

FOKE Talk

CONCERN GROWS OVER DEVELOPER DONATIONS

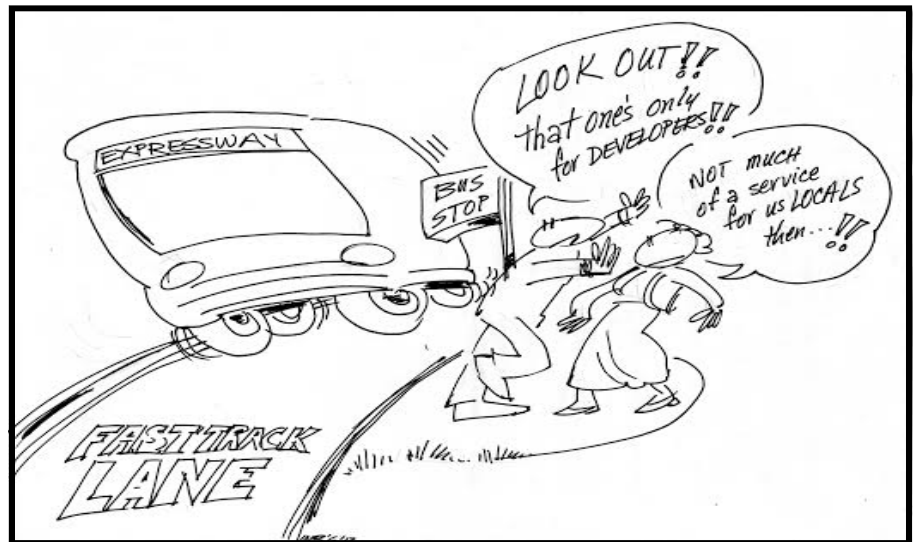
After recent ICAC revelations, unease in Ku-ring-gai is mounting over a recent local developer donation to the Liberal Party.

In the *Sun Herald* on 8 June, 2014 a prominent Ku-ring-gai construction company was cited as making a significant donation to the NSW Liberal Party. These practices continue despite the fact that four years ago the State government banned the practice of property developers donating money to political parties. This is the very reason for all the furore at ICAC over recent months.

The *Sun Herald* report states that donations included "\$150,000 from Steve Nolan Constructions to the NSW Liberals...(Mr Nolan) and his family's property empire was valued at \$16 million when he went bankrupt in February. He had applied to modify applications for several projects including a \$30 million apartment block that was before North Sydney Council at the time of his donation".

In liquidation

Steve Nolan Constructions, now in liquidation, was until earlier this year, we understand, the main construction



arm of the RALAN Group, who were constructing unit developments in Lindfield, Roseville and Gordon at the time, and were seen as the leading builder in Ku-ring-gai for the past 8 years, having built approximately 18 unit developments in the area. As the *Sun Herald* report points out "...the law prohibits political donations from companies or people who are developers.... But the law banning property developers can be sidestepped because prohibited donors are allowed to donate to the NSW branch of any party provided the party declares the money is going to Federal campaigns. However, State and Federal regulators are unable to say if anyone is policing the parties' claims that the money is spent in line with the law.

It raises perceptions that developers could be using the practice to win favours through the back door." If the NSW Liberals want to retain any trust from the residents of Ku-ring-gai, they need to be very serious about banning developer donations.

As David Ipp, QC, Former ICAC Commissioner said on Four Corners, ABC TV on 23/6/14: "If donations are laundered in a way that breaches the Act, that's corrupt conduct as defined".

FOKE wants this donation loophole to be closed immediately. Please support us by writing to your Ku-ring-gai State members, as listed on the enclosed contact sheet to voice your concerns. ■

INSIDE THIS ISSUE:

- A closer look at NSW's new Planning Minister
- Updates on the Culworth Ave and Lindfield sites
- FOKE's AGM

FOKE AGM HIGHLIGHTS

“the urban forest continues to be undervalued as part of the policy process...”

FOKE

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On Wednesday, May 28, FOKE had its 19th Annual General Meeting and Public Forum.

Presenting her report for the year, FOKE President Kathy Cowley reflected on the achievements of the past 19 years since FOKE was launched in 1994 to protect our built and natural heritage. It was fitting therefore that this meeting focussed again on the importance of valuing Ku-ring-gai's urban forest and protecting our natural wildlife.

Packed meeting

Two notable environmental advocates presented to a packed meeting consisting of local residents, FOKE members, Council employees

and two Councillors, Christine Berlioz and Mayor Jennifer Anderson.

Assoc. Professor Marco Amati from RMIT University spoke of his 2013 project to quantify the value of environment services that trees deliver along the Pacific Highway and Parramatta Road. Amati and his colleagues conducted field and aerial surveys to determine the economic benefits such as ecological value and pollution mitigation.

