



FRIENDS OF
KU-RING-GAI
ENVIRONMENT INC.

May 2012

Local Centres Plan
NB: We must have our say – see over
Quote reference number “SO9313”

Dear FOKE Members

FOKE'S 2012 ANNUAL GENERAL MEETING & PUBLIC FORUM

Accompanying this Newsletter is the NOTICE of FOKE'S AGM.
We value your membership and look forward to seeing you at the AGM.

- DATE:** Thursday 14 June 2012
TIME: 7.30 pm followed by the Public Forum which will commence at 8.10 pm after the conclusion of FOKE's 2012 AGM.
VENUE: Killara Uniting Church Hall corner Karranga Ave and Arnold St (“Fiveways”) Killara.

MR JEFF ANGEL

EXECUTIVE DIRECTOR OF TOTAL ENVIRONMENT CENTRE

“THE URBAN ENVIRONMENT: GOING BACKWARDS OR FORWARDS?”

Mr Jeff Angel has accepted FOKE's invitation to be the 2012 Guest Speaker at the Public Forum that will follow the AGM.

Jeff Angel has coordinated & been a key spokesperson for a number of high profile national & state campaigns including: protection of the rainforests, removal of lead from petrol, ending broadscale land clearing in NSW, protection of threatened species & wetlands, new recycling policies & waste strategies (National Recycling Initiative), carbon reduction in the energy industry, & improving the environmental provisions in a range of legislation. Mr Angel was the Chair (& Co-founder) of WIRES (1987-94)



Jeff Angel is the author of 'Green is good: an insider's story of the battle for a green Australia'.

KU-RING-GAI'S LOCAL CENTRES PLAN

FORMAL EXHIBITION 21 MAY TO 18 JUNE 2012

**THIS IS THE FORMAL STATUTORY STAGE OF THE PROCESS
IT IS IMPORTANT FOR US TO SEND SUBMISSIONS & HAVE OUR SAY.**

SEE INSIDE for ISSUES. N. B. QUOTE REFERENCE NUMBER “SO9313”

KU-RING-GAI'S LOCAL CENTRES PLAN NOW ON EXHIBITION! (PREVIOUSLY KNOWN AS THE TOWN CENTRES PLAN)

In this Newsletter, to assist you with your submissions, we provide a brief background to the draft Local Centres Plan (Draft LC Plan) and identify key issues for your consideration; we remind you of the context of Ku-ring-gai - the character and heritage that should be of paramount importance in planning for the future; and we include extracts from some expert opinions.

BACKGROUND:

On 3 April 2012 Council Officers presented the draft LC Plan to Councillors for consideration. This Draft LC Plan uses the unacceptable and Court-invalidated previous Town Centres Plan as its starting point. Council's consideration of the Draft LC Plan has also been influenced by the controversial, biased and manipulated Straight Talk Roseville "summit" meeting. (See details FOKE Newsletter March 2012 www.foke.org.au)

Testimony to the inappropriateness of the Draft LC Plan put to Council on 3 April was the number of speakers who addressed Councillors and were critical of it and the number of amendments made to the Draft LC Plan by the majority of Councillors during the long meeting. Minutes of the Meeting record that three Councillors worryingly voted consistently for the excesses of the Draft LC Plan and against the ameliorating amendments put by the other Councillors.

On several occasions, a key Council spokesperson/decision maker has referred to Minister Hazzard's requirement that Ku-ring-gai Council produce a Plan that complies with State Government policies and strategies and delivers growth and changebut has OMITTED Minister Hazzard's qualification that "*change must be effected having regard to the character of Ku-ring-gai*" (9.10.2011). The repeated omission of this significant qualification is of the utmost concern.

HON BRAD HAZZARD - MINISTER FOR PLANNING

Question to Minister: What constitutes good planning outcomes of the new Plan?

Minister's Response: "*There must be change however change must be effected having regard to the character of the area and Ku-ring-gai must take its share of population growth*" (9.10.2011).

FOKE's Question: What, then, is the Character of Ku-ring-gai?

