

Question	Answer
1. How does the state government reconcile this plan and then cancel the Lindfield parking proposal? Given your comments on parking.	Noted – response for state government
2. What is council doing to stop this and what can we as residents do to stop this? What are our chances of success?	Council within the very limited time frame has consulted the community of the TOD SEPP which will assist in making a comprehensive submission and the Council is reviewing its position associated with this project.
3. The ADG has been seen as a bible for apartment standards for some years now. What will be the DA assessment based on in future?	It is Council's understanding that the ADG will remain as the principle guiding document for residential apartment buildings however the NSW State Government intends to vary some of the ADG provisions to accommodate the mid-rise buildings proposed in the TOD SEPP. The extent of any such review is unclear.
4. Is it possible for council to suggest alternative areas for more development with less heritage value, particularly around and including the SAN site?	If given the opportunity, Council may consider alternative housing scenarios to the NSW TOD SEPP.
5. Could you please briefly explain the 30% uplift for affordable housing provisions? Is this to be added on top of the new TOD provisions?	<p>Developers can gain a potential floor space ratio bonus of 20–30% and a height bonus of 20–30% for projects that include at least 10–15% of gross floor area as affordable housing (limited to 15 years). The height bonus only applies to residential flat buildings and shop-top housing.</p> <p>This could mean that the proposed 21m high (6 to 7 storey) apartment buildings may be up to 27m high (8 to 9 storeys) inclusive of a 30% affordable housing bonus.</p> <p>It is not clear if this will apply concurrently with the 2% mandatory provision in the TOD SEP areas. It is also not clear if the 2% is to be dedicated in perpetuity.</p>
6. Is the TOD plan map with the circles an estimate only? it appears more than 800meters are included in the circles.	The 400m and 800m circles shown on council's maps are measured from the centre of the stations and are as accurate as possible in the absence of detailed catchment maps from the NSW State Government. They are indicative, however, and should not be relied on to assess the impact on individual properties.

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7. Is Council considering a legal challenge?	Council is assessing all the relevant matters associated with this project.
8. Can this be legally challenged? Could this be prevented?	Council is assessing all the relevant matters associated with this project.
9. What is "affordable housing"? Provision of this could result in apartment building developments higher than 21 metres.	Affordable housing a units that have their rent capped for low and middle income earners and are managed by a registered Community Housing Provider. Development bonuses are available for the provision of affordable housing. See Q8.
10. How will the TOD planning impact heritage item properties?	The proposed density is the same for heritage listed and unlisted properties, with no added heritage protection. As well as increasing density, the proposal is to remove Council's capacity to refuse degrading development for reasons of heritage impacts. Lacking any requirements to retain heritage significance, fabric or setting, the proposed increased density will incentivise partial or complete demolition of heritage buildings, over-scaled infill development and loss of garden settings. Council will share its submission that details the heritage impacts further.
11. How to find out if my property falls in yellow zone or blue zone (400 m or 800 m)	The areas on Council's map showing proposed new planning controls are indicative based on information provided by the NSW Government. The purpose of this map is to indicate the proposed changes at a high level and it should not be used to assess impacts on individual properties. The areas proposed for new planning controls are shown as circles on the map for simplicity but may differ if implemented. There may be more or fewer properties impacted by the proposed new planning controls than is shown on this map. Therefore, it is not possible to definitively tell if individual properties fall within the 400m or 800 areas.
12. Is council joining other impacted councils to challenge, including legally?	Council is assessing all the relevant matters associated with this project and researching the position of other Councils in our region.