The gathered audience were interested to hear that the total value of the canopy along this area of the Pacific Highway is \$97,700 per year, mainly

delivered through savings on building heating and cooling. Dr Amati outlined that the size and condition of the trees are important with the Pacific Highway canopy nearly twice as effective at removing pollution when compared to those on Parramatta Road.

Corinne Fisher presented the Habitat Stepping Stones project (see page 3). The aim of the project is to engage local residents on how they can add wildlife habitat features to their gardens to create wildlife corridors via these habitat 'stepping stones'.

BELOW: BPN Network founder and Stepping Stones ambassador Corinne Fisher addressed the AGM. LEFT: FOKE Committee member Janet Harwood with President Kathy Cowley at the AGM.



GORDON GOLF COURSE: CONSULTATION PROCESS BEGINS AGAIN

Ku-ring-gai Council has stated that no decisions have been made yet in regards to the closely watched Gordon Golf Course site. However, Council has expressed a desire to establish a new "regional park" with multi-use facilities.

A Council meeting held on 10 June resolved to begin the master planning process. This followed strong opposition regarding the earlier development recommendations that focussed more heavily on housing and

development. Ku-ring-gai Council will re-commence consultation with local residents with a focus on recreational facilities on the site. See Council website at www.kmc.nsw.gov.au



CULWORTH AVE: COMMUNITY UNDERMINED

The community is wondering what is really driving Council's motivation. Brian Watson , Convenor of 'CARPARK' explains.

Council's undercover deal with Transport for NSW is *not* a win for the community. It shows utter contempt for what the community has been saying for months. We want the *whole* car park area retained for commuter parking as represented by the area fronting Culworth Avenue.

The acquisition of a 'portion' of this area by TfNSW is not satisfactory. In order to retain the number of car spaces a multi-storey car park will need to be built. This is because Council is retaining the balance of the area which it resolved in November to rezone for residential development. Further, for the second time in six months, Council is attempting to reclassify the car park from community land to operational land so the site can be sold to a developer. How cynical to have a Public Hearing one night in relation to the proposed reclassification of the whole car park

area and then the very next night announce to the ordinary meeting of Council under a late item on the agenda that TfNSW were now intending to compulsorily acquire a portion of the car park by 30 June. Over 6,600 petitioners have said they wish the whole area retained for commuter parking. There have now been over 400 written submissions, two public hearings and 40 verbal presentations by ratepayers – all opposing the Council's intentions, which are driven by what? The need to urgently offset the financial cost of \$30 million of the building which has been called the 'Taj Mahal', purchased by Council for administrative purposes!

This purchase decision was made in a 'closed meeting' of Council and only revealed to the community some 12 months later when some 23 community assets including the car park were identified as "under-utilised" and listed for reclassification to fund this purchase. ■

TAKE PART IN THE STEPPING STONES PROGRAM

Ku-ring-gai residents can make a huge contribution to our wildlife by signing onto the Habitat Stepping Stones program at: www.HabitatSteppingStones.org.au

Through the website, learn what makes the most helpful habitat for wildlife in your backyard, front yard and/or balconies. Make an online pledge to add three or more of those elements to your own place to create a wildlife friendly stopover. You can also choose to have your participation highlighted on a map and a sign to attach to your front fence to increase awareness among neighbours.

This program is designed and developed by Macquarie University and supported by Ku-ring-gai Council.



PRESIDENT'S MESSAGE

A CLOSER LOOK AT NEW PLANNING MINISTER

FOKE has taken a closer look at the early statements of the new NSW Planning Minister, Pru Goward and the indications are very disappointing.

In May, Ms Goward told the Fairfax press that the North Shore should "be prepared for more density", which is a reversal of the election promises of Mr O'Farrell and O'Dea which was that Ku-ring-gai would "not exceed 10,000 new dwellings from 2004-2031".

Ku-ring-gai has taken more than its fair share of growth and has paid for it with a 20% reduction in rail services in the past five years. Since 2004, Ku-ring-gai has approved nearly 7,000 new dwellings—only 3,000 off the 28 year plan target of 10,000. This rapid rise in density means a 30% increase in population in just one decade—growth that outstrips spending on public transport, health and education in our area.

Since the Minister's announcement, FOKE has invited Ms Goward to a tour of Ku-ring-gai construction sites to see first hand the very evident effects that increased urban densification is having on the environment, heritage and infrastructure in Ku-ring-gai. Minister Goward has not yet taken up our invitation, but it remains open.



It is to be hoped that Minister Goward will take a different approach to that of the former Planning Minister, Brad Hazzard and the Department of Planning to deliver a democratic, fair equitable and balanced planning system to NSW.

The NSW community are sick and tired of a planning system which is corrupted and unduly influenced by industry lobbyists and vested interests.

Please note our back page update on what is happening in the Better Planning Network. With an election due next year, the BPN is gearing up for further activity to alert voters on the planning issues at stake.

Kathy Cowley
President, FOKE.