FOKE's Answer: This is clearly enunciated on Council's website in Council's published Character Statement: "*Ku-ring-gai's character is defined by large indigenous and exotic trees whose canopies form the skyline, line the streets and dominate garden spaces throughout the whole area.*" (Extract) and in the published "Statement of Heritage Significance" which records: "*The heritage of Ku-ring-gai comprises a rare blend of fine domestic architecture within a landscape of indigenous forest and exotic plantings and gardens*". (Emphasis added)

COMMENTS & ISSUES:

► In 2009, the Australian Institute of Architects submitted to the then Minister for Planning in relation to the now discredited Town Centres Plan that: "*Some of the proposed development exceeds the height of the tree canopy; good planning policies will achieve high density without this effect.*"

Minister Hazzard's statement recognises that, among other important and valuable Ku-ring-gai characteristics which should be recognised in the future planning of Ku-ring-gai, is the **tree canopy**

forms the skyline in Ku-ring-gai. Buildings of excessive height above the tree canopy-line will irreversibly change the Ku-ring-gai skyline. Building heights above the tree canopy-line have been an over-riding concern of past submissions. Attempts to “redefine” “canopy” by Council Officers to substitute “vegetation” for “canopy” in Council documents are unacceptable. “Vegetation” can occur anywhere - in a flower pot. Canopy-forming trees are in another wholly different league!

ADDITIONAL ISSUES TO BE CONSIDERED DURING THE EXHIBITION PERIOD 21 May to 18 June 2012

► **We must not allow ourselves to be reassured by, and become complacent on the bases of the positive messages about the Draft LC Plan contained in Council’s Newsletter ‘Ku-ring-gai Update’ (May 2012). The messages require scrutiny and questioning in relation to matters such as the following:**

● HERITAGE CONSERVATION AREAS (HCA’s) – ARE THEY ADEQUATE?

Heritage Conservation Areas in Ku-ring-gai have long been sought by the community. Recognition of HCA’s, albeit token, is welcome. However, the reality is that the HCA’s being proposed are disappointing fragments of the original Conservation Areas within the town centres (Local Centres) first identified by the National Trust of Australia (NSW). Heritage-rich areas worthy of protection are therefore left under-protected and exposed to loss and unsympathetic overdevelopment. We believe that the assessment process for identifying HCA’s was inadequate and unsatisfactory and there seems to be little will within Council to remedy the situation.

“Ku-ring-gai is a local government area with an outstanding collection of fine domestic architecture, intact precincts and remnant natural areas of considerable significance. Indeed the area is a living historical gallery of some of Australia’s finest domestic architecture.”

“There is a long history of government resistance to the listing of Ku-ring -gai Conservation Areas LEP, despite their equivalence in significance to other urban areas in NSW such as Paddington, Glebe and Haberfield.”

“A coherent planning process should begin by identifying and projecting significant natural and cultural items and areas. The government’s repeated failure to follow this process despite the existence of authoritative studies forms the bedrock of its flawed planning process in the area.”

(Australian Institute of Architects 2009). (Emphasis added)

There must be full and proper protection of this legacy both with the LC Plan (and the Principal LEP to be finalised in the coming months.)

● PARKS/TOWN SQUARES - ARE THEY ADEQUATE?

As the population increases, will the open space areas be sufficient for the increased demands? Will they be accessible and pleasurable or will they be difficult to access? Will they be overshadowed by tall buildings and subject to wind tunnels or will they be in the company of buildings of human scale? Will they be hard or soft surfaces? Green on a map does not necessarily mean grass.

● NEW ROADS – ARE THEY ADEQUATE?

We have a limited infrastructure which, if not at its limits now, is very close to it. We (and the NRMA) all know the woes of the Pacific Highway. Will the creation of a few “new roads” (side streets) provide real solutions to ever-increasing traffic congestion? Rail has little capacity to help as it is limited by the capacity of the Harbour Bridge and services to the upper North Shore have already been reduced to allow for services to the Chatswood to Epping line.

The Local Centres Plan must recognise - not destroy- Ku-ring-gai's legacy.

Extract from *Ku-ring-gai Draft Residential Strategy 2000*
M. Harrison, Planning Consultant, Travis McEwen Group.

"Past Ku-ring-gai generations have left a legacy to Sydney of a unique blend of tall forest splendour, large areas of natural habitat (that accommodate a wide range of threatened species) and an extensive architectural heritage. It is incumbent on this generation to preserve and where possible improve upon this legacy for the future".

