world, through the website's PowerPoint presentation, videos, lists of developments, Annual Reports, Newsletters and other information.

● **FOKE** supported Friends of Turramurra's Land & Environment Court challenge to the Ku-ring-gai Town Centres Plan. The Court's decision is still pending. Generally, on planning and development matters, FOKE members have written submissions to Council, and to State and Federal Governments. FOKE members have attended and addressed both Ku-ring-gai Council meetings and Planning Panel meetings.

● **FOKE** continues to respond to requests, both from school and university students, seeking information on urban densification and to address schools and community forums on this topic.

#### **FOKE MEMBERSHIP.**

You have remained loyal and generously supportive when the going was tough and tough it has been. Some of our members have been with us since 1994. Thank you. Thank you all. We are most appreciative of, and indeed dependent on your membership fees and donations. Ku-ring-gai continues to need you to show the new Government we have not gone away, nor will we, until our voices are heard and acted upon. Please actively recruit new people to FOKE or encourage them to join their local community group. Our message does not alter *Nobody made a greater mistake than he who did nothing because he could only do a little.* Your voice can achieve a lot.

#### **THE FOKE COMMITTEE**

As noted earlier in the Report, The Hon Tom Uren AO told FOKE in 2001 "*You have something special here in Ku-ring-gai. Fight for it*". We have. We did not go away. Committee members have continued to work extraordinarily hard with dedication, creativity and determination. On behalf of the FOKE membership I extend my deep appreciation to the Committee - Kathy Cowley, Janet Harwood, Jill Johnston, Jan Langley, Rhondda Maltby, Deborah Mobberly, Katrina Pickles, Jean Posen, and Dinah Warner.

Anne Carroll OAM  
President  
May 2011