

# FOKE Talk

## NEW ZONING INCREASES BUSHFIRE RISK



**Please write, email & contact your MPs about what can only be seen as an act of the highest irresponsibility!** Image: Daily Telegraph, West Lindfield Bushfire 1994

Many of us watched the recent wildfire events across California USA unfold in late 2017, and the wildfires last European summer in Portugal and Spain, with their tragic statistics of loss of life and property.

Here in Ku-ring-gai the past memories of the fatal wildfires in 1994 and 2001/2 are still vivid for many residents. Our municipality is both blessed and cursed with close proximity to natural bush, forests on steep dry slopes rising out of National Parks and the bushfire hazard obvious to all. Since 21 November 2002 the hazard on our doorstep is mapped, certified by the RFS Commissioner and Gazetted by NSW Government. The Bushfire Evacuation Risk in Ku-ring-gai was also identified, mapped, certified and gazetted from 2002 pursuant to the SEPP Seniors Living for People with Disabilities, Rural Fire Act and the EP&A Act.

**Alarmingly, it came as a shock to many in Ku-ring-gai when this NSW Government, appears to ignore their Duty of Care to the**

**residents of the 13 areas of combined Bushfire Hazard with Bushfire Evacuation Risk, and went ahead with their apparent priority of increasing both density and population.**

Minister Anthony Roberts has added these previously protected areas in Ku-ring-gai to the KLEP, rezoning them for the main part to Environmental Living 4. This new zoning, gazetted at the end of January 2018 permits the addition of secondary dwellings on existing developed blocks in areas of evacuation risk thereby potentially increasing density across these areas. These 13 areas all have in common, mostly a single road [viable in bushfire] servicing both emergency vehicles into the area with the same single road providing egress to evacuating residents. Add to this potentially disastrous mix of two opposing flows of traffic, the predictable compromised to nil visibility in bushfire, combined with the expected speed of wildfire due to slope and close proximity of the hazard and the prospect of fatalities becomes distinctly foreseeable.

Lead times for wildfire may not always be achievable, they may be short which can add to the prospect of fatalities,

historically many fatalities occur from late evacuation on compromised evacuation routes.

All these facts make the Government's planning decision to allow for increased density resulting in overpopulation and increased vehicles to evacuate on roads, in areas of gazetted compromised evacuation risk, even more surprising. It surely must raise the following simple questions in this electorate. **If the authorities cannot guarantee safe evacuation of the existing population in wildfire conditions, why would they potentially increase the density, population and number of vehicles to be evacuated? The second dwelling will not be unoccupied.**

**Why would a distinct lack of support in writing, for increased density from both the Police and the Fire Authorities, RFS, to both the local Council and the Department of Planning NSW be ruthlessly disregarded?**

**Is the Government, the Liberal Party and the Greater Sydney Commission so committed to endless population growth using the pretext of Affordable Housing, that increased density is their only objective? Has this objective itself been allowed to override existing government gazettes and all other considerations and warnings?**

These are legitimate questions for individuals to raise in the common Public Interest. Those with legal backgrounds may feel a necessity to think about relevant negligence and other liability issues that may affect future survivors of bushfire in Ku-ring-gai.

It is essential for the preservation of life in the next bushfire event, as there surely will be one, that we keep the pressure on our MPs and Minister Roberts to have this rezoning overturned!

## PRESIDENT'S MESSAGE

Dear Members,

With the new year upon us it is time to regather. We need to plan for what is to come in 2018 as we approach the NSW election in early 2019.

We are relieved that we no longer face the threat of a council merger.

However there have been many destructive and retrograde environmental planning policies and legislation by the State government over the past few years.

Of concern is what lies ahead for Ku-ring-gai from the NSW Government's Greater Sydney Commission (GSC). Yet again the Draft Greater Sydney Regional Plans have been revised.

We remain fearful the GSC will impose thousands of more units on Ku-ring-gai despite the NSW Liberal Party's promise to keep to 10,000 dwelling target from 2004 to 2031!

Since the target count of 10,000 dwellings started in 2004, 10,000 dwellings have been approved with approximately 10,000 built or in the process of being built in Ku-ring-gai.

Apart from the commercial/high density zone in Lindfield Avenue Lindfield, which was zoned by the State Government for 7 storey development in 2002 by Labor Planning Minister Dr Refshauge, then amended several times via DA to 9 storeys, none of the commercial /high density zoning in the six local centres has yet been submitted for development approval.

These local centre zonings will regrettably yield thousands more units, placing more pressure on local services and infrastructure.

There should be no need to re-zone more streets in and around the railway stations. These precincts of outstanding Federation and Inter-War houses and gardens are integral to Ku-ring-gai's heritage and character.

