

Ms Kelly O'Dwyer MP  
Chair, House of Representatives Economic Committee  
**Inquiry into Australian Foreign Investment Policy as it applies to residential real estate.**  
Committee Secretary  
Standing Committee on Economics  
P. O Box 6021 Parliament House Canberra ACT 2600

Dear Chair

### **SUPPLEMENTARY SUBMISSION**

Please find the below material which is submitted to supplement my Submission dated 4<sup>th</sup> May 2014.

■ In the submission dated 4<sup>th</sup> May 2014 reference is made to the documentary “State of Siege”:

“*State of Siege*” was released March 2011.

What has happened in Ku-ring-gai with the densification policies, the way they were administered, and the outcomes, was the catalyst for the 60 minute documentary “*State of Siege*” which has been sought by many, Australia wide, including universities for their pedagogical purposes. Copies have been lodged with various institutions including the NSW State Library and the NSW Parliamentary Library. **A copy can be made available to the Inquiry.**

“*State of Siege*” delivers some very disturbing messages, including

- Arrogance of power
- Influence of political donations.
- Disregard of the environment, embodied energy and the principles of sustainability
- Need for a Royal Commission into property and the planning system
- Undue influence of lobbyists and property developers coupled with exclusion of the community
- Planning by politics
- Amendments to the Heritage Act- it is now harder to list items and easier to remove them
- Ignoring of the basic tenets of justice
- Non-adherence to principles, with secrecy and distancing of proper process
- Appointed panels putting through what the Government wanted in the first place
- People going through a determining process in which, either way, they are condemned
- Removal of democratic rights
- Travesty of democracy

- Government bureaucrats riding roughshod over the people
- Loss of confidence in the democratic process

■ In the submission dated 4<sup>th</sup> May reference is also made to Ku-ring-gai's character, natural and cultural heritage which has been severely impacted by the unsympathetic multi unit apartment buildings. Please now find the following quotes, with sources, that expand on the important valued and valuable Ku-ring-gai context.

### **What they say about Ku-ring-gai.**

**Assembled by Friends of Ku-ring-gai Environment Inc (FOKE) 2008**

► **NSW Heritage Office Website.**

*"Heritage consists of those places and objects that we as a community have inherited from the past and want to hand on to future generations."*

► **Thematic History of Ku-ring-gai 1987 Heritage Study**

*"Since the late 1880's when the promise of a railway was first put forward many of the best Australian domestic architects have practiced in Ku-ring-gai. The result today is that Ku-ring-gai is one of Australia's most comprehensive repositories of fine 20th century domestic architecture."*

Comment: Construction of unsympathetic multi unit apartment blocks, many built for overseas investors, has destroyed part of the repository of fine 20th century domestic architecture.

► **Dr Tim Flannery to Ku-ring-gai August 1997.**

*"Gardens really are important. They can provide vital habitat and links for wildlife living in areas such as national parks. The destruction of suburban gardens through medium density and other overdevelopment is, I believe, having a severe deleterious effect on urban wildlife in some areas."*

Comment: Construction of unsympathetic multi unit apartment blocks, many built for overseas investors, has destroyed gardens that have provided habitat links etc.

► **Emeritus Prof Gareth Roberts AM Ku-ring-gai Heritage Awards 1998**

*Ku-ring-gai is an environment whose location, topography, landscape and buildings make it a place of heritage significance.*

Comment: Construction of unsympathetic multi unit apartment blocks, many built for overseas investors, has adversely impacted on topography, landscape and buildings

► **Michael Harrison, for Travis McEwen Group. Draft Residential Strategy. 2000.**

*"Past Ku-ring-gai generations have left a legacy to Sydney of a unique blend of tall forest splendour, large areas of natural habitat (that accommodate a wide range of*

*threatened species) and an extensive architectural heritage. It is incumbent on this generation to preserve and where possible improve upon this legacy for the future".*

*"(In Ku-ring-gai) the areas where much of the beautifully designed heritage housing is located are typically near the Pacific Highway/Railway ridgeline where the topography drops away either side towards the bushland habitat and tall forest which houses Sydney's largest variety of endangered and threatened species".*

