



FRIENDS OF
KU-RING-GAI
ENVIRONMENT INC.

PRESIDENT'S REPORT 27 MAY 2015

"O'Farrell.... promised to make developer donations illegal, rewrite the planning act, close legal loopholes like the infamous Part 3A and end the conflicts of interest built into government planning processes.

None of it eventuated. Developer donations were simply channelled underground through special party-constructed sewers. Part 3A was replaced by countless other apertures for ministerial "discretion". The new planning act was asphyxiated by the community distrust that this catalogue of cave-ins only accentuated. And the conflicts of interest became, if anything, more entrenched." Elizabeth Farrelly, Sydney Morning Herald, 19 March 2015.

Elizabeth Farrelly's quote summarises the NSW Government's problematic ebb and flow, the failure to keep promises and the inability to curb corruption in recent times. Premier, The Hon Barry O'Farrell's failure to address policy reform he had promised and then his sudden resignation, was a great disappointment to FOKE, many Ku-ring-gai constituents and the public of NSW.

Many believed the election of a Liberal government would see positive changes in the planning system but this has not turned out to be the case. The jury is still out as to whether Premier Baird will make the changes needed to ensure the return of an open, fair, balanced and sustainable planning system, free from corruption.

FRIENDS OF KU-RING-GAI ENVIRONMENT INC (FOKE) P. O. BOX 403 KILLARA 2071
2009 NATIONAL TRUST HERITAGE AWARDS HIGHLY COMMENDED
2008 NSW GOVERNMENT HERITAGE VOLUNTEERS AWARD
2000 WINNER NSW HERITAGE OFFICE AWARD
"HERITAGE WATCH OVER OUR PLACE OF NATIONAL SIGNIFICANCE –KU-RING-GAI"
www.foke.org.au

We welcome the cabinet changes following the March elections, in particular that Robert Stokes MP being appointed Minister for Planning. Hopefully the State Government will start to address the failings of the past years and begin to restore confidence into the NSW Government and its planning system.

As in the past, the Friends of Ku-ring-gai Environment Inc. (FOKE) will continue to highlight our concerns to state members in an endeavour to keep the government accountable to its election commitments and promises "*to return planning back to local communities*". In his first major press interview, Minister Robert Stokes said "*I'm very cognisant that some of our railway stations, the nature of when they were developed is where we have some of the most significant suburban character and some of the most significant heritage.....The last thing we want to do is sacrifice that in the name of progress.*" Sydney Morning Herald, 2 May 2015.

Minister Stokes' interview came a year after former Planning Minister Pru Goward put Sydney's garden suburbs on notice that density could occur "*wherever there's a train line*". Under the previous Labor government Ku-ring-gai has already sacrificed significant parts of the railway corridor tall canopy tree environment and Inter-War heritage areas through the commitment to provide 10,000 new dwellings by 2031. Ku-ring-gai Council's commitment to keep an updated graph of the new dwelling approvals on the website tallying up the target of 10,000 dwellings, has also gone by the wayside. The mounting approved dwelling figures, considered to be in excess of 7000 new dwellings since 2004, are now discrete and difficult to access by ratepayers.

On referring to the 2013 Planning Bills that failed under the former Minister Brad Hazard, Minister Stokes indicated that an overhaul of the State Government's rejected and withdrawn planning laws is again on the agenda. He stated he was keen to build on the "*level of agreement*" within the planning bills that were withdrawn by Brad Hazard after the Upper House amendments had removed some of the most contentious elements of the Bills. "*It would be a complete waste of resources to start the whole process again,*" he said. FOKE, however, believes the process should be commenced afresh with genuine community consultation.

It was somewhat heartening when Minister Stokes signalled a review of the pre-gateway system that allows developers to challenge rezoning decisions which he described last year as "*providing endless backdoor opportunities for disreputable developers to push their proposals*".

