

Northbridge Progress Association Inc

Minutes of General Meeting held at St Marks Hall, Malacoota Rd
on Thursday October 6, 2011 commencing at 8.00pm

Attendance: 34 people

Quorum: The Chairman (Mr John Lightfoot) noted that a quorum was present.

Apologies: Cr Lyn Saville, Cr Stewart Coppock, Steven Head, John Becroft, Penny and Malcolm Lye; Peter McLachlan, Peter McNair, Grant Sheldon, Kat Adamski, Michael Conder, Alex Norquay.

Welcome: The Chairman welcomed: Cr Gail Giles-Gidney, Cr Wendy Norton and Cr Kate Lamb; guest speakers Mr Chris Drummer, Kuring-gai Residents Alliance; Ms Kirsty Ruddock, Environmental Defenders' Office; and Mr Greg Woodhams, Willoughby City Council, and other members and visitors.

Approval of Minutes

The minutes of the General Meeting held on July 21, 2011 were tabled by the Chairman who noted that they had also been available on the NPA's website for more than two months.

RESOLVED that the minutes are confirmed.

Planning Law in NSW – but is it democracy?

Guest speakers

Mr Chris Drummer, Kuring-gai Residents Alliance, spoke about some of the issues that have affected Kuring-Gai, which is an example of the death of democracy and a community that had lost its voice! He outlined the various high rise [5-storey blocks] developments that have occurred around the Kuring-gai area, erected on the site off or next to heritage listed structures. He spoke about the impact of having a “non-elected” planning panel approving their DA's and how the “town centres” LEP resulted in slabs of 5-storey blocks being built on-top of high-rise buildings [effectively 10 storeys] in each of the main centres of St Ives Shopping Centres and other retail and commercial precincts. Mr Drummer outlined the impost of having an LEP imposed on Kuring-Gai that far exceeded the prevailing metro strategy of the Sydney region. He described the problem of the then State Planning Minister establishing six Ministerial sites in the area thereby avoiding community consent and the need for a DA. Part 3A effectively took the planning powers away from the community. After Court action and with the new State Government in power, the Planning Panel has been dissolved and Part 3A has been revoked, to be replaced by other laws. Standard Instruments which are being introduced are again a “one size fits all” principal, so may not be in the community's best interest. He summarised by saying these were examples of what can go wrong - when you don't be vigilant; when you don't come to these meetings and listen to what is going on; when you don't elect the right Councillors and when you don't stand up and push the State Premiers.

In summary, he emphasised the importance of when a large group of people stand up and fight for their rights then the politicians will take note, i.e. don't fight these issues as individuals.

Ms Kirsty Ruddock, Principal Solicitor, Environmental Defenders' Office of NSW, spoke to the meeting initially about where the Environmental Planning & Assessment Act 1979 had originated from and how its objectives had been gradually whittled away over the years by new legislation such as Part 3A – State Significant projects. She outlined how in 2008 a second wave of amendments came into force with the introduction of the JRPP to oversee developments of a certain size. Also introduced were the Exempt and Complying Development Codes whereby 50% of developments, which could be maintained within a certain footprint, were not required to go through local councils for DAs. These were designed more for “green field” developments but tended to overflow into the knock down and rebuild of heritage listed buildings. Ms Ruddock spoke about the conflict between economic growth and the state of the environment. As an example, the ecological footprint of houses in Sydney have gone up from 6.3 to 7.02 hectares in just 6 years, i.e. houses are getting bigger, which is impacting on greenhouse gas emissions which on average have grown by 23%. This all has an impact on traffic congestion on our roads and therefore transport planning. The key issue is that there is a need for ecological sustainable development to be built into our current planning system. There needs to be a compromise between the environment and development that does not compromise future generations to meet their needs. So how do we move forward without killing our community? She outlined that where you get good community engagement you usually get better development outcomes. She reiterated that the most important issue is that the community voice needs to be heard.

Mr Greg Woodhams, although a representative of Willoughby City Council, gave the audience an outline based on his personal opinion of where he thought the Planning Act had gone wrong and what he thought needed to be implemented. He suggested that since its inception the EP&A had become too complex – there were too many layers of regulation developed, with SEPPs, LEPs, REPs and DCPs. He advised that in all, over 80 SEPPs were legislated with some prevailing over other SEPPs and, in some cases, prevailing over all others. He felt that the system imposed a preoccupation with development applications which then encouraged litigation and a resulting adversarial environment, with a flow on effect that led to a decline in real community engagement. Under the EP&A there developed a greater level of politicisation of the planning process resulting in a transfer of power away from the Councils. In regard to how he thought we should move forward, he suggested that Councils should prepare plans based on issues such as housing, jobs, infrastructure, future population needs, recreation, water and energy; he suggested a three tiered instrument [State, regional and local plan] which should be a precondition to decision making on any DA and which would implement greatest community consultation. Mr Woodhams suggested that the level of detail, assessment and consultation for an application should be a reflection of a DAs complexity and likely environmental impact, i.e. different community consultation requirements for a single story extension versus a new hospital.

He called for better integration between legislation and also for a provision that would allow Local Plans to give a preferable emphasis to certain goals over others, i.e. achieving community health over economic development or protection of environmentally sensitive land over clearing or development. He suggested that a certain amount of trust needed to be built into processes in the Act so as to give a degree of confidence that public interest will indeed be acknowledged. There needed to be an easier process implanted in an Act to enable Councils to review their plans at least every four years to reflect community attitudes. He suggested that the legislation must enable a process of responding to new societal issues (affordability, climate change and demographic change) through the previously mentioned three tiered framework. And finally he suggested that the Act must deal with a new community infrastructure funding mechanism such as unpegged rates, GST redistribution, and a value capture tax for increased community density.

Resolution of the meeting

Following the presentations of the three speakers and the resulting question and answer session, a motion was proposed by the meeting to be presented at the forthcoming NSW Planning Review session in regard proposed improvements with the Environmental Planning & Assessment Act.

RESOLVED that this meeting wants planning laws which take into consideration the legitimate needs and concerns of residents; with plans to be agreed through a genuine consultation process and then stuck to; and an end to the over ruling of agreed State or Council controls by unelected bodies. We want suburbs that the community can enjoy and not a place of high-rise buildings choked with traffic.

This meeting also wants a planning system that would be simple; be subject to review at regular intervals (not 30+ years); ensure meaningful participation by community groups at every stage; ensure processes were transparent; take account of current and projected demographics; require infrastructure to be part of the plan; and be binding.

Ward Councillor’s report

Cr Gail Giles-Gidney reported that the Concourse is now open with the first of eight restaurants having opened today. It is a great facility and she encouraged the community to give it the support it deserves.

Next Meeting

The NPA Annual General Meeting will be held on Thursday December 8, 2011 at 8pm in St Marks Hall. The speaker will be the Hon Gladys Berejiklian MP, Member for Willoughby.

The President closed the meeting at 9:45PM and members joined in refreshments.

Chairman.....

Date.....