



PRESIDENT'S REPORT 2008

This Report comes at a time of diminishing democratic rights; widespread discontent with the NSW urban consolidation policies; unpopular proposed changes to the Planning Act; major and increasing infrastructure problems; further destruction of Ku-ring-gai's character and heritage; and ever increasing revelations linking political donations to the influencing of planning decisions in NSW. In FOKE's August 2005 Newsletter Insert it was stated: *It is time for questions to be answered. People have been concerned about the influence of developers in shaping the State Government 's residential development strategy for Ku-ring-gai.* That statement remains valid almost 3 years later!

Increasingly, the destructive and negative impacts of the State Government-imposed Residential Strategy (2004) for Ku-ring-gai and its non-gazetted of Ku-ring-gai's Urban Conservation Areas have become patently and tragically obvious. Instead of infill development being tailor-made to Ku-ring-gai, as was first intended, we are witnessing a proliferation of highly-visible apartment blocks alien to their context, anti-environment, anti-heritage and anti-social, not providing true housing choice or affordable housing and contributing significantly to poor planning outcomes. This need not, and should not, have happened and it should be immediately arrested.

It is most disturbing that when the State Government rejected Ku-ring-gai Council's Plan in 2004, and imposed its own Stage 1 densification plan on Ku-ring-gai (for the area on the Pacific Highway railway corridor and around St Ives centre,) the then Mayor said that, in preparing and imposing the Government's plan, that, the relevant NSW Government Minister had used factually incorrect reasons, made misleading statements, misrepresented facts and ignored the wishes of the community.

The Stage 1 plan imposed on Ku-ring-gai by the State Government favoured developers' interests at the expense of community interests by stipulating a single increased density zone of up to 5 stories, instead of a stepped increased density zone to reflect the undulating topography; by reducing space for characteristic treed landscaping; by removing relevant planning controls resulting in single houses being isolated between block of units; and by removing floor space ratio controls resulting in poor design of units and no effective interface buffer between new developments and existing single storey residences (many downhill). Ku-ring-gai Council's predictions that the developments would be larger, bulkier and denser, and would have a greater impact on the character of Ku-ring-gai than the Council's Strategy for densification, have proved tragically correct.

The high rise apartment buildings, too big, too wide and too high for their context but claiming "green" credentials, now serve as monuments to the pro-developer culture in NSW; to the NSW Government's shifting of the "goal posts"; to undemocratic processes; to ignorance of the principles of sustainability; to developers' excessive greed and their undue political influence. A 2007 Report noted Ku-ring-gai has had more development approved than any other area in Sydney other than the CBD. (*Northside Courier* July 2007).

It is no wonder a prominent architect & town planner said recently "Ku-ring-gai has been hit by a sledgehammer."

OR that the Member for Davidson's recent survey had "over development" as one of the top concerns of his constituents.

OR that the columnist and broadcaster Peter FitzSimons asked, "*ANYONE else noticed the Meritonisation of the Pacific Highway between North Sydney and Wahroonga? Home after home has been bulldozed, replaced by block after block of units each one ungorging more and more cars onto the main North Shore artery. Is this sane urban planning?"*

OR that a resident wrote: "The Government's imposing of high-density housing and over development on Ku-ring-gai is causing physical and social fragmentation and break down."

OR that the areas so affected were nominated in 2007 for the Australian Council of National Trusts' Top Ten Heritage at Risk Places in Australia citing "Destruction" as the threat and carrying the highest possible rating. The nomination stated: *Development within the area (particularly urban consolidation) should proceed on an orderly basis balancing the needs of more accommodation with conservation and protection of the scenic,*

landscape, social and architectural significance. . . . Development should have particular regard to the appropriate design, which protects individual trees, or tree stands of the Blue Gum High Forest Community.

Increasingly people are saying the Government's urban consolidation plan is flawed. In his article "City bursting its urban seams needs some fringe room to expand", Michael Duffy reported that "a conference organised by the Property Council of Australia heard the Government's objective for 70 per cent of all housing built until 2031 to be "infill" (blocks of flats and town-houses in established suburbs) can never happen. There just aren't enough appropriate sites. If correct, this reveals a huge flaw in a plan that is only a few years old . . . Malcolm Aikman, a property economist with the real estate information consultancy Urbis, says meeting the Government's urban consolidation infill target for Sydney would require the equivalent of carpeting the entire municipality of Ku-ring-gai with four-storey blocks of flats . . . And from now on, everything gets harder and more expensive as infill increasingly involves pulling down existing residences, with more uncertain and drawn-out fights with neighbours and councils.

Urban consolidation and the resulting price rises have produced problems including infrastructure stress, congestion, the housing affordability crisis, the rental crisis, the flight of thousands of people to Queensland in search of affordable housing (so pushing up prices there), and stagnation in the building sector (and therefore the state economy) as construction declines because fewer people can afford a house."

In 2008, FOKE has been one of the community "Davids" pitting itself against the Government and developer "Goliaths". FOKE has pursued its aims and objectives. I will highlight some of the important areas in which FOKE has been involved in the past year.