However, a devastating blow to Ku-ring-gai is feared when officials of the Department of Planning visit Council in June to announce new population targets for Ku-ring-gai. Will population increase be used as the new smokescreen for a hike in the number of dwellings to be imposed on our garden suburbs? With approximately 7000 new dwellings approved in Ku-ring-gai since 2004, leaving 3000 yet to be approved to meet the 10,000 dwellings target to 2031 and a considerable 25-30% population increase, is the State Government about to break its promise to Ku-ring-gai by announcing an increase in the dwelling target? Will a further population increase in Ku-ring-gai be sustainable?

Australia has one of the highest population growth strategies in the OECD, with a population growth of 1.6 million people projected for Sydney within 15 years (up from

2011). This is becoming a very hot issue not only in Ku-ring-gai but with communities across Sydney.

FOKE plans to invite Minister Stokes on a tour of Ku-ring-gai as soon as possible to demonstrate and highlight Ku-ring-gai's dilemma in providing additional new housing , particularly along the environmentally sensitive railway/highway corridor and St Ives, without further compromising Ku-ring-gai's natural and built heritage.

● THE BETTER PLANNING NETWORK NSW

FOKE has continued work with the Better Planning Network (BPN) – now an affiliation of over 470 community groups across NSW - since it was established in August 2012 by professionals and community groups concerned with the trajectory of the NSW planning system.

Leading up to the NSW elections in March 2015 a “**Planning for People: A Community Charter for Good Planning in NSW**” was prepared by a working group of community organisations in consultation with the BPN, Community Councillors Network, Inner Sydney Regional Council for Social Development, National Parks Association of NSW, National Trust of Australia (NSW), Nature Conservation Council of NSW, NSW Heritage Network, Shelter NSW and the Total Environment Centre. The Charter is a two- page document that sets a community vision, key principles and desired outcomes for good planning in NSW. The Charter was developed for use by a wide range of groups and individuals in the lead-up to the elections, to get the need for good planning on the agenda for voters and candidates.

The Community Charter is governed by five main principles:

- The well-being of the whole community, the environment and future generations across regional, rural and urban NSW.
- Effective and genuine public participation in strategic planning and development decisions.
- An open, accessible, transparent and accountable, corruption-free planning system.
- The integration of land use planning with the provision of infrastructure and the conservation of our natural, built and cultural environment.
- Objective, evidence-based assessment of strategic planning and development proposals.

To promote the Charter street stalls were held across Ku-ring-gai by representatives of the Wahroonga Westside Residents Groups, FOKE and STEP Inc. to distribute information and collect signatures endorsing the Charter. Approximately two hundred signatures were collected and added to the petition. FOKE also distributed a copy of the Charter to its membership to endorse by signing. It is disappointing that the district's two state representatives Jonathan O’Dea and Alister Henskens have declined to sign the Charter.

FOKE representatives along with other BPN affiliates attended property industry forums, Sydney University Architecture forums and several community planning meetings held by BPN to keep abreast of planning changes and property industry views.

FOKE will continue to work with the Better Planning Network as it has for the past year to get a fairer, transparent and accountable planning system in NSW.

● NSW 2015 ELECTION

FOKE has congratulated MP's Alister Henskens and Jonathan O'Dea on being elected and re-elected respectively to the seats of Ku-ring-gai and Davidson. Leading up to the election, FOKE and the Wahroonga Westside Residents Group organised and co-ordinated eleven Ku-ring-gai community groups to ask all electoral candidates for Ku-ring-gai and Davidson to respond to nine questions relevant to our area. The questions covered planning policy, heritage and natural environment protections, the 10/50 tree clearing code, infrastructure and Council amalgamations. To discover what your state representative and the other candidates think of local issues, please read their responses to a range of questions, on the FOKE website – www.foke.org.au.

● ICAC COMMISSION HEARINGS

For years FOKE has been concerned about the influence of developer donations and the impact they have had in shaping and influencing government decision making and policies, particularly in the area of planning and development. The ICAC Commission hearings have been a revelation in exposing the extent of the corruption of NSW government processes and the influence donations and lobbyists have had on both sides of government. FOKE has been highlighting the concerns about political donations and the potential for “buying influence” with government ministers for over a decade in our newsletters.