"(In Ku-ring-gai) the areas where much of the beautifully designed heritage housing is located are typically near the Pacific Highway/Railway ridgeline where the topography drops away either side towards the bushland habitat and tall forest which houses Sydney's largest variety of endangered and threatened species".

"The two issues – the protection of the natural environment and extensive areas of built and landscape heritage – are valuable legacies of previous generations. The onus is firmly on the current generation to very carefully plan and design new development in order to leave future generations with a better environment".

"The objective is that each individual development must result in a net environmental improvement (e.g. stormwater flow/quality and tree canopy protection – both fundamental to protecting biodiversity in Ku-ring-gai)."

"Stormwater runoff, sewerage overflows and other negative impacts from urbanization are major issues in Ku-ring-gai because they affect the ring of National Parks around Ku-ring-gai".

"The importance of maintaining and enhancing the extensive tree canopy in Ku-ring-gai is a key issue because the canopy enables "biolinkages" with the surrounding National Parks for a wide variety of species".

"Ku-ring-gai exhibits environmental splendour of such a scale it is of national significance."

"Unique features of Ku-ring-gai include:

- *Most of the last remnants in the Sydney "bioregion" of the toweringly tall Blue Gum forests (the "bioregion" extends from Nelson Bay to Bateman's Bay and from the coast to the mountains).*
- *The largest number of threatened species (plants and animals) in the bioregion for a local government area. It is noteworthy that Ku-ring-gai has similar numbers of bird and plant species as the entire British Isles.*
- *4 National Parks in and around Ku-ring-gai:*
 - *Ku-ring-gai Chase National Park*
 - *Lane Cove National Park*
 - *Garigal National Park*
 - *Dalrymple Hay Forest National Park (Nature Reserve)".*

► DOES THE DRAFT LOCAL CENTRES PLAN FULLY REFLECT THE FOLLOWING? Reprinted and updated from FOKE March 2012 Newsletter as a reminder.



■ **KU-RING-GAI COUNCILLORS' SUBMISSION** (Dec 2008) was critical of the discredited Town Centres Plan on which the Draft Local Centres Plan is based. Criticism included: *“the draft LEP is not sustainable. The long term damage it will do to the environment and community in Ku-ring-gai cannot be justified.”*

“It will result in tall bulky buildings on the ridge of Ku-ring-gai with excessive bulk and totally out of scale with the surrounding neighbourhoods. The character of Ku-ring-gai will be changed irreversibly and detrimentally”. (Emphasis added)

Has the Draft Local Centres Plan on exhibition addressed these concerns? Is the Plan “sustainable”?

We have a right to expect a Local Centres Plan for Ku-ring-gai that respects the fundamental principle of sustainability - “sense of place”.

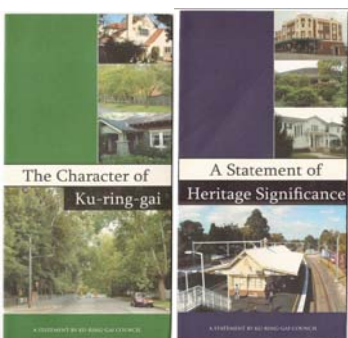
Sustainability recognises the significance and diversity of community and regions for the management of the earth, and the critical importance of “sense of place” and heritage (buildings, townscapes, landscapes and culture) in any plans for the future. (“In Search of Sustainability” Jennie Goldie et al, CSIRO 2005.)



■ **PLANNING MINISTER, HON BRAD HAZZARD'S STATEMENT** (9.10.2011): *“CHANGE MUST BE EFFECTED HAVING REGARD TO THE CHARACTER OF THE AREA”* (Emphasis added)

Foreground: Ku-ring-gai “*Under the Canopy*” where the trees meet the skyline contrasted with Chatswood CBD in the background. *“Ku-ring-gai exhibits environmental splendour of such a scale it is of national significance”* (Planner see page 4)

Does the Plan ensure that building heights & developments respect the overarching, under-the-canopy, nationally significant character of Ku-ring-gai? Ku-ring-gai's natural environment provides vitally important wildlife habitat and corridors to its National Park surrounds. (See page 4)



