

# **TOD Alternative Preferred Scenario**

## **Frequently Asked Questions**

### **Introduction:**

Ku-ring-gai Council has developed an Alternative Preferred Scenario for future housing around the Roseville, Lindfield, Killara, and Gordon train station precincts. This scenario was endorsed at an Extraordinary Council Meeting on 31 March 2025 for public exhibition. The following Frequently Asked Questions to help the community understand the proposal, why it was created, and what it means for Ku-ring-gai.

### **What is on public exhibition?**

Ku-ring-gai Council is seeking community feedback on the TOD Alternative Preferred Scenario to the NSW Government's Transport Oriented Development (TOD) program.

This exhibition aims to present the thoroughly developed and refined scenario, incorporating previous feedback, and capture final reflections and preferences as part of the ongoing planning process.

### **What was the community's preferred scenario from the 2024 public exhibition?**

Based on the public consultation undertaken from November – December 2024 on the 5 alternative housing scenarios to the TOD, Scenario 3b was the community's preferred option.

Scenario 3b is characterised by protection of HCAs, moderate building heights, and extension of the development area to 800m from the rail stations.

### **Why is Council exhibiting the Preferred Scenario?**

The preferred scenario is being exhibited to provide the community with the results of the Council's engagement strategy on Alternate TOD Scenarios undertaken from 15 November 2024 to 17 December 2024.

### **How was the TOD Alternative Preferred Scenario developed?**

Council's Preferred Alternative Scenario is a refined version of Scenario 3b that has been developed using extensive community input and a range of technical and planning studies conducted over the past year.

The refinement process by Council and consultants SJB Urban involved:

- Built form modelling to ensure consistency with Councils DCP, minimise overshadowing, address interface impacts and comply with the Apartment Design Guide (ADG)
- Feasibility analysis
- Review of site specific and area specific submissions
- Consideration of Development Applications and State Significant Development applications
- Consultation with the Department of Planning, Housing and Infrastructure

### **What are the key elements of the Preferred Alternative Scenario?**

A summary of the key statistics are:

- |                       |                           |
|-----------------------|---------------------------|
| • Building heights    | 3-28 storeys              |
| • Density             | 0.85 - 8:1 FSR            |
| • Number of dwellings | 24, 562*                  |
| • Extent              | Within 800m from stations |
| • HCAs protected      | 80%                       |

\*This is an estimated figure based on SJB consultants estimates and is to be verified by Department of Planning, Housing and Infrastructure

### **How community feedback influenced the Preferred Scenario?**

Council took on board the strong message that protecting heritage and green character is paramount. Scenario 3b, which protected all HCAs and limited heights, was clearly the community's preferred when considering both surveys and workshops.

Scenario 2a was seen as the least divisive compromise. Council staff used Scenario 3b as the starting point for the Preferred Scenario. They then made several refinements to address community concerns and practical considerations. They worked with the NSW Department of Planning to ensure the plan would still meet the required housing numbers. They reviewed every area suggested in submissions for inclusion or removal, adjusting the plan's boundaries to remove development from sensitive spots (heritage streets, environmentally sensitive lands, or problematic transition areas) and add some new areas where additional housing could be located with less impact (for example, slightly further from the station or on sites with fewer constraints).

### **Did Council take into account my submission when deciding the Preferred Scenario?**

Yes. The information presented in submissions was considered and influenced the form of the Preferred Scenario. This is one of the primary reasons the Preferred Scenario is a

combination of a number of the scenarios exhibited in 2024, While 3b was the most preferred many people had other preferences. A submission summary table is attached to the Council report titled – TOD Alternatives Post Exhibition -Preferred Scenario, Masterplan and Implementation Strategy.