Undoubtedly ICAC will survive recent backlash from the High Court case over the Margaret Cunneen SC investigations and the calls for reform. However, where public confidence in governance is at an all-time low, it is not so much that ICAC should be criticised for its work but rather praised and supported for a strong history of diligent work in uncovering corruption and bringing public officials to account.

The Premier recently stated “*While the High Court's recent decision raises important questions about the ICAC's jurisdiction for the future, it should not provide those who have done the wrong thing in the past with a loophole. We need a strong ICAC, and we will have one.*” We congratulate Premier Baird and the State Government in adopting legislation this month to validate the ICAC findings in an attempt to head off moves by a group of businessmen to have the ICAC findings overturned.

● ‘FIT FOR THE FUTURE’ – COUNCIL AMALGAMATIONS

FOKE has spoken out against council amalgamations being proposed and encouraged by the State Government and has made verbal and written submissions to Council and the Independent Local Government Inquiry against amalgamation. As part of our public submissions, and prior to Council's decision to amalgamate would be highly unfavourable, FOKE had an article printed in the April 2015 Sydney Observer “*Community in the Dark for Amalgamation*”.

Ku-ring-gai Council has now completed the “Fit for the Future” process and has made the decision that “*Council advise Hornsby Shire Council that a merger would be highly unfavourable for the residents and ratepayers of Ku-ring-gai and will not be further considered and that the Mayor write to Hornsby Shire Council thanking the Councillors and*

staff for their interest in pursuing a merger and explaining reasons for Council's decision and that Council prepare an Improvement Proposal to meet the requirements of Fit for the Future". We congratulate Council on its decision and hope the State Government respects Council's position and does not force an amalgamation with Hornsby Council.

We are disappointed that prior to the elections, our two local state MP's declined to state whether they are in fact in support or not of forced council amalgamations. We hope they will support Ku-ring-gai Council's position against amalgamation, as in recent days there has been a renewed push by the Baird Government for council mergers, with the Minister for Local Government saying Councils have until June 30 to come forward with merger proposals, after which IPART will decide which councils will merge.

● **SHELDON FOREST EDUCATIONAL SIGNS**

FOKE applied for an Environmental Levy Small Grants Program Grant in September 2013 and was successful in receiving \$1,300 from Ku-ring-gai Council for two informative and educational signs for the Sheldon Forest critically endangered Blue Gum High Forest. The signs have now been installed in the forest. We hope, in the future, to be able to arrange two more educational signs for another entrance to the forest. The recent National Trust Heritage Festival Walk that FOKE conducted in the Sheldon Forest was a great success with approximately 30 people attending. We hope to arrange more walks in the future to highlight the Blue Gum High Forest's plight as an endangered and threatened ecological community and why this forest needs conserving and protecting.

● **10/50 CLEARING CODE OF PRACTISE: A DISASTER FOR OUR TREES**

On 1 August 2014 the NSW Government announced the commencement of the 10/50 Vegetation Clearing legislation and Code of Practice. This allowed trees to be removed without Council approval within a 10 metre proximity to a home and other vegetation within a 50 metre radius, when in a designated fire threat area. There has been widespread misuse of this legislation to destroy hundreds of trees across Ku-ring-gai and thousands across Sydney. Though there was a fairly wide ignored tightening of the legislation in recent months, FOKE, with the majority of Local Councils and community groups, is demanding a moratorium on this destruction of our trees until the current Rural Fire Service review has been completed. We are anxious that the result will not see big enough reversals in the 10/50 legislation and have continued to support the "Stop the Chop" campaign and its urgent appeal to Premier Baird. The new Minister for the Environment, Minister for Heritage and Assistant Minister for Planning, Mark Speakman announced, after the ferocious storms that hit Sydney recently, he may consider changing legislation so as to allow trees that could potentially cause storm damage to homes and property to be removed without council permission. This we believe may create an even greater problem of widespread misuse and the removal of trees for reasons other than safety just as the 10/50 Code has been abused.

