

General Manager
Ku-ring-gai Council
Locked Bag 1006
Gordon NSW 2072
Email: krg@krg.nsw.gov.au

4 October 2026

Dear Mr Marshall

Ref: S15355-4 – Submission on the draft amendment to Ku-ring-gai DCP Part 6.1: Multi Dwelling Housing (Terraces)

Friends of Ku-ring-gai Environment (FOKE) thanks Council for the opportunity to comment on the draft amendment to the Ku-ring-gai Development Control Plan (KDCP) introducing objectives and controls for Multi Dwelling Housing (Terraces).

FOKE welcomes Council's move to set Ku-ring-gai-specific controls for this housing type. However, the draft has one major omission: it sets no minimum lot size or street frontage for terrace development. It also has several controls that, as drafted, would allow terraces to erode the garden settings, tree canopy, heritage character and neighbour amenity that define our suburbs. Our recommendations are summarised below and explained in the sections that follow.

Summary of recommendations

1. Set a minimum lot size and minimum street frontage for terrace development and limit maximum lot size and row length (Part 6.1, general controls).
2. State upfront that terraces on or near Heritage Items and in Heritage Conservation Areas must also meet DCP Part 19.
3. Add a control requiring street setbacks to be in line with the existing setbacks of neighbouring dwellings (p. 6.1-12).
4. Remove encroachments into the primary street setback and limit side and rear encroachments (p. 6.1-12).
5. Prohibit additional carports over driveways and require visitor parking where basement parking is provided (p. 6.1-22).
6. Clarify the front fence setback control and require variation in long runs of fencing (p. 6.1-39).
7. Correct the cross-reference and typographical errors identified at the end of this submission.

1. Minimum lot size and street frontage width Issue.

Unlike the Dual Occupancy DCP, which sets a clear minimum lot size of 1015 m² within Ku-ring-gai, the terraces amendment sets no minimum lot size or street frontage. Only the minimums in the Housing SEPP and the Low and Mid-Rise Housing (LMR) provisions would apply.

Under those provisions, the parent lot must meet the minimum lot size for multi dwelling housing in the relevant LEP; if the LEP specifies none, the LMR Code applies a minimum of 600 m². The Housing SEPP also refers to a parent lot width at the front boundary of 18m, which can be 21m depending on local council rules. The DCP does not clarify what minimum front boundary width applies in Ku-ring-gai.

The DCP's own built-form controls also imply a larger frontage than the SEPP figure:

- three terraces at 6 m each, with 3m side setbacks, require a frontage of at least 24 m; and
- three terraces at 8.4m each, as shown in the Figure on page 6.1-10, require a frontage of at least 31.2 m.

Recommendation. FOKE recommends that the DCP state a minimum lot size of 1800m² and minimum street frontage of 32m for the parent lot, which is no less than its own controls require. FOKE also recommends an upper limit on lot size or continuous row length, so that very large sites are not developed as long, uniform rows of terraces. These limits are needed to retain the character, garden settings and tree canopy of Ku-ring-gai as far as possible.

2. Heritage Items and Heritage Conservation Areas

Issue. The draft does not acknowledge that terraces on or in the vicinity of Heritage Items, and within Heritage Conservation Areas (HCAs), must meet the specific requirements of DCP Part 19: Heritage Items and Heritage Conservation Areas.

Recommendation. FOKE strongly recommends that a clear reference to Part 19 be included at the start of the Multi Dwelling Housing (Terraces) section, so that applicants and assessors do not overlook it.

3. Street setbacks (p. 6.1-12)

The draft requires that terraces meet the following:

- a) a minimum of 8.0m from the primary street boundary;*
- b) on corner sites a minimum of 6.0m from the secondary street boundary.*

Recommendation. FOKE recommends adding a third control: that the street setback must be in line with the existing setbacks of neighbouring dwellings, whether on the primary or secondary street frontage. Where neighbouring dwellings are set back further than the minimum, the greater setback should apply, so that new terraces do not break the established streetscape.

