

# FOKE Talk

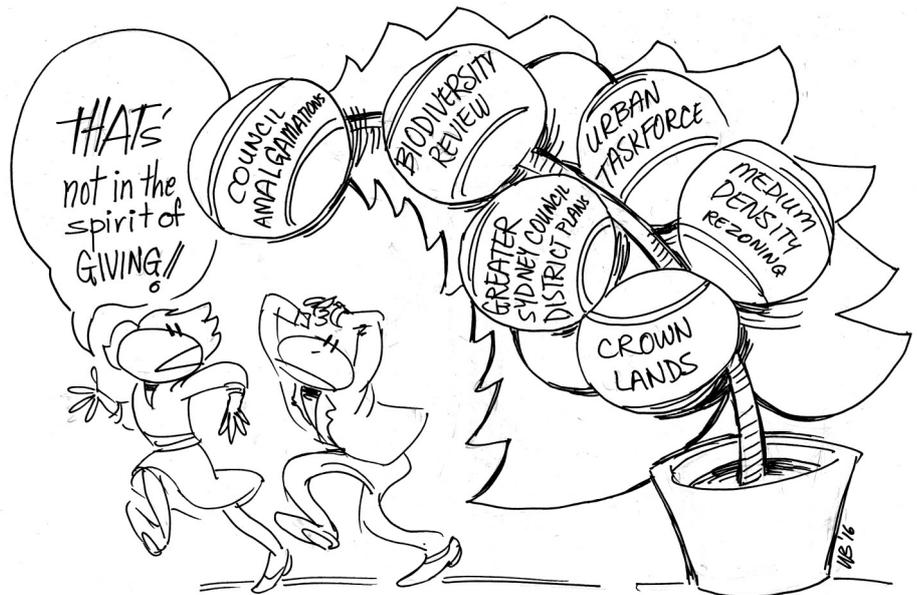
## Consultation Suffers as Sydney Grows

The Greater Sydney Commission (GSC) has been set up by the NSW Government to “lead and guide” the future development, transport and housing needs of Sydney. This body, which came into effect at the beginning of this year, is the most transformative initiative in planning in NSW in the last twenty years. For the first time, a body has been set up to consider what will be needed to cope with an expected 1,740,000 population growth over the next 20 years to 2036.

Will this body have an effect on Ku-ring-gai? Most definitely! The Commission has divided Sydney into six districts, with a Commissioner responsible for each district. Ku-ring-gai, which falls within the North District, is targeted for an additional dwelling increase of 4,000 above our current targets for the 5 years to 2021. There has been an initial ‘period of consultation’ with communities and local councils to establish future planning needs resulting in the release of the first District Plans for each of the six areas.

The Greater Sydney Commission aims to develop a future plan for growing Sydney to accommodate a population from 6-8 million people. Some early concerns, however, need to be rectified.

- Consultation has been sporadic and Ku-ring-gai community groups were excluded. As the District Plans are stated to “directly inform local council



planning and influence the decisions of state agencies”, it is important that residents and communities are involved in this process. The District Commissioner, Dr Deborah Dearing, has confirmed that the Commission has met with “key relevant council staff”.

- The District Plans have been hurriedly released BEFORE transport and infrastructure planning has been achieved. Architect Phillip Thallis and NSW Greens David Shoebridge are adamant that the metropolitan plan should have been the priority, with the District Plans to follow.
- The green grid on the District Plans map is vague and many significant areas are missing. There are many concerns for the future of the environment which is an important consideration in Ku-ring-gai.

The Commission has stated that there will now be an ‘extensive’ period of consultation with communities during February and March.

### How is this affecting local planning?

The Commission has stated that the Local Environment Plans (LEPs) will remain the responsibility of local councils. However LEPs will be reworked in the light of the massive increases in dwellings forecast in the District Plans over the 5, 10 and 20 years. It has been advised that Hornsby and Ku-ring-gai need to add a total of 37,000 new dwellings over 20 years.

Ku-ring-gai is very fortunate to still have a functioning Council with its own Councillors. However, if the amalgamation with Hornsby proceeds, we foresee that the number of new dwellings in Ku-ring-gai would rapidly escalate.

### ACT NOW

Please read the North District Plan, comment and attend feedback sessions. Go to <http://www.greatersydneycommission.nsw.gov.au/my-district>

## PRESIDENT'S MESSAGE

In winding up and summing up another year it is hard not to agree with Journalist Elizabeth Farrelly who wrote in the SMH on 29 October

*"There's so much destruction under way right now, on so many fronts. Wherever I go people say, Lordy this government! How many more years? Three? Seriously? Will there be anything left?"*

The Baird government has turned out to be far more dictatorial and destructive even than 10 years of Labor.