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13. With the increase housing near trains, will there be allowances for proper commuter carparks, such as the multi-level carparks, with the removal of street parking that is currently used.	People living within 800m from stations generally walk to the stations, so do not need commuter parking. However, increasing housing in R2 areas will increase pressure on commuter parking and on-street parking around rail stations, and Transport for NSW has no plans to increase commuter car parking around stations.
14. What is the likelihood that this TOD plan passes as-is? Does the KRG council have a voice to impact the ruling?	This is a solely a state government initiative and Council will make its submission, ultimately it rests with the NSW State Government.
15. I concur with the comments above that the council should consider legal challenge, and maybe join force with other councils. Can the council add this option to the survey for the residents to vote?	It is not optimal to change a survey once it has been launched and already completed by a high number of people so adding a question is not something we can do at this time. The broader issue of discussing the matter with other councils is underway.
16. There was a recent article in SMH about the policy of preserving Haberfield as a heritage suburb. Likewise in the Cotswolds, England, new buildings have to conform in stone. Both these situations (especially Haberfield) could be used as arguments to maintain heritage precincts in Roseville etc - for the benefit of the wider Sydney community	Noted. Council in its submission on the heritage impacts has used the existing statements heritage significance of the heritage items and heritage conservation areas. These areas are highly valued by the community and have been managed to maintain and improve their heritage significance.
17. Where is the 400m from a train station measured from? The centre of a platform or edge?	The NSW Government has not provided any information on where the 400m is to be measured from.
18. How early do you anticipate that these development would take place? Months, years?	The TOD SEPP according to the State Government will come into effect in April 2024. From this point development applications could be prepared and lodged for assessment.
19. So any heritage site could also be developed according to this proposal, even in the dual occupancy zone as identified in council's brochure? Is heritage negated by this proposal?	Yes. The proposed density is the same for heritage listed and unlisted properties, with no added heritage protection. As well as increasing density, the proposal is to remove Council's capacity to refuse degrading development for reasons of heritage impacts. Lacking any requirements to retain heritage significance, fabric or setting, the proposed increased density will incentivise partial or complete demolition of heritage buildings, over-scaled infill development and loss of garden settings.

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	Council will share its submission that details the heritage impacts further.
20. Why don't you allow people to vote on the questions - and then address those with the most votes?	The questions were address in chronological order as received in the Q&A at the meeting.
21. It seems as though R3 would be able to do what's allowed under R4, and R2 what's allowed for R3. Is that correct?	This is generally correct for areas within 800m of stations or town centre locations.
22. Does council actually have the power to stop this or for at least 18-24 months are we at the whim of the government?	This is a solely a state government initiative and Council will make its submission.
23. Already filled out the survey but how is council's feedback going to change State's decision?	We will provide community feedback to the state government via our submission. It is for the state government to then decide how they take into account the views of local residents. We actively encourage the Ku-ring-gai community to make submissions directly to the state government.
24. What can Council do to stop this? And what is the chance of success of rejecting this proposal?	This is a solely a state government initiative and Council will make its submission.
25. What is the impact on heritage items 400-800m away if this is approved?	The NSW Government proposal does not change the heritage listing of existing heritage items or heritage conservation areas. However, the proposed planning controls provide no heritage protection for buildings or sites listed as a heritage item or within a heritage conservation area. Listed and unlisted sites are treated the same in this proposal.
26. What happens to current DAs in areas 400-800m from stations? Will there be no change?	Yes, no change
27. Will developers have to adhere to planning rules such as not looking into existing homes windows/backyards or will they have a free for all?	Under the new rules residential apartment building developments will still need to adhere to the Apartment Design Guide (ADG). However, the NSW Government have said that the ADG will need to be amended to accommodate the building typologies proposed.
28. Can the current traffic, schools, shopping centres, hospitals and other essentials cooperate with the increasing populations if the proposal is approved? Can the government run some models by AI to	As part of a normal planning process, at the very start any areas identified for increased housing would be fully master planned – taking into account the constrains (identifying and protecting the values of the area) the

