

Subject: Amendment and Submission: from S. Cullis & P. Andersen to: GRC draft LEP2020 Ref. SF 20/881

**Attention: The General Manager, Georges River Council.
From: Philip Andersen and Sharyn Cullis.**

We have had access to extra information and extra time to review our original submission made on 26/4/20, and continue to support it in the broad sense but now wish to add these extra very strongly held insights and arguments.

We reviewed the Georges River Strategic Directions Paper, Ethos Urban Fig. 31, (attached). Given that the objective of the Foreshore Scenic Protection Area, (FSPA) is about scenic quality, it is very important to note just how far the view sheds from the river and other foreshores extends beyond the immediate waterfront block into the foreshore hinterland. So we argue these areas should be considered as worthy as inclusion into the FSPA, once the underlay of native vegetation and canopy cover is considered. With that in mind, we have submitted, our rough sketch, titled Attachment A, which represents roughly, where we propose the boundary of the FSPA should actually be (a grey-orange line), within our area of contention, west of the Oatley railway station.

We note that is very close to what was defined as included within the FSPA by the Hurstville 2012 LEP, and we recommend that you revert to this de-fault position.

We have considered the classifications and judgements by the Ethos Urban Report. We agree about the high sensitivity of the 'bush suburban' typology, but note that Ethos Urban fail to recognise some bushy areas of the 'garden suburban' typology is valued and highly sensitive to change. With our local knowledge, with 'ground-truthing' and the evidence of vegetation cover easily available via public agency mapping tools it is clear that urban Ethos and the Council have failed in identifying valued bushy suburban landscapes that will be highly vulnerable to wholesale clearance associated with dual occupancy development. Streets/roads that we would regard as indicating this failure include Bay, Riley, Waterfall, Marine, Freeman, Landsdowne, and Macken, Myall, Myrtle, MiMi, Waratah and Woronora south of Mulga Rd in Oatley West. Then Mimosa, Yarran, Boorara and Llewellyn.

So we recommend that Council reviews this information and adds these streets with leafy garden allotments back into the FSPA. In the interests of harmonisation, we recommend that they add the leafier streets east of the railway line also. (eg Letitia, Algernon adjacent to Oatley Point, and other significant ridgetop stands further east in areas we are less familiar with).

We believe the Council approach, in the narrow drawing of the FSPA everywhere except for the Lugarno headland, misses the whole point and will result in a totally reprehensible loss of beautiful and visible bushland that enhances the view of the foreshore. Our Attachment B, illustrates this. From the vantage point of Webster's and the Hills Lookout in Oatley Park we have provided 2 comparative view. The first is the view of Lugarno Headland, where the ridgetop bush will remain protected by being in the FSPA. The other is the view of Jewfish Point, Oatley West but focused on the Freeman Ave end. Whilst the bush on the waterside of the street continues to be protected by the FSPA, the more substantial and thicker canopy behind, it, being on the 'land' side of the road, won't be. That is ridiculous.

Our recommendation is clearly to review and correct this anomaly. Just as Lugarno headland is wholly protected the same should be true of Jewfish Point. Other areas needing serious review include the foreshore of Salt Pan Creek.

We will finish on a comment about substantive community consultation.

So much of the community anger that has emerged about this matter could have been avoided and ameliorated. It is appalling that the community were not directly consulted by Ethos Urban, the consultants, who prepared the 'expert' study. The study therefore did not hear or consider, nor represent in any way the opinions, values and the aspirations of the community. The whole issue of what is a beautiful foreshore worthy of protection, and what the community wants to hold onto, doesn't just depend on a consultant's sensitivity analysis, and arguably the consultants didn't even get that right. The problem is then exacerbated when the investigation is driven by a group of disconnected and distanced consultants, whose judgements can be warped by whatever are the underlying motives of Council strategic planners, that do not align with those of the community.

Thank you for this opportunity to comment.

Sharyn Cullis and Philip Andersen
14 Marine Dve, Oatley.

From: [GREA](#).

Sent: Tuesday, 21 April 2020 5:26 PM

To: mail@georgesriver.nsw.gov.au

Cc: oatley@parliament.nsw.gov.au

Subject: Submission to Georges River Council draft LEP2020 Reference SF 20/881

Attention: The General Manager, Georges River Council.

From: Philip Andersen and Sharyn Cullis.

We do not make political donations or gifts and have no objection to our submission being a public document.

Please acknowledge receipt of this objection.

