

28 October 2009



Australian Institute of Architects

The Hon Kristina Keneally MP
Minister for Planning
Level 34, Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Minister

KU-RING-GAI TOWN CENTRE DRAFT LEP

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. Examples of the work of many of the most outstanding 20th century practitioners of domestic architecture in Australia can be found in its tree-lined streets. Indeed, the area is a living historical gallery of some of Australia's finest domestic architecture.

The Institute objects to the manner in which the town centre draft LEP has been developed and imposed on the council and citizens of the Ku-ring-gai local government area, despite well-documented objections by residents and experts.

A coherent planning process should begin by identifying and protecting 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.

The Institute recognizes that heritage conservation is not a stand-alone value; it needs to be weighed against government policies such as urban consolidation and increased densities around transport corridors and nodes. But the point is that it is a real value around which community identity forms and coalesces; an attack on heritage value is therefore an attack on the community's sense of itself.

There have been accusations of NIMBY-ism in the Ku-ring-gai area, and undoubtedly there will always be some resistance to change within any community. There is no easy path to a resolution of conflicts between heritage conservation and increased density.

The real failure of the government is in its refusal to acknowledge the legitimacy of the arguments for heritage conservation as a starting point to the debate. By not acknowledging the significance of identified areas and items the government has severely weakened its case for a reasonable level of more intensive development around the transport corridor. It converts a debate that seeks a reasonable accommodation of opposing values into an unequal contest between a community David and a government Goliath; this is bad for Ku-ring-gai in particular and democracy in general.

Some key points related to this issue:

- There is a long history of government resistance to the listing of Ku-ring-gai conservation areas on the area's LEP, despite their equivalence in significance to other urban areas in NSW such as Paddington, Glebe and Haberfield;
- The proposed town centre densities exceed those in the Metro Strategy;
- The plan includes a shortfall of 14% in the open space allocated;
- The government's belated agreement to recognise some conservation areas and items is highly flawed; there is little correspondence between the boundaries of the proposed areas and their rationale; in some cases items have been recommended for listing despite recent modifications that mock their significance and also that of nearby properties that are more intact and more significant;
- Some of the proposed development exceeds the height of the tree canopy; good planning policies will achieve high density without this effect;
- The junctions between high and low density are abrupt; good planning will create a buffer of medium density to reduce the impact on significant heritage items.

The Institute is confident that satisfactory solutions can be found to all these problems. Our concern is the lack of goodwill on the government's part to negotiate a path to a result that is acceptable both to the government and to the residents of Ku-ring-gai.

Yours sincerely

A handwritten signature in black ink that reads "Roslyn Irons". The signature is written in a cursive, flowing style.

Roslyn Irons
Manager
NSW Chapter