### **How does the Preferred Alternative Scenario differ from the exhibited Scenario 3b?**

The Preferred Alternative Scenario is a more refined version of Scenario 3b. While :

- A number of areas proposed for high density under Scenario 3b have been removed from the Preferred Scenario and retained as low density to manage transition impacts and avoid environmentally sensitive land. This includes areas around Alexander Parade, Roseville, Kenilworth Road, Lindfield and Burgoyne Lane, Gordon
- Additional areas for development have been added in areas around Park Avenue and Robert Street, Gordon, western side of Pacific Highway (between Essex Street and Buckingham Road) Killara, corner of Marian Street and Culworth Avenue, Killara, Wolseley Road, Treatts Road and Pacific Highway Lindfield.
- New RE1 Public Recreation and SP2 Infrastructure zones are proposed for properties proposed for acquisition for new open space and roads in Gordon, Lindfield and Roseville.
- Reduction of height to 3 storeys to manage transition impacts in areas on the southern side of Moree Street, Gordon, Killara Avenue, Killara, Stanhope Road and Marian Street Killara, Highgate Road, Lindfield, Bent Street Lindfield and Victoria Avenue, Roseville.
- Increased height on Lindfield Village Hub site (15>18 storeys) and Gordon Centre (25 > 28 storeys)

### **How much housing is delivered under the preferred scenario?**

The TOD Alternative Preferred Scenario delivers around 24,562 dwellings across the four centres (Gordon, Killara, Lindfield, Roseville) over the course of 20 years.

The NSW Government has made clear that, if Councils are to propose alternatives to its TOD policy, these alternatives must meet or exceed the number of dwellings in the NSW Government TOD policy. Council’s alternative scenario provides around the same number of dwellings as the TOD policy.

The Preferred Alternative Scenario has balanced dwelling numbers across the four centres based on centre hierarchy:

- Gordon                      9,012\*

- Killara 2,778\*
- Lindfield 9,419\*
- Roseville 3,353\*

\*This is an estimated figure based on SJB consultants estimates and is to be verified by Department of Planning, Housing and Infrastructure

### **Does the Preferred Scenario protect heritage items?**

Councils Preferred Scenario has been refined based on the seven planning principles including Principle 2 – Minimise Impact on Heritage Items. The scenario has placed development away from areas where there are high concentrations of heritage items, meaning the items will be located within low density residential zones to protect their setting.

Where this has not been possible and heritage items have been situated in high density areas, the heritage items will receive the same development rights as adjacent sites allowing them to be integrated into larger development sites through adaptive reuse.

### **Does the Preferred Scenario protect HCAs?**

All Ku-ring-gai's HCAs meet the threshold for local heritage significance and the Preferred Scenario aims to avoid HCAs wherever possible. Where avoidance is not feasible, planning principles have been used to prioritise the protection of HCAs that:

- Have a high concentration of heritage items
- Are located more than 200m from a station
- Are continuous with adjoining HCAs outside the 800m boundary

### **How do I get my property removed from a heritage listing?**

Changing an existing heritage listing as a heritage conservation area or a heritage item requires a planning proposal and heritage assessment. More information is available at <https://www.krg.nsw.gov.au/Planning-and-development/Heritage/Listing-heritage> and <https://www.krg.nsw.gov.au/Planning-and-development/Planning-policies-and-guidelines/Planning-proposals>.

Proposed changes to listing need to be based on an assessment of the heritage significance of the place under the Heritage Council criteria and NSW heritage standards, not development or planning issues that are managed by separate planning controls.

### **How will the Preferred Scenario ensure protection of tree canopy?**

The Preferred Scenario focuses on protecting existing tree coverage and finding ways to increase it. In areas zoned for high-density housing (R4), new developments must include at least 50% deep soil, ensuring that tree canopy remains the same or grows. The main area where tree protection is lessened is along the highway and in commercial and mixed-use zones (E1 and MU1). These areas often have large building footprints and active frontages extending to the street, limiting space for trees. As a result, redevelopment in these areas is expected to lead to the loss of about 17.5 hectares of tree canopy, which is 57.5 hectares less than what would be allowed under the TOD SEPP provisions.

### **What is considered problematic interface leading to transition impacts?**

Interface issues occur when there are significant changes in building scale and land use, often leading to excessive privacy loss or overshadowing. To assess potential interface challenges in the Preferred Scenario, a height transition threshold of 1:2 is considered appropriate for neighbouring properties that share a boundary. This means that a four-storey building adjacent to a two-storey dwelling is acceptable (1:2), whereas a six-storey building next to a two-storey dwelling (1:3) would create an imbalance and be deemed inappropriate.

