

Joel Herbert

From: glenda downing <glendadowning@hotmail.com>
Sent: Friday, 7 September 2018 4:14 PM
To: Joel Herbert
Subject: Response to submissions MP 07_0166 MOD 8, WAHROONGA ESTATE

Dear Mr Herbert

I wish to make the following comments on the response by Ethos Urban to submissions on this matter, particularly in relation to Attachment C.

I have never made any political donations.

General comment

There is nothing new in these responses. They are a reiteration of the fact that the various issues raised in submissions were all covered by the Concept Plan, which was approved (under Part 3A of the legislation) by the then State Government in 2010. This is consistent with the attitude of both the Adventist management and their (new) developers in their refusal to accept that the local environment has changed to such a degree that it warrants deep rethinking of the entire Wahroonga Estate development. The proposed units are also totally out of keeping with the Federation style of other properties in the road, both in height and appearance and would completely change the nature of the area and the ability to move freely around it.

Another Concept Plan decision, that on the Catherine Hill Bay proposal, was approved by the then Minister for Planning, Frank Sartor under Part 3A. This was appealed, and resulted in Mr Sartor being strongly criticised in the Land and Environment Court. The judge said that Mr Sartor “far from bringing an impartial mind to his determinations, he committed himself to bringing a partial mind to the applications”. This was almost certainly true of Mr Sartor’s decision to approve the Wahroonga Estate Concept Plan, which he himself described as a “suburb within a suburb”.

It is that very statement of the Estate being a “suburb within a suburb” that goes to the heart of the problem with the Wahroonga Estate, in that the residential area is, today, just coping with the strain of the extra traffic resulting from the increases in Sydney’s population and the resulting build-up of the volume of traffic generally across Sydney. The Wahroonga Estate is, at its roots, a mistake because of the distance of time between its approval and today’s conditions. A plan that was approved nearly a decade ago and takes no account of the current traffic flow on Fox Valley Road and does not provide adequate parking for the proposed development of the units, nor for the Adventist’s school, nor for their church, nor for the Sanitarium Hospital, nor for the new medical centre under development on the corner of Fox Valley Road and the Comenarra Parkway, nor for the recently approved childcare centre on the same intersection. And all this even before they move ahead with any future concept plans within the Estate.

Section 3A was quickly repealed by the incoming Liberal Government after they were elected in March 2011 and, in keeping with established law, the changes were not made retrospective. This is why we are now in the position of having proposals for these unwanted and inappropriate blocks of units. Proposals made almost a decade ago based on population, traffic, transport conditions that are no longer representative of current conditions, let alone factually correct.

The consultation undertaken by the then developers of this Concept Plan in 2007 was not (as they state) “extensive” but were done with handpicked local residents. Submissions from 160 members of the public were received and 95% of these were totally opposed to the development. Many other residents were completely unaware of the Concept Plan and were not given the opportunity

to comment on it. Those who were on the consultative committee have said that most of their concerns were swept aside, and they noted some sniggering behaviour among the representatives of the developers at the meetings. However, the concerned residents did achieve the scaling back of the number of units, the relocation of parts of the school and a reduction in the development footprint, which increased the amount of conservation land. But their concerns about a further increase in traffic movements, which had already increased, were ignored. The Concept Plan was approved regardless of the submissions. The developers, it was noted, had made large donations to the Labor Party.

The use that was to be made of the units was not fully understood by all local residents when the Plan was passed. The assumption across the broader community was that they would be for hospital staff. Despite the many concerns, unfortunately, no consideration appears to have been given to an appeal to the Land and Environment Court.

Comments on specific issues

The display units were placed onto this site prior to any consideration by Ku-ring-Gai Council of the DA for the demolition of the houses they were to replace. While the Adventist organisation may control what goes on its land, these are buildings that form part of the DA. Moving them onto the Estate has not been approved. This was provocative behaviour that caused widespread condemnation from the school community and local residents. Their placement also failed to comply with safety provisions and pose an unnecessary risk to pedestrians. Residents view it as an example of the dismissive and arrogant attitude of both the development companies involved with this Concept Plan. As Bluestone did not consider it necessary to comment on our submissions at this stage, it will most certainly be raised again when the DA is considered by Council.

