

**foke**



FRIENDS OF  
KU-RING-GAI  
ENVIRONMENT INC.

## PRESIDENT'S REPORT 2010

Destroying a beautiful and historic area; trashing a cooling, carbon-absorbing tree canopy; converting the pollutant-absorbing green canopied skyline to one of square, multi storey air-conditioned apartment blocks; forcing people out of their homes prematurely; causing others to live in fear of their single storey family home being dominated by 5 storey apartment blocks uphill on their northern boundary; moonscaping wildlife habitats and wildlife corridors between National Parks; destroying seed banks of critically endangered species; overloading an infrastructure that was designed to serve a substantially smaller population – are all widespread, destructive and unacceptable changes that are happening in Ku-ring-gai under the guise of “planning” and serve as a damning indictment of planning in NSW. Even though most thinking residents accept that Ku-ring-gai must accept its reasonable share of Sydney's expanding population, and must inevitably change to some degree in that process it is as if those responsible for “planning” are determined to destroy the character and heritage of this, our place, Ku-ring-gai.

There is worse to come if Minister Kelly approves the Government-imposed Ku-ring-gai Planning Panel's appallingly inappropriate Stage 2 Town Centres Plan. It is clear there is no public support for the Plan which has been soundly and rightly rejected by authoritative bodies, experts, planners, developers and the community. Context and place play no role. The “Plan” totally abandons consideration of context and ignores the importance of place planning and human scale. Small wonder that there was uproar from the thousand angry people who attended the now infamous 27 May 2009 UTS meeting when the Ku-ring-gai Planning Panel paid no heed to submissions from all comers - professionals and community alike. The contention that meaningful public consultation was undertaken was shown, again, to be a farce.

The Planning process must be based on the identification and protection of the significant natural and cultural items and areas. The Government's repeated failure to adopt this process is the basis of its flawed planning process for Ku-ring-gai. As one expert involved with Sydney's planning has 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”.

Given this situation, none of the following is surprising:

– Ku-ring-gai is attracting widespread media attention - press, talk back radio and television programs; with newspaper titles such as *“From leafy to lack lustre”*, *“Ku-ring-gai Plan will swamp housing targets, say residents”*, *“Heritage homes go under the hammer”*, *“Three jeers for the Bulldozers of Ku-ring-gai”*, *“Heritage homes hammered”*, *“Planning pandemonium”*, *“High density plans ripping the heart out of Ku-ring-gai”*, *“Bulldozing the beautiful”*, *“Our heritage can't be trusted to state's planners”*, *“Heritage interests out, apartments in”*, *“Upper North shore joins at-risk list”*, *“Oversupply claims another developer”*, *“Vacancy rates paint mixed rental picture”*, *“Developers on lending alert”*. The Sydney Morning Herald letters' Editor reported that the big themes and most regular subjects for the year were climate change, the CBD Metro and complaints about the State Government. The next category of interest included planning in Ku-ring-gai!

– Ku-ring-gai was the subject of discussion at the Australian Institute of Urban Studies July 09 forum entitled “The Tragedy of Planning in NSW” when it was stated *“It's now one-size-will-fit-all instead of designing for contexts”* and that *“the practice of moonscaping the land enables placement of the standard urban products.”*

2009 NATIONAL TRUST HERITAGE AWARDS HIGHLY COMMENDED

2008 NSW GOVERNMENT HERITAGE VOLUNTEERS AWARD

2000 WINNER, NSW HERITAGE OFFICE CULTURAL HERITAGE CONSERVATION AWARD

“HERITAGE WATCH OVER OUR PLACE OF NATIONAL SIGNIFICANCE –KU-RING-GAI”

KEEP AUSTRALIA BEAUTIFUL COUNCIL (NSW) METRO PRIDE AWARDS

**Friends of Ku-ring-gai Environment Inc (FOKE) P. O. Box 403 Killara 2071**

**[www.foke.org.au](http://www.foke.org.au)**

– *Ku-ring-gai for Sale*, FOKE’s video, opened the 2009 NSW Bad Developer Awards hosted by The Greens with most of the replacement urban densification apartment buildings the subject of multiple nominations for Crimes Against Amenity, the Worst Residential and Most Environmentally Destructive Awards.

– Ku-ring-gai was supported by people across the State, concerned with the destruction of “place”, loss of community voice and the democratic process, in the Death of Democracy March on 27 September 2009. The Rally called for a Royal Commission into Planning in this State, a call which was subsequently taken up by others and received television coverage. Mr Jack Munday AO’s message to the State Wide Rally was “*Successive NSW governments have treated Ku-ring-gai people with contempt. Until an elected council assumes control of the planning process abuse of planning powers will continue. The present government is as reactionary as the Askin Government as regards the planning process.*”

– Ku-ring-gai based “Planning” questions have been raised in Parliament, by Members of Parliament other than those representing Ku-ring-gai.