*"The two issues – the protection of the natural environment and extensive areas of built and landscape heritage – are valuable legacies of previous generations. The onus is firmly on the current generation to very carefully plan and design new development in order to leave future generations with a better environment".*

*"The objective is that each individual development must result in a net environmental improvement (e.g. stormwater flow/quality and tree canopy protection – both fundamental to protecting biodiversity in Ku-ring-gai)."*

*"Stormwater runoff, sewerage overflows and other negative impacts from urbanization are major issues in Ku-ring-gai because they affect the ring of National Parks around Ku-ring-gai".*

*"The importance of maintaining and enhancing the extensive tree canopy in Ku-ring-gai is a key issue because the canopy enables "biolinkages" with the surrounding National Parks for a wide variety of species".*

*"Ku-ring-gai exhibits environmental splendour of such a scale it is of national significance."*

*"Unique features of Ku-ring-gai include:*

- *Most of the last remnants in the Sydney "bioregion" of the toweringly tall Blue Gum forests (the "bioregion" extends from Nelson Bay to Bateman's Bay and from the coast to the mountains).*
- *The largest number of threatened species (plants and animals) in the bioregion for a local government area. It is noteworthy that Ku-ring-gai has similar numbers of bird and plant species as the entire British Isles.*
- *4 National Parks in and around Ku-ring-gai:*
  - *Ku-ring-gai Chase National Park*
  - *Lane Cove National Park*
  - *Garigal National Park*
  - *Dalrymple Hay Forest National Park (Nature Reserve)".*

► **The Australian Council of National Trusts (ACNT) August 2000** listed the 28 Conservation Areas of Ku-ring-gai in its list of "Endangered Places"

*"Demolition of homes and gardens, removal of trees and unsympathetic residential 'overdevelopments' are damaging Ku-ring-gai's character, with 20% of the tree canopy alone lost in the past decade. State Government medium density policies actually promote this destruction and, unless they are modified, local development controls strengthened and a residential strategy based on heritage principles adopted, the garden suburbs of Ku-ring-gai remain under threat."*(Our emphasis)

► **The Hon Tom Uren AO Former Federal Minister of Urban and Regional Development** launched the ACNT List 2000, Patron of the Defenders of Sydney Harbour Foreshores, Chairman of the Parramatta Park Trust, and Spokesperson for the Australian Council of National Trusts Endangered Places List 2000. 2001)  
*You have something special here in Ku-ring-gai. Fight for it.*

► **The Hon. Barry O’Keefe, AM, Then President, The National Trust of Australia, NSW 2002**

*Any great city ought to be able to boast an area such as Ku-ring-gai. In many cities of the world the values that are characteristic of Ku-ring-gai would be regarded as the things to be preserved. These values are universal.*

► **Peter Garrett, Then President of the Australian Conservation Foundation 2002**

*I want to express my strong support for today’s Rally. As a former resident of Ku-ring-gai I can vouch for the strong natural and heritage qualities of the Shire. Whilst we must be mindful of the equitable provision of housing in Sydney, the current proposals are not about equity at all. This is imposing inappropriate high-rise development where the developers' dreams become the residents’ nightmare. This move must be resisted, your voices clearly heard, and Ku-ring-gai as you know it and love it must be preserved. (“Fight the Height” Rally 17 November 2002 held in Tryon Rd car park against the Minister seizing the six sites.)*

► **Ku-ring-gai Council Heritage Statement 2004**

*“Ku-ring-gai as a whole is of national and state heritage significance because of the outstanding quantity, quality depth and range of its twentieth century architecture. It contains houses designed by many of Australia's prominent twentieth century architects which have influenced the mainstream of Australian domestic architecture nationally including John Sulman, Howard Joseland, Hardy Wilson, Leslie Wilkinson and Harry Seidler.”*

► **"Under the Canopy" Ku-ring-gai Council Centenary History 2006**

Excerpt from the speech given at the launch of “Under the Canopy”, 8.11.06, by Co-author Pauline Curby

