

General Manger,
Ku-ring-gai Council,
Locked Bag 1006,
GORDON NSW 2072

By email: kmc@kmc.nsw.gov.au

27 August 2021

Dear Mr McKee,

RE: S13361: Planning Proposal and Site Specific Development Control Plan for the Lindfield Village Hub site – 1 Woodford Lane, 2-12 Bent Street, IB Beaconsfield Parade, 19 Drovers Way Lindfield

Friends of the Ku-ring-gai Environment (FOKE) have been concerned regarding the overdevelopment of this site since its inception.

We believe that Council is in danger of progressing a development that has no strong rationale to proceed. As we understand, the list of tenderers has decreased to the point that only one or two remain. This would not ensure the best value for money for the community for such a significant project.

The scale of the project has grown to a budget now estimated at over \$350 million. This level of expenditure will stress Council's resources in terms of governance and management, and we believe will have significant detrimental consequences with likely potential cost overruns.

FOKE recommends that Council should step back from or rescind the project and determine what is best for the community and to meet our revised housing targets. Essentially this project started as a NSW transport commuter carpark, with a plan for large community open space, cafes and shops with enlarged Library, senior and community centre.

However, this has now morphed into an overbearing and unwieldy commercial business complex and high density residential project involving major infrastructure issues and with ever reduced benefits for residents.

This Planning Proposal has failed completely in its objectives 'to provide a high quality community asset within a vibrant, activated and economically successful mixed use setting, that will provide for the existing and emerging population of residents and visitors to the Lindfield Local Centre.'

The limited results for the community:

Building Heights

- The community has consistently rejected the 9 storeys proposed in favour of the 7 storeys agreed initially. The documents provided are misleading as the maps now show that the heights being proposed are higher than 9 stories (26.5m in T1), but now extend to 10 stories (31.5m in U) and 11 stories (37.0m in V1).
- The current heights are unacceptable and do not respond to the current slope of the land but result in overbearing development on lower density residential properties on the western

slope. Recommended FSR for buildings 6-7 storeys is FSR 2.1, with a maximum 3.1 for buildings 9-12 storeys according to NSW Planning Apartment Design Guide. Anything over this is unacceptable.

Overshadowing and Net Zero

- We cannot agree with the statement in the Planning Proposal that 'The largest impact is to the properties to the west in the morning, due to the site orientation and the slope of the land. Notwithstanding, all affected properties to the west are free of overshadowing by 12pm or 1pm and will receive a minimum of 2 hours solar access.'
- Two hours of solar access is not acceptable for the amenity of residents, their ability to minimize energy use, or to utilise solar panels, and is contradictory to Ku-ring-gai's vision as a Net Zero emissions community.
- FOKE rejects the plans for the increased heights that will dominate and significantly overshadow the resident homes to the west of the site, as evidenced by the shadow diagrams in the Urban Design document.

Community Space

- The latest plans show a significant reduction in community open space. The single large area proposed as open green space in the 2015 Masterplan connected to the street and to the community centre providing a definite public domain. The current proposal is totally unacceptable as it incorporates some of the former open space between high rise buildings, effectively usurping public domain to provide residential amenity.
- The plans must ensure that an area greater than 3000sq metres in one substantial area be a required aspect of the plan. A pocket park is not acceptable. This must be in a position where the area will not be in shadow much of the day in winter or summer, otherwise it will be underutilised.
- **Council's plans have become completely unbalanced to favour development and property interests over community interests and outcomes.**
- The balance of the planning is inconsistent with the objectives as consistently presented to the community with only of increased and improved facilities with combined major and specialty retail (at 7,180 sqm), three times the size compared to community facilities (at 2,450sqm) for the 'state of the art' Library building and community rooms. (Ref Transport Impact Assessment).
- The Hub was promoted as a community-based project to improve local community facilities and open space for residents. However, the provision of a major 5000 sqm retail and commercial space and multi-unit high density housing proposed for the site has now become the main focus of the planning proposal.
- The Lindfield community is losing the equivalent of approximately 6000 sqm community space and a range of community facilities that Lindfield Library site currently provides e.g. Lindfield Branch Library, KYDS youth development facility, 14 Self-contained affordable residential units (Arrunga), Lindfield Seniors Centre, Lindfield Seniors Resource Centre, Lindfield Community Centre Tennis Courts, Toilet facilities, car park, landscaped areas and historic well. The Hub proposal only allows a minimum of 3000sqm for community facilities!
With the increase of residential units proposed for the Hub site and the Library Site the Lindfield community will need more community facilities not less!
- The Lindfield community does not need another major supermarket. Currently we have a Harris Farm, SuperIGA and Coles, with Coles planning a large expansion on its site. We do not need another one.

