

# Proposed changes to NSW Housing policy

Community Information Session January 2024



# Agenda

- Welcome
- Acknowledgment of Country
- Introduction – David Marshall Acting General Manager
- Presentation - Andrew Watson and staff
- Questions and Answers



# Why Are We Here?

- Shortly after the last Federal Election all States and Territories signed the National Housing Accord along with The Australian Local Government Association.
- The Housing Accord was an initiative to address housing supply and affordability nationally.
- The current approach by the State Government is arguably inconsistent with National Housing Accord commitment: *to working with local governments to deliver planning and land-use reforms that will make housing supply more responsive to demand over time.*

# Why Are We Here?

- Transport Oriented Development (TOD) Program

Department of Planning and Environment (December 2023)

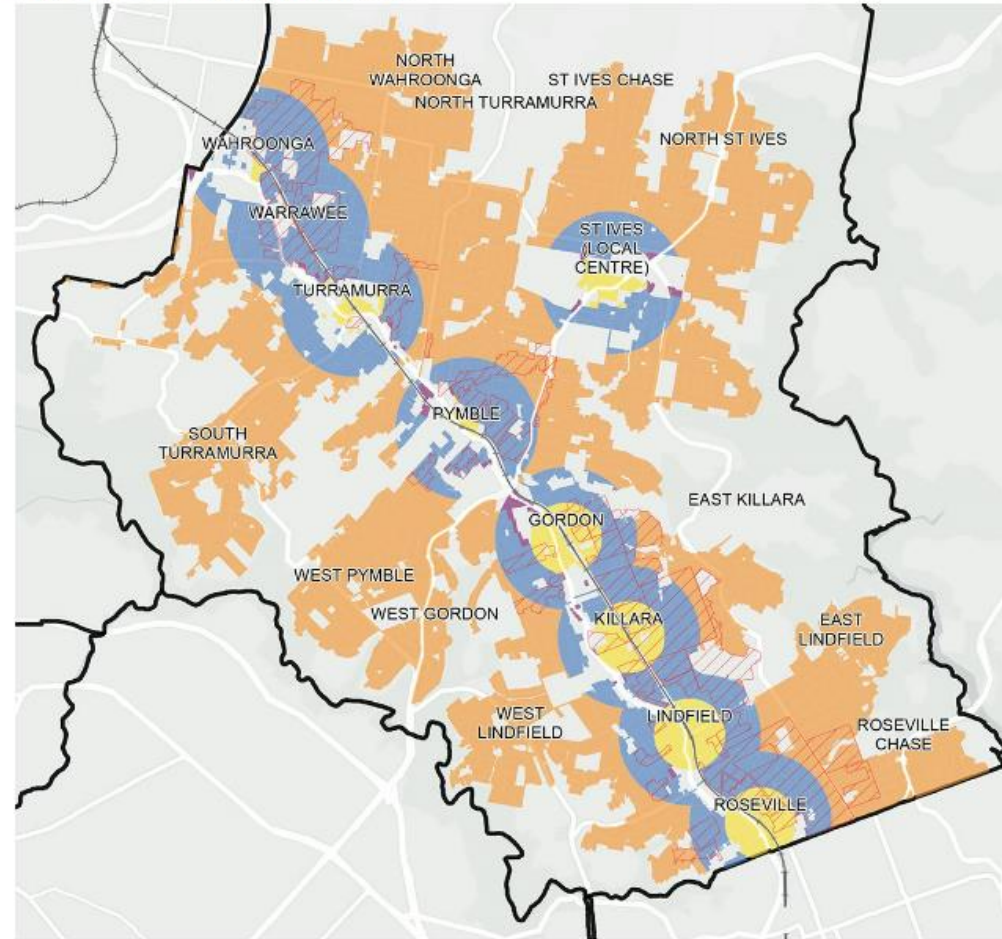
And

- Explanation of Intended Effect: Changes to create low- and mid-rise housing (EIE)

Department of Planning and Environment (December 2023)

## Ku-ring-gai Local Government Area

\*Please note: This map is indicative only.



**Key** In areas without shading there are no changes proposed to existing planning controls

- |  |  |
|--|--|
|  Dual occupancy up to 9.5m high and floor space ratio 0.65:1 (minimum site area 450 sqm)  |  Residential apartments and shop-top housing up to 16m high (approx 4 to 5 storeys) and floor space ratio 2:1 |
|  Multi dwelling housing (terraces and townhouses) up to 9.5m high at floor space ratio 0.7:1, plus manor houses up to 9.5m high and floor space ratio 0.8:1 |  Residential apartments and shop-top housing up to 21m high (approx 6 to 7 storeys) and floor space ratio 3:1 |
|  |  Heritage Conservation Areas  |

# What we do currently?

- Ku-ring-gai supports the delivery of **additional housing** and **diverse housing** types to provide housing choice and to accommodate the growing population and changing structure of families and households
- Since July 2012 Ku-ring-gai has delivered approximately **5,650** net new dwellings

# What we do now?

**Planning and delivery of new housing needs to be undertaken in a strategic and integrated manner**, with an evidence base of:

- demographic projections
- housing trends
- analysis of the capacity of areas to accommodate new dwellings
  - which also includes acknowledging and identifying areas that are unsuitable for additional housing

# What we do now?

**Planning for new housing needs to build upon what is highly valued to the community, such as:**

- Natural environment
- Biodiversity
- Sense of place
- Green and leafy nature of streets
- Diverse heritage



# Community support for what we do now?

Council's community satisfaction survey (2021) found that:

- 88% of residents believed it was important/very important for Council to maintain Ku-ring-gai's unique visual character and identity.
- Residents reported the area's natural environment and open spaces and sense of community the greatest strengths of the local area.

In terms of the importance of council's functions and services:

- 89% of residents reported that council's role in protecting natural areas and bushland was important/very important
- 87% reported that council's role in managing long-term planning was important/very important
- 86% reported that council's role in traffic management was important/very important
- 79% reported that council's role in ensuring that development was compatible with the local area was important/very important
- 75% reported that council's role in protecting heritage buildings and conservation areas was important/very important

# So what is proposed?

## TOD:

- Mid-rise housing – 6 -7 storey residential flat buildings and shop-top housing within 400 metres of Roseville, Lindfield, Killara and Gordon stations

## LOW-RISE:

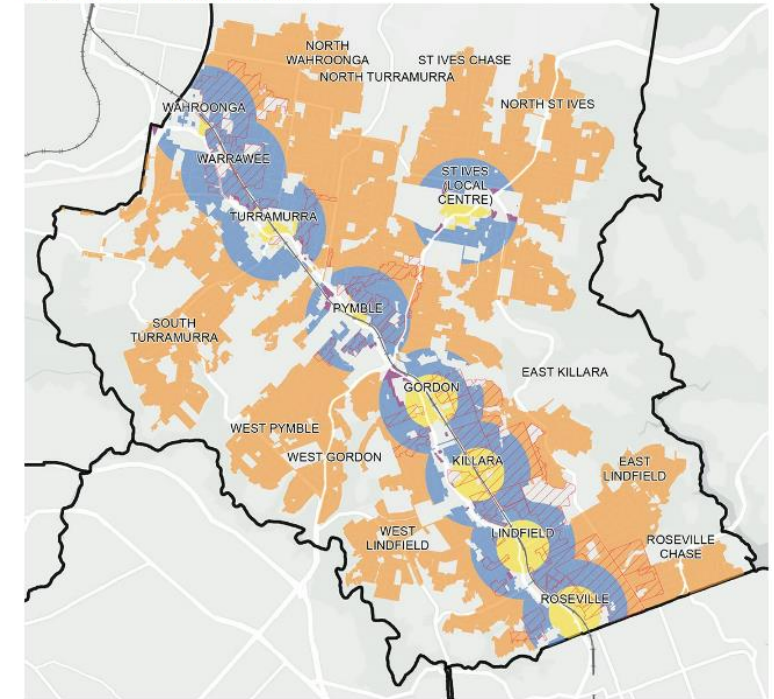
- Terraces, townhouses and manor houses within 800m of Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra, Warrawee, Wahroonga railway stations and 800 m within the St Ives centre
- Dual occupancies on all R2(Low Density Residential) land across Ku-ring-gai

## MID-RISE:

- Residential flat buildings in R2, R3, and R4 residential zones, plus shop-top housing in E1 local centre zone, within 400m of Roseville, Lindfield, Killara and Gordon stations

### Ku-ring-gai Local Government Area

\*Please note: This map is indicative only.



