

MEMORANDUM

TO: General Manager
Mayor
Councillors

COPY TO: Directors
Governance

FROM: Director Strategy & Environment

SUBJECT: **EMC 05/06/2025 - TOD alternative - preferred scenario – proposed amendments – amendments to exhibited plans**

At the EMC being held on 5 June 2025 a report on the TOD alternative - preferred scenario – proposed amendments – post exhibition is being presented to Council.

Outlined below are proposed amendments to the exhibited plans:

- i. In relation to Gordon properties bounded by Burgoyne St, Pearson Ave, Carlotta Ave and the railway (Attachment 8 GB.1 *Possible Amendments to Reduce Yield* - precincts G1, G2 and G3 Gordon):
 - An amendment is recommended to clarify the intent of the change as it was not illustrated clearly in Attachment 8 GB.1 *Possible Amendments to Reduce Yield*.
 - The intention is to realign the proposed TOD boundary to follow Burgoyne Street and northern boundary of railway so that these areas would be removed from the TOD area and the planning provisions would revert to the existing KLEP provisions.

It is recommended that in relation to the Gordon precincts G1, G2 and G3 shown in Attachment 8 GB.1 *Possible Amendments to Reduce Yield* amend the plans as follows and as shown in Figure 2 of Attachment A1 of this document:

- Amend the boundary map to exclude precincts G1, G2 and G3 from the proposed alternative TOD boundary.
- Delete precincts G1, G2 and G3 from the Land use zone, Height of Building and Floor Space Ratio maps (and revert to KLEP provisions)
- Delete precincts G1, G2 and G3 from maps relating to exemptions to Clause 4.3 (2A) KLEP, Clause 6.6 (2A) KLEP, Clause 4.4 KLEP (and revert to KLEP provisions)
- Amend affordable housing requirement to 0% (reduced from 2%)

- ii. In relation to Precinct L1 in Lindfield an area bounded by Highfield Road, Wallace Parade and Balfour Street (Attachment 8 GB.1 *Possible Amendments to Reduce Yield* – precinct L1):

- an amendment is recommended to clarify the intent of the recommended change as it was not illustrated clearly in Attachment 8.
- The intention in Attachment 8 GB.1 *Possible Amendments to Reduce Yield* was to realign the proposed TOD boundary to follow Wallace Parade and Bent Street so that the subject properties would be removed from the TOD area and the planning provisions would revert to the existing KLEP provisions.

It is recommended that in relation to Lindfield precinct L1 (as shown in Attachment 8 GB.1 *Possible Amendments to Reduce Yield*) the plans be amended as follows and as shown in Figure 4 of Attachment A1 of this document:

- Amend the boundary map to exclude precinct L1 from the proposed alternative TOD boundary.
- Delete precinct L1 from the Land use zone, Height of Building and Floor Space Ratio maps (and revert to KLEP provisions)
- Delete precinct L1 from maps relating to exemptions to Clause 4.3 (2A) KLEP, Clause 6.6 (2A) KLEP, Clause 4.4 KLEP (and revert to KLEP provisions)

- iii. In relation to precinct L5 in Lindfield includes seven properties (nos.25, 27, 29, 31, 33 and 35 Gladstone and no.9 Norwood Avenue) which form part of C45 Lindfield West Conservation Area.

- The exhibited plans (Attachment 6 GB1 – *Draft Local KLEP maps*) show the subject properties as R4 high density with 5-storey (18.5m) HOB
- the remaining portions of the HCA are outside the TOD boundary but fall under the LMR SEPP.
- Attachment 8 GB.1 *Possible Amendments to Reduce Yield* shows the subject properties as R2 low density and retained within the TOD boundary and protected from the LMR
- This results in an outcome where a small proportion of an HCA is fully protected while the remainder is unprotected.
- This is not consistent with the intent of the exhibited plans

It is recommended that in relation to the Lindfield precinct L5 (as shown in Attachment 8 GB.1 *Possible Amendments to Reduce Yield*) the plans be amended as follows and as shown in Figure 4 of Attachment A1 of this document:

- Height of Building 12m (increased from 9.5m)
- Floor Space Ratio 0.85:1 (increased from 0.3:1)

- iv. In relation to a group of six properties in Lindfield fronting Beaconsfield Parade (nos.9, 11, 15, 15A, 17 & 19 Beaconsfield Parade):

