

Mayor and Councillors
Ku-ring-gai Council
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17 November 2019

Dear Mayor and councillors,

RE: Agenda Item 13- Post Exhibition - Draft Ku-ring-gai Local Strategic Planning Statement-
Council Meeting 19 November 2019

We have read the officers report to Council regarding the above Agenda Item and wish to make these points for councillors to consider in amending the Draft Strategic Planning Statement.

We believe it is regrettable that no baseline studies have been undertaken in the preparation of the Draft Local Strategic Planning Statement to inform the document. We understand some studies will be undertaken however these are mainly to ensure the new housing target is met and a number of are not yet funded. In 2000, in preparation for the Ku-ring-gai Residential Development Strategy, four (4) baseline studies (Environment, Heritage and Local Character, Traffic and Transport and Infrastructure) were undertaken as a basis for planning the Housing Strategy and LEPs.

It is clear that Ku-ring-gai's heritage and environment has been negatively impacted and degraded from the last two decade's urban consolidation development. The Ku-ring-gai Residential Development Strategy was required to provide for 10,000 new dwellings 2004 to 2031. Ku-ring-gai has achieved over 12,000 new dwellings in the space of 15 years to 2019. It is clear although the community was being told that the KLEPs would only yield 10,320 dwellings, the yield figure was in fact much greater. In fact in excess of 4000 more!

The Draft Local Strategic Planning Statement does not in fact recognise or acknowledge the huge impact of the past 15 years of high-density development and the loss of heritage, local character and the tall tree environment. It does not acknowledge the cumulative impact of past development and 25% population increase. Ku-ring-gai's environmentally sensitive environment and its renowned Federation and Inter-War Heritage housing need the protection warranted and not further destroyed by inappropriate zoning and development. We see that happening again with the Draft Statement.

1. As part of your role you will be deciding suitable' infill or new locations for further rezoning to meet the 20 year projection of a 31,000 population increase in the form of medium density and high density development from within 800 meters of local centres and 400 metres of neighbourhood centres and within Ku-ring-gai as a whole. We recommend that it be a requirement for council staff to prepare a Ku-ring-gai Map overlaying all development which has occurred in the past 15 years since the Residential Development Strategy and subsequent LEPS were put in place since 2004, covering the projected 800 meters of each local centre, and now 400 metres within neighbourhood centres. This will

need to be overlaid with Ku-ring-gai fire zones (which now gazetted to allow secondary dwellings!), riparian and sensitive bushland areas, heritage conservation areas, heritage listed homes, areas of high slope and slip, developed SEPP 5 and Seniors Living development sites, aged care and retirement facilities, dual occupancy and boarding house development sites which have been approved and built etc. This map would illustrate the constraints and the cumulative impact and layering of development which has occurred within Ku-ring-gai since 2004. Councillors will then be better placed to get an overall picture of Ku-ring-gai and its environmental, heritage and local character constraints and just how much of Ku-ring-gai is already impacted by intrusive development.

2. We also believe that councillors should require the staff to release comprehensive tables of sites in existing gazetted KLEPs which are zoned to allow medium and high-density development such as R4 and R3 and dual occupancy development, which have not been taken up by developers. This is to indicate an accurate number of new dwellings these sites can yield over the next four years. In addition, all council owned sites which have now been rezoned such as the Lindfield Library site and the Lindfield Hub site not previously counted in the LEP yield figures should be added to these tables. Comprehensive tables have been prepared by staff in the past in the preparation of KLEPs to indicate the numbers of dwellings yielded site by site in the medium and high-density zones so the information is already calculated and available.
3. That a meeting be arranged between the two local MPs Alister Henskens and Jonathan O'Dea, Dr Dearing North District Commissioner GSC, Ku-ring-gai Mayor and councillors and planning staff to discuss the inconsistencies and questions over the required population increase and subsequent new dwellings required in Ku-ring-gai over the next five to 20 years. Councillors and community are getting mixed/confused messages from the GSC, local MPs and staff as to what is exactly required and when. All stakeholders need to understand and have realistic expectations of planning in Ku-ring-gai. The meeting agenda could also include for discussion the significant problem of SEPP Seniors Living proposals in Ku-ring-gai.
4. It is concerning to read in the officer's report that there is no funding allocated for a series of essential studies which the Council has proposed to undertake to inform the Housing Strategy, also the Urban Forest, Green Grid, Open Space and Arts Strategies. Funds must be allocated to ensure these studies are completed in the short term. We would also think it is imperative that an environmental study is undertaken to assess the cumulative impacts of the past two decades of development on critically endangered ecological communities, the Blue Gum High Forest and Sydney Turpentine Ironbark Forest. These have in more recent times been further threatened by the weakening of environmental legislation.