Key In areas without shading there are no changes proposed to existing planning controls

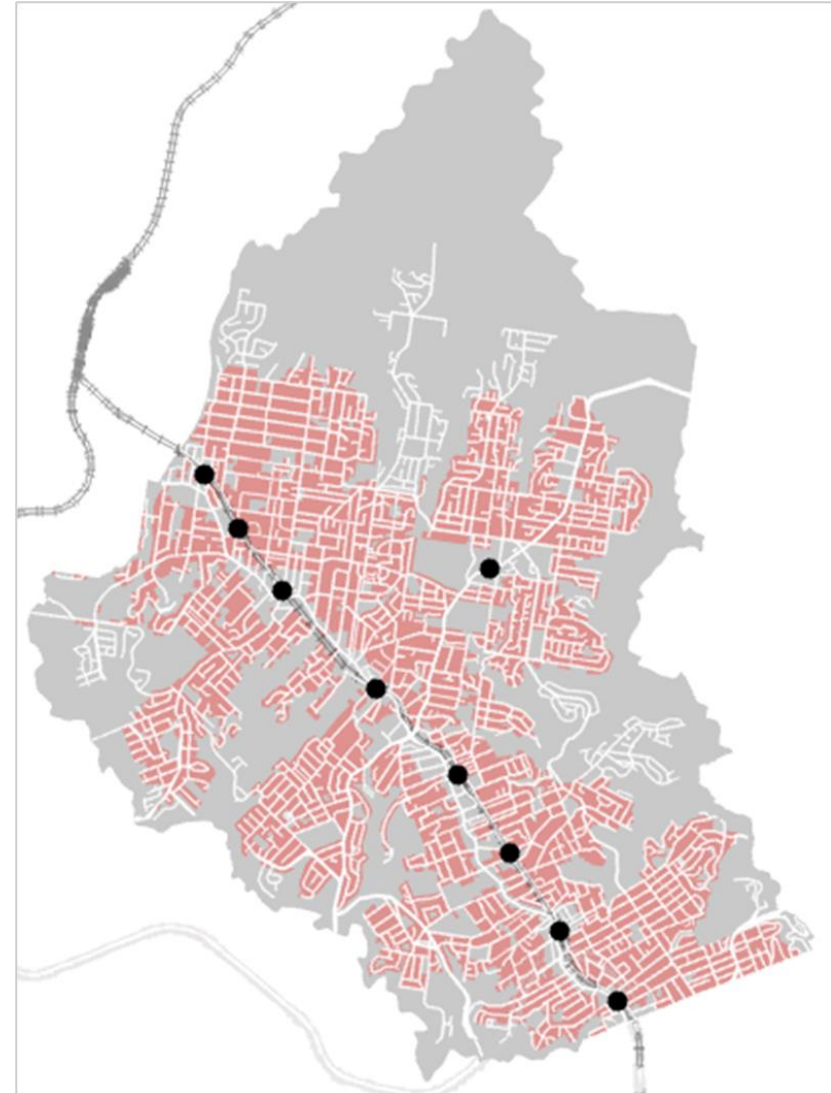
- |                |  |               |  |
|----------------|--|---------------|--|
| Orange square  | Dual occupancy up to 9.5m high and floor space ratio 0.65:1 (minimum site area 450 sqm)  | Purple square | Residential apartments and shop-top housing up to 16m high (approx 4 to 5 storeys) and floor space ratio 2:1 |
| Blue square    | Multi dwelling housing (terraces and townhouses) up to 9.5m high at floor space ratio 0.7:1, plus manor houses up to 9.5m high and floor space ratio 0.8:1 | Yellow square | Residential apartments and shop-top housing up to 21m high (approx 6 to 7 storeys) and floor space ratio 3:1 |
| Hatched square | Heritage Conservation Areas  |               |  |

# Low-rise housing – dual occupancies

**Within all land zoned R2  
(Low Density Residential)**

Impacts on:

- Trees
- Heritage
- Biodiversity
- Streetscape
- Bushfire risk
- Bush fire evacuation
- Accessibility





# Low-rise housing – dual occupancies

**FROM THIS – low density residential dwellings within high quality garden settings including large canopy trees**





# Low-rise housing – dual occupancies

**TO THIS – proposed dual occupancies with loss of gardens, trees, streetscape and quality buildings**



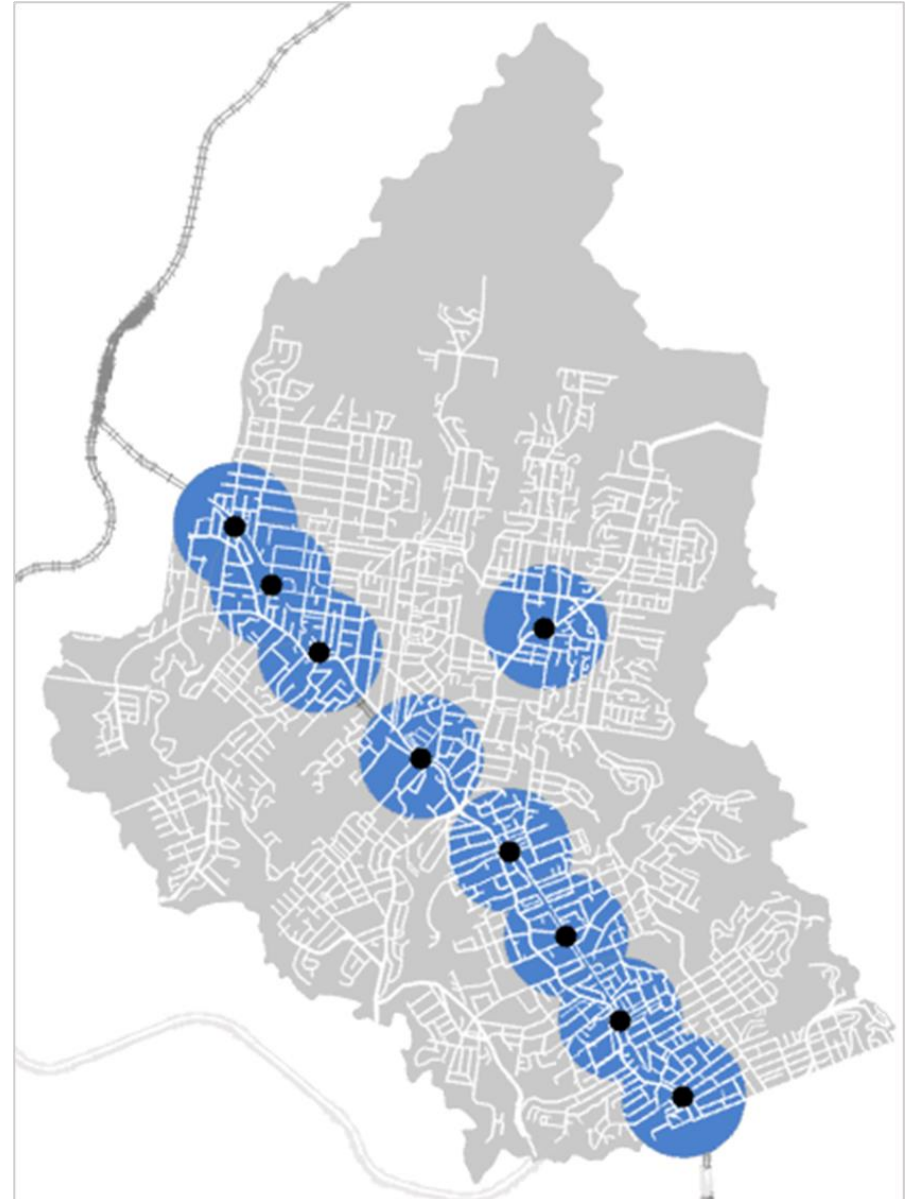


# Low-rise housing – manor houses

Within 800m of Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra, Warrawee, Wahroonga railway stations, and 800 m within the St Ives centre

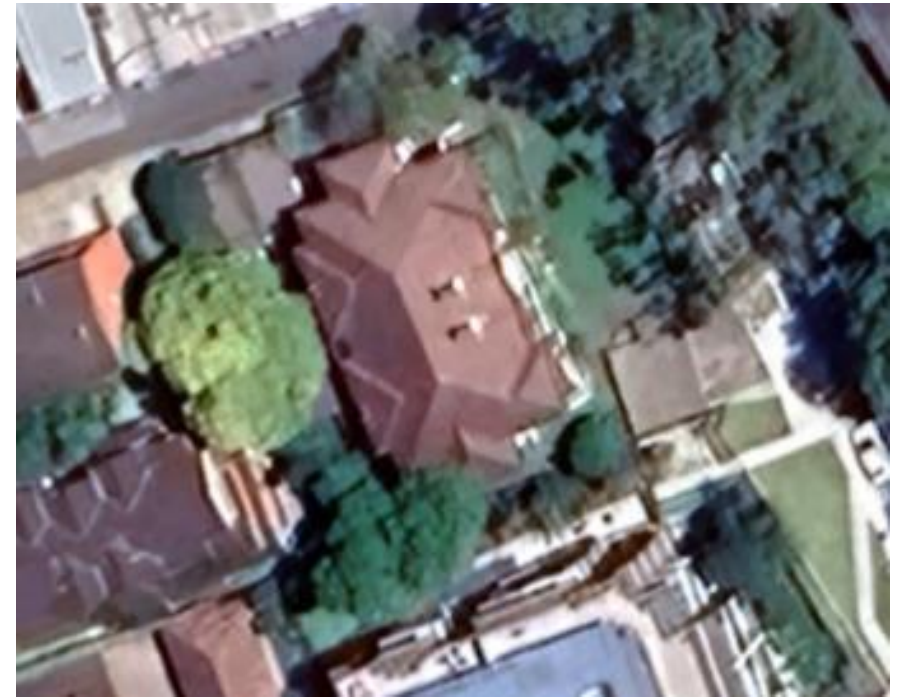
Impacts on:

- Trees
- Heritage
- Biodiversity
- Streetscape - Bushfire risk within certain centres
- Accessibility



# Low-rise housing – manor houses

**FROM THIS – manor houses in Ku-ring-gai**



# Low-rise housing – manor houses

**TO THIS – under the proposed changes**



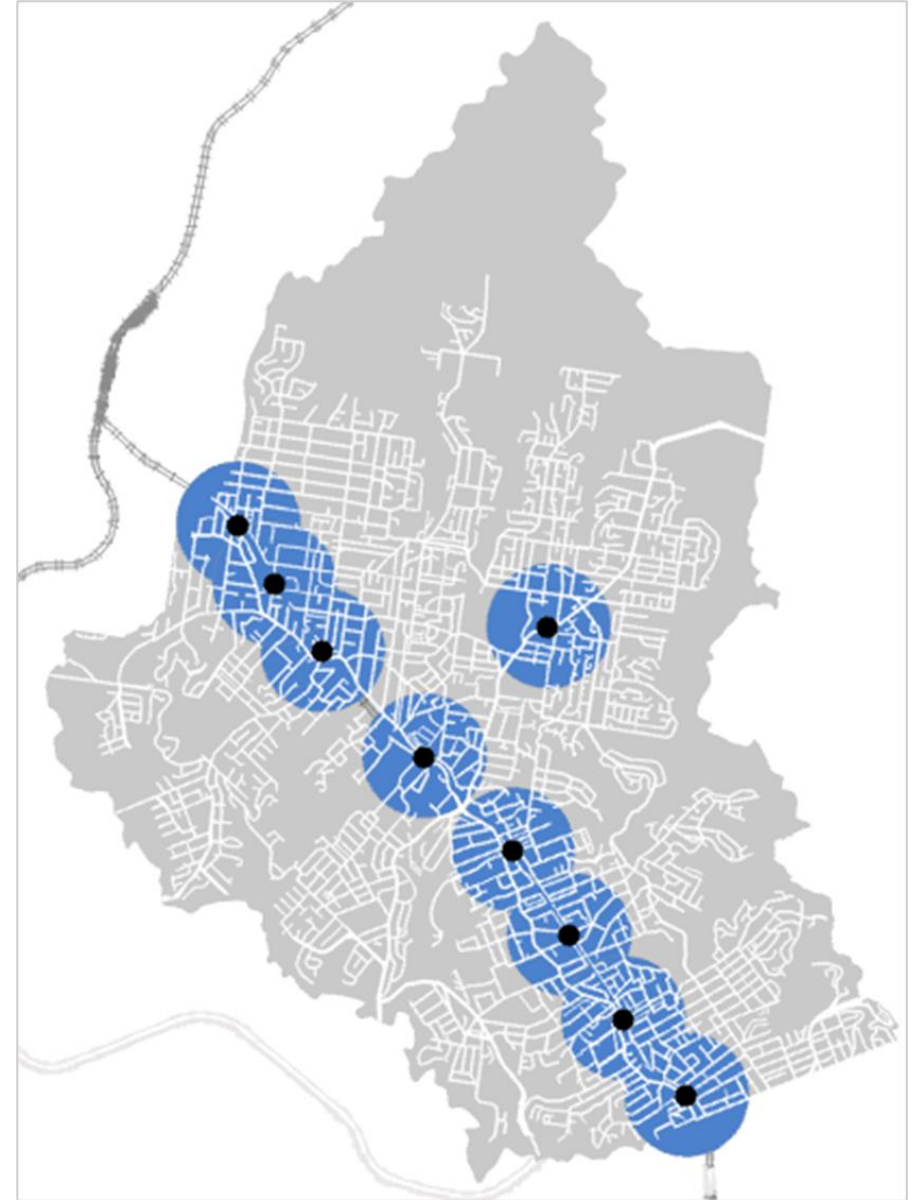


# Low-rise housing – multi-unit housing (terraces/townhouses)

Within 800m of Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra, Warrawee, Wahroonga railway stations, and 800 m within the St Ives centre

Impacts on:

- Trees
- Heritage
- Biodiversity
- Streetscape - Bushfire risk within certain centres
- Accessibility



# Low-rise housing – multi-unit housing (terraces/townhouses)

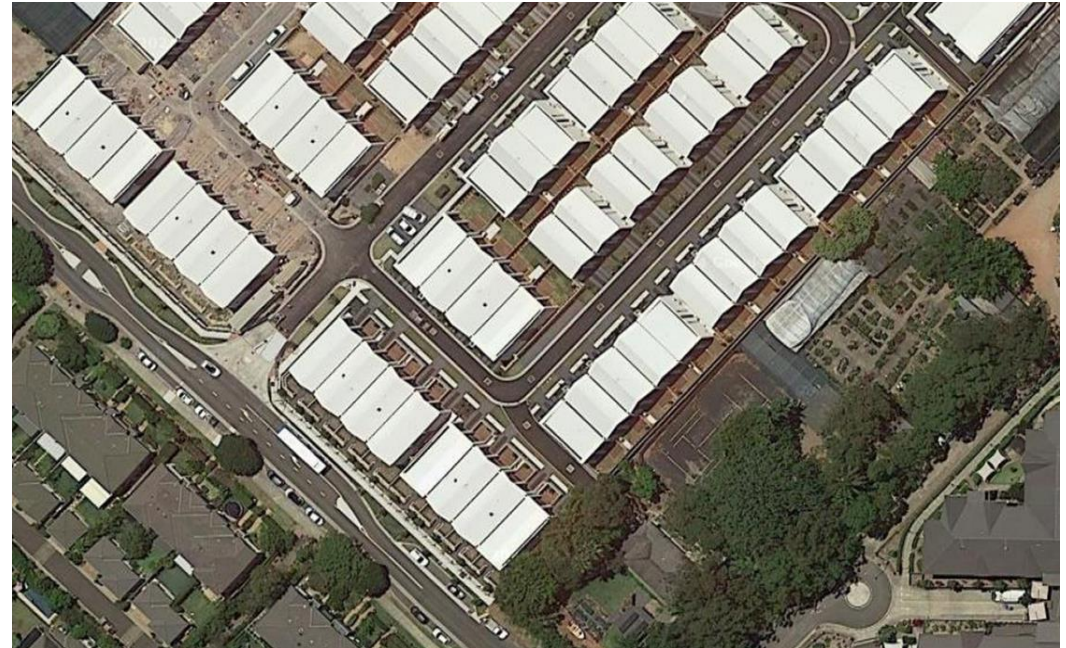
**FROM THIS – townhouses  
in Ku-ring-gai**





# Low-rise housing – multi-unit housing (terraces/townhouses)

**TO THIS – under the proposed changes**



# Mid-rise Housing – Residential flat buildings 6-7 Storeys

Residential flat buildings in R2, R3, and R4 residential zones, plus shop-top housing in E1 local centre zone, within 400m of Roseville, Lindfield, Killara and Gordon stations

Impacts on:

Trees

Heritage

Biodiversity

Streetscape

Bushfire risk within Roseville centre

Accessibility





# Mid-rise housing – residential flat buildings 6-7 Storeys

**FROM THIS – apartments in Ku-ring-gai in garden settings with tall trees**





# Mid-rise Housing – Mixed Use Buildings 6-7 Storeys

TO THIS – under the proposed changes



# Identification of stations / definition of TOD area

- 31 stations to deliver '138,000 new homes over 15 years'. If evenly distributed, Ku-ring-gai will receive 17,806 dwellings, or an average of 4,452 per station.
- Stations selected on the basis of 'enabling infrastructure capacity close to transport station'. Only infrastructure assessed appears to be 'water and wastewater capacity'
- The document describing the changes does not contain sufficient detail to understand and respond to changes of this magnitude and **the State Government will not release evidence base on which the decision was made claiming "Cabinet-in-Confidence"**.



# Draft Council Submission on TOD Program

## Key Concerns and Recommendations

- Relationship to Strategic Planning Framework
- Identification of Stations /Definition of TOD area
- Proposed built form and local character
- Proposed changes to Planning Controls
- Development Constraints
- Urban Forest and Tree Canopy Impacts
- Heritage impacts
- Environmental impacts
- Development Assessment implications
- Affordable housing
- Infrastructure provision
  - Traffic and Transport
  - Open Space
  - Community Facilities & Social infrastructure
- Development Contributions
- Alternate Council led strategies

# Dwelling Capacity

<b>Centre</b>	<b>KLEP 2015 - Remaining Housing Capacity</b>	<b>Ku-ring-gai Draft Housing Strategy 2020 - Exhibited Scenario - High Yield</b>	<b>TOD SEPP - Estimated dwellings</b>
<b>Gordon</b>	1,140	3,053	5,764
<b>Killara</b>	390	-	6,400
<b>Lindfield</b>	760	2,588	6,389
<b>Roseville</b>	319	-	6,686
<b>TOTALS</b>	<b>2,609</b>	<b>5,641</b>	<b>25,239</b>

# Development Constraints

- During preparation of Council's draft Housing Strategy planning and development constraints were analysed and mapped for Gordon and Lindfield Local Centres
- Mapping for Killara and Roseville was not undertaken as these did not form part of Council's staged Housing Strategy
- The diagrams below summarise the development constraints for the Gordon and Lindfield TOD areas, the key points to note are:
  - **No potential for new housing** – these areas include all properties within HCAs and all heritage items; riparian lands, slope & bushfire constrained land; strata title properties less than 25 years old; core biodiversity lands, and land use constrained land.
  - **Some potential for new housing** - includes properties with 20% or more of the land area with support for core, landscape remnants and/ or biodiversity corridor. This category also includes strata title properties older than 25 years on the basis that there may be some potential for redevelopment subject to the suitability of the location and financial feasibility assessment.
  - **Potential for new housing** - land with capacity for new housing including all areas not identified in one of the categories above. Subject to ground-truthing and site-specific design controls

# Development Constraints

- Many sites within the TOD area are development constrained by one or more of the following:
  - Biodiversity
  - riparian
  - bushfire
  - steep land
  - land use zone eg RE1
  - strata title
  - heritage
- The TOD SEPP covers an area that is highly constrained and requires careful master planning to accommodate an increase in density.