### **How does the Preferred Scenario manage transition impacts?**

The Preferred Scenario aims to address this by zoning high-density areas to cover entire blocks or gradually stepping down building heights to reduce impacts, with only 21 properties likely to be affected. These impacts can be managed through site-specific development controls.

### **How will Council support local infrastructure in relation to the Preferred Scenario?**

Council will be taking several steps to coordinate infrastructure alongside growth in these precincts.

Draft Infrastructure Strategies have been prepared for the four centres and propose infrastructure works relating to:

- Streetscape
- Open space
- Community facilities
- Green grid and canopy cover
- Traffic and active transport

As part of the Preferred Scenario a total of 28,700sqm of additional park area is proposed in Gordon, Lindfield and Roseville, and a new local road is proposed in Roseville to connect Pockley Avenue and Shirley Road.

Council will review its local infrastructure contributions plan, which outlines how Council requires the development industry to contribute to the cost of delivering infrastructure that supports new development. By undertaking this review, the Council will seek to ensure that the plan is aligned with the infrastructure needs of new residents in the precincts.

This contributions plan will support new parks, upgrades to existing parks and upgrades to streets, roads and pedestrian areas. A revised local infrastructure contributions plan will also levy for improvements to local streets and roads including the pedestrian footpaths. The need for intersection upgrades will be informed by the traffic impact studies currently underway.

Council is lobbying the NSW Government to deliver regional and state infrastructure in northern Sydney.

At its 22 October 2024 meeting, Council resolved to request the NSW Government to commit to the following state and regional infrastructure projects to support population growth across Ku-ring-gai:

- Mona Vale to Macquarie Park rapid bus corridor
- Pacific Highway widening over the T1 North Shore Line at the Pymble and Turramurra local centres
- Turramurra bus interchange upgrade
- Gordon to Chatswood strategic cycleway
- All-day frequent bus network in low-density residential areas

**Lindfield is expected to accommodate more housing than the other three TOD precincts in Ku-ring-gai, does this mean it will receive more in the way of infrastructure upgrades?**

Council collects development contributions on a per unit/dwelling basis – the greater the future population the more infrastructure is required. This means that if Lindfield were to have the greatest number of new dwellings, then the area would have the greatest amount of funds available for infrastructure upgrades.

**How much extra traffic will be created and how will it be managed?**

Council has assessed baseline vehicle, pedestrian and cycling data in the four station precincts. Studies are being prepared to assess the transport impacts of additional dwellings resulting from the Preferred Scenario (as well as the TOD SEPP).

As an indication though, surveys have shown that apartments located close to railway stations typically generate 80% less vehicle traffic during morning and evening peak hours, compared with single homes located further away from railway stations. Therefore, safe walking and cycling connections to stations and bus interchanges is important to ensure people are not discouraged from accessing public transport.

New or upgraded transport infrastructure in the precincts may include new or modified traffic signals, new pedestrian and cycling facilities, traffic calming and a review of speed limits, and changes to traffic flows/road network layout to encourage safe walking and cycling to and from the stations/buses and other services/amenities.

### **Will new apartments have car parking?**

Yes, new developments will be required to provide on-site parking.

Results from the ABS census indicates that car ownership is lower for areas along the railway corridor than areas further away. Similarly, areas along the railway line use public transport to travel to work more than areas further away. Council's car parking requirements for new apartments within 800m of a station reflect this.

Each underground car parking space can add up to \$100,000 to the cost of an apartment which reduces affordability. Council is working on formalising the operation of car share schemes in Ku-ring-gai which ultimately would help residents of apartments who need access to additional cars but don't have the parking spaces on-site for them.

### **Will more commuter car parking be needed?**

New dwellings in the TOD precincts or alternative TOD precincts would be within 800m of railway stations, which is typically 5-10 minutes walking time. Residents living this close would not need to drive and park at their nearby station.

### **Why can't Council just upgrade or widen Pacific Highway?**

Pacific Highway is a state road and is managed by Transport for NSW. While Council's transport studies will identify and recommend upgrades to certain locations on Pacific Highway. Any upgrade proposals on state roads or in relation to traffic signals must be approved by Transport for NSW first.