The State Government, through their unelected GSC Chair Lucy Turnbull and North District Commissioner Debra Dearing and our elected council, must be urged to resist approving any additional high density rezoning in Ku-ring-gai for thousands of additional units. As pointed out earlier, Ku-ring-gai's six local centres high density zoning areas have not yet been taken up and developed.

**It is important that you make your views known to our two local MPs and Ku-ring-gai councillors.**

In November 2017 members of the FOKE Committee attended a Greater Sydney Commission workshop at Hornsby RSL. There FOKE learnt about the latest plans for Greater Sydney.

The GSC is perceived as NSW Planning's arm to drive additional housing for Sydney's growing population. Sydney is to expected to accommodate over 7 million residents by 2050. To review the revised GSC North District Plan, go to [www.greater.sydney/draft-north-district-plan](http://www.greater.sydney/draft-north-district-plan).

Whilst many of the GSC's motherhood statements may sound good – implementation of the plan and the lagging of infrastructure are seen as real question marks. They also fail to recognise the need to protect Ku-ring-gai's character and

environment — something that we so dearly value.

We have enclosed your membership renewal form for 2018. We appreciate and value your continuing membership and look forward to your ongoing support.

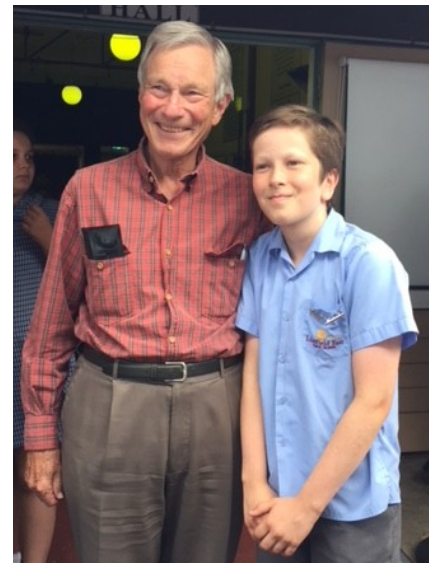
Kind regards,

*Kathy Cowley*

PRESIDENT

### Jan Langley Award for Sustainability 2017

Tyne Jones from Lindfield East Public School was presented his award by Phil Langley for his contributions to increasing sustainability.



### ADVANCE NOTICE AGM

The FOKE AGM will be on **Wednesday 23 May 2018** at the Uniting Church Hall, Killara at 6.30 pm. Details to follow.

### Join FOKE Now!

Call or email us or join online at [www.foke.org.au](http://www.foke.org.au)

# Fighting to Save Native Habitats

On March 9, the Berejiklian government conceded that they have lost the case brought against them by the Nature Conservation Council (NCC), represented by EDO NSW, to overturn the government's land-clearing codes, due to errors of required process and proper consideration of the principles of ecological sustainability. The proposed 2017 legislative changes had significantly weakened the NSW laws that protect our natural heritage and threatened species.

The proposed Code allows landholders to carry out significant amounts of self-assessed clearing of native vegetation without further approval or environmental assessment.

It is now apparent, stated Kate Smolski, CEO of NCC, that Environment Minister Upton was 'warned by senior staff in the Office of Environment and Heritage that 99% of identified koala habitat on private land could be bulldozed under the new laws. And yet she approved those laws anyway.'

**So what next?** It means the Government will have to rewrite the land clearing code which is one of the most extreme elements of these disastrous laws. It remains essential that pressure on the Government to strengthen these biodiversity laws continues.

The Nature Conservation Council of NSW case highlighted that both the Minister for Primary Industries and the Minister for the Environment failed to have regard to certain principles of ecologically sustainable development, including the precautionary principle, inter-generational equity and the conservation of biological diversity and ecological integrity, when making, or giving concurrence to, the Code.



Proper consideration of the principles of ecologically sustainable development is particularly important as clearing of native vegetation is listed by the NSW Scientific Committee as a Key Threatening Process under the *Biodiversity Conservation Act 2016*, yet the Code allows self-assessed broad scale clearing across NSW without an assessment of the cumulative impact of such clearing. Similarly, the Code switches off requirements to carry out environmental assessments for clearing.

Leading ecologists say the land-clearing controls in the previous *Native Vegetation Act* have prevented more than 1 million animal deaths over 10 years.

## ACT NOW TO SAVE MARIAN STREET THEATRE

On Tuesday March 27 Ku-ring-gai Council will be voting on the future of the Marian Street Theatre.

The Save Marian Street Theatre (SMST) Committee has prepared a business plan for the theatre that includes projected costings for running it as a fully-fledged cultural centre.

A theatre-plus venue, seamlessly integrated with the mature Selkirk Park next door, with easy access, makes possible an excitingly varied range of indoor and outdoor arts activities for young and old. It's a very rare community oppor-

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

*Established 1994*

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To ensure you are on our mailing list please write to us at the email address above.