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<p>illustrate the impacts? Can we ask the government to postpone the deadline of the public comments till more details of the impacts come out, and people can make an informed decision to say “yes” or “no”.</p>	<p>opportunities and the required new co-ordinated infrastructure such as schools, retail/commercial, employment, open space, traffic and transport. Council has requested the master planning evidence (if any) that supports the TOD SEPP but no information has been provided on the basis this information is restricted as NSW Cabinet in Confidence.</p>
<p>29. Are there any plans by council to align with other councils opposed to this to strengthen our ability to influence the state government?</p>	<p>Council is researching the position of other Councils in our region.</p>
<p>30. When do you expect the final formal decision by the State Government</p>	<p>A final decision on TOD SEPP by the State Government will be required prior to April 2024.</p>
<p>31. Are there possibilities of Councils banding together to take legal actions against the State Govt? (Similar to the forced Council merger in 2015, which the State lost and Burwood/Strathfield/Mosman retained their independence). Because at the moment, every single Council in Sydney is pissed, especially Labor ones which have large swarths of R3 zones.</p>	<p>Ku-ring-ai Council is actively reaching out to other councils to collaborate on this matter. This includes through NSROC and other mechanisms.</p>
<p>32. What about schools?</p>	<p>Council’s submission has raised the issue of the impact on infrastructure including schools.</p>
<p>33. When will a more accurate map be released?</p>	<p>Council’s submission has requested that the NSW Government release accurate maps of the areas that will be affected.</p>
<p>34. Is what the State Govt proposing and the overriding of Council controls legal?</p>	<p>Council is assessing all the relevant matters associated with this project.</p>
<p>35. Do these proposals cover properties in zone C4 environmental living?</p>	<p>No.</p>
<p>36. What about Blue Gum High Forest being protected under (s266B of the Environment Protection and Biodiversity Conservation Act 1999) Do the proposals override conservation legislation?</p>	<p>The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) is Commonwealth Legislation and is only triggered for large scale projects or significant impacts on listed entities. Individual developments will not trigger the EPBC Act.</p>
<p>37. Will council develop the old Roseville bowling club under the new SEPP or will you retain this as an R2 zoned site?</p>	<p>At the Council meeting in December 2023- a decision on the planning proposal for the former Roseville Bowling club was deferred to</p>

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	consider the State Government's proposed housing polices.
38. Do you believe that a vigorous local resistance will be wholly or partially successful?	Council, within the very limited time frame allocated, has consulted the community of the TOD SEPP which will assist in making a comprehensive submission.
39. I am aware of a master plan for Turramurra Town Centre proposed near Turramurra Coles. What is the progress of it? Would this proposal have any impact on the progress of the plan ?	<p>In October 2022, Ku-ring-gai Council noted that it does not have the financial capacity to deliver the new community facilities and public domain works in the Turramurra Community Hub (TCH) masterplan and voted that development of the site should be undertaken in stages. Council also resolved to continue discussions with Coles. More information can be found at <a href="https://www.krg.nsw.gov.au/Planning-and-development/Projects-and-current-works/Turramurra/Turramurra-Community-Hub">https://www.krg.nsw.gov.au/Planning-and-development/Projects-and-current-works/Turramurra/Turramurra-Community-Hub</a></p> <p>At this stage it is not possible to determine whether the NSW Government proposals will have an impact on the project.</p>
40. When can we expect a clear map from council explaining the impacts clearly on a street level?	More information will be provided when clarity is provided by the department of planning.
41. 1. What is message council is getting on prospects of this proceeding as is. 2. Is council advocating for HCAs to be excluded from TOD. 3. What is council doing to fight or develop alternatives.	This is a solely a state government initiative and Council will make its submission including the significant impacts on heritage , ultimately it rests with the NSW State Government.
42. If the TOD is approved, would it be viewed favourable by developers and council to have existing large trees on boundaries ?	The issue of the significantly reduced deep soil planting area will be raised in Councils submission- including the loss of existing vegetation and reduced capacity to provide enough space for new trees and the impacts on existing street trees from new development.
43. If your lot is only partially identified in a zone eg front of house is 400m zone, back of house is 800m zone does that mean the whole lot will be high rise or whole lot townhouses or a combination?	There has been insufficient information released by the NSW Government to answer this question.
44. Will the rates on the existing single domestic properties increase when they become zoned for higher density?	The NSW Valuer General is the statutory independent valuing authority in NSW. The valuation process is something Council cannot