We are residents of Jewfish Point, Oatley West who fear that the LEP2020 proposal to remove more than 1,300 properties in Oatley West, and additional ones in the adjoining neighbourhoods of Mortdale Heights and Peakhurst West from the existing Foreshore Scenic Protection Area (FSPA) will have irreversible and undesirable consequences.

The proposal will increase the density of dwellings and hard surfaces, radically change our neighbourhood character and diminish the quality of the bushland, wetlands and river that, for many of us, are central to the choice we made to live here. It is increasing the dominance of the built form and dwelling density, regrettably by stealth. Whilst it

does not rezone our area formally to achieve increased density, by the wholesale removal of foreshore protection across our environmentally sensitive landscape, it will achieve the same outcome.

In essence we are object to the proposal to remove well over 1300 properties from the FSPA in Oatley West, Mortdale Heights and Peakhurst West. Furthermore other protective controls should be strengthened in the Local Environment Plan (LEP 2020) beyond those proposed by council, for example the Landscaping requirement should be 40% not 25% as proposed. We also endorse the application of a FSPA into other the environmentally sensitive areas, in Hurstville Grove, Connells Pt and Blakehurst, that are currently not so protected.

Below are our arguments and evidence in support of our objection, and we wish you to address these.

- ***Direct and detrimental Impacts on residents***

The removal of more than 1,300 properties from the FSPA could lead to massive increases in built densities, as the lot size for a single dwelling will fall from 700sqm to 450sqm. The minimum requirement for a dual occupancy falls alarmingly from 430sqm per dwelling to 300sqm. The cramming in of more dwellings, will mean a parallel increase in traffic and parking congestion and a greater population pressure on our recreational spaces, with no plans to expand these locally. These effects will be compounded by the fall of the soft landscaping requirement from 25% of a development site to just 20%. This with a smaller lot size, will also mean the shrinking of gardens, the loss of neighbourhood leafiness and shady trees, and very little private outside space for trees, simple relaxation and children's play areas. Not even the 25% requirement protects these things.

- ***Wider environmental and social impacts***

The narrow re-drawing of the FSPA so as to protect only a narrow sliver of the immediate waterfront properties is this LEP 2020 proposal is nonsense. The 2012 Hurstville LEP recognised the value of the vegetation behind that on visible ridge tops. To protect bushy views from the river and lookouts, it is essential to keep all the headlands wholly within the FSPA. It is unacceptable that the council current proposal (LEP20) does not do this. Council will not therefore meet Objective 28, of the Greater Sydney Commission (GRC) by not adequately protecting scenic landscapes. (NSW Government, <https://www.greater.sydney/metropolis-of-three-cities>)

The council has also ignored a critical map prepared as its own research for this LEP, that shows the focal view points and bushy highspots throughout our area. Many of these are not on the foreshore but background for it.

(Fig. 31, p.100, Foreshores Strategic

Directions [file:///C:/Users/Owner/Downloads/Foreshore%20Strategic%20Directions%20Paper%20\(3\).pdf](file:///C:/Users/Owner/Downloads/Foreshore%20Strategic%20Directions%20Paper%20(3).pdf))

Our council has an obligation to protect biodiversity that it ignores. See Objective 27, GSC, that states "Biodiversity (should be) protected, urban bushland and remnant vegetation (should be) enhanced". Biodiversity clearly will be undermined by the removal of so much of the FSPA in Oatley West, Mortdale Heights and Peakhurst West, which by increasing built densities will lead to tree removal. Council have erroneously claimed: "This Planning Proposal will not adversely affect critical habitat, threatened species, populations or ecological communities or their habitats". (Planning Proposal (Planning Proposal, p.

67 <https://yoursay.georgesriver.nsw.gov.au/53819/widgets/279858/documents/136697>).

On the contrary, the NSW Government data base and mapping program (OEH, Bionet documents both threatened species and ecological communities within the affected area. Amongst the species are the Powerful Owl and Grey headed flying foxes that forage in the bushy suburban setting, and roost in the adjacent bushland reserves. The threatened frog, the Red crowned toadlet has been recorded in one of the drainage lines of one of these reserves. Urbanisation is a known 'key threatening process' to threatened biodiversity. The fact that the council simply ignores its won impact of intensifying the threat to what we have left in our area is unacceptable.

This proposal threatens water quality in the Georges River, and is a critical threat to the swimming baths within Oatley Park.

