

**Submission
No 106**

INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

Organisation: Killara Lawn Tennis Club

Date Received: 28 March 2024



KILLARA LAWN TENNIS CLUB

*KLTC Founded 1912, celebrating 112 years of Tennis on Sydney's North Shore
8a Arnold Street, Killara, NSW 2071, Australia*

28th March 2024

Ms Sue Higginson MLC
Chair
Portfolio Committee No 7 – Planning and Environment
Development of the Transport Oriented Development Programme

For the attention of the Portfolio Committee No 7 – Planning and Environment Development of the Transport Oriented Development Programme

**RE: Heritage Listed Killara Lawn Tennis Club and Killara Bowling Club and the Proposals by
the State Government to change the planning laws to increase density in Killara
specifically east of the Killara Railway Station.**

Dear Ms Higginson

I am writing to you on behalf of Killara Lawn Tennis Club (KLTC) in my capacity as the current Patron of the Club and having served on the board of KLTC since 2007.

I was also President of the Club when Ku-ring-gai Council supported a local Heritage Listing for our property and rezoning to 'RE2 Private Recreation' in 2022. I am also a resident of Killara, having a home in Rosebery Road.

The Club (KLTC) was founded in 1912 by Mr J G Edward. The Club is the premier Tennis Club on the North Shore of Sydney. The Club has 25,000 visits a year from the local community from the ages of 4 through to a current Life Member who plays regularly and is aged 90.

The Club is the largest team contributor to the Sydney Badge competition; players from all around Sydney play in this prestigious inter-club competition.

KLTC has a rich history of well-known former champions who have played at our club, with

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Lew Hoad, Ken Rosewell and Fred Stolle gracing our Honour Board to name but a few. Recently we welcomed Prime Minister Anthony Albanese to our club for a spirited and well contested Badge match. Former NSW Premier Morris Iemma also played at the Club.

KLTC is a not-for-profit club whose mantra is to develop the game of tennis and support our membership within the wider Ku-ring-gai community.

The proposed changes to Low and Mid Rise Housing 2023 and the Transport Oriented Development (TOD) and its impacts on Heritage listed Killara Lawn Tennis Club

I write to express our Clubs objection to the planning changes outlined by the New South Wales State Government above in reference to the part of the suburb of Killara, located east of the Killara Railway.

This applies to both the *Transport Oriented Development State Environmental Planning Policy (SEPP)* within 400 metres of the Killara railway station, and the 800-metre zone increased low and mid- rise density proposal.

There is no doubt in my mind that the TOD controls, if implemented in their current form, would be fatal to our historic 112-year-old Club, due to the adverse amenity impacts of inappropriate high-rise development located on the immediate boundaries of the Club.

Furthermore, the 800-metre increased density proposal would severely affect the existing residential ambience, character, heritage significance and streetscape of the wider Arnold Street precinct of Killara.

The planning proposals appear to ignore the significance of the 'Springdale Conservation Area' and the contribution that the many heritage-listed homes make to the precinct.

The proposed controls do little, in my opinion, to consider critical issues like setbacks, tree canopy cover, parking, soft landscaping, solar access, overlooking and amenity. The introduction of residential apartment buildings to the Arnold Street precinct and land surrounding KLTC is inappropriate, ill-considered and will impose unacceptable impacts upon our beautiful Club.

Our Club Confirms our support to Ku-ring-gai Council and Ku-ring-gai Councillors to increase density in Ku-ring-gai

To be abundantly clear, the Club supports Council to increase residential density in the LGA, when undertaken in a measured and master-planned manner that follows the accepted strategic planning processes. The Club has no objection to incentives being provided to

developers to encourage open space that benefits the community and for the development of low-cost housing but located within appropriate locations. Demonstrably, this does not include the precinct surrounding KLTC.

Some Historical Background about the founding of these two historic clubs that were Heritage Listed in 2022.

Mr J G Edwards' Vision for Killara (The Father of Killara)

Some 120 years ago, a very astute and visionary Australian, Mr J G Edwards, set out a vision to develop a garden suburb on the North shore of Sydney – Killara. Mr Edwards was the person who named the suburb.

Edwards envisioned a suburb made up of large residential blocks, with attractive gardens and a suburb that had a strong feeling of community through the provision of recreational sports clubs, a theatre, a Church and a Park.