Traffic

- FOKE is concerned with five primary schools (the only Ku-ring-gai suburb with as many schools within a short radius of the rail station and car park) within the local centre and of the considerable increase of traffic generation at peak travelling times that the Lindfield Hub will generate. FOKE is concerned that the traffic management plan will not be effective

enough. Our concerns relate from recent experience that traffic and amelioration measures are usually not carried out in readiness for a development – usually much later.

- The development of the Lindfield Ave SuperIGA and Harris Farm and the 8-9 storey residential apartment blocks has generated significant additional traffic movements and parking problems in Lindfield. Traffic management issues on the east side of the rail line are still waiting to be addressed. The only change has been the installation of a temporary roundabout on Lindfield Avenue whilst the Lindfield Village Green is constructed. Lindfield Avenue is parked out 7 days 18 hours a day due to the late closing hours of the supermarkets and insufficient car parking provided within the new multi storey buildings.
- Within the Transport NSW document, we are disturbed to see reference to the recommendation of the one-way Havelah Road recommendation, and changes to Lindfield Avenue, that were the subject of significant resident opposition when raised at Council with a recent decision to review and investigate this matter further agreed by Councillors.

Issues with the Planning Proposal Document:

- **FOKE totally disagrees with the Proposed Amendment to Schedule 1**
'This Planning Proposal seeks to facilitate the ability to develop residential flat buildings across the entire community car park. Clause 29 in Schedule 1 of KLEP 2015 currently allows residential flat development across the majority of the site as an additional permitted use, but not all of the site. The proposed amendment seeks to apply that provision to the entire site.'
- **Explanation of Provisions Page 11.**
'The final composition of buildings and the mix of uses within each building is yet to be finally decided and this will occur at Development Application stage.' With all the expense undertaken to date it is astounding that the composition of the buildings between uses to allow councillors and community to realistically view what will be delivered in terms of facilities vs residential, is not shown.
- **Commuter parking.**
The proposal indicates commuter car parking envisaged is only 135 spaces though this was the original objective for the proposal. Significant short-term parking needs to be accommodated for the Library, community facilities and shops in addition to those of the apartment residents. The current proposal does not appear to have this adequately incorporated as it cites the need for street parking to meet demand. Less than 1 car space per one or two bedroom unit is absurd and will lead to further parking chaos.
- **Endangered Ecological Community.**
The planning proposal allows a construction footprint which will be wholly contained within the development site and will allow complete removal of all vegetation. The BioNet Vegetation Classification lists PCT 1281 as comprising Sydney Turpentine Ironbark Forest which is listed as critically endangered under the Biodiversity Conservation Act and critically endangered under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). It is of great concern that the proposal has not been designed in a way which avoids and minimises impacts on prescribed biodiversity values within the site and its core habitat which were found to be present on the site.

It is understood that the trees are inhabited for seasonal foraging by the Barking Owl, the Powerful Owl, the Grey Headed Flying Fox and the Yellow Bellied Sheathtail Bat. Council has a responsibility to protect endangered ecological communities and their habitat which are in council's care under the Biodiversity Conservation Act 2016. The proposal does not propose to revegetate the site with endemic species.