4. Encroachments into setbacks (p. 6.1-12)

Front setback. The draft allows a wide range of encroachments into the street frontage, rear and side setbacks. With only an 8m minimum street setback, a 2m balcony, verandah or porch is a significant encroachment into the street-facing aspect of a row of terraces. FOKE recommends that these not be allowed. Balconies, verandahs and porches should be set within the building façade while maintaining the full street setback.

The introduction of multi dwelling forms in Ku-ring-gai, whether dual occupancies, terraces or manor houses, will already substantially reduce the garden and canopy character of our suburbs. Allowing encroachments further reduces the space available for deep soil planting of medium and tall trees.

Side and rear setbacks. The draft permits the following encroachments into side and rear setbacks:

- awnings and eaves;
- porticos and open pergolas;
- blades, fins and columns; and
- box windows.

Side setbacks are already a minimal 3m. Any encroachment into them must take into account the acoustic and visual privacy impacts on existing neighbours, and should be assessed on a merit basis rather than being accepted as a right. Encroachments will also reduce the space for screening trees between neighbours.

Recommendation. FOKE recommends that only awnings, eaves and open pergolas attached to the rear of the terrace be permitted, and only where they are not overly bulky. Porticos, blades, fins, columns and box windows should not be permitted in the side and rear setbacks.

5. Car parking (p. 6.1-22)

The DCP states:

Car parking rates: The minimum number of parking spaces per dwelling is 1 space. The maximum number of parking spaces per dwelling is 2 spaces.

Two spaces are allowed with basement parking and one space for terraces with ground-level parking.

Issue. The average household in Ku-ring-gai has two cars, and terraces can have three or more bedrooms. With only one space required at ground level, terrace driveways are likely to become informal parking areas for residents, and overflow will move onto the street.

Recommendations. FOKE recommends that:

- the DCP expressly forbid an additional carport over the driveway where a garage or carport is already provided. The DCP already requires garages and carports to be set back to the building line and incorporated into the building; this should not be undermined by later additions;
- Council confirm that such additions cannot be carried out as complying development;
- where basement parking is provided, additional visitor parking spaces also be required, which will increase the number of street parking places available to visitors;

6. Room design (p. 6.1-29)

The control on kitchen areas within open plan dining and living areas refers to the dimensions in '6.1C.6(10) above'. There is no 6.1C.6(10) above this point, and none below that refers to this point. The reference should be corrected so that the control can be applied.

7. Fencing (p. 6.1-39)

Control 2 states:

Closed front fences with a maximum height of 1.8m may be considered where the site fronts a busy road as defined in this DCP or are adjacent to other sources of undesirable noise. These fences are to be set back at least 2.0m from the front boundary and screened from the street by landscaping within the 2.0m recess.

Clarification. It is unclear whether the 2 m recess is in addition to the minimum 8m front setback or is measured from the front boundary within it. FOKE recommends that the control state this expressly, and that the fence be set back from the front boundary so that the minimum front garden space is retained and landscaped.

Variety. The draft does not address variety in fence design. One long line of uniform fencing or high wall would be incongruous with the individual homes and varied fence designs that characterise Ku-ring-gai, especially where eight or more terraces are in a row. FOKE recommends that any run of fencing longer than 15m include variation in depth and/or materials.

8. Errors and typographical corrections

Page	Current text	Correction
6.1-9	Point 5: 'All dwellings are: i) to be to the attached and face a public road'	Delete 'to the'
6.1-19	Control 1: 'parrelell'	Correct to 'parallel'
6.1-29	Kitchen control refers to '6.1C.6(10) above'	No such control exists; correct the cross-reference
6.1-34	'...not permitted on above the ground level of the building except to te street frontage'	Delete 'on'; change 'te' to 'the'

Conclusion

The NSW Government's planning changes have the potential to significantly alter the character of our suburbs. The impacts on character, heritage, tree canopy, biodiversity and resident amenity will be significant. It is therefore essential that Council's DCP controls are as specific as possible.

Without clear controls and definitions, inappropriate development will occur.

FOKE hopes Council will adopt the recommendations in this submission and would welcome the opportunity to discuss them.

Yours sincerely

Kathy Cowley

Kathy Cowley

PRESIDENT

cc Mayor and Councillors Ku-ring-gai Council

cc Matt Cross MP Member for Davidson

cc Nicolette Boele MP Member for Bradfield