



Property Council of Australia ABN 13 00847 4422
A Level 7, 50 Carrington Street, Sydney NSW 2000
T +61 2 9033 1900
E info@propertycouncil.com.au
W propertycouncil.com.au
in Property Council of Australia

22 April 2025

Mr David Marshall
General Manager
Ku-ring-gai Council
818 Pacific Highway
GORDON NSW 2072

Via email: housing@krg.nsw.gov.au

Dear Mr Marshall,

We welcome the opportunity to provide feedback on Ku-ring-gai Council's preferred alternative scenario to the Transport Oriented Development (TOD) Program.

As Australia's peak representative of the property industry, the Property Council's members are the nation's major developers, financiers, builders, asset managers and owners across all asset classes. They create landmark projects, environments, and communities where people can live, work, shop, and play. The property industry shapes the future of our cities and has a deep long-term interest in seeing them prosper as productive, sustainable, and safe places.

The Property Council acknowledges Council's work to date on the TOD Program and notes that Gordon, Lindfield, Killara and Roseville stations have also been identified as Low and Mid-Rise Housing areas. However, we are concerned that the preferred alternative scenario will result in less housing than the area is capable of delivering, especially with short commute times to employment centres at Chatswood and Macquarie Park. NSW has a short window of time to deliver 377,000 new homes as part of the National Housing Accord, and the TOD Program is one of the key levers that can assist in making progress against this target. The need for well-located homes in these areas is also emphasised in Council's draft Affordable Housing Policy, which notes that:

- 23 per cent of Ku-ring-gai's renters are in housing stress,
- 71.6 per cent of Ku-ring-gai's essential workers are living outside the Ku-ring-gai local government area (LGA), and
- 3,694 young people (aged 18-24 years) left Ku-ring-gai between 2016 to 2021.

For some sites, maximum building heights have been halved, floor space ratios have been significantly reduced and the permissibility of residential flat buildings has been removed all together.

As per the Council report, we note that the Department of Planning, Housing and Infrastructure undertook a review of Council's preferred scenario and found there is capacity to realise either the same or an increased number of dwellings relative to the Government's TOD scenario (23,054 dwellings). This is encouraging. While the protection of heritage conservation areas, listed items and mature tree canopy is important, it is equally important to ensure, at the very least, that dwelling capacity under Council's preferred scenario has the potential to deliver the same or

increased number of dwellings relative to both the TOD SEPP and Low and Mid-Rise Housing provisions as it applies to the Ku-ring-gai LGA. In this regard, and if necessary, we would encourage Council to further investigate the potential for increased residential densities within its commercial or retail zoned settings across the LGA to deliver greater housing supply.

Deep soil zones of 50 per cent of the site area are being proposed despite the Apartment Design Guide's 7 per cent requirement and the TOD SEPP's requirement of 15 per cent for opportunity sites. This requirement not only impacts the site coverage, but also significantly affects the provision of basement parking. If a deep soil zone of 50 per cent is required, basements can only extend to half of a site, which will require more basement levels and ultimately reduce project feasibility. We recommend Council reconsider these positions before any amendments to Ku-ring-gai Local Environmental Plan and Development Control Plan are made.

Our members are particularly concerned about the potential impact of the preferred alternative scenario on existing State Significant Development (SSD) applications. The Council Report highlights that there are nine active residential projects with Secretary's Environmental Assessment Requirements (SEARs) issued, yet no savings provisions are proposed for these projects. In addition, Council is seeking a moratorium on further applications being lodged as soon as the final public exhibition of a preferred scenario commences.

This presents a significant risk to Government by effectively renouncing a rezoning without having savings provisions for projects with SEARs issued, potentially putting 1,093 dwellings at risk at a time when housing delivery is a key priority. We urge Council to include savings provisions for existing SSD applications so as to not erode investment confidence for those who have already acted on the original TOD rezoning.

We thank Ku-ring-gai Council for the opportunity to provide a submission to the preferred alternative scenario to the TOD Program. If you have any questions or would like to meet to discuss the contents of this submission, please contact NSW Policy Manager, Emma Thompson at ethompson@propertycouncil.com.au or by phone on 0458 294 817.

Yours sincerely,



Katie Stevenson
NSW Executive Director
Property Council of Australia