



FRIENDS OF  
KU-RING-GAI  
ENVIRONMENT INC.

October 2010

*Dear FOKE Members*

## COMMUNITY CHALLENGES KU-RING-GAI TOWN CENTRES PLAN

Friends of Turramurra (FOT), one of Ku-ring-gai's community groups, has commenced legal proceedings against the State Planning Minister's high-rise Town Centres Plan for the centres of Roseville, Lindfield, Gordon, Pymble, Turramurra and St. Ives.

A summons was filed on 25 August 2010 in the Land & Environment Court (L & E Court) by the Environmental Defender's Office (EDO) acting for FOT, claiming that Hon Tony Kelly, the Minister for Planning, had erred in law in making the Ku-ring-gai Town Centres Local Environmental Plan 2010.

The court case is set to commence in the L & E Court on 2 November and is expected to run for 2-3 days. The Principal solicitor at the EDO, Kirsty Ruddock said:

*"Friends of Turramurra have raised issues that go to the heart of the preparation of planning instruments, public participation in the planning system and thereby the democratic process itself. This action aims to ensure that the Minister fully complies with the requirements of the Environmental Planning and Assessment Act 1979".*

FOKE, AND OTHER COMMUNITY GROUPS, HAVE DECIDED TO ASSIST FOT TO RAISE THE NECESSARY FUNDS TO RUN THIS CASE. WE ENCLOSE AN INFORMATION SHEET AND A DONATION SLIP REGARDING THE FUNDRAISING APPEAL. PLEASE CONSIDER CONTRIBUTING TO THE COSTS OF THIS IMPORTANT APPEAL.

Feeling disillusioned & cynical about the planning system in NSW? Sick of being treated with derision? Disgusted by what you see happening in Ku-ring-gai? Do you want political accountability & transparency? If so, please join us by giving support to Friends of Turramurra (FOT)'s legal action challenging the validity of Minister Kelly's "Town Centres" Plan.

Right: Hyde Park October 2008 – Ku-ring-gai residents joining with other protesters across NSW dissatisfied with the planning processes in this State.



## “PUBLIC LOSES ALL FAITH WITH PLANNING PROCESS”

**COMMUNITIES across NSW are so frustrated and cynical about the planning system they doubt it is worth the effort of even engaging with it, according to a report funded by the Department of Planning.**

*It says a principal Planning Act objective of encouraging "public involvement and participation" in the process has steadily eroded, leaving communities angry with consultation they often feel is simply tokenism.*

*"The community generally feels disconnected with the planning process, deeply cynical about whether it is worthwhile to engage, and extremely frustrated about the current system," is the main conclusion of the report, "Reconnecting The Community With The Planning System".*

*Jeff Angel, of the Total Environment Centre, said the department agreed to fund the study on improving the system after he raised concerns about "a pervasive disenchantment" with planning processes.*

Sydney Morning Herald 21 September 2010 (Emphasis added)



Above: Protesters in Hyde Park 2007.

## CALL FOR A ROYAL COMMISSION

FOKE 2009 guest Speaker, Mr John Hatton AO, the former Independent MP who successfully moved for a Royal Commission into police corruption in 1994, re-emerged on ABC's *Stateline* program on 6.11.09 to demand a Royal Commission into property and planning corruption in NSW.

**"I AM ABSOLUTELY CONFIDENT (ABOUT THE NEED FOR A ROYAL COMMISSION), BECAUSE I KNOW WHAT THE SIGNS OF CORRUPTION ARE".**



Above: RAID (Residents Against Inappropriate Development) Rally 2008 marches to Parliament House, Macquarie Street, Sydney.



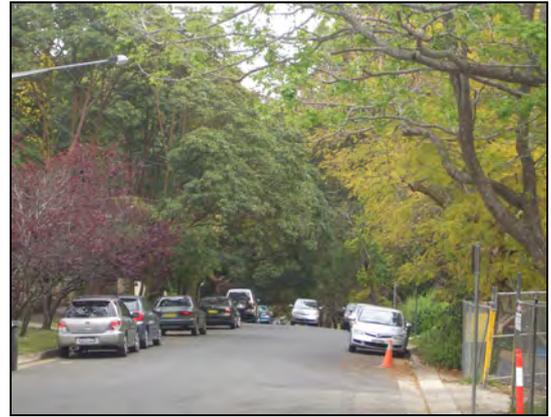
Above: Death of Democracy Rally 2009 marches to Parliament House, Macquarie Street with a renewed call for a Royal Commission into planning.

Lower two images are courtesy of "State of Siege" a forthcoming documentary by Tropic of Oz Films on the subject of planning and citizen rights in NSW.

**NSW GOVERNMENT ENFORCED CONCRETE JUNGLES: APPALLING, UNACCEPTABLE PLANNING OUTCOMES: CONTEXT, AMENITY & PEOPLE IGNORED.**



Above: Pymble Ave home set in landscaped gardens.