PHOTOGRAPHIC PROJECT

FOKE marked the 2008 National Trust Festival "Our Place" by presenting to Mayor Nick Ebbeck a book entitled "A Photographic Record of Sites and Streetscapes Impacted by LEP 194/200/202/204/207 Ku-ring-gai Residential Development Strategy Stage 1 and by showcasing two displays. FOKE's photographic record, three years in the making, contains 1,800 photographs of sites and streetscapes impacted by rezoning as a consequence of the NSW Government Local Environmental Plans. Most of the sites and streetscapes lie within the areas of Ku-ring-gai designated in 1997 by the National Trust of Australia (NSW) as Urban Conservation Areas and/or along the railway corridor.

FOKE undertook the preparation of this publication, which was partly assisted by a Centenary grant, to create a permanent photographic record of those impacted sites and streetscapes; to highlight the direct threat to many of Ku-ring-gai's heritage-listed, proposed heritage-listed items and contributory items; to illustrate the lack of appropriate interface provided by the Ku-ring-gai LEPs between the sites rezoned for multi-storey developments and adjacent single dwelling sites; to expose the direct threat of destruction and loss of Ku-ring-gai's character and heritage under the Ku-ring-gai LEPs; and to provide a visual evidentiary platform to support: community protest against and resistance to this threat; and community advocacy and agitation for: the immediate gazettal of Ku-ring-gai's urban conservation areas; the adoption, enactment and enforcement, by governments at all levels, of policies and laws which protect the natural and cultural heritage, not only in Ku-ring-gai but across Australia.

We call for our MPs to use this powerful tool. In the words of the President of the Ku-ring-gai Preservation Trust, it is hoped it will be used by them "to show fellow Parliamentarians and their constituents what lies ahead for Sydney's urban residential areas under the current State planning policies and why it is critical that parliamentarians act decisively and urgently to change those policies."

The Ku-ring-gai and wider community is deeply indebted to those FOKE members and others who assisted the photographic project, a mammoth undertaking. Special mention must be made of Kathy Cowley whose idea it was, Valerie Bray, Katrina Pickles and Jill Johnston. Thanks are also due to the Ku-ring-gai Historical Society for recognising it as a valuable record and tool. They have already made the accompanying PowerPoint electronically available to the Society's members. FOKE plans to provide copies of both the publication and the PowerPoint to many more organisations.

ST IVES BLUE GUM HIGH FOREST - ST IVES

Public ownership of the last piece of the St Ives Blue Gum High Forest, namely the crucial remnants at 102 Rosedale Road, abutting the Dalrymple Hay Nature Reserve and Browns Forest was achieved in December 2007. Under the banner of the Blue Gum High Forest Action Group, FOKE worked with other community

groups raising awareness, lobbying politicians and providing financial assistance. We congratulate key members Nancy Pallin (Convenor), Neroli Lock and the rest of the BGHF team on the successful campaign to save this precious piece of our natural heritage.

STAGE 2 TOWN CENTRES: INVOLVING COMMERCIAL EXPANSION, ADDITIONAL RESIDENTIAL INTENSIFICATION AND RE-CLASSIFICATION OF PUBLIC LAND

Undaunted by lack of community support for re-classification of numerous parcels of public land from "community" to "operational" (which creates the ability to sell, develop, lease etc the re-classified land), Ku-ring-gai Council has voted to re-commence the re-classification process following legal controversy which halted it for several months. The re-classification process is to re-commence shortly.

Unlike before, there will be only one Public Hearing to consider all parcels of public land which the Council proposes to re-classify. This may, hopefully, at least lead to the issue being addressed on a global "Ku-ring-gai-wide basis", rather than on the unsatisfactory fragmented "Town Centre by Town Centre" basis previously adopted.

Disturbingly and regrettably, however, the Council has still not outlined any overall vision or strategy for public land in Ku-ring-gai. If the community must consider the re-classification of parcels of its priceless public land, and given the statutory force of the process it has little alternative but to do so, it is essential that Council enable it to do so in the context of an overall vision and strategy. The community should not, and cannot, be expected to give endorsement of the proposed re-classifications without any indication from Council of the future of the re-classified parcels – for example, whether they are to be sold or leased and, if so, for what purposes; if they are to be sold, whether the proceeds will be applied to the purchase of replacement public land and community facilities and, if so, what land and facilities; if they are to be leased, for what purposes, and whether the resulting revenue stream will be applied to the purchase of replacement public land and facilities or form part of Council's general revenues.

There may be reasons and justifications for re-classification of some or all of the parcels of public land which the Council proposes to reclassify, but it is the Council's duty and obligation to articulate and establish those reasons and justifications if it wishes and expects to receive community endorsement of its re-classification proposals. A blank cheque should not be expected of, and will not be given by, the Ku-ring-gai community. The community must strongly voice its views to the Public Hearing.