● **FOKE NEWSLETTERS**

This year, as in previous years, FOKE's newsletters and several Enews editions have provided information on the year's activities and issues. FOKE's newsletters continue to be sent to NSW State Library where they are archived as part of the documentary record of NSW. With their emphasis on planning issues the newsletters are sent not only to FOKE

members but to an additional list which includes politicians, academics, professionals, institutions and organisations. The newsletters are also archived on the website - www.foke.org.au - for reference purposes.

With community groups now relying more and more on electronic communication, we plan to reduce as much as possible our mail outs of printed newsletters and use electronic notices as a means to convey our programme of activities and news to members and friends on a more regular basis. Therefore, we hope members will understand that it will be even more important for them to provide us with and, when necessary, update their email contact addresses so that FOKE can maintain a close contact with members.

● FOKE WEBSITE AND FACEBOOK

We thank our webmaster Graham Lewis for the laborious and patient work he voluntarily undertakes in maintaining FOKE's website. Under Graham's IT coaching and guidance, Ursula Bonzol is now able to update the FOKE website home page on a regular basis to provide more month to month information as a resource for members, media and, importantly, resource material for students' projects.

FOKE's - '*Friends of Kuringgai*' - Facebook page, has been up and running now for 12 months, is being added to on a daily basis and is beginning to attract interest and traffic from a wider sphere – being hit more, and we like it! We ask FOKE members to log on and 'like' our Facebook page and to contribute and post comments from time to time. Social media tools such as Facebook enable us to engage with the wider community and to advertise FOKE events and activities and post articles of interest to people engaged in planning, heritage and environment matters.

● FOKE'S SUBMISSIONS - GOVERNMENT POLICIES AND PLANS

FOKE made a number of written submissions to Council and the State Government in response to public policy exhibitions and development applications. Some of FOKE's submissions to Council have included the support for the local heritage listing of *Lanosa*, the *3M Building* and *Glen Brae*. We have also participated in council workshops on the Gordon Golf Course and including Reclassification Public Hearings for the Pymble Town Hall and Pymble Presbytery, and the Gordon Council Chambers. We have made several submissions on a range of high density applications across Ku-ring-gai as well as verbal submissions to Land and Environment Court hearings for 43–55A Lindfield Avenue and 11 Havilah Lane Lindfield and 22 Powell Street and 39 Werona Avenue Killara. Both development applications were refused by the Court.

● FOKE'S ENVIRONMENTAL SUB-COMMITTEE

FOKE continues to highlight the plight of Ku-ring-gai's Blue Gum High Forest, the Sydney Turpentine

Ironbark Forest and the cumulative impacts of zoning areas for high density development in environmentally sensitive areas. The sub-committee presented the FOKE project "*Turrumurra Heritage Precinct Walk*" to Ku-ring-gai Council's Economic and Social Development Advisory Committee (ESDAC) and more recently to the members of Turrumurra Rotary. We have several more presentations planned with local groups this

year. We believe this Turramurra proposal would provide socio-economic value to Ku-ring-gai whilst highlighting and valuing the heritage and environment in and around the Turramurra Centre.

The sub-committee organised three heritage walks for the 2015 National Trust Heritage Festival on three successive Sundays in May. I thank in particular Janine Kitson and Janet Harwood for the interesting and educational walks they have organised and conducted on behalf of FOKE. This is the third time that FOKE has participated in the National Trust Heritage Festival programme.

FOKE sub-committee member Janet Harwood, continues to be FOKE's representative on Ku-ring-gai Council's Habitat Stepping Stones Project, which is a partnership project between Ku-ring-gai Council and the Australian Research Institute for Environment at Macquarie University. The project is funded through the NSW Environmental Trust to create an engaging tool for Ku-ring-gai to assist property owners in adding habitat features to their gardens to create effective '*habitat stepping stones*' between wildlife corridors. Janet also continues to be an active member of the Ku-ring-gai Council's *Wild Things* Committee.