Some of the most significant and sensitive environmental assets, of the George's River LGA are the Myles Dunphy Reserve, Oatley Park and the Lime Kiln Bay wetlands, and each of these reserves either fringe or drain into the George's River. The 2012 Hurstville LEP recognised implicitly the importance of maintaining a FSPA buffer zone around these. The creek lines and wetlands within these bushland reserves have been recognised by a body of robust research, as poor in both ecological function and water quality performance. (Georges Riverkeeper <https://georgesriver.org.au/resources/georges-river-health-report-card-2017-2018>, This justifies the retention for the FSPA as it exists around them, and the further strengthening of development controls, so as to reduce their impact on downstream water quality of the Georges River. Alarmingly the new LEP will increase the threat, with denser urban development and a lessening of the absorbing capacity of soft landscaping, leading to greater volumes of polluted urban runoff entering waterways.

Increased urban densities will **diminish tree cover**, which undermines the council's ability to achieve the 'low cost' ecosystem benefits provided by dense canopy cover, including the amelioration of stormwater impacts and **climate change impacts**. The simple metrics for this, are that reducing lot size and taking out 5% from the required landscape area can be the difference between having trees, and removing them. Cumulatively that effect for hundreds of properties is significant, in this area which currently has better tree cover than most of the LGA. The fact that this LEP20 will enable this this, is in direct contradiction to the Greater Sydney Commission Objective 30, which is that Urban Tree cover is to be increased across the whole of Sydney. .

The removal of more than 1,300 dwellings from the FSPA removes the diversity of housing choice within the George's River LGA. Our council is moving the whole LGA

towards a uniform pattern of increased and de-vegetated uniformity. It therefore does not accommodate residents with preferences for gardens with large trees, nor families who want their own spacious private backyards.

- ***This process lacks transparency and convincing evidence and is inappropriate in the current Covid-19 Lock-down, as it does not enable proper community consultation.***

Nothing in the documentation makes **cumulative social impacts**, like traffic and resident satisfaction, and aforementioned environmental impacts of the altered FSPA clear.

There is **in-sufficient evidence** presented to justify the removal of properties from the FSPA. Council simply relies upon the assertion that the LEP 2020 needs to ‘**harmonise**’ standards across the whole of the old Hurstville and Kogarah LGAs. This might be advantageous for what was Kogarah, by the addition of a FSPA area, but is detrimental for Hurstville LGA as it shrinks the extent of protection for sensitive environmental assets and resident liveability.

(Part 5, p.65 onwards, Planning

Proposal. <https://yoursay.georgesriver.nsw.gov.au/53819/widgets/279858/documents/136697>).

The broad brush approach to the FSPA is **clumsy and illogical** anyway, as it often is a line drawn that protects an immediate foreshore, often already over built, without taking heed of the need to protect the bushland on the ridetop behind it, particularly for its scenic value and its function as a continuous wildlife corridor.

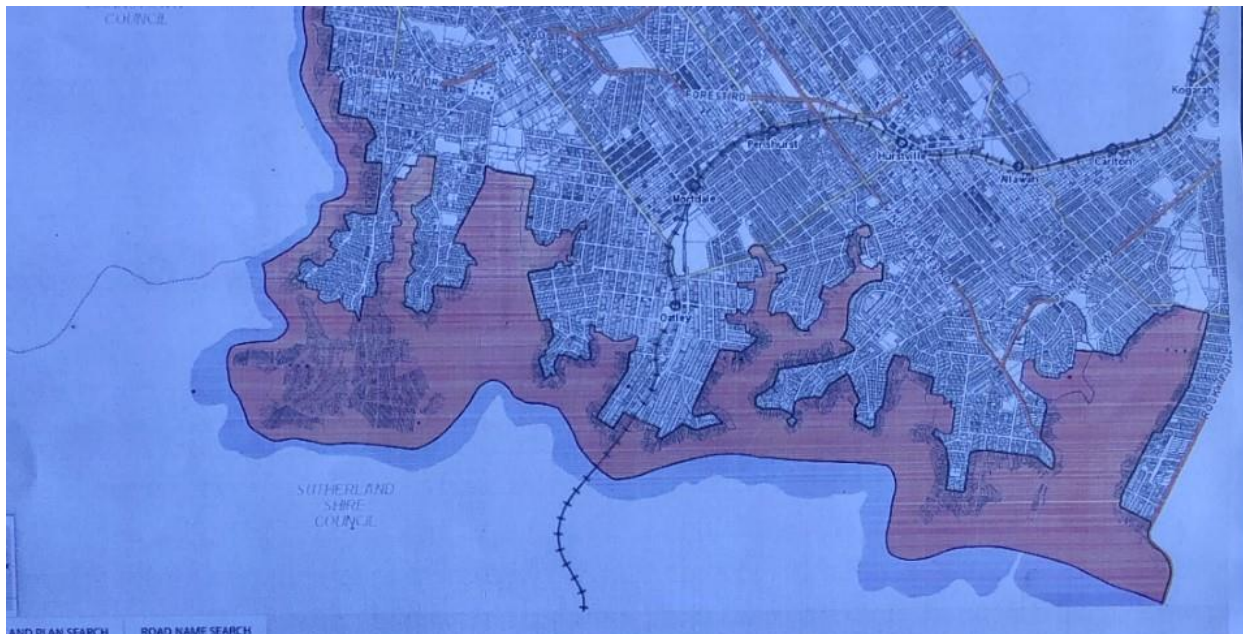
The data and mapping is selective and misleading. For example: The Foreshore Fact Sheet 10 (<file:///C:/Users/Owner/Downloads/Fact%20Sheet%2010%20-%20Foreshore-%20WEB.pdf>) fails to record the total number of properties to be removed from our neighbourhoods, nor the spatial area that represents. Council emphasises the FSPA areas they are adding, in the old Kogarah LGA, but fails to mention those they are removing in the old Hurstville LGA. This is unacceptable. This fact sheet ignores a critical comparative set of facts, as there is no table here that illustrates transparently how lot size and landscaping provisions differ for the FSPA and the de-default zone, that is Residential 2 (R2).