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	influence. Land is valued by the Valuer General under the Valuation of Land Act 1916.
45. If this is passed, does the Council have any influence on the quality of the builds, and any ability to implement minimum sustainability standards such as high NAters ratings, provision of solar, no gas, insulation, etc?	<b>Relevant</b> existing planning controls will continue apply to the new development, but only to the extent that they are not inconsistent with the new development standards.
46. Re the affordable housing "bonus", what is required amount of affordable housing that will allow the developer to get their additional 30%? Ie if they provide X? (2%?) affordable housing, can developers have an additional 2 floors on top of their 6-7 floors?	<p>For a developer to receive the full 30% bonus, they must provide a minimum of 15% of the floor space in the development as affordable housing. These dwelling are to be used as affordable housing and managed by a registered Community Housing Provider for a minimum of 15 years.</p> <p>A 30% height bonus on a 6 -7 storey building would equate to approximately 2 additional storeys.</p> <p>Further, in the TOD SEPP areas, 2% is required to be provision for affordable housing. It is not clear if this is to be provided in perpetuity or how this provision interrelates with the above bonus provisions under the Housing SEPP.</p>
47. Is there a minimum square meterage required for a development?	The TOD program documentation does not set a minimum lot size for redevelopment.
48. The proposal is for very restricted on-site parking - as low as one space for two apartments. The result of this will be street garaging which is already a serious problem in streets with 5 storey apartment buildings. Combined with reduced kerb space caused by wider driveway crossings this will clearly create chaos even worse with increased traffic movements. Has Council thought of this and are there any ideas to deal with it.	The car parking rates for Low Rise Housing (Multi Dwelling Housing and Manor Houses) are lower than those in the Ku-ring-gai DCP, and are not supported. Low Rise Housing (Dual Occupancies) across all R2 zones is not supported from a transport planning perspective. Dual Occupancies could be restricted to R2 land 10-15 minutes' walk (or nominal 800-1,200m distance) from stations, which would take advantage of reasonable walking access to public transport as well as shops, services and amenities that the centres offer.



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49. What is happening with Lindfield Village Hub - need it more now with extra housing.	This project will be separately considered at Council's meeting of 20 February 2024 in view of the State Government's withdrawal of funding for commuter car parking.
50. If the urban forms proposed will make citizens more vulnerable to climate change, is there a legal case that can be made?	This is not a matter for Council. Increased Urban Heat is included in Council's submission.
51. How do the proposals relate to the new town centre plan for Turramurra?	At this stage it is not possible to determine whether the NSW Government proposals will have an impact on the town centre plan for Turramurra
52. Does council when looking at Roseville have a preference to developing the west side as there are less significant heritage houses in that precinct	Council's position, expressed in the Ku-ring-gai Housing Strategy, is that no further rezoning should occur in Roseville. However, the NSW Government proposals would overrule Council's position.
53. Surely Turramurra is better suited for the TOD than Killara or Roseville?	The NSW Governments decision to include Killara and Roseville in the TOD program and exclude Turramurra, is, as Council understands, based on 30-minute, or less, travel time to the city by train.
54. When will a decision be made and time frame before the rezoning is implemented?	Council is making its submission, the NSW Government is intending that the TOD SEPP comes onto effect in April 2024- but the timing is a matter for the state government.
55. Where is the state governments responsibility with the lack lustre water supply and sewerage services?	Council has requested that the state government provide the infrastructure analysis resulting from the Housing policies, however to date nothing has been provided.
56. There is an assumption that we do not have enough housing, has a vacancy survey been done in Ku-ring-gai? There are more vacant apartments than occupied in a road near me.	Council has no control over vacant property so long as it is reasonably maintained. The main mechanisms for determining vacancy, such as electoral roll data, Medibank records and utility usage are within the remit of the State and/or Federal Government.
57. 15 or more years ago when Council resisted State Govt initiatives for increasing densities the State Govt removed the Councils Planning powers. Do you envisage this happening again ?	The proposed State Environmental Planning Policies will effectively over-ride local planning controls .