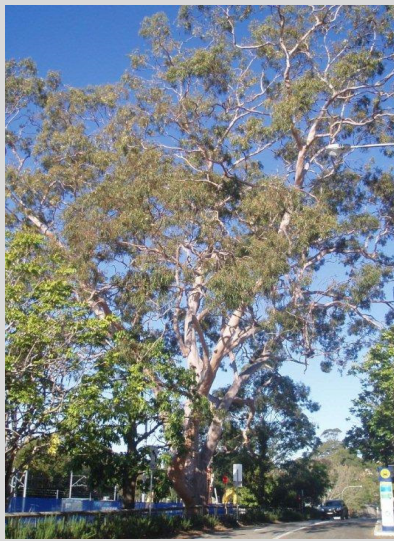
LEFT: NSW Planning Minister Pru Goward.

KU-RING-GAI CORNER

URGENT NEED TO PROTECT ANNIE WYATT'S TREE

Annie Wyatt (1885-1961) was a Gordon resident who founded the Ku-ring-gai Tree Lovers League. The Annie Wyatt Garden commemorates Annie's efforts and her role in the modern environmental movement. Now we have a proposed redevelopment of the area by Transport for NSW for a three-storey commuter car park below the Gordon interchange with no mention of the magnificent Lemon Scented Gum that Annie Wyatt planted in the 1920s!

The Transport for NSW has given Ku-ring-gai residents no reassurance of the protection of this tree, the Annie Wyatt Garden or its heritage significance. Where are the reassurances that her vision will remain intact and this wonderful tree and others around it will not be destroyed?



FOKE, along with STEP, Nature Conservation Council of NSW, National Parks Association of NSW and the Our Land, Our Water, Our Future campaign hosted a discussion at Turramurra Uniting Church Hall on May 10.

The audience heard speakers talk on the impacts of long wall coal mining on our water supply. Governments need to listen to the 87% who want coal mining and coal seam gas banned in water catchments and near rivers and wetlands.

Lindfield Avenue Development Update – the Saga continues

FOKE representatives have been heavily involved in the s34 conciliation hearing between Ku-ring-gai Council and ARKIBUILT the company which is proposing to build 6-8 storeys on 43-55A Lindfield Avenue, Lindfield. FOKE met with Council and the Land and Environment Court commissioner on-site in April, and recently presented to Council on zoning and access issues regarding this development. FOKE also attended and gave evidence at the Land and Environment court hearing on 26 May and are now awaiting the Court to hand down the decision on whether to reject the proposal or to approve with amendments.

Some of the contentions included excessive site coverage, streetscape character, inadequate car parking, inadequate deep soil landscaping, inadequate contamination investigation, increased traffic issues, inadequate set backs and building separation, overshadowing and adverse and unacceptable impact on the endangered ecological community (Sydney Turpentine Ironbark Forest) on the site. The other controversial development on 23- 41 Lindfield Avenue, had a 9 storey modified development application granted by the Planning Assessment Commission (a state government appointed panel) late last year to the ANKA Property Group. FOKE representatives presented our objections to the development modification at the March meeting, as did a number of concerned locals and Jonathon O'Dea, member for Davidson.

This site has been recently on-sold to a mainland Chinese company by the name of Aqualand Lindfield Pty Ltd registered in NSW on 10 February 2014. We believe this is the first foray for the Chinese company into high-rise development in Australia. Aqualand will be the fourth owner of this development site in as many years. We understand the company will be undertaking some modifications to the recent ANKA approval.

And so the fight to halt overdevelopment within our community continues.

BETTER PLANNING NETWORK NEWS

FOKE, being one of 470 community organisations affiliated with BPN, had representatives attend BPN's General Meeting in May. The focus of the meeting was to discuss strategies ahead of the March 2015 election. This included an update on the status of NSW Planning Legislation and to learn of the outcomes of the Upper House 'Call for Papers' on this controversial planning legislation.

These 'Papers' consisted of about 30 boxes of papers handed over for public examination. The 'Papers' revealed the extensive links between former Minister Hazzard's office and former Director General Sam Haddad's office had with the business and property development industry in influencing the preparation and promotion of the draft planning legislation.

One article in The Guardian (June 5, 2014) names former Liberal MLC and Sydney Business Chamber Executive Director Patricia Forsyth as having been involved in briefs with planning officials. It was claimed she was provided with a list of talking points to prepare an opinion piece for the Fairfax press in November 2013 in support of the planning bill. This has called into question the independence of public servants and establishes a clear breach of trust with the public.

We understand the NSW Business Chamber donated \$30,000 to the Liberal Party through the Millennium Forum between 2009 and 2010. BPN Convenor Corinne Fisher said in response to the article "If we are to get better and more balanced planning reforms in NSW, it's particularly important that the collusion between departmental staff and industry lobbyists stop and all stakeholders are treated fairly and equitably."

We could not agree more.