# Development Constraints

- Many sites within the TOD area are development constrained by one or more of the following:
  - biodiversity
  - riparian
  - bushfire
  - steep land
  - land use zone eg RE1
  - strata title
  - heritage
- The TOD SEPP covers an area that is highly constrained and requires careful master planning to accommodate an increase in density.





# TOD Mid-rise Housing – 6-7 storey residential flat buildings



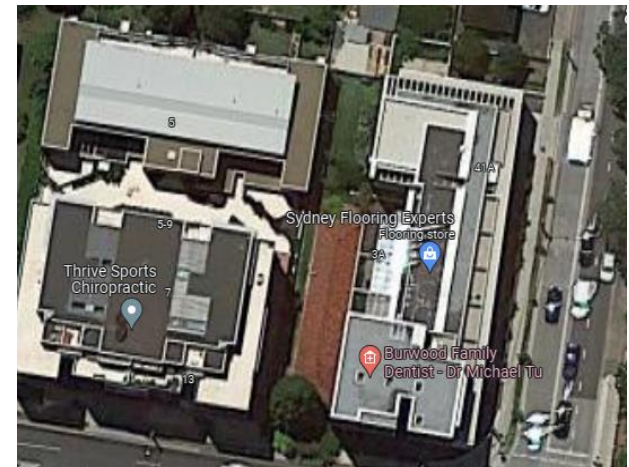
Residential flat buildings in R2, R3, and R4 residential zones, plus shop-top housing in E1 local centre zone, within 400m of Roseville, Lindfield, Killara and Gordon stations



**FROM THIS – apartments in Ku-ring-gai**



**TO THIS – under the proposed changes**



# Proposed built form and local character

## Issue – Proposed building typology and density incompatible with local character

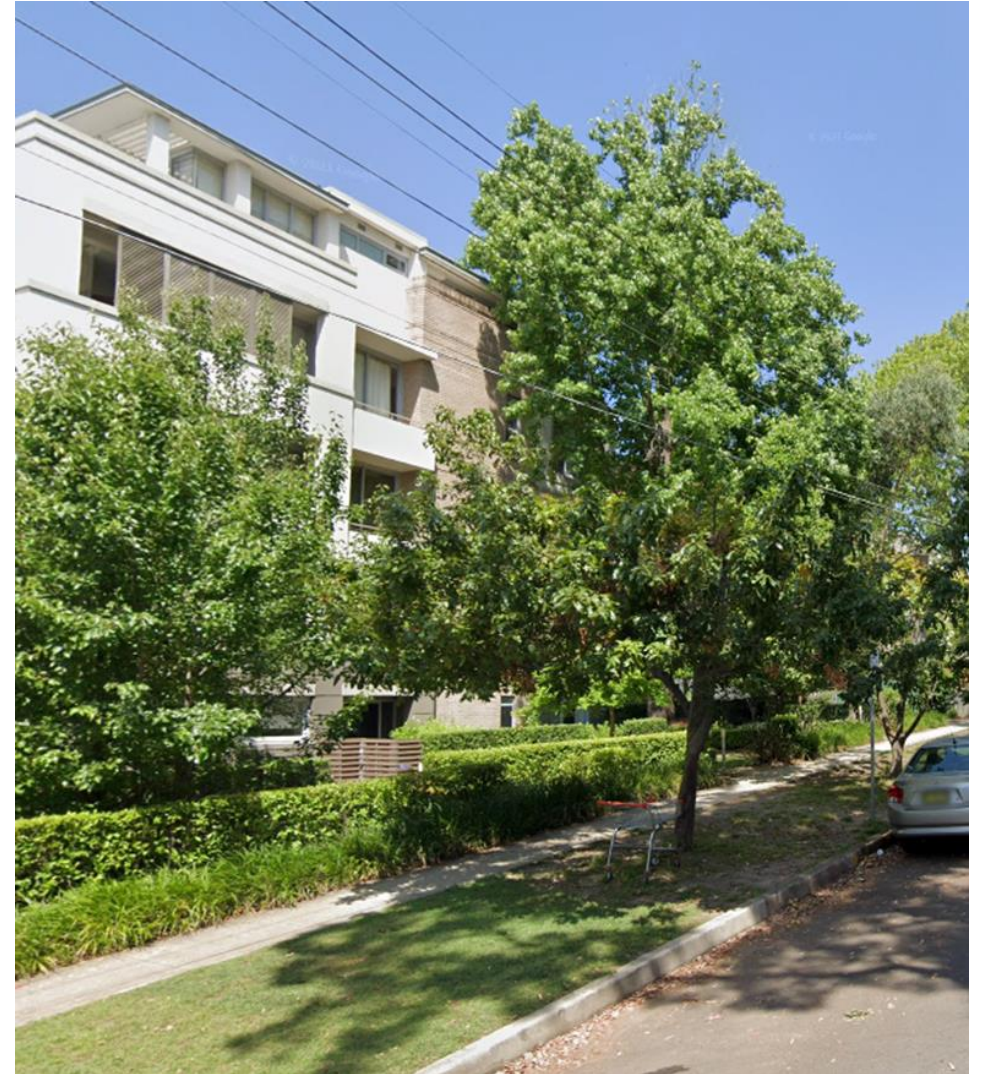
- Council has identified examples of developments with similar densities to those proposed in the TOD.
- The location is Meadowbank, a former industrial site, which are 6 to 7 storeys with an allowable FSR of 2.5:1 (image below)
- Example – Meadowbank 6-7 storeys FSR 2.5:1





# Ku-ring-gai's Current apartment model

- FSR 1.3:1 & height 5 storeys
- Side and rear setbacks 6m
- Deep soil provision of 50%
- Example – Milray Street Lindfield

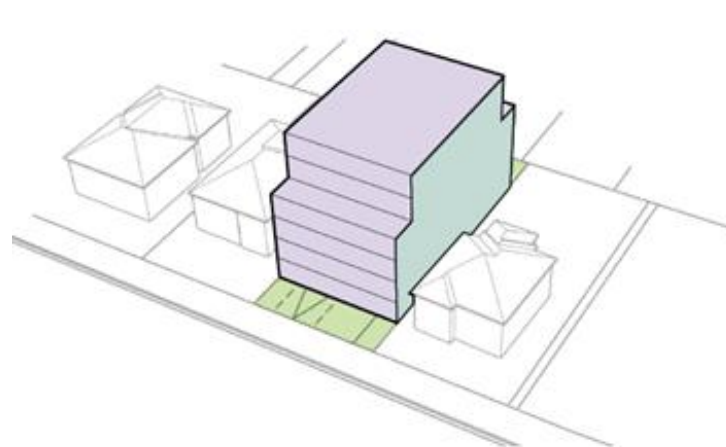


# What the Proposed Development Standards Look Like

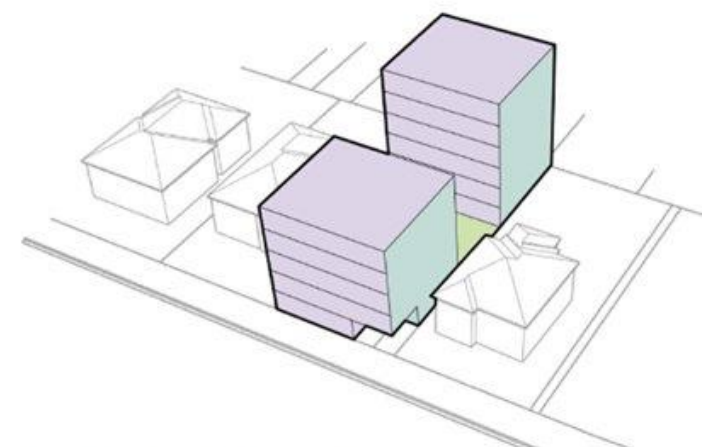
Council has undertaken modelling to demonstrate how the proposed controls **do not work** on typical blocks within the TOD areas in Ku-ring-gai

**The proposed development controls do not work in a suburban residential context:**

- No side setbacks
- Blank party walls to neighbours
- apartments with no external windows
- internal lightwells for natural light
- No natural ventilation
- No minimum parking requirement
- Lot width would make it difficult to accommodate adequate basement parking