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58. Can the dual occ be carried out under a CDC or does it need a DA	There has been insufficient information released by the NSW Government to answer this question.
59. It appears the State Govt will end up getting a fair percentage of this proposal through to meet their housing targets. Have council enough resources to deal with this ?	Council have allocated resources to addressing the policy documents currently on exhibition. The longer-term implications of funding infrastructure upgrades arising from uncoordinated development over fifteen years is as yet unknown
60. The concept of Transit Orientated Development was conceived decades before technology allowed working from home. Has that been taken into account in the State Government planning?	Noted- the State government used the term Transport oriented development (which is not defined) rather than Transit orientated development.
61. Are we able to see what was submitted today regarding the TOD?	Council has requested that the NSW Government release all the supporting background documentation and studies for the Housing policy changes.  Council's draft submission is available on its website
62. Who decides what style of development gets built? Tiny cheap two-bedders are for investors, not owner occupiers, which helps tenants if they will accept that style of housing. The big problem in Ku-ring-gai is one or two older residents residing in large family homes. They aren't moving because the developers aren't building the types of homes they want. They won't live in a tiny box (and why should they) but a stylish townhouse or manor house with a lift does offer a viable downsizing solution.	Noted and under the NSW State Government proposal it will be left to the market to deliver the housing.
63. Why don't you, Ku-ring-gai Council, change your regulations now to support FSR 0.65:1 for dual occupancy, conserving trees in the lot.	Council's submission to the NSW government has analysed the proposal for dual occupancy with an FSR of 0.65:1 and has found that it will be very difficult to retain trees at this density
64. Referring "Allowing dual occupancies (two dwellings on the same lot) in all low-density residential zones, with a minimum lot size of 450 square metres", does this mean a 900 square metres lot can have dual occupancy or a 450 square metres lot can have dual occupancy?	A dual occupancy (2 dwellings) can be built on a lot 450sqm or larger.

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65. Will Stormwater rules change?	Council will review its planning controls where possible to take into account the impacts of the new development
66. Will properties required for these two plans be subject to compulsory acquisition?	There has been no indication that would be the case.
67. What is the impact if your house is state heritage listed. Will the TOD override this as well or just local heritage?	At this stage the effects on state heritage listed items appears to not have been taken into account by the State Government.
68. Are there any studies or information on the changes to the climate of the area, with the decrease of the canopy along with increase urban heat island, and then the likely increased use of air-conditioning, the impact that could have on bush fire risks, the ability for fire services to reach people/property? Especially as the highway will be suffering extra traffic	Council has started to collect urban heat data along with canopy data. This will be used to determine trends and impacts associated with climate change and development.
69. Could the council be able to force multi-storey buildings to have 'green roofs', a green space on the roof of the buildings to assist with climate impacts and canopy loss.	Council's development control plan will be reviewed to try to limit the negative impacts of the State Governments reforms.
70. Current Heritage items are already being built out by compliant development. It must be time that council reviews heritage items and identifies really A+ heritage rather than utterly pointless heritage items.	Council lists places that satisfy the NSW Heritage council criteria of local heritage significance. The existing heritage items and conservation areas have met these state standards. Council reviews listings where they no longer maintain the heritage significance for which they were listed when evidence to this effect is submitted in a planning proposal.
71. What is council's approach to its properties, e.g scout hall at Roseville	The Roseville Scout Hall is owned by Scouts Australia - Sydney North Region, not council.
72. Can we get a list of the 25 listed Heritage houses that are on the list which are not going to be affected as per the last question which the Heritage Consultant mentioned.	All heritage listed sites within the identified location for density increases are affected by this proposal. The listed houses mentioned referred to items that are also listed on the State Heritage Register under the Heritage Act 1977 by the NSW Heritage Council. We expect the Heritage Council to make a submission on the impacts on these sites. The 25 state listed houses can be searched on the online State Heritage Inventory at <a href="https://www.hms.heritage.nsw.gov.au/App/Item/HeritageSearch#">https://www.hms.heritage.nsw.gov.au/App/Item/HeritageSearch#</a> .