**What is happening has caused the Australian Council of National Trusts to place Ku-ring-gai on the 2009 List of AUSTRALIA’S TOP TEN HERITAGE PLACES AT RISK with the listing “Ku-ring-gai Town Centres and the Jim Mc Dougall House”- recorded as being at imminent risk of destruction. The THREAT is listed as: 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 FATE/OUTCOME is listed as: Strongly suffering. Ku-ring-gai’s Heritage is being smashed and shattered. The threats to Jim Mc Dougall House are symptomatic of the threats to Ku-ring-gai**

## **NSW GOVERNMENT’S URBAN DENSIFICATION PLANS**

The Ku-ring-gai Planning Panel’s Plan Stage 2 Draft LEP (Town Centres) 2008 is with Minister Kelly.

If the State Government approves the Plan there will be the potential for in excess of 16,000 units to be built in Ku-ring-gai over the next few years. It must not be approved. Not only are the costs to the environment and amenity too high, there are no real plans to widen the Pacific Highway (Metro Road 1), lengthen its turning bays, or broaden the already choked railway underpasses and overpasses that connect east to west to cope with the massive increases in cars.

FOKE has asked Premier Keneally and Minister Kelly for consistency in planning decisions. The reasons given by the Premier when Planning Minister for rejecting the Stamford Plaza Development Double Bay are also reasons for rejecting the Ku-ring-gai Town Centre Plans. Likewise, one of the reasons given by Premier Keneally for refusal to privatise the ferries, - “we listened to the community” is also applicable to Ku-ring-gai. Huge public rallies, submissions, petitions, emails in their thousands and reports from experts on behalf of Ku-ring-gai should also be listened to!

The research company SQM has found that the apartment blocks have seemingly targeted a demographic that isn’t there. Research found that “*Some of the highest vacancy rates in Sydney are in the upper north shore, where a glut of dwellings sits empty.*” The article also refers to the recent Ku-ring-gai Council Housing Survey which found “*that while 40% of people in the local government area wanted to move house at some point, only 5% wanted to move into a unit.*”

Coupled with this Report and the Housing Survey results, research has been undertaken finding a good number of high density developments have been sold directly off the plan to overseas investors, with many of the apartments coming onto the market for rental only. Some remain empty e.g. land banking strategies. A prominent developer has said overseas buyers believe Australian residential prices are cheap... “Our (Australian) prices are very far behind...” “Sales are going very well there is no question about that. The overseas investors love (Sydney’s) North Shore because it has got very good schools.”

## **Reclassification of community lands (unable to be sold) to operational lands (can be sold)**

FOKE continues to monitor this important issue. After two aborted attempts due to deficient processes, the land reclassification process continues. Some 18 sites have been put forward by Council for consideration. It is very disturbing that despite the intense, long public interest in the reclassification process, which is part of the Town Centres Planning, Council staff advised a data base of only 53 (i.e. interested persons) when two items for reclassification were recently considered by Council. Extraordinary –the data base should be some hundreds! As Council addresses the reclassification issue it should be mindful of the comments of the President of the Local Government Association, Ms Genia McCaffrey, that community land should not be sold, as there is so little of it.

## **FOKE PHOTOGRAPHIC RECORDS**

This year we continued with presentations of FOKE's publication entitled "A PHOTOGRAPHIC RECORD OF SITES AND STREETSCAPES IN KU-RING-GAI, IMPACTED BY LEP 194/200/202/204/207 RESIDENTIAL DEVELOPMENT STRATEGY STAGE 1". Presentations were made to the President of the Local Government Association, the Australian Institute of Architects (NSW Chapter) and plans are being made to make a presentation to the Planning Institute of Australia (New South Wales Division). FOKE's award-winning document continues to be available on request in electronic form.

Containing over 2,000 photographs, the publication highlights the plight of our nationally-recognised and National Trust classified Urban Conservation Areas and serves as a reference point by which the loss of Ku-ring-gai's (NSW's) heritage can be measured. Of the rezoned homes earmarked for 5 storey development, 75% of these are situated within these Urban Conservation Areas. One quarter of these Areas has already been destroyed.

FOKE continues with a photographic program to photograph the replacement buildings - most of them square; bulky; monolithic; slab sided; concrete; out-of-context; uncharacteristically flat rooved - in severe contrast to their context. We are also photographing the deeply excavated, moonscaped building sites.

## **NEWSLETTERS**

During the year FOKE produced four Newsletters informing and urging our membership to act on behalf of the FOKE cause. Through the mutual exchange of Newsletters, important links with other community groups are maintained. We also issue the occasional email newsletters letters to our electronic data base.

## **FOKE WEBSITE**

We are deeply indebted to webmaster Graham Lewis. FOKE's website has proved a most valuable contact point for press, media and the public alike. Videos, images, list of developments and other information are found on the site. The Pillaging of Ku-ring-gai is now a message that can be spread even further on the internet. Indeed it can be accessed by the world on [www.foke.org.au](http://www.foke.org.au).

## **ADDITIONAL IMPORTANT MATTERS**

It has been an intense year, with FOKE being very active in pursuit of its aims and objectives. I will highlight some additional important areas in which FOKE has also been involved in the past year.