- The exhibited plans (Attachment 6 GB1 – *Draft Local KLEP maps*) show the properties with 8-storey (29m) HOB
- These properties adjoin properties fronting Newark Crescent which have a proposed 3-storey (12m) building height
- Submissions have identified that the proposed height difference of 5-storeys has generally not been applied as a transition across the TOD precincts
- The preferred approach to this is to reduce the proposed HOB for the subject properties

It is therefore recommended that the exhibited plans be amended as follows and as shown in Figure 6 of Attachment A2 of this document:

- Height of Building 18.5m (reduced from 29m)
- Floor Space Ratio 1.3:1 (reduced from 1.8:1)
- 0% affordable housing requirement (reduced from 3%)

The amended maps regarding points 1-4 above are attached.

Design Excellence

As part of the Alternate TOD proposal a Design Excellence clause is proposed to be included in the KLEP requiring that development within the TOD precincts exhibit design excellence. The proposed clause identifies key matters that a consent authority is required to consider in relation to design when determining an application for certain developments. The clause will require Council to establish an independent Design Excellence Panel (DEP) that would have a role in assessing any developments to which this clause applies.

An internal consultation review by Council staff has recommended this clause be deferred out of the proposed LEP clauses on the basis that further detailed research and investigation is required to establish the efficacy of the proposed clause given there could be a potential duplication or overlap with Council's existing DCP design requirements. There is also concern that there could be potential significant additional time requirements on the Development Application processing times, that may impact Council on meeting required the *Environmental Planning and Assessment (Statement of Expectations) Order 2024* for all Councils to reduce DA processing times.

Site Specific Gordon Centre Clause

Staff are currently investigating possible anomalies in land ownership and hence the minimum site area requirement of 9,000 square metres embedded in the draft clause. A separate memorandum may be forthcoming to address issues arising.

Recommendations

- A. That recommendation A GB1 be amended to include the additional revisions as set out in the Memo from Director of Strategy & Environment dated 4 June 2025 as follows:

- i. In relation to Gordon properties bounded by Burgoyne St, Pearson Ave, Carlotta Ave and the railway (Attachment 8 GB.1 *Possible Amendments to Reduce Yield* - precincts G1, G2 and G3 Gordon), amend the plans as follows:
 - Amend the boundary map to exclude precincts G1, G2 and G3 from the proposed alternative TOD boundary.
 - Delete precincts G1, G2 and G3 from the Land use zone, Height of Building and Floor Space Ratio maps (and revert to KLEP provisions)
 - Delete precincts G1, G2 and G3 from maps relating to exemptions to Clause 4.3 (2A) KLEP, Clause 6.6 (2A) KLEP, Clause 4.4 KLEP and revert to KLEP provisions
 - Amend affordable housing requirement to 0% (reduced from 2%)
- ii. In relation to Precinct L1 in Lindfield an area bounded by Highfield Road, Wallace Parade and Bent Street (Attachment 8 GB.1 *Possible Amendments to Reduce Yield* – precinct L1), amend the plans as follows:
 - Amend the boundary map to exclude precinct L1 from the proposed alternative TOD boundary.
 - Delete precinct L1 from the Land use zone, Height of Building and Floor Space Ratio maps and revert to existing KLEP provisions
 - Delete precinct L1 from maps relating to exemptions to Clause 4.3 (2A) KLEP, Clause 6.6 (2A) KLEP, Clause 4.4 KLEP (and revert to KLEP provisions)
- iii. In relation to precinct L5 in Lindfield includes seven properties (nos.25, 27, 29, 31, 33 and 35 Gladstone and no.9 Norwood Avenue) which form part of C45 Lindfield West Conservation Area, amend the plans as follows:
 - Height of Building 12m (increased from 9.5m)
 - Floor Space Ratio 0.85:1 (increased from 0.3:1)
- iv. In relation to a group of six properties in Lindfield fronting Beaconsfield Parade (nos.9, 11, 15, 15A, 17 & 19 Beaconsfield Parade amend the plans as follows:
 - Height of Building 18.5m (reduced from 29m)
 - Floor Space Ratio 1.3:1 (reduced from 1.8:1)
 - 0% affordable housing requirement (reduced from 3%)

B. That a new recommendation G. be included on the officer's recommendation as follows:

- G. The Proposed Design Excellence Clause be removed from Attachment A7 Changes to the Ku-ring-gai LEP (reference to Ch5 of the State Environmental Planning Policy (Housing) and a further review of the Design Excellence Clause and provisions be reported back to Council.