I have also attached (below) an itemised list of important amendments to the LSPS based on a review of all the documents provided.

Would you please support their implementation at the Council meeting on Tuesday 19th November regarding the LSPS.

Kind Regards

Kathy Cowley
PRESIDENT

Draft Ku-ring-gai LSPS: Recommended Amendments

Unoccupied dwellings; Not addressed in LSPS

6.6% of dwellings in 2016, or 2789 dwellings. These need to be addressed and processes brought into line to ensure that investors/owners are not allowed to leave dwellings vacant for long periods of time, eg in excess of 12 months.

Rationale: As Ku-ring-gai meets our new housing targets and aims to retain local character and identity it is essential that we are not just building more empty homes while degrading our environment.

K4. Remove ‘Complying’, to read

‘Investigate appropriate locations for, and models of medium density housing including a medium density development model able to integrate into the prevailing character, in collaboration with the Department of Planning Industry and Environment.’

Rationale: Community and Council have been ardent critics of the complying medium density model, as well as from other Councils, to such an extent it has been delayed from introduction across Sydney for over a year.

K7. Facilitating mixed use developments within the centres that achieve urban design excellence. Amend time frame from ‘short-medium term’ to ‘short term’, to read:

Action: Prepare urban design excellence policy and statutory provisions for the primary local centres (short term).

Rationale: This was highlighted as an important area of concern by the community. We cannot delay with the development of a policy that will improve on the ‘ordinary’ developments built to date in Ku-ring-gai.

The council comment, ‘Design excellence policy & LEP provisions needs to ensure feasibility is maintained and the costs associated with the process (including time costs) are taken into account. (Submission Summary table page 22)’ diminishes the importance of maintaining a level of design excellence should not be allowed.

The timing and costs must be incorporated into the policy that any potential developer is required to adhere to, in order to build in Ku-ring-gai.

K11. Amend by removing ‘diverse’ and replace with ‘family focused’, to read:

‘Promoting Lindfield as a thriving and family focused village centre’

Rationale: Page 23 of Community Engagement Summary report showed the lowest ‘Strongly Supported’ result of 38% for Lindfield as a ‘thriving and diverse village centre’. Community

comments against this description relate to Lindfield very close to Chatswood as a major centre, and the number of schools, particularly primary schools, in the area.

Local Character:

Page 93: Principles for interface areas

These Principles for interface areas need to be strengthened with regard to HCAs, add ‘a minimum of 400m’ to visual curtilage.

‘Development on interface areas are to:

- provide a buffer or transitional development between differing scales of building, or differing land use types, or identified character areas;
- retain an appropriate setting and visual curtilage of a minimum of 400m to heritage items and heritage conservation areas, and the conservation of scenic and cultural landscapes; and
- provide a responsive transition between natural areas and urban areas, where ecological values’

Rationale: To avoid the oversize developments neighbouring heritage items as has occurred to the rear of the HCAs in Nelson Rd, Lindfield.

K12. Managing change and growth in a way that conserves and enhances Ku-ring-gai’s unique visual and landscape character.

Add a baseline study of built heritage that allows comparison to the Godden McKay Logan study completed in 2002.

Ensure Local Character Mapping is to be completed in short term.

Actions:

-Undertake a Local Character Study in accordance with the Department of Planning, Industry and Environment’s Local Character and Place Guidelines February 2019. Including baseline study of built heritage that allows comparison to the Godden McKay Logan 2002 heritage and local character study, with additional built heritage of design significance as appropriate.

The study will include investigation of areas of special landscape, views and vistas, visual quality, topography and the Urban Forest (including bushland, tree canopy, street trees, gardens). It will also consider Green Grid links and biodiversity corridors (short term).

-Prepare Local Character Mapping for LEP Overlay and Local Character Statements for DCP (short term).