We have had forced council amalgamations, loss of local democracy against promises to restore it, NSW district planning placed in the hands of unelected Greater Sydney Commissioners, Northconnex, Westconnex, bulldozing heritage conservation homes, biodiversity legislation downgrading to allow further land clearing and species loss, sell-off inner city public housing, crown land sell offs, radical tree clearing codes, mass privatisation and sell off of public facilities, sale and privatisation of government heritage buildings, erosion of planning controls in residential areas to allow unfettered medium density development, undermining of the ICAC, political donations scandals, forced mining, fracking and drilling and threatening lawful protest with fines - where will it all end with this Government. We shudder to think!

And this month we have the release of the Greater Sydney Commission North District Plan. What further destruction will that bring to Ku-ring-gai's herit-

age and environment in order to keep the NSW Government's stamp duty money flowing! MPs Barry O' Farrell and Jonathan O'Dea promise of keeping a 10,000 dwelling target in Ku-ring-gai to 2031 was worth absolutely nothing! This wonderful suburban treed setting is about to be pillaged again by developers.

Similar to the voters in Orange, we have learnt that our local MPs do not represent us and that their first allegiance is to vote with their party. It is becoming increasingly evident that donors, developers, lobbyists and vested interests have the greatest influence on this government!

As with the recent election in the US our politicians need to start to change and not take our vote for granted. People will use the ballot box to make our voices heard!

This has been a very intense year and we thank all our members for their support. We know 2017 will be another busy one with presentations, submissions, and ensuring Ku-ring-gai's concerns reach our State politicians.

Yours sincerely,  
Kathy Cowley



## NSW—Back to the Bad Old Days

Premier Mike Baird and his Liberal Party MPs, including Ku-ring-gai and Davidson, voted in November for extinction with their flawed, reckless and biased Biodiversity Conservation and Local Land Services Amendment Act. Despite thousands of submissions against these anti-environment laws, the Government shamefully caved into pressure from the National Party.

The NSW Government's environmental credibility is now severely damaged by these new laws which seriously put wildlife, trees and climate at risk. To this extent, one of Baird's senior advisors on this legislation, Prof Possingham, has resigned in November stating that the package is bad for biodiversity.

The Government's cynical sweetener for these land clearing laws - extra funds for private land conservation - comes from raiding funds from the NSW Climate Change Fund. Yet land clearing is a key driver for climate change, releasing millions of tonnes of greenhouse gases. The Wentworth Group of Concerned Scientists have described this funding as a "taxpayer subsidy for farmers to degrade land".

Disturbingly, the use of biodiversity offsetting is greatly expanded under the new legislation, however the final outcome has improved the offsetting provisions by requiring the Minister to ensure the offsets result in 'no net loss' of biodiversity.

These laws will put Ku-ring-gai's environment at risk. The Nature Conservation Council of NSW, the umbrella group for NSW's environment groups (including FOKE), promised that the campaign to repeal these laws that exacerbate extinction will not go away - until they are repealed.

**Join FOKE Now!**  
Call or email us or join  
online at  
[www.foke.org.au](http://www.foke.org.au)

# Baird's Attack on Low Density Residential

NSW Planning's proposed legislation, called the draft Medium Density Housing Code, aims to extend medium density development throughout current low density single dwelling (R2 zone) residential areas as complying development. This is in addition to the existing R3 zone which is specifically designed to deliver medium density housing.

As complying development, developers will not need to get development application approval, with neighbours only required to be informed of these developments without the right to object. As long as the developments meet a predetermined set of guidelines they can be fast-tracked through Council. The Medium Density Design Code lists a number of guidelines for good design which is legally enforceable for complying development.

These medium density complying developments include townhouses, terraces, manor homes (2up, 2 down) and dual occupancies. This includes up to 5 townhouses on a single lot with a minimum lot size of only 1000 sqm. Communities would not even know that a medium density development is approved until the bulldozers move in.

NSW Planning has issued a Medium Density Design Guide which provides the specifications for medium density dwellings.

An illustration of what they believe is reasonable is below.



**The draft Medium Density Code represents a lack of strategic planning.** It will create ad hoc development, permitting poor quality residential development that is not integrated with planned infrastructure. There is no 'one size fits all' approach to complying development across a city as diverse as Sydney that would be effective longer term. It does not take into account the cumulative effects of intensifying development on local infrastructure, services, traffic, street car parking, social services and amenities.