*“I hope.. we have been successful in helping the reader understand what is special about Ku-ring-gai. Allow me to quote from the Council’s housing strategy of 2000 as we have done at the end of Under the Canopy:*

*‘Past Ku-ring-gai generations have left a legacy to Sydney of a unique blend of tall forest splendour, large areas of natural habitat ... and an extensive architectural heritage. It is incumbent on this generation to preserve and where possible improve upon this legacy for the future’.*

*As someone from the other side of Sydney I would like to emphasise strongly that you need to fight hard to preserve this legacy.*

*...So many times I have driven round this beautiful part of Sydney and been amazed at the wealth of its heritage – this includes individual houses, many with large grounds*

*still; streetscapes where there may be no one item that is special but where the combination of a number of elements makes a significant whole - and of course the glorious urban bushland.*

*Sometimes I feel local people need an outsider to remind them that there is indeed a special heritage in Ku-ring-gai that is an important element helping to make Sydney the diverse, dynamic city it is."*

**► Ku-ring-gai's Urban Conservation Areas within the Context of the Original Blue Gum High Forest nominated for Australia Top Ten Heritages at Risk Places in Australia 2007. Nominated by the Non Trust of Australia (NSW) as one of only three nominations from NSW.**

**► Peter Fitzsimons columnist and broadcaster 2007**

*"ANYONE else noticed the Meritonisation of the Pacific Highway between North Sydney and Wahroonga? Home after home has been bulldozed, replaced by block after block of units each one ungoring more and more cars onto the main North Shore artery. Is this sane urban planning?"*

**► Bulldozer driver to neighbour 2007**

*I can't believe we are knocking down such quality homes*

**► Mr Jonathan O' Dea Member for Davidson's 2008 survey found**

*"Over development" as one of the top concerns of his constituents.*

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**Extract from Hansard 12.5.09 of speech made by Hon Catherine Cusack to the NSW Legislative Council.**

*Last night I attended a public meeting convened by the Friends of Ku-ring-gai Environment [FOKE] to speak in defence of the iconic tree canopy that has been lovingly sustained by the local community and encloses virtually the entire municipality. ... This (loss of the canopy) is a heartbreaking tragedy not only for Ku-ring-gai but also for Sydney.*

*There are many reasons why the Ku-ring-gai canopy is of significant local, state and national heritage value. It connects surrounding National Parks and local reserves for native fauna, especially birds. It cools the area by an estimated two degrees. The canopy encompasses the last cohesive fragments of the critically endangered Sydney Blue Gum High Forest. It defines Ku-ring-gai as a garden suburb and it works with the built environment to give a sense of place. Ku-ring-gai's iconic canopy is one of Sydney's great natural assets.*

*I have put questions to the Minister for Climate Change and the Environment, Carmel Tebbutt, in Parliament. In reply the Minister has said that the New South Wales Scientific Committee has listed the forest as critically endangered, but of the 23 actions in the recovery plan only 17 have been commenced. The Minister will not commit to visiting the area, making the depressing observation that the Minister for Planning is responsible for the final zoning decisions and the Department of*

*Environment and Climate Change can only provide advice. That is not the response of a Minister trying to answer the deep fears and concerns of the community.*

**Please see attached article from “Sydney Observer” relating to Ms Cusack’s visit to Ku-ring-gai in 2009**

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■ In the submission dated 4<sup>th</sup> May reference is made to Canada tightening their property controls; and Chinese investors no longer being able to buy a second property in China without incurring massive taxes.

**Additionally, it has been reported in “CHINA MONEY SEEKS HAVEN” Australian Financial Review 22 23 March 2014 by Samantha Hutchinson that “a clampdown on corruption is forcing wealthy Chinese to find safer assets off shore”**  
*“Beijing’s crackdown on widespread bribery, backhanders and high level of gift giving) have been linked to outcomes as diverse as a sharp drop in Swiss luxury watch sales, a spike in demand for four star hotels , a surge in Australian property prices, and a hike in the prices paid for Chinese art. ...”*

*Chinese buyers ...are now estimated to be buying up 12 percent of new housing supply.”*

What has happened in this part of Australia (Ku-ring-gai) provides ample evidence that rules regulating the approval of foreign investment in Australian real estate need enhancing, without delay.