President: Kathy Cowley

Vice-President: Janine Kitson

Treasurer: Kerrie Piper

Minutes Secretary: Katrina Pickles

**Committee:**

Ursula Bonzol

Carolyn Darby

Janet Harwood

Denise Hendy

Dinah Warner

Tanya Wood

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tunity that costs less than many other community facilities.

**MST can be the cultural hub for our municipality into the future**, with live theatre, art shows, sculpture, music and drama tuition for young people all being part of the mix.

Before Council can say 'yes' to this new, re-vitalised MST, it has to know the community supports the concept.

**Can you help?** The SMST committee is asking for volunteers to letterbox and hand out flyers at stations and shopping centres. Please call John Townend on 0411 059 411 for details.

Please take the time to write to your local councillors and let them know you support the SMST plan.

**We can bring live theatre back to Ku-ring-gai!**

# Sydney's Empty Buildings

**Why are we destroying our suburbs and environments when so many new apartments are being left vacant?**



As we are all well aware, Sydney has been a hive of construction activity, based on the premise that new homes are required for our increased population and to reduce house price pressure. However, these developments are increasingly seen as pandering to the developer lobby groups while State Governments reap the Stamp Duty rewards.

In 2017 the Sydney Morning Herald reported that 'a quarter of Chinese buying property overseas leave their apartments vacant and the majority pay for their purchase with cash, a survey of mainland Chinese customers by investment bank UBS shows.

Another 25 per cent of overseas property owners use their homes on a temporary basis, suggesting about half of the overseas properties owned by mainland Chinese were not fully utilised.'

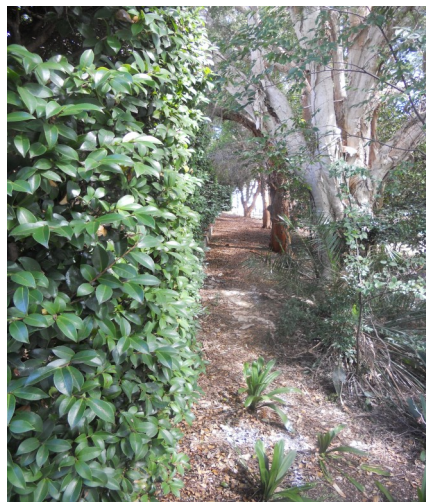
Our suburbs are being bulldozed and radically altered so that non-residents can invest their capital in a relatively safe economy. This does nothing to ease rental pressure, accommodate existing residents, or reduce prices for people looking to purchase their first home.

**What to do?** 2019 is an election year for both State and Federal Governments. Your voice needs to be heard. At all levels greater restrictions on non-resident purchases need to be instigated. Cur-

rent restrictions to purchase only new housing, comes with numerous loopholes for temporary residents, trusts and corporates to purchase existing property. Unoccupied residences need to incur greater disincentives in our cities.

The need for a more sustainable population policy is required to improve the prospects for the next generations. Higher population does not equate to a higher standard of living. In fact, in the year to December, real GDP grew by 2.36% in seasonally adjusted terms, however per capita GDP increased by only 0.8%. The Government is relying on population, rather than improved productivity, to maintain GDP. This implies that we, as individuals, are not benefitting from our current high levels of population growth. See FOKE website for more detail.

## Annie Wyatt's Tree Lovers Strike Again



FOKE stepped into action when it became apparent that upgrade works at Gordon Railway station would threaten the station gardens, particularly the rare heritage sasanqua camellia hedge.

Gordon Railway station is a State Heritage listed railway station,

with heritage gardens - once the most celebrated railway garden in Sydney. New evidence shows that the sasanqua camellia hedge is associated with the famous Professor Waterhouse of Eryldene House, Gordon.

Gordon railway station also has a strong connection to Annie Wyatt, the founder of the National Trust, who in the 1920s, organised her Tree Lovers League to plant memorial trees overlooking the station.

Thanks to MP Jonathon O'Dea, a site meeting about the upgrade works to Gordon Railway Station was organised. Representatives attending the site meeting included FOKE, the Ku-ring-gai Historical Society, Ku-ring-gai Council, Sydney Trains, NSW Heritage Office, and the NSW Minister for Transport.

At this site meeting on 28 February, 2018, Sydney Trains gave a strong commitment that they would protect the State Heritage values of Gordon Railway Station and its gardens. Assurances were given regarding repairs and minimal changes to the Platforms and their canopy, replant a new hedge with mature sasanqua camellia plants and protect a row of significant trees.

FOKE has called on Ku-ring-gai Council to save and relocate the original sasanqua camellia hedge to a new location elsewhere in the station gardens.

### Inaugural Jean Posen Prize for the Environment

William Darbar from Lindfield Public School was the winner of this award established in memory of environmental campaigner Jean Posen.