Andrew Watson (Jun 4, 2025 14:02 GMT+10)

Andrew Watson
Director Strategy & Environment

Encs: Maps

- A1. Possible amendments to reduce State Significant Development (SSD) yield – Gordon & Lindfield
- A2. Amendment to final Building Height Map (HOB) maps - Lindfield

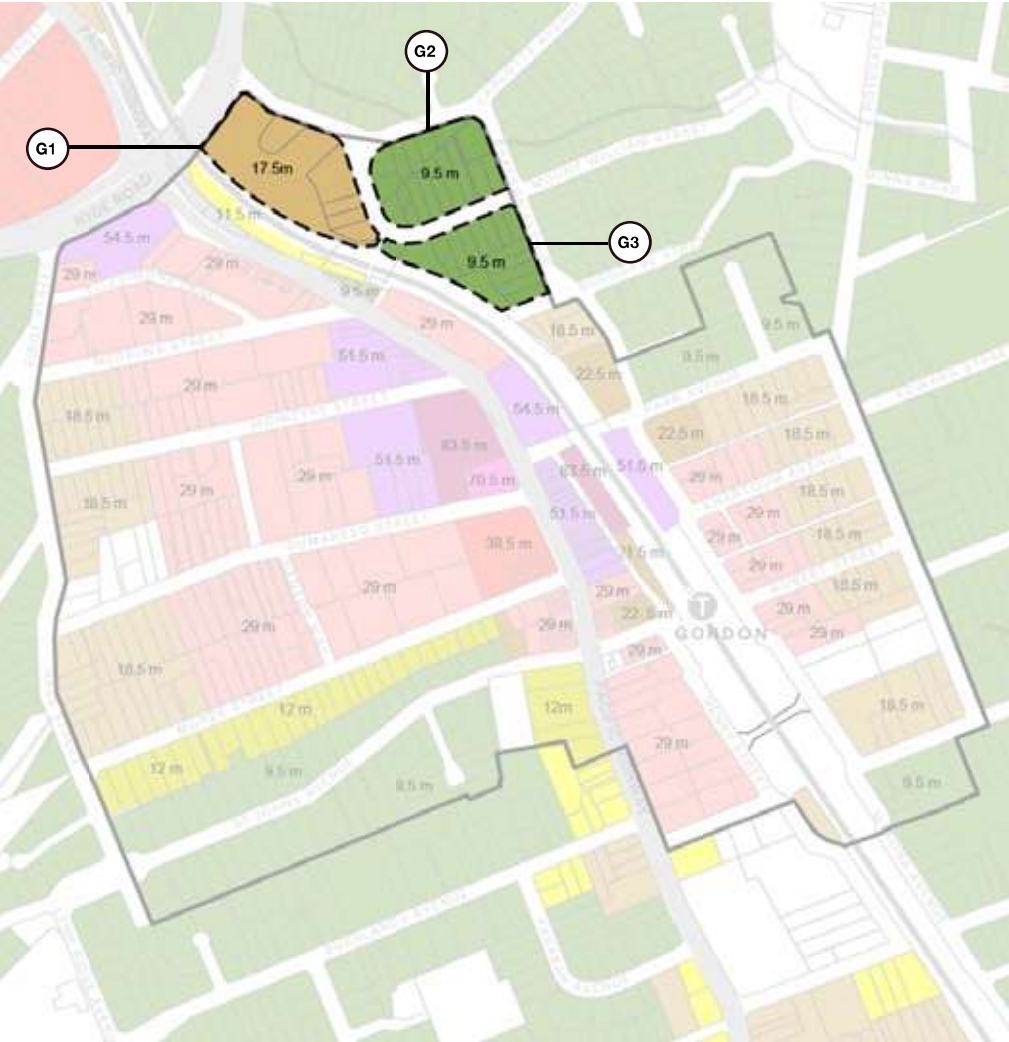


Figure 1: Final Height of Building (HOB) with potential changes highlighted (as per Figure A4.2, Attachment No. 8 to GB.1)