- FOKE met for the second time with the Director General of Planning, Mr Sam Haddad. FOKE re-confirmed its deep, ongoing and growing concerns with Stage 1 planning outcomes affecting Ku-ring-gai and with the Panel's Stage 2 Town Centres Plan as they will affect Ku-ring-gai. Both Stages severely and adversely impact on Ku-ring-gai's potential Conservation Areas. From the meeting we understood that Mr. Haddad was aware of the poor planning outcomes resulting from Stage 1 LEP 194. FOKE stated that for the last 10 years there has been a concerted resistance to recognition of Conservation Areas in Ku-ring-gai despite repeated requests for their recognition. Generally, the issues raised at the meeting are listed in the prayer of FOKE's Petition to Parliament. To support our position FOKE tabled and spoke to reports from experts.
- FOKE presented a Petition containing in excess of 3,000 signatures to Mr Jonathan O'Dea MP for tabling in the NSW State Parliament. 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, residents and non residents, registered their objection to the corrupted planning policies and processes inflicted on Ku-ring-gai by successive State Governments, and in particular the draft Ku-ring-gai Local Environmental Plan (Town Centres) 2008. We have had a response from Minister Kelly to the Petition and have replied in detail supporting our case with reports from experts and case studies.
- FOKE escorted the former Minister for the Environment and Climate Change, Hon John Robertson MP, on a site visit to show the environmental destruction. Following the Cabinet change FOKE has written to the new Minister, Hon Frank Sartor MP, inviting him to also visit Ku-ring-gai. In excess of 3000 mature trees have been lost over the

last four years in Ku-ring-gai. We have asked again where is the consistency? The NSW Government recognises the value of canopy trees and green understorey (canopy protection and improved micro climate) with plans to plant both as part of its "Green Street" program launched in November in Sydney's west, but tears them down in Ku-ring-gai!

- FOKE's work was recognised at the Greens Bad Developer Awards (mentioned above)
- FOKE participated in the Death of Democracy cortège and march to State Parliament (also mentioned above)
- FOKE hosted a public meeting at which Mr John Hatton AO the former Independent MP was the guest speaker. Mr. Hatton told the Ku-ring-gai meeting: "The issue of planning is just as important, if not more so, than the Wood Royal Commission (into police corruption in 1994). It is as serious as that because your business, your property, your investment, is no longer safe in this State. No longer can you gain appeal to the court, no longer are the tenets of basic justice available to you (the citizens) in the developer market". Mr. Hatton had previously told Stateline "Everywhere we go in NSW, I'm going to collect the outrage, and I'm going to collect the evidence, and I'm going to build the pressure into establishing a Royal Commission into planning in NSW. "The starting point is a Royal Commission, I am absolutely confident (about the need for one), because I know what the signs of corruption are."
- FOKE continues to respond to requests, both from school and university students, seeking information relating to urban consolidation, and to invitations to address schools and community forums on the same topic. Speakers with PowerPoint presentations are available to speak to your community organisations.
- Generally: on planning and development matters, FOKE members have written submissions to Council, and to State and Federal Governments; supported Council by attending Land & Environment Court hearings; assisted with leaflet distributions in areas to alert residents to specific issues. FOKE members have attended and addressed both Ku-ring-gai Council meetings and Planning Panel meetings.

## POPULATION

As noted on our website there is a lack of any agreed population policy for Australia. There is the ever-increasing evidence that our road, rail, power, water, stormwater, sewerage, hospital etc infrastructures are unable to cope with the existing population, let alone an increased one. All this points to the need for a serious national debate on population, in which the views of Federal, State *and* Local governments are all reflected, and where the interests of *all* citizens are 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. We are therefore delighted our 2010 Guest Speaker Mr Dick Smith will speak on the topic *Populate – Prosper or Perish?*

## WHAT CAN YOU DO TO SUPPORT THE FOKE CAUSE?

We are most appreciative of, and indeed dependent on, your membership fees and donations. Thank you. Ku-ring-gai continues to need you to be more active if you currently are not. Our message from last year is unchanged. *Nobody made a greater mistake than he who did nothing because he could only do a little.* Your voice can achieve a lot. Please maintain your letter writing involving the media. Please also actively recruit new people to FOKE or encourage them to join their local community group.

## THE FOKE COMMITTEE

The Hon Tom Uren AO former Minister for Regional Development in the Whitlam Government told FOKE in 2001 "*You have something special here in Ku-ring-gai. Fight for it*". We are. To protect things that are valued universally is a fight, however, that should not have to be fought. We acknowledge again this year that we are the David's in a battle with the Goliaths, but there is a growing band of Davids. Committee members have worked extraordinarily hard in the fight meeting the challenges with dedication, creativity and determination. On behalf of the FOKE membership I extend my deep appreciation to the 2009-2010 Committee - Kathy Cowley, Janet Harwood, Jill Johnston, Jan Langley, Rhondda Maltby, Deborah Mobblerly, Katrina Pickles, Jean Posen, Dinah Warner and Malcolm Galloway. We acknowledge the retirement of Malcolm Galloway who has made a significant contribution with his photographic skills.

Anne Carroll OAM  
President  
April 2010