The maps that council provides are poor in quality and misleading. Specifically there is no map within the LEP Planning Proposal or Fact sheet that shows clearly the extent of the area to be removed. We have attached 2 maps, one the map council does provide of the FSPA and our drawing of what will be removed by this proposal, shaded yellow, and a representation of the actual extent of the waterways, shaded black. That indicates the area denoted by the council as FSPA shaded pink, is an actual over representation as it includes areas under water.

Conclusion

Given the current lock-down, it is also appropriate to ask for an extension to the closing date for submissions. Our interpretation of various social media/Facebook pages, and our discussions with other community members suggests, there is very widespread dissatisfaction with the LEP/FSPA proposals.

We urge council to monitor various social media/facebook pages for community reactions; Georges River Council - are you joking?, Oatley and Surrounds Oatley Flora and Fauna Conservation Society Inc.



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Disclaimer:
While the maps have been created with all due care, Georges River Council cannot guarantee the maps are free from errors or omissions.



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Visual Amenity and Character

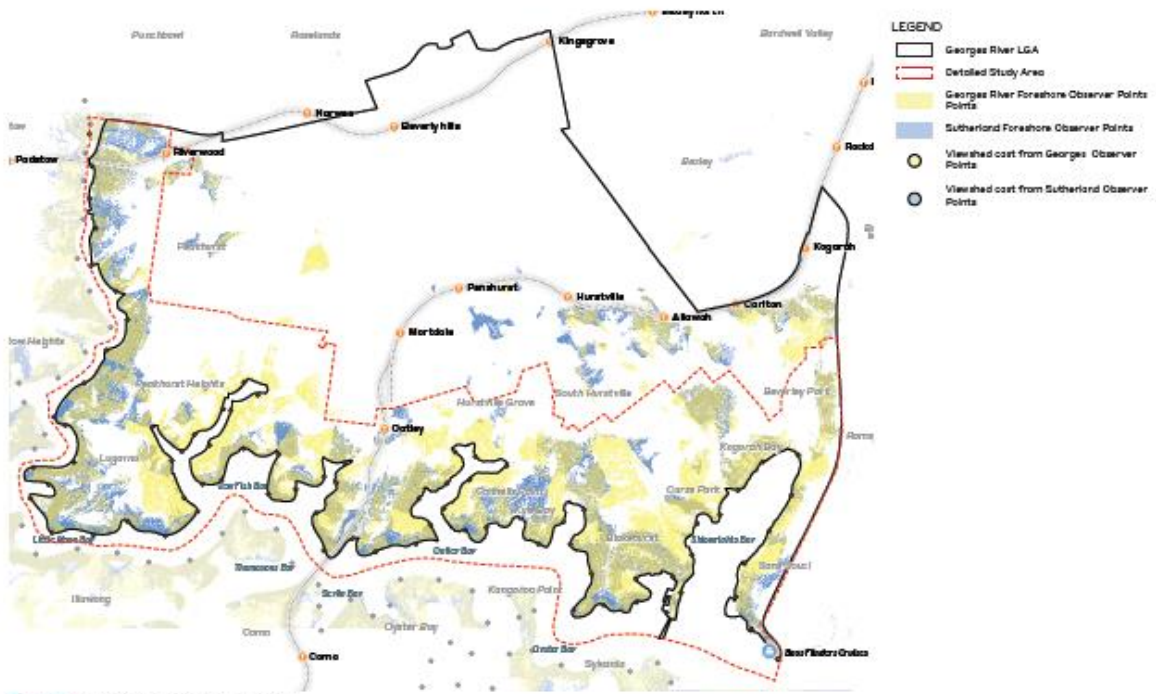
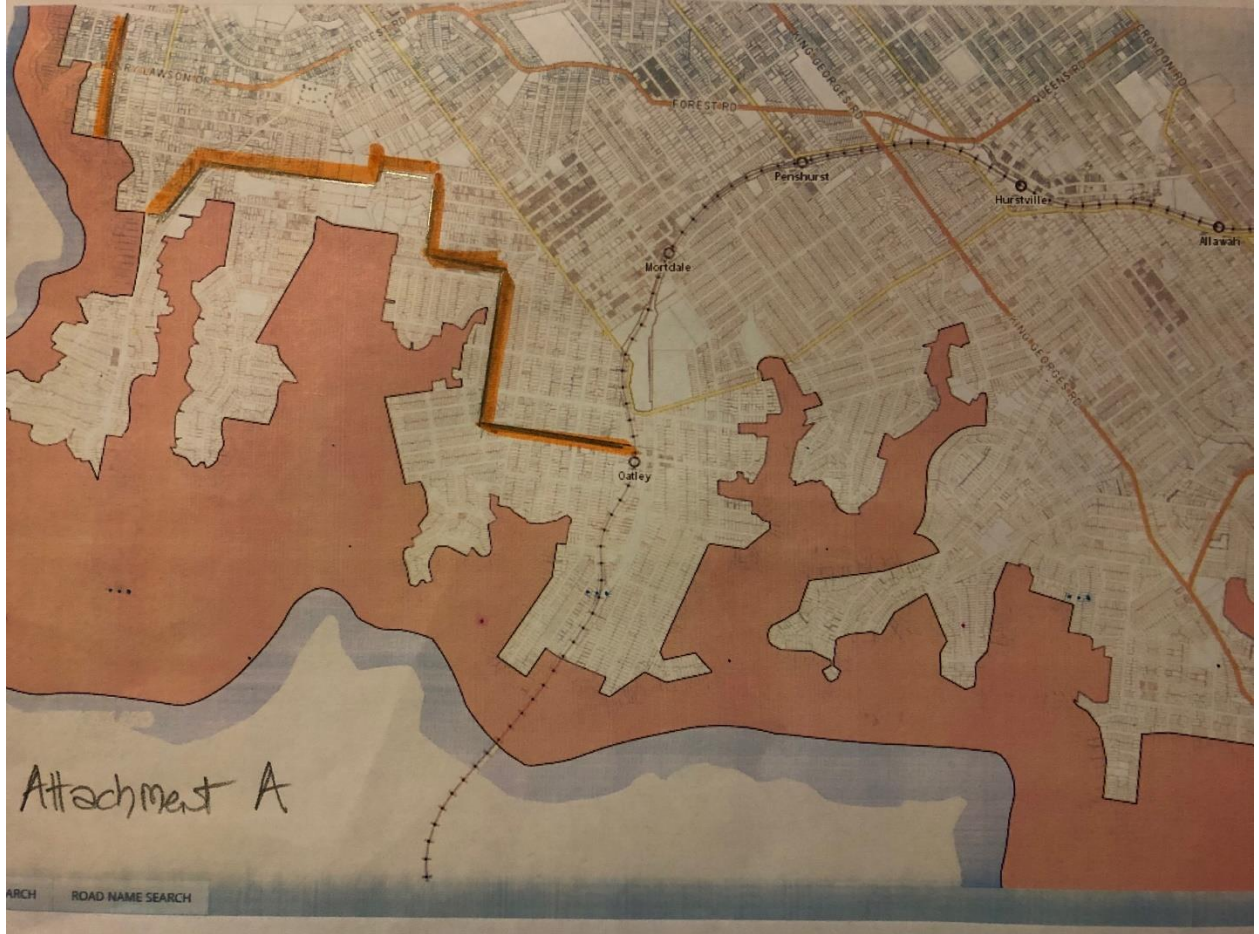


Figure 51- Map showing visual catchment extent

Fig. 31



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Attachment B