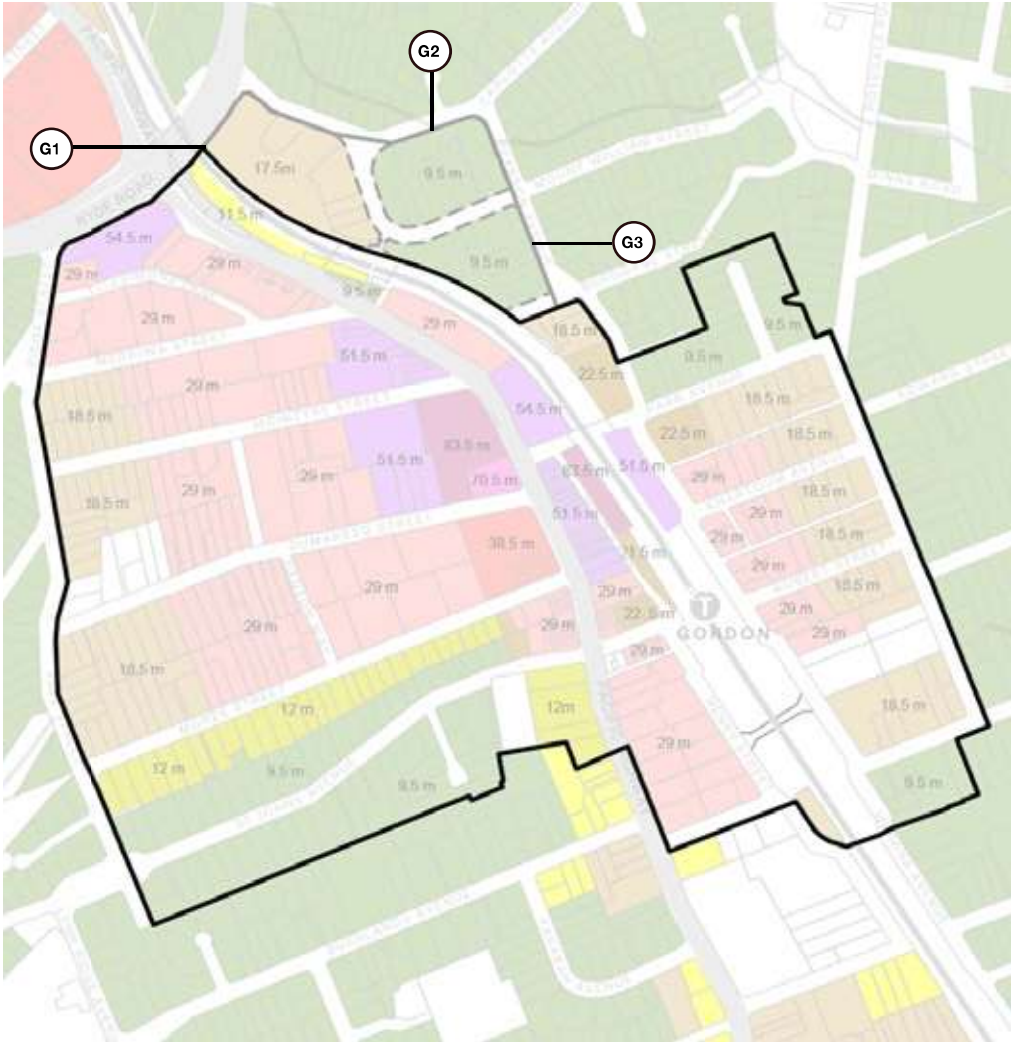


Figure 2: Amendment to the Height of Building (HOB) map for Gordon (Attachment No. 6 to GB.1), to exclude precincts G1, G2, and G3 from the proposed alternative TOD boundary (as per item i - S14846-1 / 2025/173844)

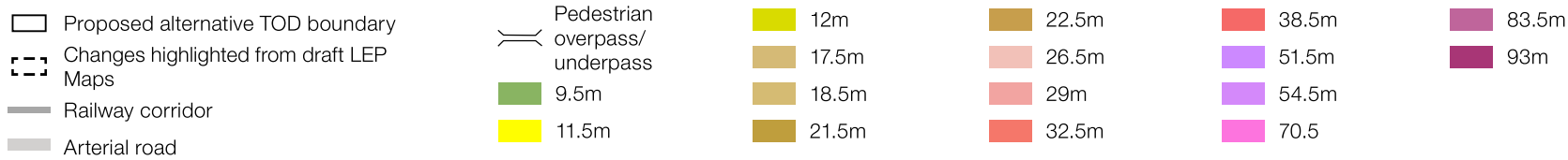




Figure 3: Final Height of Building (HOB) with potential changes highlighted (as per Figure A4.4, Attachment No. 8 to GB.1)