Please be aware, and this is a vital point, that the traffic, bushfire and other reports in relation to all the Adventist's new proposals are prepared by people who do not reside in the area. None of these people have witnessed the excessive increase in noise, traffic, dust and street parking generally since 2010, nor the extra burden placed on the local streets by the expansion of the Hospital. Instead, the reports are based on inaccurate criteria that are no longer relevant as they were established some time ago. Any local resident will tell you that the reports do not reflect the true situation, particularly those relating to traffic and bushfire evacuation. The situation has changed dramatically since 2010, the criteria have not. They must be re-evaluated and the development proposal must be rescinded in the face of these drastically changed conditions.

As residents we are concerned about our safety, particularly in lower Fox Valley Road, the Broadway and deeper into the valley, and at the junction of Browns Road and the Comenarra Parkway, in the event of bushfire. The developer's response to our concerns about bushfire evacuation focus only on the safety and the potential evacuation of residents in the Wahroonga Estate, and are assessed from inaccurate criteria as they apply to each individual development, as though the development exists in a void, rather than assessing the safety of the local residents. Their reports do not take in growing traffic volumes as a result of the combination of their new developments (plural), the potential for increased traffic congestion on the day resulting from cars evacuating the area, breakdowns on surrounding roads, excessive cars parked in local streets as a result of each development etc. It is we whose lives and homes will be placed at risk trying to evacuate through overly congested streets.

This evacuation process would be quite complex to report but the fact that the Adventists have not addressed it nor Council nor the State Government sought to have them provide an assessment is deeply concerning and outright irresponsible. The area the Adventists seek to develop is ringed with bushland and a good proportion of the residents to the south of the Estate live in a peninsular-type zone where there is only the single exit road in the event of a bushfire incident. What the Adventists and their developers do instead, is take the myopic approach of reporting an evacuation plan for each individual proposal that does not take into account the increased traffic

resulting from a development sitting shoulder to shoulder with it. Every one of their developments in the Wahroonga Estate feeds onto Fox Valley Road. Their impacts on the area should be assessed as a group, not individually.

Another major issue is the lack of public transport in the area. The two closest railway stations – Thornleigh and Warrawee – are 3 and 5 kilometres away, respectively, so residents use the local bus or drive. The bus services may currently satisfy the needs of residents and visitors, but if the various new buildings are approved or finalised and the traffic increases, extra services would be needed.

The current timetables would not allow for the increased number of passengers to get in and out of the area quickly. Any attempt to put on a large number of extra services would exacerbate the traffic situation. There are to be 800 students who will need to get to and leave from the school. There is limited street parking, which will be removed if the proposed units go ahead, to allow for the increase in traffic. Add to those the patients, visitors at the hospital and medical suites, parents of children in childcare facilities and residents of the proposed units, none of whom would be able to leave the area quickly. This would also impact on the ability of current local residents to move around. Once again, the developer's response relied on the approval of the Concept Plan that deemed the site's location to be appropriate. It was inappropriate in 2010, and is even more inappropriate in 2018.

The Adventist organisation is now aware that its congregations, school staff and parents stand as one with the local residential community in their opposition to the planned units. They have been told this many times and are in discussion with the school. I understand they have shown the school community revised drawings completed more recently than those we are discussing here. Never in the history of this area has such anger and deep feelings been displayed by so many people as has been directed at this whole proposal. This residential community has, in the past, supported the Adventist organisation by patronising the hospital and school and enduring the numerous expansions, because we have been promised a resolution of the parking problems and traffic congestion. But the reverse will be the case. As they expand Fox Valley Road and the intersection of FVR and the Comenarra Parkway to allow for the build-up of traffic **they** have brought to the area, they will also be inviting in ever more passing traffic. And these even busier roads will mark the end of the residential nature of the area. The community and the ambience of the area, the sense of it being a good place to raise a family, will be destroyed by the sheer volume of traffic.

This is because, as Frank Sartor said in 2010, the Estate seeks to place a suburb within an existing suburb, like dropping chaos into a finite space. And not for philanthropic reasons or for the wellbeing of others, as those good Christians who were once part of this community, but for greed and profit. At the expense of the local residents and the environment. And also for the community involved at the school.

Yours sincerely

Glenda Downing

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