



Jonathan O'Dea MP

Member for Davidson



Monday, 28 September 2020

Mayor Jennifer Anderson
Ku-ring-gai Council
Locked Bag 1006
GORDON NSW 2072

Dear Mayor Anderson,

Draft Housing Strategy for Ku-ring-gai

Thanks for your letter dated Thursday, 24 September 2020, requesting my comments on the NSW Planning Minister's latest communication, for the benefit of local councillors and the community.

As previously indicated, I am supportive of Ku-ring-gai Council meeting its obligations, mindful of population growth pressures and reasonable community sentiment.

After your last Council meeting, a press release was issued that stated I had opposed ANY increase in building heights or dwelling targets. I appreciate that this false statement was later adjusted on my request, but fear that the Planning Minister's statements may have also been distorted.

I hope that Council is not implying that the Greater Sydney Commission (GSC) 'indicative' targets can now be totally disregarded by it and other councils in NSW. The Minister helpfully indicated that these are not legally binding instructions of the state government, but they do carry weight, especially when a council has agreed to them. Ku-ring-gai Council needs to be careful not to be seen as playing political games, swinging from one extreme position to another regarding the GSC.

I confirm my opinion that a target figure of 3,000 to 3,600 new dwellings for 2021-26 is excessive, especially given the level of local development in the past decade. I am also not sure why this five year target was substantially more ambitious than those for the following two five-year periods to 2036. Further, I am strongly of the view that Ku-ring-gai Council has under-estimated the potential contribution from existing planning measures of only 600 dwellings (or 120 dwellings per year) from 2021-26. Where is the comprehensive and transparent evaluation of unrealised capacity under the current planning framework? Surely that is a basic starting point for a proper analysis. I believe that this is the most fundamental impediment to reaching an acceptable outcome.

At some stage there will be a need to create extra local dwelling capacity, but I do not believe that time is now. In that context, there appears to be reasonable scope for some

upzoning that is more modest than recently proposed by Council. This would be consistent with reasonable community views and acknowledge that the relevant planning period now extends to 2036 (instead of 2031). Indeed, community feedback through Support Lindfield suggests more buildings with heights up to 7 storeys might be acceptable in the Lindfield Town Centre, similar to the upzonings Council has successfully achieved in recent years on its own sites that host the current library and proposed Village Hub. For example, the three storey building where my electorate office is located in Tryon Road might reasonably allow up to 7 storeys, but certainly not the excessive 10-15 storeys that Council has proposed. Likewise, there are other sites near the centre of Lindfield where three storey townhouse type development might be permitted, rather than the higher level unit developments recently proposed.

I note the Planning Minister's message acknowledges that councils have a level of autonomy under the planning system, with a collaborative approach taken between levels of government essentially based on principle rather than prescription. Planning Minister Stokes clearly respects independent decision-making by councils, but also expects them to demonstrate appropriate responsibility. I agree with him, while emphasising that Council's independence is not absolute.

Additionally, I agree with my colleague Alister Henskens SC MP, that any amended Housing Strategy should be open to further scrutiny and be endorsed by Ku-ring-gai Councillors before it is submitted to the Planning Department for potential approval. Councillors should not abrogate that responsibility, nor instruct its officers to simply proceed without further constructive engagement with other relevant planning bodies and stakeholders.

I generally do not support the notion of replacing an elected council's planning functions, as occurred in the Ku-ring-gai Council area, under NSW Labor. However, I do not see the Minister as threatening that to occur, although he does give Council an option. Unfortunately, Ku-ring-gai Council has not handled this matter well, in my opinion. Councillors might reasonably ask more questions of the senior Council officers who have been leading the formulation of the Housing Strategy.

In conclusion, I reiterate my previous offers to assist Ku-ring-gai Council to reach an acceptable outcome on behalf of the community, and am happy to meet with your elected Councillors to discuss these matters further in a suitable forum if desired.

Yours sincerely,



The Hon. Jonathan O'Dea MP
Member for Davidson

CC: NSW Planning Minister
Ku-ring-gai Councillors
State Member for Ku-ring-gai
Support Lindfield
FOKE