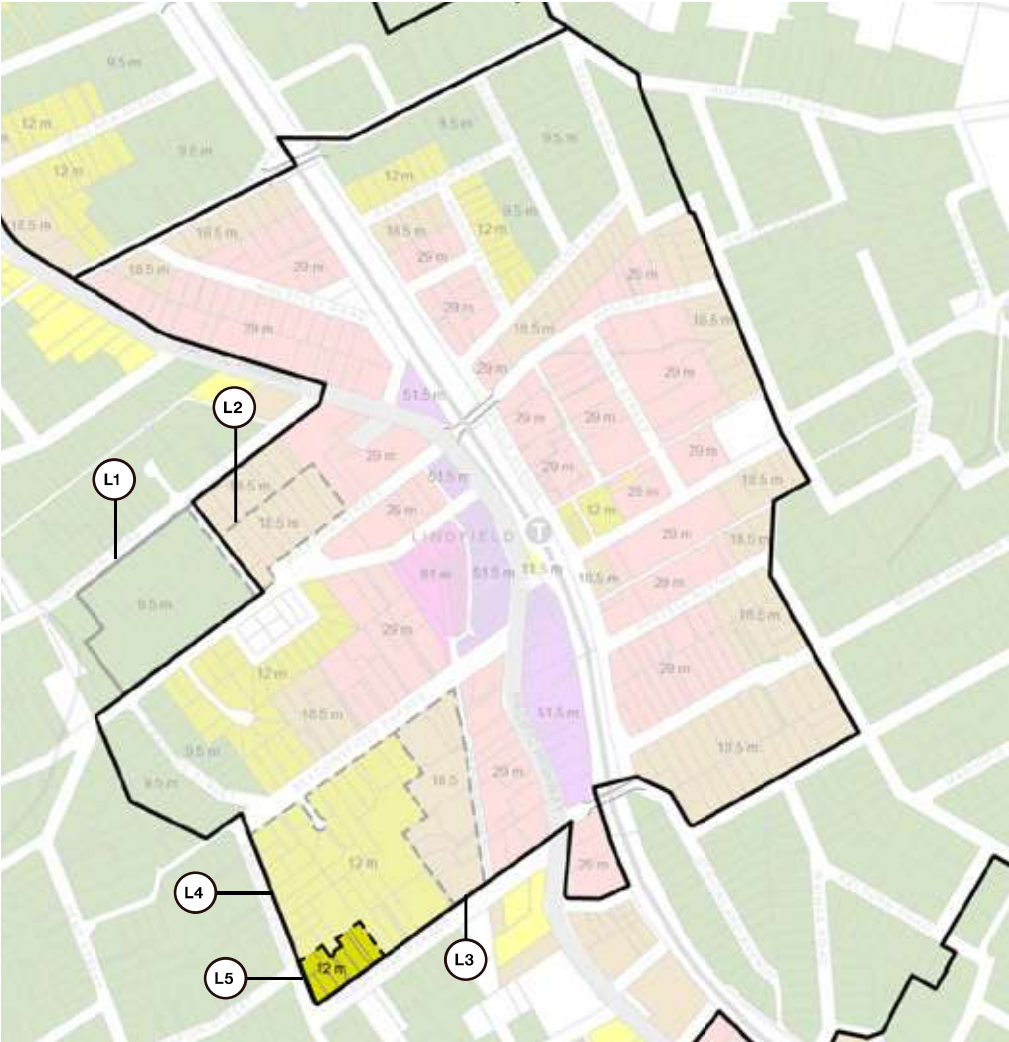


Figure 4: Amendment to the Height of Building (HOB) map for Lindfield (Attachment No. 6 to GB.1), to exclude precinct L1 from the proposed alternative TOD boundary, and increase Height of Building to 12m and FSR 0.85:1 for Precinct L5 (as per items ii & iii - S14846-1 / 2025/173844)

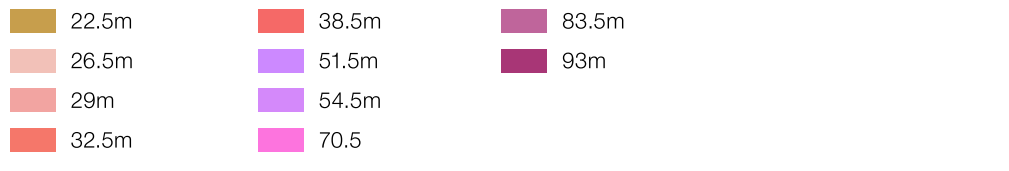




Figure 5: Final Height of Building (HOB) with potential changes highlighted (as per Figure A4.4, Attachment No. 8 to GB.1)