### **Why are reduced speed limits being considered in the TOD precincts / alternative TOD precincts?**

Barriers to walking and cycling include perceived and real threats to safety. Lower vehicle speeds result in more vehicles giving way to pedestrians and make for more pleasant streets, which encourage walking, cycling, increased social connections and other outdoor activity.

Transport for NSW acknowledges that appropriate speed zones can encourage people to choose more sustainable modes of transport for shorter trips.

Appropriate speed zones can also reduce congestion and emissions and reduce the likelihood of crashes. For example, at 50km/h, the risk of death due to a car & pedestrian crash is over 80%, but at 30km/h, the risk of death reduces to around 10%, meaning a pedestrian or cyclist is very likely to survive a crash.

Over a typical local trip length of 3.5km, the difference in travel time between 50km/h travel speed and 30km/h is negligible.

### **How will cycleways be introduced in the centres?**

If designed and connected properly, a cycleway can move up to 7 times more people than 1 traffic lane can move.

The type of cycling facility will be dependent on a number of factors, including vehicle traffic numbers and speeds. Where vehicle traffic numbers and volumes are very low (30km/h and up to 200 vehicles per hour), it is an option for people riding bicycles to share the road with vehicles.

When one of these factors increases, then separation of bicycles and vehicles is required. This can be in the form of on-road separated/protected cycle lanes or shared paths. Some reallocation of road space from car parking may be required to provide on-road separated cycle lanes. Safe cycleways will also provide an additional and sustainable travel option for residents living outside the TOD centres to access shops and stations, which will help to manage demand for commuter parking.

### **Does the Preferred Scenario include Affordable Housing?**

Yes, based on feasibility testing by Council's consultants the Preferred Scenario proposes affordable housing contribution rates for developments. Different affordable housing contribution rates are proposed for different areas ranging from 0%, 2%, 3%, 5%, and 10%.

The proposed affordable housing contribution rates and feasibility analysis are proposed to be taken forward into a draft Affordable Housing Contribution Scheme (AHCS) which will

allow the delivery of affordable housing in perpetuity either as dedication of dwellings or a monetary equivalent.

### **Has development feasibility been considered?**

Atlas Economics were engaged by Council to carry out a financial feasibility analysis to assist the development of the Preferred Scenario.

The feasibility analysis outlines that development feasibility in the study area will vary, due to lot ownership patterns as well as the nature and existing building uses which will influence the cost of sites.

The feasibility analysis identified sites where increased height and density is required when compared to Scenario 3b.

### **How does the Preferred Scenario interact with the Low and Mid Rise Housing Policy?**

The Low and Mid Rise Housing Policy commenced on 28 February 2025 and applies to Gordon, Killara, Lindfield and Roseville. In Gordon and Lindfield the policy applies within 800m walking distance from the edge of the E1 zone and in Killara and Roseville the policy applies within 800m walking distance from the station. The Low and Mid Rise Housing Policy does not apply within the TOD area (400m radius from the station) and does apply within HCAs.

Under the Preferred Scenario the majority of HCAs will be impacted by the Low and Mid Rise Housing Policy, which is concerning as one of the key reasons for Council preparing an alternative to the TOD was to protect HCAs.

As part of the development of the Preferred Scenario Council has proposed an alternative TOD boundary around each of the four centres. It is proposed that the Low to Mid Rise housing policy will not operate within the boundaries of Council's Preferred Scenario.

### **What sites are proposed to be acquired for Open Space and Road?**

The Preferred Scenario identifies a number of sites proposed to be acquired by Council for local open space and a new local road, including:

- 63, 63a, 65 Dumaresq Street and 12 and 12a Vale Street, Gordon for the purposes of a new large local park
- 26, 28, 30 and 32 Bent Street and 1 and 3 Newark Crescent Lindfield for the purposes of a new local park
- 3 Roseville Avenue, Roseville for the purpose of a new local park

- 15 and 17 Pockley and 22 and 20a Shirley Road, Roseville for a new park and local road connecting Pockley Avenue with Shirley Road providing alternative access via Shirely Road to the Pacific Highway.

In order for Council to reserve this land for the identified future public purposes, the sites are required to be identified on the Land Reservations and Acquisitions Map in the KLEP and proposed to be zoned either RE1 Public Recreation or SP2 – Local Road.