Yours sincerely

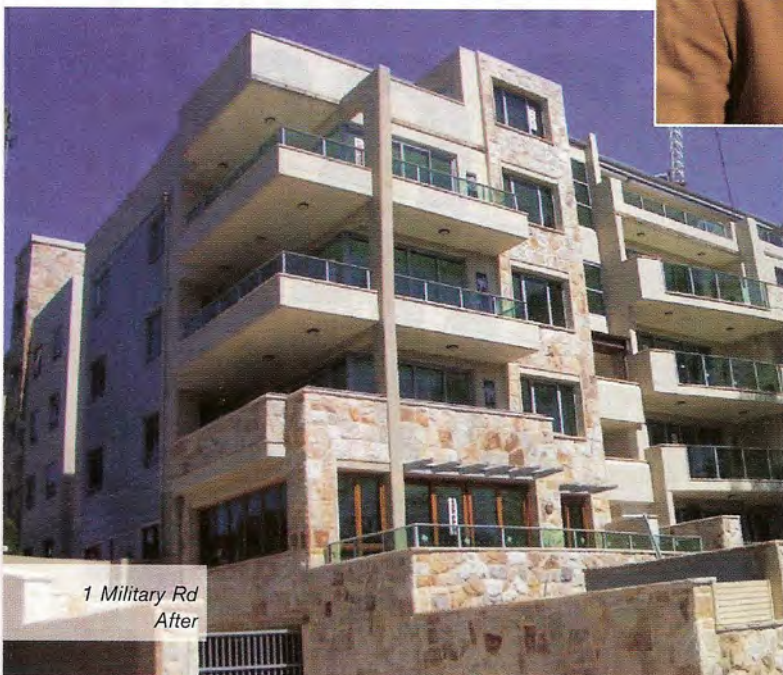
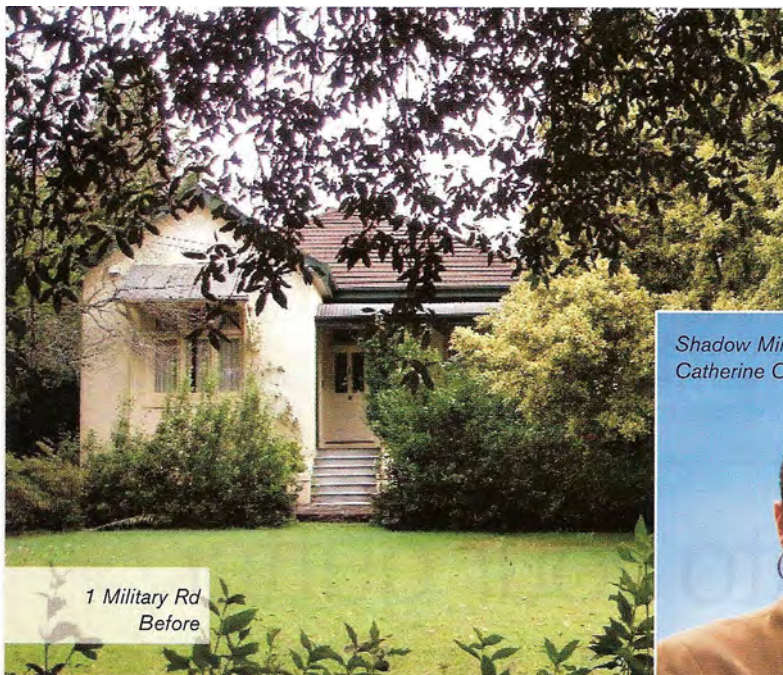
Anne Carroll OAM

**Attachment: article from Sydney Observer 2009 re Ku-ring-gai**

ON THE AGENDA

# On the thin green line

According to the Friends of Ku-ring-gai (FOKE), ugly buildings and shredded forests will be Ku-ring-gai's future if Labor's 'unfair' rezoning goes ahead.  
By CHRISTINE PAUL.