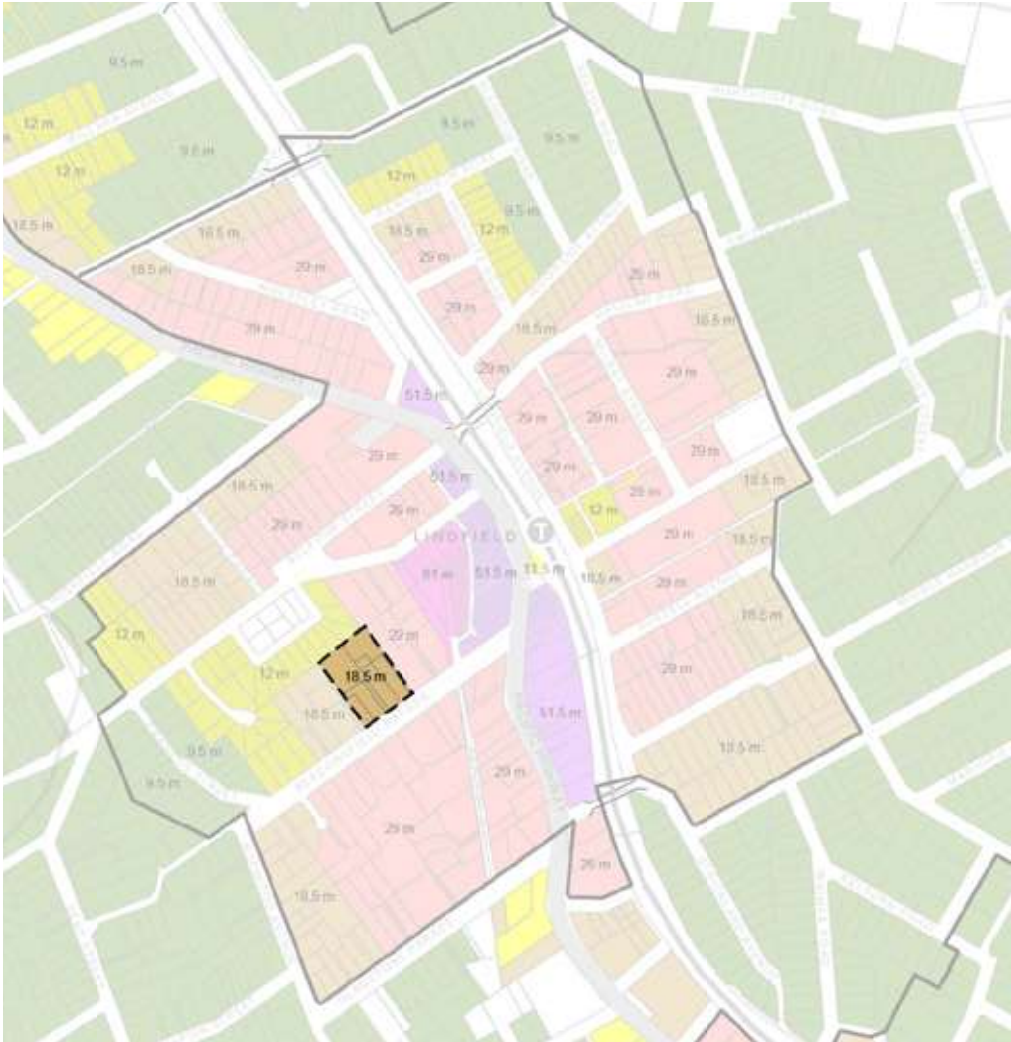


Figure 6: Amendment to the Height of Building (HOB) map for Lindfield (Attachment No. 6 to GB.1), to reduce the Height of Building to 18.5m and FSR 1.3:1 for nos. 9, 11, 15, 15A, 17 & 19 Beaconsfield Parade (as per items iv - S14846-1 / 2025/173844)

- Proposed alternative TOD boundary
- Changes highlighted from draft LEP Maps
- Railway corridor
- Arterial road

- Pedestrian overpass/underpass
- 9.5m
- 11.5m

- 12m
- 17.5m
- 18.5m
- 21.5m

- 22.5m
- 26.5m
- 29m
- 32.5m
- 38.5m
- 51.5m
- 54.5m
- 70.5
- 83.5m
- 93m