The acquisition of these sites will be subject to Council’s Acquisition and Divestment Policy and the *Land Acquisition (Just Terms Compensation) Act 1991*.

### **How can I provide feedback on the Preferred Alternative?**

All feedback on the Preferred Alternative should be provided through the survey. The survey also includes the ability for additional written comments (within word limits) to be provided.

### **What are State Significant Development Applications? And what is Council’s role?**

SSD Applications are for large scale or complex projects deemed important to the state for economic, environmental or social reasons. SSD Applications are assessed by the Department of Planning, Housing and Infrastructure and determined by the Minister for Planning or Independent Planning Commission. Council is notified of and invited to comment on SSD applications at the exhibition stage.

Developments for in-fill affordable housing with a capital investment value (CIV) of more than \$75million qualify for a SSD Application.

### **Can Council stop State Significant Housing Developments in Ku-ring-gai that do not adhere to the parameters of the preferred Scenario?**

Many of the SSD applications are inconsistent with Council’s Preferred Scenario. The Council report - TOD Alternatives Post Exhibition -Preferred Scenario, Masterplan and Implementation Strategy, recommends that Council:

*“Make a request to DPHI that no State Significant Applications in the TOD precincts be saved due to the significant inconsistencies with Council’s TOD Preferred Scenario”.*

**DPHI required Council to provide capacity for 23,200 new dwellings. The Preferred Scenario makes provision for 24, 562 dwellings, why is Council providing more housing than required?**

Council and their consultants, SJB Urban have estimated the planning capacity of the Preferred Scenario using a well-accepted methodology. At this stage DPHI have not given Council final confirmation that the Preferred Scenario meets the required dwelling targets. This will only occur once Council submits a final plan for assessment. The Preferred Scenario provides slightly more capacity than required, as a buffer. The Preferred Scenario will be refined to align the dwelling yield more closely with DPHI expectations.

**How does the new Low to Mid Rise housing policy of the NSW Government impact on Council's efforts to protect heritage areas and environmentally sensitive lands in the TOD precincts?**

The Low to Mid Rise housing policy will not operate within the boundaries of Council's Preferred Scenario

**My property lies within a TOD precinct, however it is not within a Heritage Conservation Area. Why is Council proposing to remove the TOD provisions from my land?**

The Preferred Scenario proposes to remove certain non-HCA areas currently within TOD, by removing the TOD controls and retaining the R2 - Low Density Residential zone.

There are several reasons for exclusion of non-heritage areas from the Preferred Scenario, these generally fall into the following categories:

- avoiding locating high density residential in environmentally sensitive areas including biodiversity and riparian lands as per Principle 1;
- minimising impacts on heritage items consistent with Principle 2;
- improving canopy protection consistent with Principle 2;
- managing transition impacts by expanding or contracting the development boundary as per Principle 5; and
- providing for new local parks and local roads in strategic locations to address infrastructure needs arising from population growth.

**What are the next steps? How long will it be before residents have a certain outcome? What are the steps that need to occur to establish fixed planning controls for the impacted areas?**

Following a three-week public exhibition period, the Council will consider a report on the community feedback and proposed amendments to the Preferred Scenario; the report will be completed in late May 2025. If the Council subsequently adopts the Preferred Scenario the final documentation package will be sent to the Department of Planning, Housing and Infrastructure for approval. Amendments to the Ku-ring-gai Local Environmental Plan 2015 will be made by the Minister for Planning and Public Spaces through a State Environmental Planning Policy.

Council will then prepare the required amendments to the Ku-ring-gai Development Control Plan.

### **What is happening with Council's legal action seeking to invalidate the TOD State Environmental Planning Policy?**

At its 26 November meeting, Council considered the outcomes of mediation between Council and the NSW Government, which was undertaken as part of Council's legal action seeking to invalidate the TOD State Environmental Planning Policy.

At the meeting, the Council resolved to accept the Mediation Agreement reached on 21 November 2024 between Ku-ring-gai Council and the State of NSW. Further details can be found on Council's website:

[Council supports agreement with NSW Government on TOD precincts Ku-ring-gai](#)