OTHER MATTERS

Under the banner of "KU-RING-GAI - A PLANNING TRAGEDY OF NATIONAL SIGNIFICANCE, THE DESTRUCTION OF NATURAL ENVIRONMENT, (INCLUDES CRITICALLY ENDANGERED SPECIES) & NATIONALLY SIGNIFICANT ARCHITECTURAL HERITAGE: THE ADVERSE USE OF SEPP 5; THE NON-GAZETTAL OF URBAN CONSERVATION AREAS", FOKE wrote to selected Federal and State Ministers, the State Heritage Office & other relevant organisations seeking intervention. We received a disappointing response from the NSW Planning Minister which failed to acknowledge or address the issues.

In other ways, we have also continued to lobby for gazettal of Ku-ring-gai's Conservation Areas. In a most disappointing decision the Land & Environment Court that allowed demolition of 16 Stanhope Rd, Killara, an outstanding and rare example of Georgian architecture in the heart of Killara's proposed Conservation Area. The case highlighted a number of disturbing issues including the vulnerability and lack of protection of heritage places in this Municipality.

FOKE members sent submissions to the NSW Select Committee Enquiry on Electoral and Political Party Funding and appeared before the Enquiry. With public interest in developer donations high. FOKE has assembled a list of all 5-storey developments approved in Ku-ring-gai showing the names of developers, site addresses and numbers of units.

FOKE has supported the Local Government and Shires Associations *Keep it local* campaign to stop more proposed pro-developer laws. Proposed changes which are unacceptable include restrictions on Section 94 contributions, restrictions on the ways in which councils can expend the levies made on developers. Another major concern is Mr Sartor's push for even more certification of development applications (DAs) by private certifiers, and the removal of the need to even notify, let alone give reasonable notice to, neighbours affected by a proposed DA. Given the propensity of many DAs to adversely affect privacy, solar access, streetscape, heritage and general amenity, this is a major concern. It's all very well for Mr Sartor to say,

"this is good for Mums and Dads wanting to renovate their homes", however, for every "Mum and Dad" wanting to renovate, there are many other "Mums and Dads" whose interests are important too. Notifications are a very important element in preserving amenity, and in forcing would-be developers to take proper account of neighbours' legitimate interests.

Generally on planning & development matters, FOKE has written submissions to Council, State and Federal Governments, attended the Land & Environment Court, assisted with leaflet distribution in areas to alert residents to specific developments and assisted residents in providing "*How to respond to a development near you*" kits. FOKE members have also attended a State Government Planning Forum, and conferences and community rallies convened in other areas affected by the unpopular planning policies.

FOKE members have attended Ku-ring-gai Council meetings and observed the Planning Panel installed by Minister Sartor.

FOKE has been accepted as a member of the Nature Conservation Council (NCC) of NSW. In November, prior to the Federal Elections, FOKE participated in the NCC Walk against Warming to Parliament House Sydney.

FOKE successfully opposed the installation of advertising signs masquerading as community notice boards in our residential streets.

Substantial work has been done towards creating a FOKE website. We are indebted to Graham Lewis.

FOKE receives requests both from students seeking information relating to urban consolidation and invitations to speak at various community forums on the same topic. Speakers with PowerPoint® presentations are available to speak to your community organisations. We make special mention of *Your Future is the Natural World*, a marvellous initiative of Janet Harwood who organised a well attended and most informative day of speakers and film documentaries on the importance of the natural environment.

NEWSLETTERS: During the year FOKE has produced three Newsletters, with our fourth mail out an invitation to our activities during the 2008 National Trust Festival "Our Place". With the mutual exchange of Newsletters, important links with other community groups are maintained.

FOKE MEMBERSHIP: An increasing number of FOKE members are raising population as an issue that needs to be addressed by the Federal Government.

What can you do to support the FOKE cause? A single voice can achieve a lot. We encourage you most earnestly to write/email Members of Parliament (Federal and State), local Councillors and all media. Alert them to what is happening here. Let them know how you feel about the issue.

Membership fees have not increased since our inception in 1994 when we opposed "McMansions/Monstrosities". This year, we exceeded the Centenary grant budget in producing the Photographic publication, the accompanying PowerPoint and visual displays. All three initiatives have received high praise for the serious and effective message they carry and for the quality of the productions. We wish to continue the protest and agitation as recorded elsewhere in this Report. To do so, we need additional copies of the publication. We are now more than ever most appreciative of, and indeed dependent on, your membership fees and donations accompanying your renewals. Thank you.

We need *you* to be more active if you currently are not. Please offer your services, your ideas and your expertise to the Committee, attend Council meetings to observe proceedings, deliver leaflets, write letters, and recruit new people to FOKE or encourage them to join their local community group.

THE FOKE COMMITTEE: The Committee has been extremely hard working. They have donated their professional expertise generously to their community work. On behalf of the FOKE membership I extend my appreciation to the 2007-8 Committee – a team of dedicated hardworking and caring people – Kathy Cowley, Malcolm Galloway, Janet Harwood, Jill Johnston, Janine Kitson, Jan Langley, Katrina Pickles, Jean Posen, Sheila Warby and Dinah Warner. We acknowledge the retirement of Sheila Warby from the Committee. We know you will be close at hand.

Anne Carroll OAM

May 2008

We do not inherit the earth from our forebears: we borrow it from our children. South American proverb.

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