Option 1c - Front and Rear Setbacks Only 3:1 FSR 6 Storeys



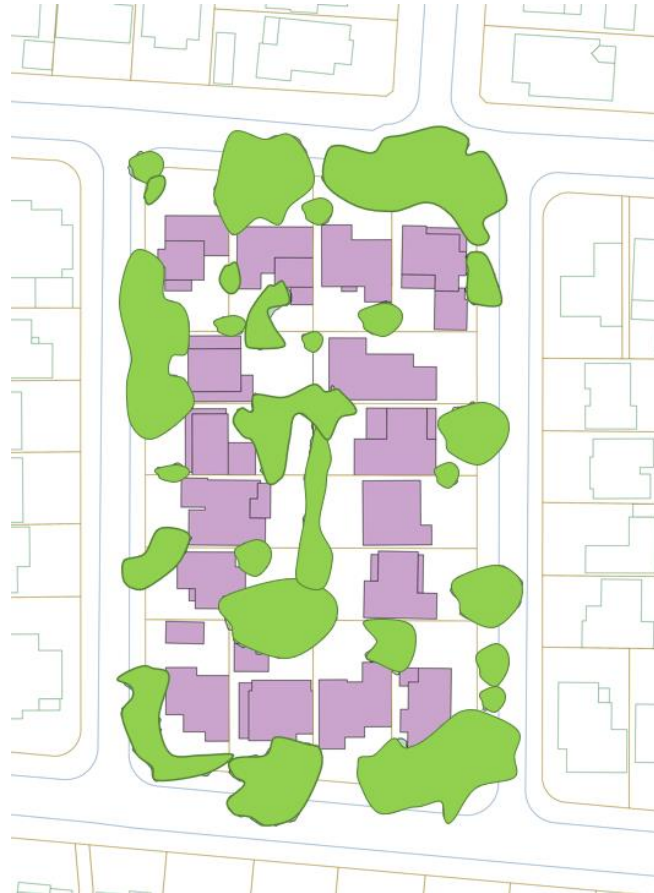
Option 1e - 12m Central Setback Only 3:1 FSR

# What the Proposed Development Standards Look Like

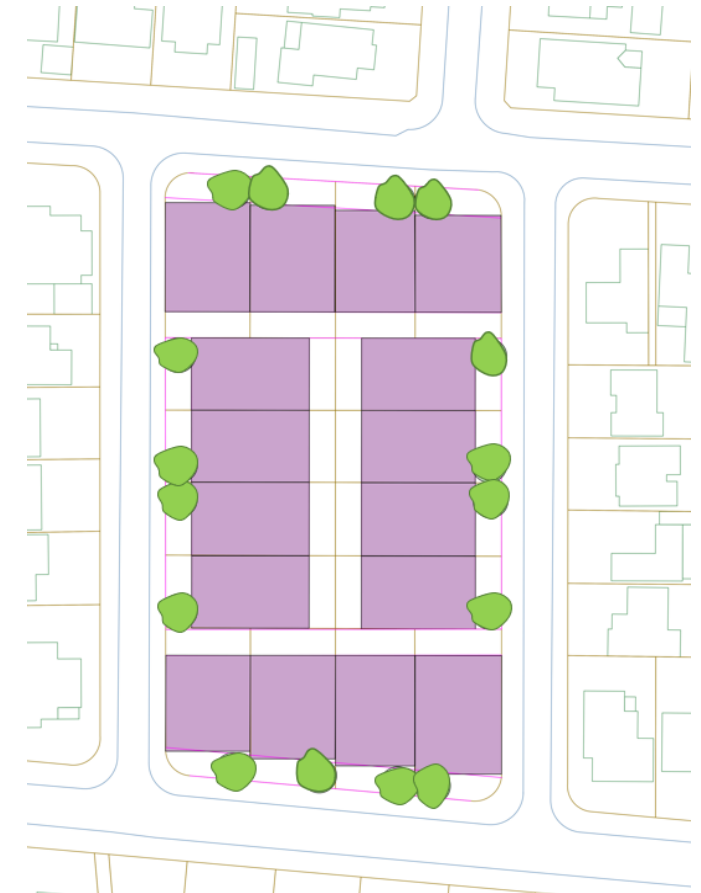
**The proposed development controls will result in significant tree and canopy loss**

- Existing trees unlikely to be retained
- New development will have minimal landscape areas
- Loss of street trees due to car park access
- No room for large trees

**FROM THIS – 30% canopy cover**



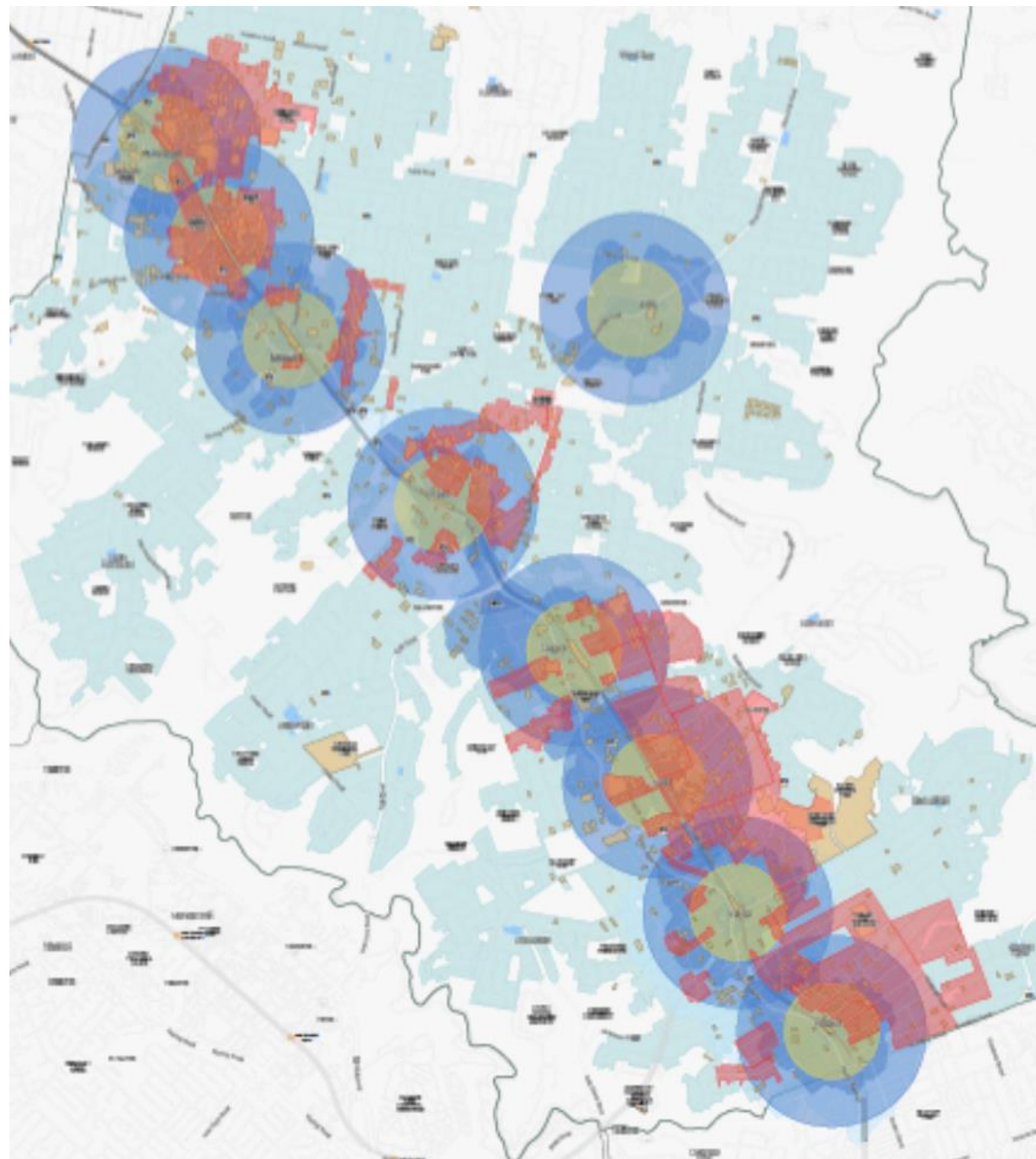
**TO THIS – 7% canopy cover**





# Heritage impacts

- Widespread
- 4,000+ endangered heritage sites in two proposals – areas and items
- Local KRG historic differences increase heritage impacts
- Disproportionate impact – density placed in core historic development
- 40% of affected land is heritage listed
- 83% listed in Killara 400m radius
- 3,000+ heritage sites within 800m of stations & centre (2,000+ for 4 south TOD stations)





# Heritage impacts

- Unavoidable impact – buildings + gardens
- Density far exceeds existing – 6-7 storey flats, multi or 2 dwellings on single house sites
- Incentivises demolition + over-scaled infill
- Reduced heritage protection – refusing degrading
- Irreversible – fabric loss and uplift
- Disorderly development – contradicting density and heritage controls
- Devalues conservation areas
- Alternatives available with less heritage loss





