

FOKE Talk

NSW Housing Reforms:

Supply, Supply, Supply Vs Integrity



Gordon residents standing up for their Heritage 17.5.26

The NSW Government has continued to reshape the planning system since December 2025. The public message is urgency, efficiency and affordability: faster assessments, faster modifications, faster pathways for development, and a stronger emphasis on housing supply. The practical effect is a system that is more centralised, more developer-driven and less accountable, while protections for heritage, environment, suburb character and public participation are continually weakened.

Thirteen Planning Reforms to Reduce Community Input

Revised EP&A Act's objectives were rewritten to emphasize housing supply, productivity, climate resilience and a 'proportionate, risk-based' approach. Local impacts have been minimised to focus on delivery.

Environmental assessment minimised and does not systematically examine the full range and cumulative effect of potential impacts. Cumulative impacts on bushland, canopy, heritage, traffic and amenity are downplayed.

The New Housing Delivery Authority (HDA) is a three-person Minister-appointed panel to recommend residential housing projects

and spot rezonings be fast tracked through the State Significant Development (SSD) pathway.

The Development Coordination Authority (DCA)

The DCA commenced on 1 July 2026. It centralizes decision-making and advice from different State agencies of government that used to handle referrals and reviews separately. Certain developments (called Integrated developments) require general terms of approval (GTAs) from independent State agencies including TfNSW, Rural Fire Service, Sydney Water, Environmental Protection Authority, Sydney Harbour Foreshore Authority, NSW National Parks, AusGrid, NSW Heritage, Water NSW, Crown Lands. The DCA replaces about 20 agencies as the single referral point.

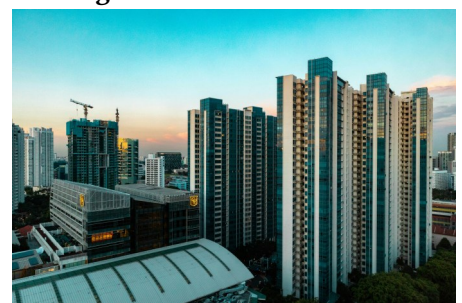
Corruption Risk is increased as the DCA is the Secretary of the Department of Planning, Housing and Infrastructure (DPHI) (also one of the HDA panel). It is not a separate body with independent governance; staff are DPHI officers exercising the Secretary's delegated powers. The DCA issues consent conditions required to meet separate agency laws that bind consent authorities. Its decisions are legally those of the

agency acting under its own Act e.g. Rural Fire Act. These Agencies have 28 days to respond or the DCA will determine consent without input and scrutiny.

A review of a DCA decision is conducted by the DCA — meaning by the same office that made the original decision about threatened species, amending SEPPs and LEPs has been removed — the very requirement that underpinned Ku-ring-gai Council's challenge to the TOD SEPP.

The Planning Secretary who holds concurrence powers previously exercised by 20 agencies, reviews its own planning decisions.

From an accountability point of view, centralisation and speed is prioritised over independent expert judgement and independent oversight.



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PRESIDENT'S MESSAGE

Dear Members

With already half the year behind us, I want to thank those members who attended the AGM on Thursday 28 May at the Roseville Uniting Church Hall. With so much of our work behind the computer, it is good to catch up and see and talk with members again.

It has been another busy few months responding to the flood of Transport Oriented Development (TOD) State Significant Developments (SSDs). A number of SSDs came back after exhibition with, what can only be described as, 'minor' or 'modest' amendments needing a further submission from FOKE, adding to our already busy submission workload. One recently approved TOD development is already back for its third modification, this time to remove 1 affordable dwelling and to increase the number of three-bedroom units and adding 12 car spaces so as to satisfy 'market demands' and decreasing the number of 1 and 2 bedroom units — directly undermining the TOD objective to provide a diverse mix of housing choice within developments. Meanwhile, demolition has begun on two February 2026 approvals: 9–21 Beaconsfield Parade, Lindfield (399 apartments including 59 affordable) and 2–4 Larkin Street / 1–5 Pockley Avenue, Roseville (111 apartments including 29 affordable).

We are finding that the infill affordable units are usually the worst sited - with poor solar access, little or no cross flow ventilation and often placed below ground level or clustered on the south-facing ground floor. A Four Corners Programme investigation into Australia's housing was aired on ABC TV and [ABC iview](#) on

13 July exposing deficiencies in the affordability schemes.

Since our newsletter in December 2025, we invited MP Matt Cross and Chris Rath MLC the Shadow Minister for Planning and Public Spaces, to tour the Ku-ring-gai TOD area where they heard firsthand from residents of four sites about the impacts of the NSW Government's housing policies on liveability, amenity, infrastructure and neighbourhood character.

Following the tour, we wrote a letter to Chris Rath proposing planning policy changes for the Party to consider ahead of the state elections in March 2027. Despite Rath's apparent interest on the tour regarding impacts on heritage and other development issues, our request to meet with him or his policy advisors to discuss the proposed policy changes remains unanswered. A separate invitation to Matt Cross for Opposition Leader Kellie Sloane to tour the TOD and Low and Mid-Rise (LMR) areas has met the same silence.

Chris Rath argues that housing affordability can only be fixed by bypassing "NIMBY" gatekeepers and cutting government development taxes, while heavily accusing Labor of failing to deliver actual completed homes. As the Coalition's most prominent self-declared "YIMBY" (Yes in My Backyard), his stance focuses on aggressive density targets, financial penalties for uncooperative councils and market feasibility.