- **Traffic, parking and transport**
The parking study indicated a total of 788 car spaces are needed with the planning provision of just 544 car spaces for the residential, retail and community facilities and 135 for the provision of commuter car spaces for Transport NSW. Considering most of the transport movements to the site will be by car there is a considerable shortfall in the number

of car spaces for the onsite delivery of 109 car spaces. In addition 64 bicycle spaces are required for the site. With all the streets surrounding the site already at capacity it is unknown how the additional car spaces required for the development will be accommodated.

The peak traffic movement per hour travelling to the site on weekday peak AM times weekday peak PM times and peak Saturday times are indicated as ranging from 446 am and 667pm peak weekday movements per hour to 726 at peak times on Saturdays. These movements are a considerable increase in traffic movements in and around the current car park site. Local residential roads and narrow laneways in and around the Lindfield site were never proposed to take such volumes of constant traffic. There also still issues to be resolved around safe kiss and ride access at the rail station, Tryon Place and in Woodford Lane at peak times of the day.

Regarding the need for a pedestrian bridge over the Pacific Highway, this would be ideal only if feasible from a financial viewpoint and that more community land is not compromised with greater building heights and scale with additional inappropriate commercial and residential overdevelopment to fund the project. However, the impact on either side of the Highway for lift and stair access needs more consideration.

As valuable community owned land is usurped for private commercial and residential property development FOKE remains highly critical of the lack of community benefits from the proposed planning proposal.

Our recommendation is to retain and improve the current facilities on the Lindfield Library site and/or simplify the project as a underground carpark with community facilities and minimal residential development.

With the onset of the recent pandemic and COVID lockdowns with no reliable indication that life will ever return to what was considered a normal way of life again, we believe the current planning proposal is adverse to planning for pandemic times. There is now considerably more on-line shopping and less need for specialty local shops and greater need for open space and recreational activities which are paramount for families and individual's mental health and welfare in these times.

The planning proposal is contrary to sensible place making planning for pandemic times in developing more shopping precincts and high-rise apartment blocks which have been shown to be super spreader environments.

The fact that council in the planning proposal has significantly altered the plans in that the large area set aside for a 3000sqm contiguous park and open space has been covered by yet another residential apartment building, proves this project is not focused on delivering what the community needs but to satisfy development interests and the State Government initiatives to create additional residential and job creating commercial opportunities in the area!

The heights proposed will allow for not only nine (9) storeys which the community strongly opposed, but will allow due to the considerable downward slope of the car park land to Drover's Way, a further two (2) storeys of height to the residential apartment buildings which is completely unacceptable.

We understand and agree with the resolved decision of Council in December 2020 which resolved
*“a. the LVH tender and subsequent negotiation period has coincided with the Covid-19 pandemic, creating a global economic downturn, uncertainty in the property market and impacting on project viability and competitive tension.
b. that an offer has not yet been received that is financially viable.
c. continue to negotiate with any possible providers, while undertaking a review of Council's project assumptions and objectives.”*,

which we believe was the correct resolution in the circumstances.

However, we ask why the Council's Planning Proposal is proceeding while current social and economic circumstances as mentioned in our submission above, have not changed. If the project is unviable then the project should not be proceeding at this time particularly as council has already spent millions of dollars of ratepayer's funds on the project with no viable or achievable result. It is clear the project is not in the public interest.

We believe the Planning Proposal should be rescinded and the plans for the community car park be completely scaled back in the public interest.

Yours sincerely

Kathy Cowley
PRESIDENT

cc Mayor and councillors
cc The Hon Jonathan O'Dea MP Member for Davidson
cc The Hon Alister Henskens SC MP Member for Ku-ring-gai
cc The Hon Paul Fletcher MP Member for Bradfield



Fig 45: Selected Option, Massing by Urban Design.



Fig 50: Indicative view from Beaconsfield Avenue.