

**Submission  
No 41**

**INQUIRY INTO PLANNING SYSTEM AND THE IMPACTS  
OF CLIMATE CHANGE ON THE ENVIRONMENT AND  
COMMUNITIES**

**Organisation:** Stringy Bark Creek Residents Association

**Date Received:** 2 November 2023

---

The NSW Department of Planning has allowed the development industry to altogether hijack the current planning system. To illustrate this the following is a brief history of developments in Lane Cove's Mowbray Precinct, which incidentally now accommodates some 4500 people, up from about 300 in 2010.

Initially, when the precinct was rezoned R4, the height limit was set at 14.5 metres.

In order to accommodate the Land and Housing Corporation, part of the western end of the precinct was increased to 17.5 metres on the understanding that the said Corporation provided certain properties for a park. The said Corporation did not honour the agreement that was made.

Today as a result of the gross misuse of sections 4.6 and 4.55 there is no new development in the area with a height of less than 21 metres. Basically what happens is that a developer puts in an application that conforms to the LEP/DCP regulations, with absolutely no intention of confining themselves to what they have submitted. Once the development is approved they then do whatever they can to increase the size and bulk of the development by using the sections mentioned above. There is no recent development that has not used this process.

2. Social Housing. There have been several developments in the area which have been approved on the basis that they were 'social housing'. Two in particular, numbers 47 and 51 Mindarie Street, both Boarding House developments, made this claim. A room and a bathroom being rented out for \$400 a week is too expensive to be social housing. It should be noted that there is virtually no 'social housing' included in any of the developments in the Mowbray Precinct.

3. All flat developments now have to be submitted to so-called 'Independent Planning Panels'. The perception in the community is that these panels are far from independent and that they have been heavily politicised. Also they view each development without taking account of other developments in the area. This has resulted in massive over development in the area.

4. Lane Cove Council no longer determines the outcome of developments and Lane Cove Councillors are not allowed to involve themselves in any way. These are people we, the community, elected. The planning process has been handed over to faceless, unelected bureaucrats. As far as the community is concerned we got better outcomes when local councilors were allowed to determine the outcome of development applications and members of the community were permitted to make representations to them.

5. The effects of these policies are now clearly visible in the western end of Mindarie Street, Lane Cove North. The area has narrow roads and is already overcrowded, putting parking at a premium. There are now four oversized developments under construction with a fifth development approved.

Understandably, all the above has created complete distrust in the community of the planning process. SBCRA has been involved the planning process for a dozen years now. People often say to me, 'Why do you bother, the whole process is a set-up anyway.'

The obvious point I am making is that the planning system is broken, so if you want to make the best of the situation and get the community on-side, then the first thing to do is to make the necessary changes to the planning system.

The community needs certainty. We would like to see rules that are put into place abided by and not just seen as obstacles to be overcome. At the moment there seem to be no planning rules that have any force.

Guy Hallows

President SBCRA

November 2nd 2023