Shadow Minister for Climate Change and Environmental Sustainability, Catherine Cusack, has accused the State Government of "political vindictiveness" by forcing inappropriate, high-density, tower development on Ku-ring-gai.

Speaking after a tour of the area, Ms Cusack said she felt "quite stressed" and was "gobsmacked" by the scale and intensity of the proposed rezoning of Ku-ring-gai.

"It's not until you actually get on the ground that you realise the sheer scale of what is happening in the area, which is already staggering under the impacts of \$1.7 billion of development. But it will get much worse if Labor's unfair rezoning goes ahead," Ms Cusack said.

"A serious debate needs to occur about the design of new dwellings, because much current design does not enhance the feel of Ku-ring-gai."

"Plans include cramming ugly 15-storey buildings into the historic village shopping centres; and massive five-storey blocks within a radius of 800 metres of every train station will mean densities are greater than many inner city suburbs. I have never seen anything so inappropriate and politically vindictive."

"Ku-ring-gai's iconic tree canopy that connects through to the National Parks will be shredded like waste paper. Threatened species will almost certainly become extinct and wildlife will shrink due to 'loss of habitat,' MsCusack said. "What is especially concerning is that the critically endangered Sydney Blue Gum is set to be wiped out. The Department of Environment and Climate Change estimates fewer than 200 ha of this magnificent tree remain in existence, and all that are left are found on Sydney's ridgelines, mainly from Crows Nest to Hornsby and Castle Hill to Eastwood:"

**"This is not your traditional 'Nimby' issue ... the green canopy, which has long defined Ku-ring-gai is under real threat and everyone who lives in the area should be alarmed."**

**Catherine Cusack.**

"Now we've got rezoning for 15 storey buildings and other developments, the trees will effectively disappear. When I was touring the area I saw a huge pit in the ground where a proposed car park was planned. There was a lone Blue Gum teetering on the edge on it and no attempt had been made to support it or preserve it in any way," she said.

## ON THE AGENDA

Ms Cusack has tabled a series of questions, concerning Ku-ring-gai's impending loss of its canopy and the Blue Gum, to the Attorney General, Minister for Industrial Relations representing the Deputy Premier, Minister for Climate Change and the Environment, and Minister for Commerce.

"Once our beautiful canopy is gone, we'll be stuck with a high-rise wasteland ... the results will be undo-able. The community and environmental values of the municipality will be torn, and that damage to Sydney as a whole will be irreversible:" she said.

Ms Cusack has paid tribute to the volunteers at Friends of Ku-ring-gai Environment (FOKE) on behalf of the rest of New South Wales for their remarkable efforts to record and advocate Ku-ring-gai's environment and heritage.

"Volunteers should not have to go through the David-and-Goliath battle that has been inflicted by the Labor Government:" she said.

"FOKE are the thin green line protecting Ku-ring-gai from being pillaged by developers and we all owe it to them to dig in and help any way we can.

"Many people have dismissed these protests as Nimbyism, however, this is not your traditional 'Nimby' issue ... the green canopy, which has long defined Ku-ring-gai is under real threat and everyone who lives in the area should be alarmed.

Unfortunately, the Department of Environment seems quite

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resigned to what is happening.

"I call on the Minister for Climate Change and the Environment and Minister for Commerce, Carmel Tebbutt, to stop sitting on the fence and help avoid this environmental disaster in the making," she said.

Ms Cusack, together with FOKE, has also stressed the importance for local residents to attend an upcoming meeting to show their support and voice concerns,

"Ku-ring-gai's past and future are about to be determined," she said. Em

### PUBLIC MEETING

**"Shredding Ku-ring-gai's Iconic Canopy"** - a talk by The Hon Catherine Cusack MLC, Shadow Minister for Climate Change and Environmental Sustainability. Followed by Supper.

Sponsored by the Friends of Ku-ring-gai Environment

**When** Monday 11 May 8,00 pm

**Where** Killara Uniting Church Hall, Five Ways, Killara, cm Arnold Street and Karranga Ave Killara RSVP Kathy Cowley **Telephone** 9416 9007 or **email** [Kathy.cowley@bigpond.com](mailto:Kathy.cowley@bigpond.com)

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