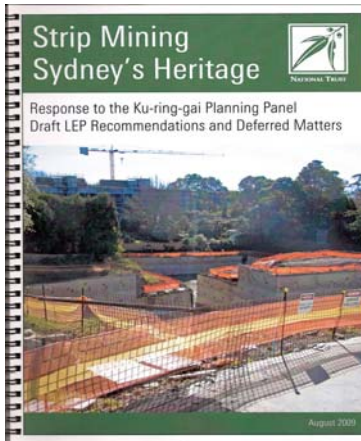
■ **KU-RING-GAI COUNCIL STATEMENTS:** “*The Character of Ku-ring-gai*” and “*A Statement of Heritage Significance*”

“Its character is defined by large indigenous and exotic trees whose canopies form the skyline, line the streets and dominate garden spaces throughout the whole area;..”

“The heritage of Ku-ring-gai comprises a rare blend of fine domestic architecture within a landscape of indigenous forests and exotic plantings and garden.”

“Ku-ring-gai as a whole is of national and state heritage significance because of: the outstanding quantity, quality, depth and range of its twentieth century architecture.” (Emphasis added)

Does the Plan honour these Statements?



■ **THE NATIONAL TRUST OF AUSTRALIA (NSW) SUBMISSION:**
“Strip Mining Sydney’s Heritage” (2009): the discredited Plan
‘fundamentally conflicts with the region’s outstanding heritage value’:

- **“High rise is the antithesis of the garden suburbs**
- **it is strip mining of Ku-ring-gai’s heritage**
- **Entirely detrimental to the region’s sense of place”**

Does the Local Centres Plan recognise Ku-ring-gai’s “garden suburbs” heritage adequately; and provide real protection for its historic areas, heritage items & endangered ecological communities? The previous Plan did not - indeed it caused the Areas to be placed on the 2009 Top Ten Heritage Places at Risk in Australia by the Australian Council of National Trusts.

(Emphasis added)

► **OPINION OF A TOWN PLANNER May 2012 (Name supplied)**

“...While we are all aware of the objective of the State Government to increase housing densities in locations with good access to public transport and the sound planning reasons for doing so, the planning policies of the State Government in the Ku-ring-gai local government area have been unnecessarily destructive to the natural environment, heritage and neighbourhood character.

In fact, from the beginning, the policies and plans have been designed to increase densities without regard to the existing built form, heritage, neighbourhood character and vegetation despite the fact that the municipality contains the most important examples of Inter-war housing in the nation and despite that fact that the remnant forest vegetation is protected by both State and federal legislation. It is true to say that planning for increased densities in Ku-ring-gai by the State Government has been done against the advice of experts in heritage, architecture and the environment.

I would draw your attention to the following:

- *LEP 194, gazetted in 2004, zoned areas that were identified as being of high significance for biodiversity including riparian zones for R4 high density housing when it was completely unnecessary to do so. I refer particularly to the Nola Road Precinct in Roseville, the only R4 zoned area for high density housing on the western side of the Pacific Highway;*
- *the total yield for housing from LEP 194 which is still in effect and the draft Local Centres “LEP is close to 20,000 new dwelling when Metro Strategy targets agreed to by the Minister for Planning and Infrastructure are 10,000 new dwellings;*
- *the continuation of the policy to provide most new dwellings in Ku-ring-gai in high density housing when the area is more suited to medium density developments, particularly in residential areas.*

There is scope to increase housing densities without destroying the essential character and heritage of the area. However the draft Local Centres LEP which has been or will be shortly submitted to the Department of Planning and Infrastructure is in many ways the same as the discredited Town Centres LEP, at least in regard to high rise housing in existing residential areas, with a few minor exceptions.

LEP 194, the Town Centres LEP and the draft Local Centres LEP in terms of their impact on significant biodiversity, neighbourhood character and heritage are environmental and town planning disasters for the Ku-ring-gai Municipality.”

Sincerely FOKE Committee

A Carroll 9498 1807, K. Cowley 9416 9007, R Maltby (Minutes Secretary), C. Darby, J. Johnston, J. Harwood, D. Mobberley, K. Pickles, J. Posen, D. Warner.

**Most important: Please send your submissions - they can be brief - to Council and Councillors during the exhibition period of the Local Centres Plan 21st May to 18th June 2012
 kmc@kmc.nsw.gov.au, councillors@kmc.nsw.gov.au 818 Pacific Highway, Gordon 2071.**