Through his endeavours Mr Edwards secured and subdivided some 160 acres of land (even in the early 20thC this was no mean feat) located between Werona Avenue and Rosebery Road; this forms the Conservation Area of Killara as we know and appreciate it today, and with notable streets being named after his children including Arnold, Locksley and Marion.

Over many years he set about making his vision for the suburb a reality. He was personally instrumental in securing sites for Killara railway station, Marion Street Theatre, St Martin's Church, Killara Golf Club, Killara Lawn Tennis Club, Killara Bowling Club and Killara Park (Bert Oldfield Oval).

J G Edwards funded the construction and establishment of the tennis and bowling clubs upon the Arnold Street site and, in his own words, 'stuck with his vision' despite enduring tough economic times and providing funds from his own personal resources.

After this initial period the two Clubs gathered enough community support to operate independently of Mr Edwards' financing, with KLTC formerly being incorporated in 1912, and KBC following in 1916. Edwards subsequently sold the land to each club again in his own words not recovering a substantial amount of his costs in establishing the clubs but succeeding in his vision for the suburb. Edwards remained (Patron of the Clubs until 1927).

Edwards, being well-respected by his peers for his vision, was asked to name the suburb, and in response nominated 'Killara', meaning 'permanent' or 'always there' in the local Aboriginal language.

In summary, Killara Lawn Tennis Club and Killara Bowling club were specifically created by Mr J G Edwards on part of his development land that he could have otherwise been sold for profit, and at considerable cost to himself, Edwards continued to support and fund the two clubs for

‘Private Recreation’ and for the direct benefit of the Killara community.

East of the Station the TOD SEPP will have a major effect on our Heritage Listed Club.

The following section highlights the Club’s concerns regarding the expected impacts resulting from the proposed planning changes, with, for clarity the KLTC grounds and local heritage items identified in Figure 1 below.