● FOKE'S WORK IN THE WIDER COMMUNITY.

- FOKE continues to liaise and engage with Ku-ring-gai local community groups on various issues such as state and local planning issues including the 10/ 50 Code and the Planning for People Charter, the state government developer-driven Pre-Gateway Planning Process as well as Council's reclassification and sale of public lands.
- FOKE continues to respond to verbal and written requests, both from high school students studying geography and university students studying town planning, architecture and journalism who seek information on local planning and the impacts of urban consolidation in Ku-ring-gai.
- During the year FOKE was invited by Visiting Research Fellow and Senior Lecturer Tarsha Finney of the University of Technology's (UTS's) School of Architecture, Faculty of Design, Architecture and Building to present a lecture titled "*FOKE'S Advocacy*", to the final year Masters of Architecture students. The presentation is on FOKE's website.
- The FOKE-sponsored *Jan Langley Prize* at East Lindfield Public School for environment and sustainability excellence in December 2014 was presented to Year Five student Isobel Bowes. Jan Langley's husband Phillip attended and made the presentation along with committee member Deborah Mobberley. FOKE remains committed to giving the *Jan Langley Prize* annually to encourage children's interest in the environment and sustainability and to honour Jan's decades of outstanding community work.
- Last year FOKE nominated two distinguished Ku-ring-gai wartime heroes for the renaming of the UTS Oval and Community Centre in Lindfield. Council voted to accept FOKE's nomination of Charles E W Bean, War Historian and Correspondent, for the name of what is now the Charles Bean Sports Field, and Blair Wark VC DSO for the name of the Community Centre. The Lindfield sports field and community centre have been modernized and upgraded to be multi-purpose state-of-the-art community facilities. We are awaiting

Council's announcement of the official naming ceremonies. Charles E W Bean's granddaughter is FOKE's past president and member Anne Carroll.

○ FOKE has at least one committee member present at most council meetings to report any issues that need action and follow-up.

●FOKE COMMITTEE

FOKE is very fortunate to have so many wonderful members and, in particular, a very energetic, enthusiastic and hard working committee, each member of which has contributed her considerable time and energy in various ways over the past year.

I extend my appreciation to the inspirational FOKe Committee particularly for their support and assistance to me over the past year – Ursula Bonzol, Carolyn Darby, Janet Harwood, Janine Kitson, Deborah Mobberley, Katrina Pickles, Dinah Warner and Tanya Wood. I also want to acknowledge and thank Jill Johnstone who has generously continued to assist us in maintaining an up-to-date membership roll, email lists and the printing of labels for posting to our members and important contacts on additional lists. Without these wonderful people FOKe would not be able to function.

I also extend my thanks to you, the FOKe membership, who continue to give support, encouragement and generous donations to enable us to carry out our work in the community. Without you, FOKe could not exist nor could we have continued for the past 20 years.

This year we are farewelling committee member, Deborah Mobberley. For the past three years Deborah has kindly taken over the production of the FOKe Newsletter as well as arranging the Jan Langley prize presentation with the East Lindfield Public School. We would like to thank her for her editorial expertise and her commitment to the committee for the past 10 years. She will be missed.

In concluding, the past year has had its challenges and the start of 2015 appears to be no different. This year we have reviewed and updated the FOKe Constitution ready for adoption in line with changes to the relevant legislation. This has been a major task for the committee especially Ursula Bonzol who has carried out the lion's share of the work with the assistance of Carolyn Darby's careful editing.

Twenty years since our incorporation has been quite a milestone for FOKe to have achieved. However, there is still much to do and accomplish. FOKe will continue to uphold its aims and objectives to protect and enhance Ku-ring-gai and work hard on behalf of its members.

We look forward to welcoming you to our 21st AGM and Public Forum next year.

Kathy Cowley
President
(Prepared for 27 May 2015)