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73. Eryldene, Gordon - related to question	Noting this is one of the state listed properties.
74. Can we get Ku-ring-gai heritage properties that are NOT State Listed heritage listed in a quick manner? Is this something council can do?	There are more than 4,000+ affected listed land parcels as heritage items or conservation areas that are not state listed. The 25 state listed heritage items area also affected. The best references are the maps in Council's submission that we will be sharing, showing nearly 900 affected heritage items and all 46 conservation areas. You can find the full heritage schedule of heritage items and conservation areas at: <a href="https://legislation.nsw.gov.au/view/html/inforce/current/epi-2015-0134#sch.5">https://legislation.nsw.gov.au/view/html/inforce/current/epi-2015-0134#sch.5</a> . A small proportion of these are not affected by the proposal.
75. Could mandatory requirements for green roofs & green walls be required for flat buildings to mitigate 7% tree canopy, urban heat issues & decreased water quality in our environment	Noted Council's development control plan will be reviewed to try to limit the negative impacts of the State Governments reforms.
76. KMC needs to request master planning considering the size of the TODs in the council area.	Council has requested from the State Government any supporting planning documentation to date nothing has been provided.
77. Can we close Roseville station?	Council has no authority over rail stations, they are owned and operated by NSW government.
78. Is there any possibility of co-operating with other councils to make sure they preserve their trees instead of logging them for greenfield housing tracts? Otherwise the hand-wringing about the climate rings false.	Councils across the state are introducing Urban Forest and canopy targets. Sharing lessons learnt and collaborating on projects does occur.
79. What is the actual plan to fight this? We seem to be short on time and need to stop discussing the issue and start working on how to fight this. Please explain to us what the plan is and what we can all do.	Council is making a comprehensive submission.
80. We can't be a NIMBY Council - we need to participate in solving the State's housing crisis. Why not accept the TOD as the areas are already pretty densified and have much lower canopy cover, and then 'push back' for the remainder?	Council has prepared its own master plans to cater for new growth that take into account the constraints and opportunities for new development.
81. As an alternative, would council consider provide a small portion of Ku-ring-gai National Park as the space for some development?	Council has no authority over National Parks they are owned and operated by NSW government.

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82. Do you regret now being so strict on planning and development in our council? Your lack of progressive thinking has put a target on us. What do you say to that???	Council's position has always been to provide appropriate planning controls that cater for a future level of appropriate growth but also to identify and protect the character and amenity of our area.
83. Will the Gordon bat colony be protected? The Ku-ring-gai tree canopy - including the trees in our land feed these bats.	The Ku-ring-gai Flying Fox Reserve will continue to be protected under the Conservation Agreement. However, many of the houses surrounding the flying fox camp may be further developed and this could place pressure on the camp.
84. Has council proposed redevelopment of the existing shop areas (e.g. Gordon) to be inline with developments like Lindfield to address the housing requirements? Gordon desperately needs it but nothing has happened for the 20+ years that I have lived in Gordon.	Building heights are currently restricted in Gordon as this is what the community wants.
85. Mental health. Has the Council raised with the government the effect of these changes have on people's mental health from having to move and finding somewhere else to live. Also many of us have hobby workshops in our garages and people enjoy gardening - these help our mental health!	Council notes good urban planning with access to parks open space and designing new housing with amenity is important. The proposed plans do not clearly demonstrate these factors have been taken into account.
86. Heritage controls apply but only to the extent that it is not inconsistent with TOD, does this mean that TOD overrides all heritage and heritage properties can be demolished completely, or will some part of heritage properties be required to be retained???	The proposal is to remove Council's capacity to refuse degrading development for reasons of heritage impacts. Lacking any requirements to retain heritage significance, fabric or setting, the proposed increased density will incentivise partial or complete demolition of heritage buildings, over-scaled infill development and loss of garden settings. Council will share its submission that details the heritage impacts further.
87. What happened to Activate Turrumurra? Will these changes have any impact on this project?	In October 2022, Ku-ring-gai Council noted that it does not have the financial capacity to deliver the new community facilities and public domain works in the Turrumurra Community Hub (TCH) masterplan and voted that development of the site should be undertaken in stages. Council also resolved to continue discussions with Coles. More information can be found at <a href="https://www.krg.nsw.gov.au/Planning-and-">https://www.krg.nsw.gov.au/Planning-and-</a>

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	<p>development/Projects-and-current-works/Turramurra/Turramurra-Community-Hub</p> <p>At this stage it is not possible to determine whether the NSW Government proposals will have an impact on the project.</p>