# Heritage areas & items



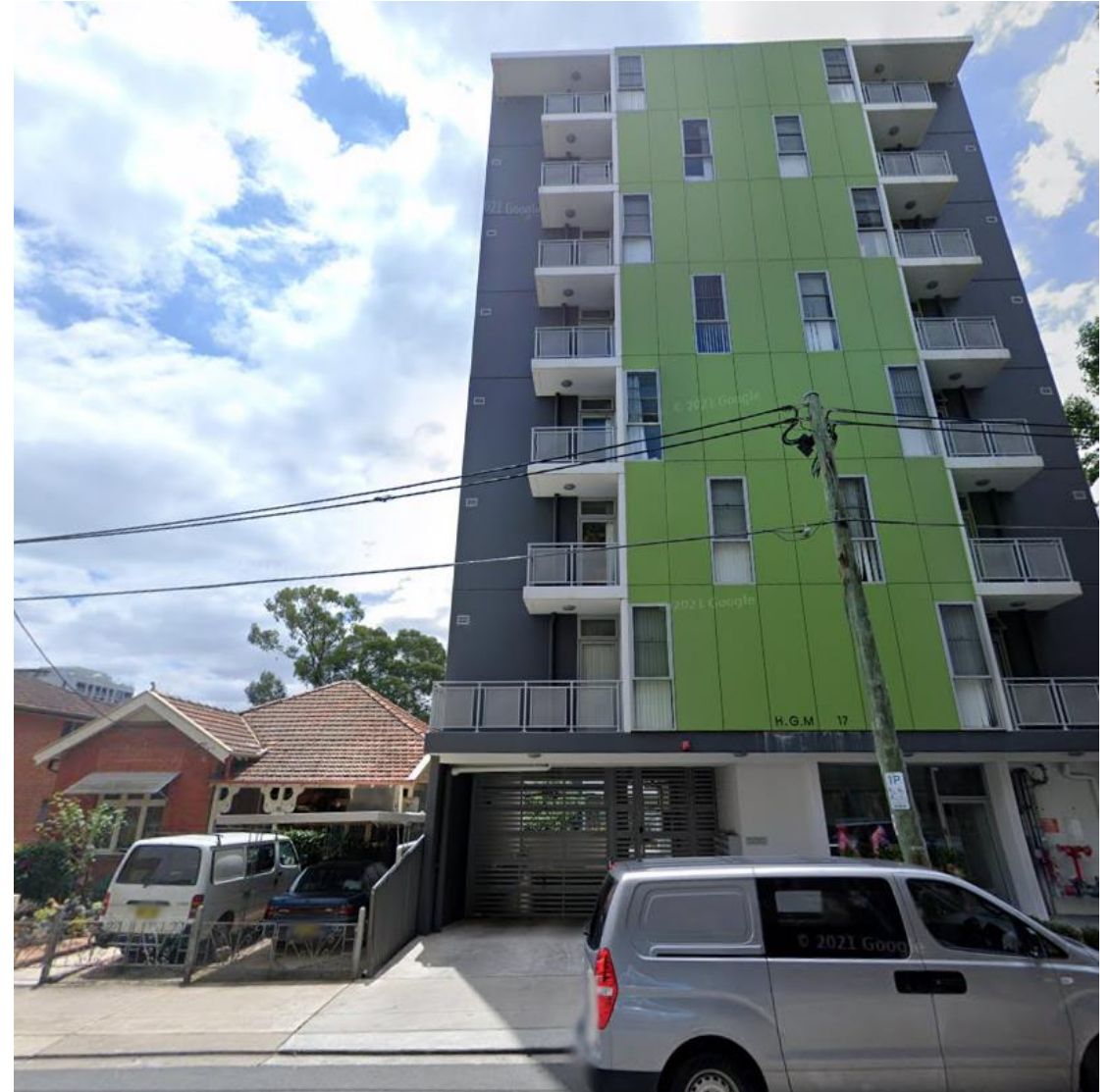


# Same density

3:1 floor space ratio apartments  
Burwood, Wilga Street



Before



After



# Same density

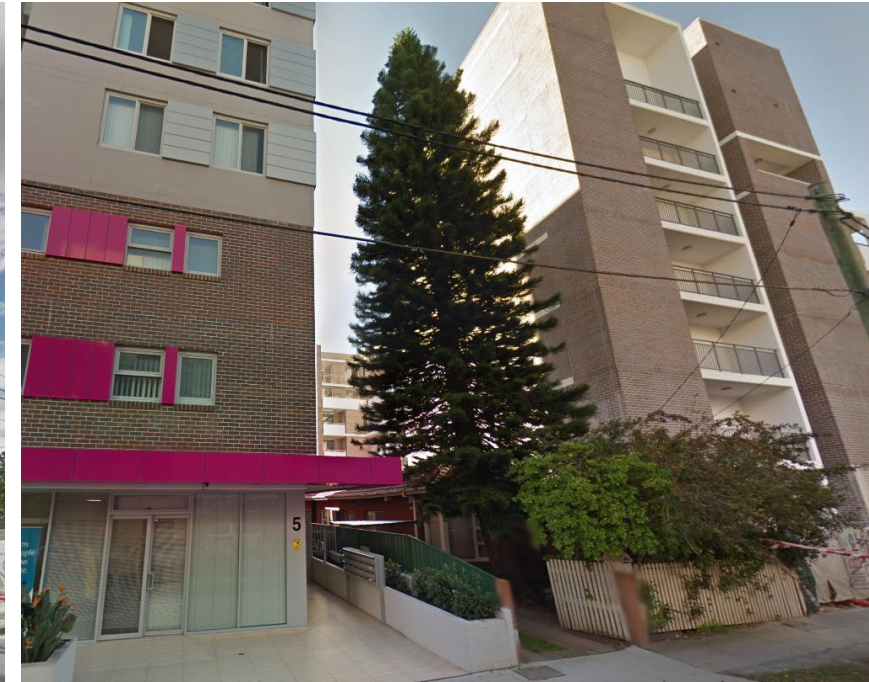
3:1 floor space ratio apartments, Burwood, Wilga Street



2007



2014



2015

# Infrastructure provision

## Traffic and Transport

- No transport impact assessment of the TOD Program and Low-Mid Rise SEPP.
- Preliminary assessments suggest traffic generation of TOD development would be substantial:
- PM peak equivalent to adding 2+ new full-line supermarkets in each centre.
- Internal testing of only 2,500 new dwellings and additional retail in Gordon indicates parts of the road network still became congested even with planned upgrades in the Ku-ring-gai Contributions Plan.
- Further 3,000 dwellings (and additional retail to support it) in Gordon will cause further congestion, and there may not be capacity for further road network improvements.
- to accommodate those additional trips on Pacific Highway would require widening on both sides of it to add a traffic lane in each direction (which is very unlikely to occur)

# Infrastructure provision

## Traffic and Transport

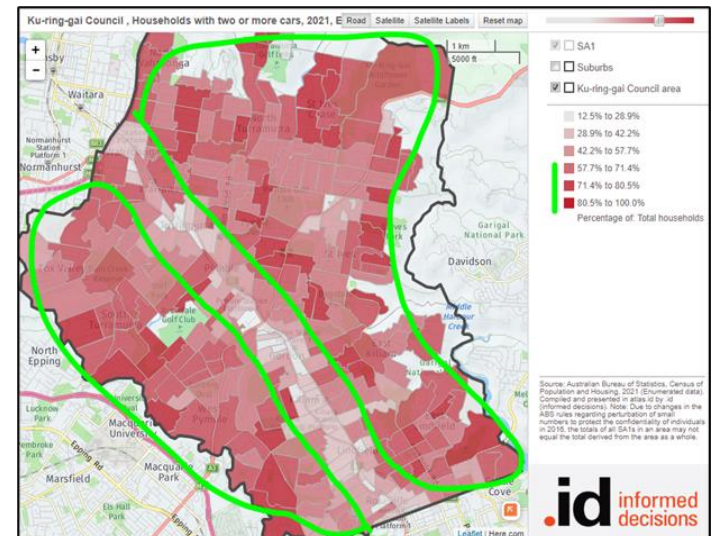
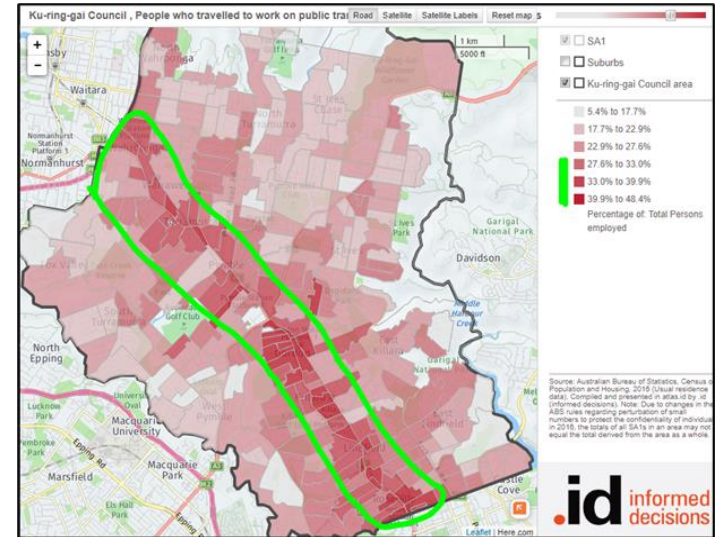
Identified TOD Precinct	Forecast residential traffic generation (additional vehicle trips per hour, 2 way)	
	AM peak	PM peak
Gordon	1,100	850
Killara	1,200	950
Lindfield	1,200	950
Roseville	1,300	1,000



# Infrastructure provision

## Traffic and Transport

- Public transport for journeys to work increases with proximity to stations (top) and as a consequence, household vehicle ownership increases moving away from the railway line (lower)
- The Low and Mid-Rise SEPP would result in a large number of new dwellings with poor access to transport, shops and services and high car dependency, with cumulative traffic impacts to the TOD centres.
- Traffic effects likely to be exacerbated in Gordon, Lindfield and Roseville centres, due to the close proximity of Pacific Highway and railway line.



