

**Submission
No 28**

INQUIRY INTO THE APPROVAL OF THE DESIGNER OUTLETS CENTER - LIVERPOOL

Organisation:

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Subject

Summary

The Director,
General Purpose Standing Committee No. 4,
Parliament House,
Macquarie Street,
Sydney NSW 2000.

13/08/04

Dear Sir,

Submission to Orange Grove Inquiry

We note with interest that General Purpose Standing Committee No 4 is to hold an inquiry into the approval of the Designer Outlets Centre, Liverpool and the terms of reference include other relevant matters arising from the Government's planning policies and decisions.

The situation in Liverpool is another example of this Government bungling planning policy, changing its mind and then blaming others for the outcome.

Residents in Ku-ring-gai have experienced similar difficulties dealing with this Government in trying to have a Residential Development Strategy (RDS) approved. In the early stages, the then Minister for Planning Craig Knowles indicated to Ku-ring-gai Council the RDS should provide for future population growth, the changing needs of residents for greater housing choice whilst being sympathetic to the existing environment and have community support. As a result, the Council retained consultants to undertake studies into infrastructure, the environment and future housing needs in order to establish the issues that needed to be considered when determining a sustainable future development policy, only to have successive planning Ministers ignore the study outcomes and community views and reject all attempts by Council to have an RDS approved.

Subsequently, Minister Refshauge, accusing Council of being incompetent and claiming to be acting in the interests of residents, assumed planning control over 6 strategic sites and imposed rezoning allowing 5-7 storey multi-unit development. The community reacted by holding a protest rally attended by over 3,000 and lodging a petition signed by over 5,000 residents and supporters objecting to excessive development and the unnecessary destruction of their environment and community - all to no avail.

The Council and community continued to make concessions in an attempt to satisfy the Government's requirements but Minister Beamer rejected the third revision of the RDS/LEP notwithstanding it provided for thousands of additional dwellings, some 5 storey development and greater housing choice; claiming it did not meet the Government's requirements although no requirements had ever actually been stated. The Minister then had her department prepare an RDS/LEP for Ku-ring-gai which aggregated the three tiered development zones proposed by council into a single medium density development zone allowing for up to 5 storey unit development throughout. The Minister's directive encourages 5 storey unit developments, which reduced choice and will result in 5 storey unit blocks next to single storey dwellings, something the community opposed and Council's version of the RDS/LEP sought to avoid. The Minister has minimised development controls, which are seen as an impediment to development, thereby creating an environment which makes it easy to

develop in Ku-ring-gai and will ensure developers achieve substantial financial returns at the expense of residents' amenity. The Minister's actions will result in poor development outcomes and the unnecessary destruction of the community and environment.

Successive planning Ministers and their department have treated the community in an arrogant and contemptuous manner, continually "ratcheting up" the requirements and then stepping in and imposing their will on the community. The Ministers have been dismissive of alternate independent expert consultants' views and made statements and acted without being held to account to explain or justify their actions, often making statements and claims which have been simply wrong. Planning Ministers have been advised by a Ministerial Residential Strategy Advisory Committee with strong development industry representation but lacking community or residents' representatives. Decisions have been made which defy the facts and reality and the Ministers have at every opportunity sought to impose decisions contrary to good planning policy and irrespective of the outcome and consequences.

The Government has not dealt with the Ku-ring-gai community in an open and transparent manner and by ignoring residents' views has denied them natural justice.

Over recent years there have been numerous examples in Sydney of the Government forcing rezonings and/ or inappropriate and excessive developments on communities without regard to infrastructure, heritage, the environment or the views of residents.

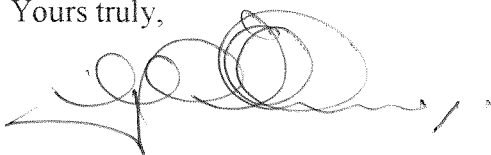
The way in which Planning Ministers and their department formulate and administer Government policy needs to be fully investigated:

- (1) To determine the extent to which policy is being influenced by parties with a vested interest; and
- (2) To understand the long term impact and effect it will have on the environment and character of our suburbs.

If the current level and form of development continues we are at risk of losing the differentiated character of our suburbs and condemning future generations to living in high-rise blocks of units whether they like it or not.

The Government must be held politically accountable now for the long term effects and consequences of its planning and development policies in Sydney.

Yours truly,



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