Effectively low density zoning will be eradicated across Sydney, irrespective of an area's character or environment, especially when coupled with the Greater Sydney Commission's targeted increase in dwellings by 2021. **The traditional amenity of a single house on a single site will be lost.**

The draft Medium Density Code (also labelled 'small lots discussion paper') would lead to an effective blanket rezoning to medium density of virtually all single dwelling, low density residential land, with minor exceptions (such as Heritage Conservation Areas), with a street frontage of 12 metres and a minimum lot size of 400 sqm.

This is just a short-term grab for increased housing density under the guise of 'improving affordability'.

**Complying medium density should only be considered for sites within 'core' R3 medium density zones, that is, sites where the R3 zone does not interface a lower density zone.**

**FRIENDS OF  
KU-RING-GAI  
ENVIRONMENT INC.**

*Established 1994*

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## ACT NOW

We have until

**12 December to object.**

If you believe that medium density **must not be forced onto communities**, then go to: <http://planspolicies.planning.nsw.gov.au/> and click on **Draft Medium Density Design Guide** to make your submission.

It is important that medium density must be confined to areas zoned for medium density. That complying development not be extended to current low density residential areas.

## Lindfield Library Site Lost to the Community

On 6<sup>th</sup> September, Ku-ring-gai Council voted to reclassify the Lindfield Library site on the Pacific Highway from Community Land to Operational Land. The Report on the Public Hearing completed in June recommended that it is appropriate for the site to be reclassified as "operational land" under the terms of the Local Government Act 1993.

However as recommended by the report, Council should retain ownership of the land and continue to operate the community facilities on it until suitable alternative facilities are available for use by the local community.

Councillors Berlioz and Armstong voted against the resolution showing support for the land to be retained for community facilities rather than sold for development. It is disappointing that Lindfield/Roseville Councillor and Mayor, Jennifer Anderson, voted to reclassify this land for the benefit of the Council for future development, rather than to benefit the fast growing Lindfield community she is meant to represent.

With more than 24 community assets such as the Lindfield Library Precinct being rationalised for more highrise development, where will the community facilities and public spaces exist for current and future generations' benefit and use? With an increasing population and high costs to repurchase land when needed, this is short term thinking in the extreme.

*Our very best wishes  
to you and your  
families for the  
Festive Season & the  
New Year!*



## Conservation Award to Janine Kitson



The National Parks Association (NPA) of NSW awarded Janine Kitson, FOKE's Vice-President, with the 2016 Allen and Beryl Strom Award. This award is given to a member of the NPA who has made outstanding conservation efforts and generated outcomes that benefit both the wider community and the NPA.

Janine has been, and continues to be, an enthusiastic supporter of conservation and protection of our environment and parklands. She also develops and organises FOKE's National Trust Heritage Walks and teaches environment history at the WEA.

We congratulate Janine on this award and her continuing endeavours to educate and communicate what can be done to conserve and protect our environment within an urban setting.

### 2017 National Trust Festival

Look out for FOKE event dates in April/May for an exciting program of events centred on saving the Blue Gum High Forest.

## Amalgamation Update

As mentioned in our last newsletter, Ku-ring-gai Council had commenced a court challenge on the forced amalgamation with Hornsby Council in the Land and Environment Court. On 20 September, Justice Tim Moore delivered his judgement in which he declined to make orders preventing the forcible merger. However, he reserved his decision on costs.

Ku-ring-gai Council was found to be only "partially successful" in its case against a forced merger with Hornsby Shire. The judgement is available to read on Councils website [www.kmc.nsw.gov.au](http://www.kmc.nsw.gov.au)

Council has lodged an appeal against the Land and Environment Court ruling and Council was in court on 23 November, where the Court will decide a date for the case to be heard in the Supreme Court of Appeal. The case is now likely to be heard on 16 February, 2017.

## Crown Land - 'fire sale'

On 19 October 2016, the Baird Government introduced its Crown Land Management Bill 2016. This new law permits the Government to sell off its Crown Land. It has handed over NSW's \$12 billion Crown land estate to local councils without providing sufficient guidance on how this land will be protected into the future.

Much of Sydney's public spaces – parks, playgrounds, bowling clubs, golf courses, beaches and caravan parks – is Crown land.

Most concerning is that the legislation allows Crown Lands to be sold without any assessment of its social, environmental, cultural heritage and economic values. One win was the ongoing protection of 'Commons' as shared areas.

Communities will be rendered powerless in the face of the sale of Crown Lands. FOKE has argued against this legislation and has strong concerns about how this legislation will impact on Ku-ring-gai's Crown Lands.