

Mayor and Councillors
 Ku-ring-gai Council
 818 Pacific Highway
 GORDON NSW 2072

18 November 2025

Dear Mayor and councillors

RE: DPHI Amendments to Ku-ring-gai Council TOD Preferred Scenario

FOKE has reviewed the information available over the weekend regarding the DPHI response to the final Preferred Scenario submitted by Council in May 2025.

We believe that the State Government has purposefully delayed their response in order to exclude any community consultation on the proposed revisions prior to their finalisation.

Overall, our concerns lie with the unacceptable high number of new dwellings to be allowed within these four TOD areas. How can Council get it so wrong in delivering 3300 more than required, even before the 30% bonus uplift?

The figures cited in the Minister's press release and the last evaluation of dwellings from the Preferred Scenario, as per the Council meeting documents of May 22 2025, were 24,460 additional dwellings. These did not include any State Significant Development Applications (SSDAs). As of end June, there were 27 SSD applications and 7 Sydney North Planning Panel development applications, resulting in total additional dwellings of 4,725.

This new total of over 29,000 new dwellings is completely unsustainable in the four TOD. Especially as more than half, at 2509, of these proposed 'saved' SSD dwellings are focused on Lindfield with no additional infrastructure planned.

We urge Council to challenge the 'savings' clause for these SSDs, and ensure they meet the requirements of this DPHI alternative scenario, not the earlier TOD.

In Minister Scully's press release the disingenuous claim has been made that "The scheme prioritises new open space and infrastructure, while protecting the area's heritage."

Ku-ring-gai Council needs to protect the heritage retained under the community supported Preferred Scenario, as noted above, and reject the deletion of the 4 heritage items noted in the DPHI Amended Ku-ring-gai TOD. These heritage items were all unaffected as heritage items in the original TOD documents and now are being requested for removal due to lobbying from developers in each instance. This preferential treatment outside of accountable and transparent public consultation should not be acceptable to this council.

Additionally, there have been a number of major increases in the height of buildings (up 13m in one case) away from the town centres that should not be supported, specifically -

2016 NATIONAL TRUST HERITAGE AWARDS HIGHLY COMMENDED
 2009 NATIONAL TRUST HERITAGE AWARDS HIGHLY COMMENDED
 2008 NSW GOVERNMENT HERITAGE VOLUNTEERS AWARD
 2000 FOKE, WINNER, NSW HERITAGE OFFICE CULTURAL HERITAGE CONSERVATION AWARD
 "HERITAGE WATCH OVER OUR PLACE OF NATIONAL SIGNIFICANCE -KU-RING-GAI"
 KEEP AUSTRALIA BEAUTIFUL COUNCIL (NSW) METRO PRIDE AWARDS.

- No. 1-7 Carlotta Avenue, Gordon, and no.1A Carlotta Avenue, Gordon. This will now be zoned for Height of Building (HOB) at 29m, and 1.8:1 Floor Space Ration (FSR)
- Nos. 9, 15 and 17 Dumaresq Street, Gordon. (HOB) from 51.5m to 64.5m
- Nos. 784, 786-788, 788A, 790, and No.802-808 Pacific Highway, Gordon (the Gordon Centre) HOB increase from 93 to 109 m, FSR increased from 6.5:1 to 7.5:1. Minimum site area reduced from 9000m to 7700.
- 924 Pac Hwy Gordon. HOB up from 51.5 to 61m.
- No. 810 Pacific Highway, Gordon, HOB increase from 70.5 to 73.5
- No. 2 Spencer Road, Killara FSR increase from 0.85:1 to 2.1:1.
- No. 22 Bent St and nos. 2, 4, 6, 8, 10, 12, 14, 16 & 18 Newark Crescent, Lindfield FSR increase from 0.85:1 to 1.3:1 With increased HOB from 12m to 18.5m
- No. 345 Pacific Highway, Lindfield HOB increase from 51.5 to 54m
- Nos. 239, 251, 257, 259, 265-271, 283, 295-303, 305-309, 313, 317, 321, 323, 329 Pacific Highway and Nos. 1-5 Tryon Place, Lindfield. HOB increase from 51.5 to 54m
- No. 5 Oliver Rd and 4 Roseville Ave, Roseville. Increased HOB and FSR.

The community has acted in good faith with the alternative TOD plan but is being undermined by the State Significant Developments and 'behind closed doors' DPHI negotiations.

We also question the risk of new Housing Development Authority (HDA) approvals which may potentially override and undermine the DPHI gazettal.

FOKE urges Council to not accept these changes and to continue with the legal action until a better and fairer result for the community is achieved.

Yours sincerely

Kathy Cowley

Kathy Cowley

PRESIDENT

cc Matt Cross MP Member for Davidson

cc The Hon Alister Henskens SC MP Member for Wahroonga

cc Nicolette Boele MP Member for Bradfield

cc FOKE membership and supporter lists