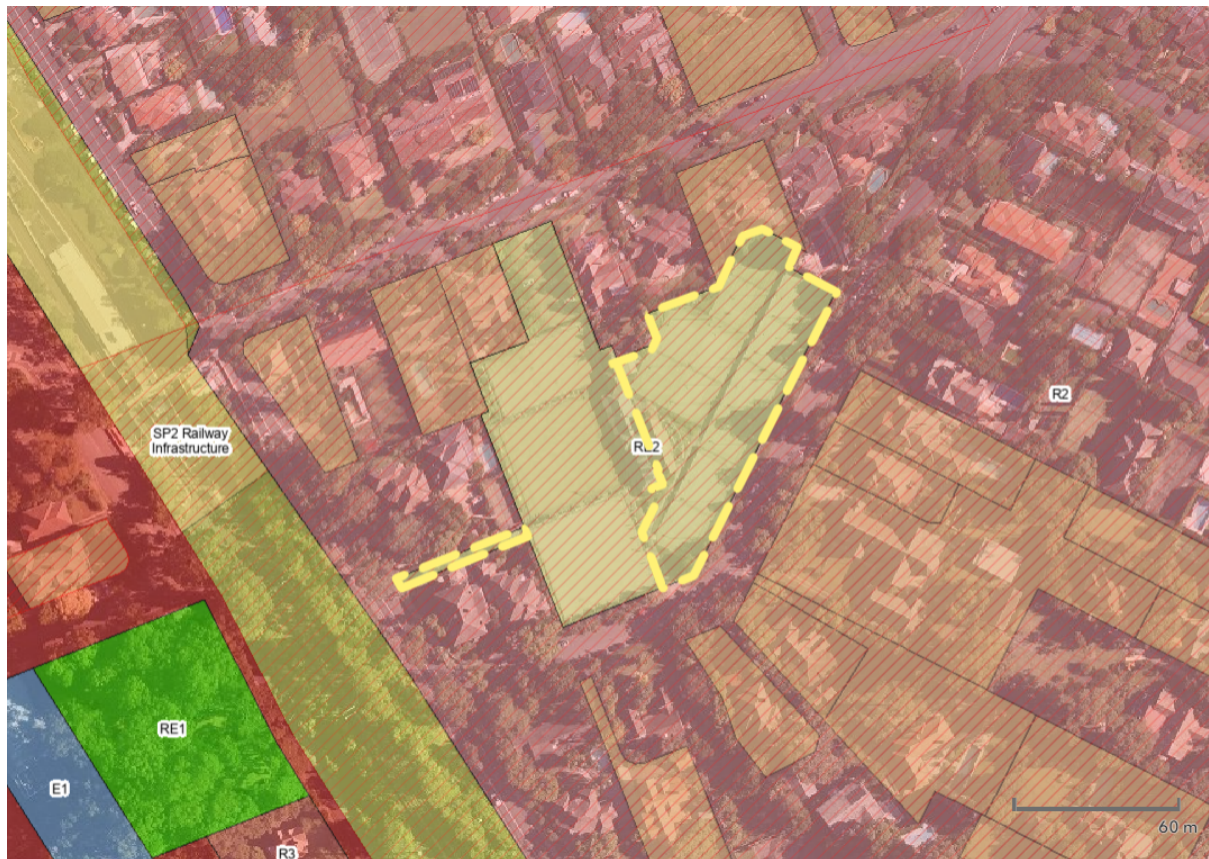


Figure 1 - site location (source: NSW Spatial Viewer)

- 1. Development Precedence:** It should be noted that there is currently no high-rise residential development or supporting retail infrastructure to the east of Killara Station. It is the Club’s opinion that the type of development density envisaged by the proposed TOD SEPP is inconsistent with the existing neighbourhood character consisting mainly of low density, single dwellings on large formal landscaped lots with a dense tree canopy.
- 2. Amenity:** The TOD SEPP will allow development of a bulk and scale that will severely impact upon the Club’s grounds, leading to a loss of private amenity from overshadowing, loss of solar access to the courts from tall residential towers being located on our boundary. Further commentary on these issues is provided below.

3. J G Edwards original vision for Killara: The area to the east of the station named 'Killara' by Mr J G Edwards will lose its ambience, charm and invaluable contribution to the Conservation Area. This unique North Shore suburb will be fatally and permanently compromised.

4. Stormwater and Water Quality impacts: The many creeks running from this ridge east and west, are flowing into either the Lane Cove, Garigal or Ku-ring-gai National Parks and generally form part of the Middle Harbour Catchment. The canopy trees, bushland reserves and established gardens are all important contributors to water quality and are environmentally critical to the survival of these national parks.

Any increase in built form and residential density will inevitably increase impervious surfaces. During high rainfall events this may lead to flash flooding and poor water quality, with pollutants, rubbish and weeds being flushed into the National Parks.

We also question whether the local stormwater system capacity has been properly considered within the TOD SEPP. This is particularly relevant to KLTC, which is sited upon land that was a former watercourse but is now contained within a piped stormwater easement running directly below the surface of Courts 4 and 6. In the last big storm of 8 March 2022 the local stormwater system was overwhelmed and resulted in significant damage to the Club grounds and court surface as water backed up the stormwater easement.

Future over-development of the surrounding neighbourhood will have a detrimental effect upon environmental water quality and the stormwater system, leading to more frequent inundation events and higher insurance premiums, thus directly going to the Club's membership costs and ongoing financial viability.

5. Tree Canopy: Already Ku-ring-gai's tree canopy is under serious threat with a reported 8-9% slash in tree canopy cover in recent years. The NSW Housing Strategy will accelerate this removal.

New development will destroy the existing prolific and mature tree canopy to the east of the station and the vital wildlife corridor to the national park along the railway ridge line. We understand that some 40,000 trees will be removed in Ku-ring-gai because of these planning changes. In a very real ecological sense, Ku-ring-gai is the 'lungs of Sydney' and what happens to Ku-ring-gai's trees will necessarily impact on the environmental health of Western Sydney, the Northern Beaches, Sydney Harbour and the Hawkesbury River.

- 6. Wildlife and Biodiversity:** This proposed development may have a devastating impact upon vulnerable and threatened flora and fauna species that are endemic to the area. Ku-ring-gai has more native species than the entire United Kingdom and is an urban haven of biological diversity that supports over 800 native plants, 170 fungi and 690 fauna species (including the threatened species – Grey-Headed Flying Fox and Powerful Owl).

These planning changes fail to acknowledge and appreciate Northern Sydney's rich environmental heritage.

- 7. Overshadowing:** Courts 4 and 6 are particularly vulnerable to overshadowing from development on our north-western boundary, whilst Court 3 adjoins a potential development site to the north and is similarly affected.