Above: Pymble Ave green splendour context that should be respected



Above: massive apartment blocks totally alien to their context dominate Pymble Ave homes and streetscapes



***“83% of the apartments have been sold off the plan to overseas investors. With this competition there is no way that I can afford a home of my own.”***  
**Onsite worker (September 2010.)**

Feedback has informed us that some of the starkest representations of *“Dick Smith’s Population Puzzle”* documentary came first, from the depiction of what is happening in Ku-ring-gai – the bulldozing of quality homes, the “replacement” buildings (as shown above) and the forcing of people out of their homes; and secondly, from the Loxton irrigation area –the bulldozing of fruit trees and dissolution of farms due to water shortages. The documentary screened on ABC TV (12.8.10) also included footage from FOKE’s 2010 Annual Forum - Dick Smith’s address *“Population: Prosper or Perish?”*

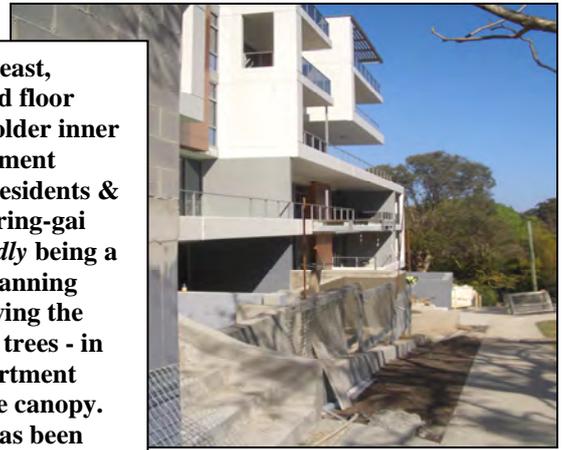
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**Gardens and Bushland - The unique charm of Ku-ring-gai**  
**Submitted by a Pymble resident**

When the first clusters of houses were built on the land of the Guringai people between the village of Hornsby and the northern part of Willoughby, the early settlers of the area, several of them architects, were imbued with the concept of the garden suburb. Garden suburbs are not self-contained garden cities as envisaged by Ebenezer Howard. They are residential areas, consisting of low-density housing, large gardens, sporting and educational facilities but no manufacturing or large commercial areas. Such facilities are situated in the nearby urban areas where the suburban breadwinners commute on a daily basis. Ku-ring-gai is unique in possessing, in addition, large areas of virgin bushland, as well as a railway line into the heart of the city. Instead of preserving this remarkable monument to an earlier, family-friendly, less frenetic period, the corrupt and incompetent NSW Labor Government, (aided and abetted by powerful developers) has embarked on a systematic destruction of this precinct. Thousands of trees have been cut down, good quality homes have been bulldozed and replaced by concrete boxes, containing expensive apartments that are waiting for gullible buyers. One can only speculate what motivates this government towards this act of vandalism.



**Left:** Merriwa St Gordon looking east, showing courtyard walls of ground floor units “on the street” as occurs in older inner city suburbs. This type of development offering scant green amenity for residents & the area is totally alien to the Ku-ring-gai context despite “context” supposedly being a key matter for consideration in planning matters. **Right:** looking west showing the narrow strip –no room for decent trees - in front of the huge multi storey apartment block, which towers above the tree canopy. The treed context (background) has been totally ignored.



### “No moving forward on sardine squeeze highway.”

*“KU-RING-GAI is fulfilling its commitment to build an additional 10,000 dwellings. And the already congested Highway is just supposed to cope. That’s the message residents are getting after revelations that no one is keeping tabs on how many car parking spots are being built. Neither the RTA, the Planning Department nor Ku-ring-gai Council can answer the car parking question, meaning no one really knows how many cars are going to be sitting in the early morning and late afternoon commuter car park that we call the Pacific Highway. Just to show how inexact the science is, a spokesperson for Planning Minister Tony Kelly said new dwellings were being built close to public transport, reducing pressure on roads. Well, what a relief. Drivers have nothing to worry about then. And all those train commuters, who must already stand for the trip from Gordon to the city, will be happy to welcome more bodies into the mix. Perhaps the State Government will put on more buses.*

*But didn’t we say the Pacific Highway is already congested?*

North Shore Times Editorial 13 Aug 2010 (Emphasis added)

### Who is keeping car tabs? No one? Good sound planning?



**Left:** One of many multi unit sites in close proximity to a Ku-ring-gai railway station showing the massive excavation required to accommodate the ever increasing number of cars. In the past year alone, Council has approved about 7300 car spaces in 91 developments under the NSW Government’s urban densification policy intended to discourage car use!

Worryingly, Council is not the only consent authority considering & approving development applications with associated car spaces. Large multi unit/residential developments are also being approved by the Ku-ring-gai Planning Panel & by the Minister for Planning.

The NRMA General Manager Corporate Affairs, fearing the Highway would not cope with extra vehicles submitted to the Ku-ring-gai Planning Panel that with no link between the F3 Freeway & M7 Motorway, & without North West rail links, it may be “premature” to build 10,000 dwellings.

The Panel apparently ignored this submission.

*Sincerely FOKE Committee* A Carroll 9498 1807, K. Cowley 9416 9007, J. Langley (Treasurer) R Maltby (Minutes Secretary), J. Johnston, J. Harwood, D. Mobberley, K. Pickles, J. Posen, D. Warner.

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