# Infrastructure provision

## Open Space

- Ku-ring-gai Council has an award-winning Open Space Acquisition Program to provide additional public open space.
- Ku-ring-gai Council actively delivers new local parks explicitly designed for highly intensive use of relatively small spaces, having delivered seven parks (over 25,000sqm) so far.
- The current s7.11 contributions plan levies pro rata per capita to deliver new open space
- The introduction of the TOD has now significantly impacted the purchasing capacity of Council to provide suitable open space within high density areas.



Lindfield Village Green

# Affordable housing

- The proposed 2% affordable housing contribution is welcomed.
- It should be significantly increased to capture greater public benefit given the windfall profit to land owners that will be delivered through the provisions of TOD SEPP (for instance R2 0.3:1 increasing ten-fold to 3:1).
- Council will require an Affordable Housing Strategic Plan and Contributions Plan.
- Additional medium to high density housing delivered in Ku-ring-gai will not become affordable simply by reason of its existence.



# Infrastructure provision

## Community Centres and libraries

- Council completed a Community Facilities Strategy in 2018
- Study found Council has a shortfall of about 10,000sqm of library and community floorspace
- The TOD SEPP would add an estimated 37,000 people not previously accounted for
- increasing the undersupply by a further 4,500sqm to a total of 14,500sqm



# Infrastructure provision

## Stormwater and Sewage

- Studies show areas of the existing stormwater system have inadequate capacity to convey the 5% AEP event (20yr ARI);
- These capacity issues will need to be addressed
- Council records show Sydney Water have self-reported 50 sewer leaks since Jan 1 2023
- No information has been provided on the impacts that the potential development will have on system capacity for both proposed SEPPs
- Ku-ring-gai is still in the process of completing flood studies and identifying areas of overland flow.
- Flood mapping data is not yet available for all TOD areas (noting flood studies are currently being undertaken for the Lane Cove Catchments south of the Pacific Highway)
- Flood mapping for much of the northern part of the LGA is yet to be commenced, only Lovers Jump Creek Catchment has a completed Flood Study.

# Biodiversity in Ku-ring-gai

- Highly valued by our community
- Protected through a framework of local and State environmental controls, Policies and strategies.

## Includes:

- 7 endangered ecological communities
  - 2 Critically Endangered (BGHF, STIF)
- Many threatened fauna and flora species
- 700 native plant species
- 300+ vertebrate species
- Numerous invertebrates
- Provide critical ecological services





# Canopy impacts related to TOD

- Existing mapped environmental controls represent a small area, but, provide significant biodiversity benefits
- Prominent tress along ridgeline provide connectivity from east to west. Removes habitat stepping-stones and increases fragmentation.
- This is not just canopy, ALL biodiversity is impacted.

Average canopy in the residential areas of the TOD could drop from **30% to 7%.**

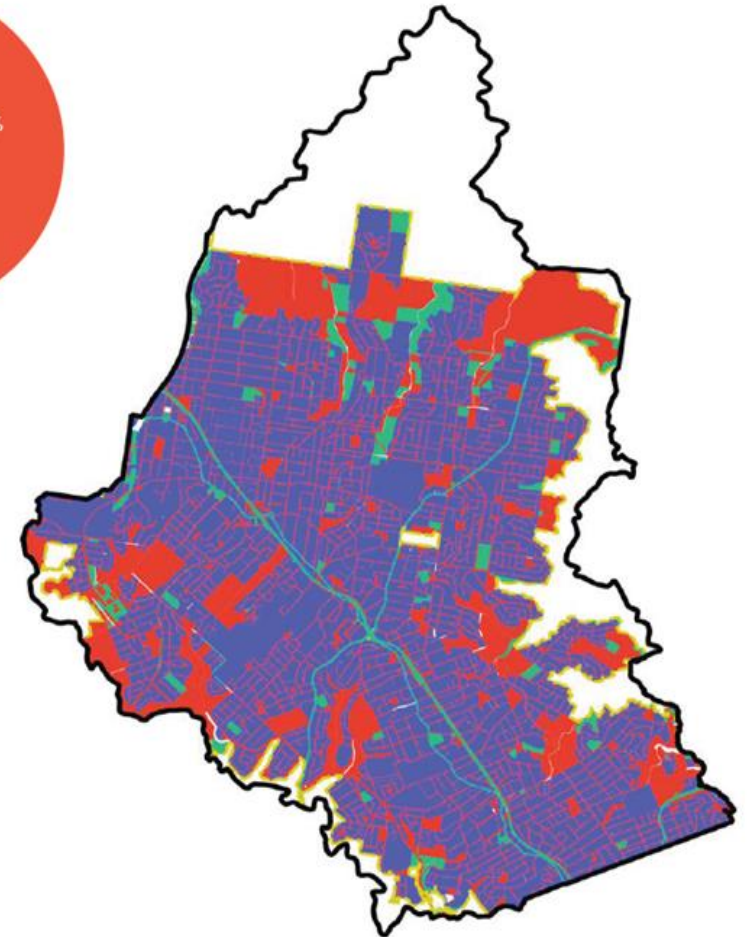
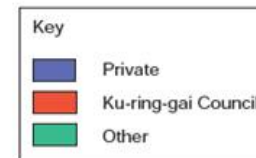
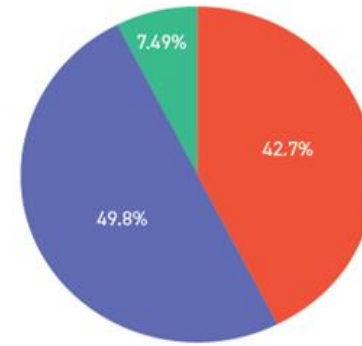
TOD	Current R zone Canopy%	Proposed %	Likely % (based on Deep Soil)
Gordon	32	N/A	7 *
Killara	32	N/A	7 *
Lindfield	29	N/A	7 *
Roseville	31	N/A	7 *

\*minimum current Apartment Design Guide %



# Urban Forest and Tree Canopy Impacts

Urban Forest Strategy (2022) aims to increase canopy cover from 45-49% across the LGA. Noting 50% urban canopy on private land, changes make the objective completely unachievable.



# Canopy Impacts Low – Mid housing

Based on canopy mapping from 2022, impacts from the low-rise housing proposal can be estimated:

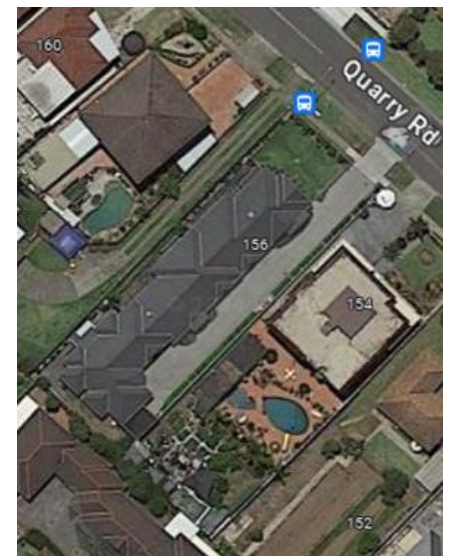
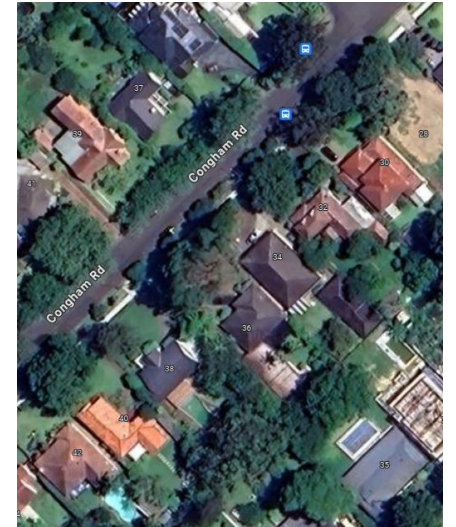
## Within the R2 Low Residential

- Canopy cover approximately 35%. (Ku-ring-gai's UFS objective is to raise this to 40%)
- ~80,000 trees
- Target canopy under the SEPP proposal for dual occupancy is 15-25%
- Assuming reduction of canopy is generally proportional to a reduction in trees

**An average 20% canopy = 40% canopy loss in R2**

## Potential loss of trees under the low-rise provisions of this SEPP:

- 100% redevelopment of the R2 zone under the SEPP, **loss up to 32,000 trees**
- 50% redevelopment of the R2 zone under the SEPP, **loss up to 16,000 trees**
- 25% redevelopment of the R2 zone under the SEPP, **loss up to 8,000 trees**







# Environmental impacts

***“environmental controls will apply to the extent they are not inconsistent with the new standards”***

## ***TOD:***

- No canopy targets provided
- Deep soil provisions in ‘*Apartment Design Guide*’, note minimum of 7% of site area.
  - *Ku-ring-gai's current minimum deep soil for residential flat buildings is 40%*

## **Low-mid housing SEPP:**

- Canopy targets range from 15% to 25% for Dual Occupancies
- Ku-ring-gai's steep topography with ridgetop development hasn't been considered.
  - Significant increases in impervious surface area will have negative impacts on, stormwater management, flooding and downstream waterway health.