It should be noted that overshadowing of synthetic grass surfaces, such as those used at KLTC, is not constrained to just 'player comfort' but has a real impact upon critical court maintenance issues, particularly for mould in areas of the court that receive insufficient sunlight.

The Club's courts were re-surfaced at a cost exceeding \$250,000 in 2019 with an anticipated life of approximately 10 years. Fungal and mould growth upon Courts 3, 4 and 6 (being half of our 6-court total) will not only require **expensive regular treatment but ultimately is expected to halve the replacement period, leading to a significant increase in the Club's ongoing capital expenditure and operational costs.**

- 8. Parking:** The reduced carparking requirement for new development will severely impact the existing local parking demand, which is already over-capacity from the commuter parking associated with Killara Station. Street parking congestion will extend along Arnold Street and Locksley Street, probably as far down as Killara Park.

KLTC relies entirely upon street parking in Arnold Street for guests and members, many of whom are elderly and have limited mobility. Likewise, the Club through its commercial operator 'Inspire Tennis', runs a successful coaching clinic on each weekday and tennis camps during school holidays, and is almost entirely dependent upon parents picking up and dropping off very young children during the post-school afternoon period at the club entry.

KLTC is also located close to two long-established Churches, St Martins Anglican Church at 9b Arnold Street, directly opposite the KLTC courts, and Killara Uniting Church at 29a Arnold Street, one block to the north of our Club. Both Churches similarly rely upon street parking, which leads to significant congestion in Arnold

Street particularly when weddings and funerals are held on Saturday afternoons, the peak playing day for our club.

Any decrease on street parking will directly affect the club's members, very likely resulting in a reduction of membership and coaching patronage due to higher levels of parking inconvenience.

- 9. Loss of Private Amenity:** New development up to 7 storeys, with minimal setbacks to boundaries being required, on our immediate north-western and northern boundaries would cause significant overlooking issues, creating a 'fishbowl affect' for the courts and players. It is also likely that wind patterns would be altered by the new structures, leading to inconsistent playing conditions.

In both scenarios, the players' positive tennis experiences will be diminished, affecting Club membership retention rates and ability to attract new members.

- 10. Failure to give due regard and importance to Heritage, Conservation and Open Space:** The State Government proposal fails to acknowledge that over the past 20+ years, Ku-ring-gai Council's attempts to strengthen the protection of Ku-ring-gai's heritage and the environment have been ignored, denied or delayed by the NSW Planning Department (eg [10/50 vegetation clearing rule](#)).

Concurrently, environmental, heritage and local government powers have been significantly weakened. It is our view that urban environmental protections should be strengthened, not diminished.

Furthermore, the recent Covid-19 pandemic clearly showed the importance of having open, green, accessible outdoor spaces located near residential areas for improved human health. Our own experience at KLTC during this period was that tennis courts were very suitable to undertaking aerobic exercise whilst maintaining effective physical distancing. In the words of former Planning and Public Spaces Minister Rob Stokes:

"Mounting global research is clear — accessible green space offers immense health, social and economic benefits..."¹

¹ <https://www.abc.net.au/news/2020-06-28/sydneys-green-space-use-booms-during-covid-19/12400104#:~:text=%22Mounting%20global%20research%20is%20clear%20%E2%80%94%20accessible%20green%20space%20offers%20immense%20health%2C%20social%20and%20economic%20benefits%2C>

It is demonstrably not in the public interest to promote policies that, intentionally or otherwise, remove or compromise existing open space and recreational opportunities for local Killara residents, such as have been provided by the Club for over 120 years.

A request for amendment and further consultation

Finally, in summary of the abovementioned issues and on behalf KLTC we submit our serious concerns on the proposed planning policy.

We request amendment of the policies and request further consultation in reference to the potential negative impacts upon our club's amenity, commercial viability and members' quiet enjoyment of our long-time, heritage listed recreational facility.

The KLTC Board has fully considered the relevant planning issues in Council's *'Draft Ku-ring-gai Council Submission to the State Government (31 January 2024) on Transport Oriented Development Program (Department of Planning and Environment - December 2023)'* and fully support Council's response and position in this matter.

Your Faithfully,

Tony Veale
Patron
Killara Lawn Tennis Club Ltd