**No requirement to retain existing vegetation**

**Reduced habitat and amenity. Increased urban heat.**

# Non refusal standards

- While the TOD Program and the Low and Mid-rise SEPP purport to continue to allow “merit assessments” where any local (LEP & DCP) controls preclude or constrain realisation of the 3:1 FSR and/or the 21m height non refusal standards then they would be of no effect.
- Most controls in the Ku-ring-gai LEP and DCP that are designed to protect local character, amenity, Heritage, biodiversity and other special environmental areas, will reduce or preclude realisation of the new height and FSR non refusal standards.
- Any claim that there will continue to be opportunity for genuine merit assessment, taking into account those heritage, biodiversity and heritage matters that the residents of Ku-ring-gai have long said are important to them, is disingenuous at best.

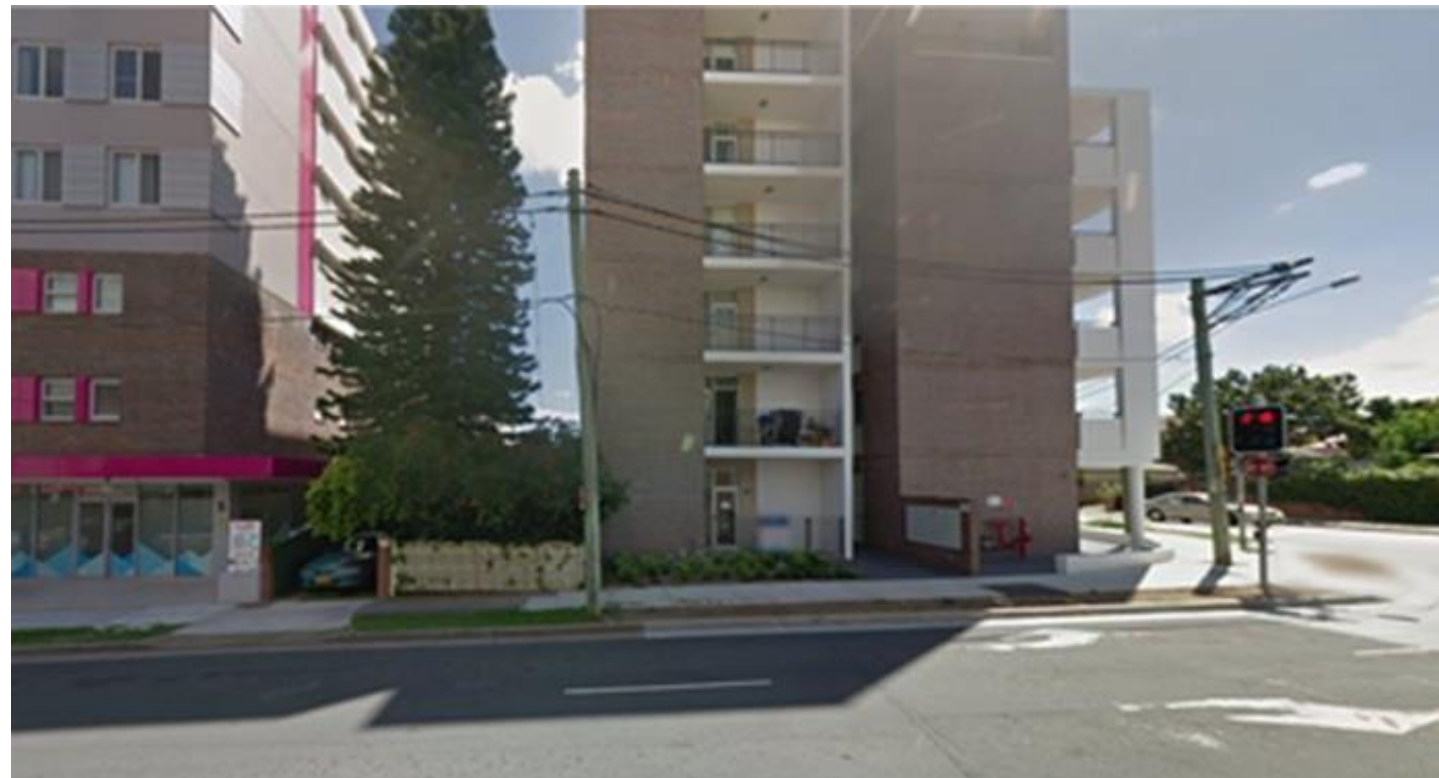
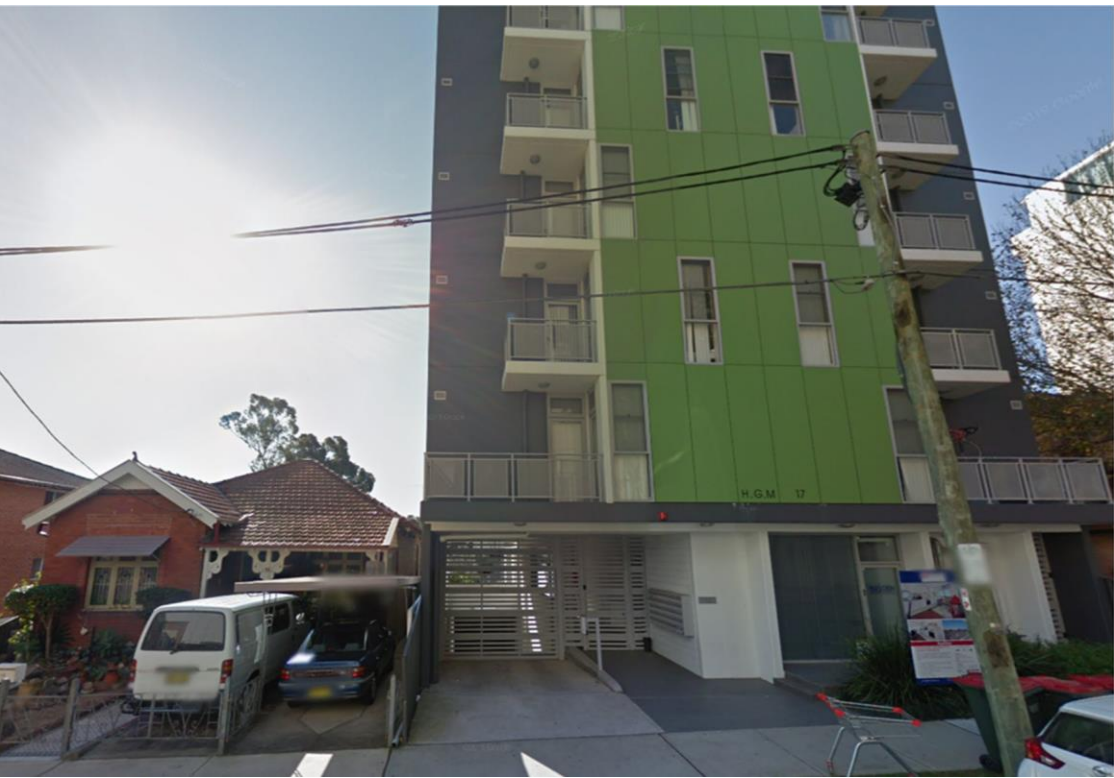


# Pathway for a Possible Alternative TOD Option

- The TOD Program states:

*"We support and encourage councils to develop strategic plans for well-located precincts to maintain continual growth. The SEPP will remain in place until councils have finalised their strategic planning in ways that align with the NSW Government policy objectives."*

- There is no suggestion that an alternative could deliver an outcome of lower yield than that notionally calculated for each individual TOD Station with yield reallocated to other TOD and non-TOD locations
- There is no suggestion that an alternative would be implemented any other way than via a Planning Proposal in the ordinary manner. This would leave open a significant period (18-24 months) within which DAs under the TOD SEPP could be lodged, approved, and commenced.



# Have your say

- Go to our webpage - [krg.nsw.gov.au/housingchanges](http://krg.nsw.gov.au/housingchanges)
- Complete Council's survey (closes 16 February)
- Make your submission directly to the State Government (closes 23 February)





# Q&A

- Questions and Answers
- Online- Type in the questions into the Q&A and not in the chat
- Please be respectful of others
- We will not be able to answer questions about your residential address
- Presentation and recording will be on the website tomorrow