Prior to the AGM on the 28 May, we invited several resident groups fighting the 31 TOD proposals to meet and discuss common concerns and agree on a joint plan to push for planning policy change. Delegates from that meeting met with MP Matt Cross on Wednesday 1 July to reiterate our concerns followed up by a letter requesting meaningful action and urging him to take certain policy changes to the Party.

While, we were meeting with Ku-ring-gai Groups, other groups across Sydney affected by high density proposals came together under a sub-committee of the Better Planning Network (BPN) called Doing Density Better (DDB). I attended the DDB groups/BPN launch at Parliament House on 7 July. DDB proposes that groups affected by SSD and LMR across Sydney work together to influence policy change prior to next year's State Elections and to press MPs to confirm their positions on housing policies. DDB have developed 8 planning objectives for Doing Density Better. See <https://doing-density-better.netlify.app/> FOKE will be work alongside them as members of BPN. We will keep you updated with any response regarding our policy proposals.

The AGM May 2026 Presidents Report will be placed on the website, under the Resources tab, and a copy will be sent by email to members.

Kind regards

Kathy

Kathy Cowley
President

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More long-term environment and planning protections have been reduced:

The NSW Government has **repealed the requirement that the planning department consult with the environment department about the impacts on threatened species** before making or changing planning rules.

Bushfire-prone developments no longer go to the RFS — they're now referred to a new Development Coordination Authority. The bushfire protection rules still apply, but sign-off can come from the council or a private accredited consultant.

Targeted Assessment Pathway that streamlines pathway for Low rise housing (dual occupation, terraces and town houses) removes assessment of certain matters such as significant impact, site suitability and public interest. It allows developers to bypass full merits assessment and removes public challenge rights.

Reforms to increase Planning Minister controls while reducing public notification and local oversight continue to be implemented via Statewide Community Participation Plans, Statewide Strategic Planning Framework, Fast Tracked Modification Pathways and more.

Expanded complying development and easier minor variations disregard standards: The Complying Development types would be expanded

and minor deviations from the Complying Code would be allowed to proceed without a full Development Application. The timeframe for determination remains short, up to 20 days. "Minor variation" is not defined but applies to setbacks, height, and amenity controls — all areas that significantly affect neighbouring properties, environment, streetscape and heritage.

There would be no notification, no appeal rights and deemed approval therefore abandoning the premise that Complying Development is justified with strict compliance to specific standards. Public notification and local oversight are reduced, while cumulative 'minor variations' potentially could significantly alter the original proposal.

Centralised Planning power ignores ICAC concerns

Overall these reforms create a planning system that is less transparent, less predictable and more open to developer influence. As flexibility increases, certainty about development yield, future population and infrastructure demands becomes harder to establish, making planning for roads, schools, open space and services more difficult.

These reforms massively centralise statutory power in the NSW Planning Minister & Planning Secretary. They fail to address ICAC concerns about providing independent scrutiny in decision making.

NSW Parliament HANSARD



MP Matt Cross for Davidson
Speech to NSW Parliament
12 May 2026

NSW History: Gordon Railway Station

I recognise the heritage significance of Gordon Railway Station, which opened on January 1 1890 and remains an important part of Ku-ring-gai's local history and identity. For over a century, the station has served generations of commuters and undergone significant upgrades, including its listing on the NSW State Heritage Register in 1999.

I recognise the late Jennifer Harvey, a respected local historian and longstanding member of the Ku-ring-gai Historical Society, for her extraordinary contribution to preserving and protecting the heritage of Gordon Railway Station. Jennifer joined the Society in 2000 and played a key role in heritage advocacy during the station upgrade process, contributing to the design of the lift installation and platform alterations. In 2004, she helped prepare a Heritage Impact Report assessing proposed upgrades to the station.

I commend all those continuing to preserve & promote Ku-ring-gai's local history, including Janine Kitson, Graeme Harvey and the Friends of Ku-ring-gai Environment, ensuring future generations can appreciate this important part of our community heritage.

Ku-ring-gai's 'Affordable' Housing Boom BUT THE NUMBERS TELL A DIFFERENT STORY



Since 2024, Ku-ring-gai has seen a wave of new development applications under the NSW Government's Transport Oriented Development (TOD) and Low and Mid-Rise Housing (LMR) State Environmental Planning Policies. In total, 59 development applications have now been submitted or fast-tracked across the area, with **6,028 units** anticipated to be built once approvals are finalised.

These policies offer developers a powerful incentive: up to **30% bonus height and floor space** in exchange for including affordable housing, which is meant to be spread evenly throughout each development. FOKE has now analysed the 35 projects with sufficient publicly available data — and the results raise serious questions about whether that promise is being kept.

The Headline Numbers

Across the 35 developments analysed, **3,869 units** are proposed, including **721 affordable units** — just 19% of the total. But the more troubling story isn't the quantity. It's the quality and the tenure.

Affordable Units Are Being Pushed to the Worst Locations

Rather than being distributed evenly

through buildings as the SEPP intends, affordable units are consistently landing in the least desirable parts of these developments. Solar access in mid-winter and cross ventilation are regularly below the Apartment Design Guide minimum standards. While most of the developments are 8-10 storeys, 84% of the affordable units are located on level 3 or below, with approximately a quarter on Lower Ground or Ground levels.

In plain terms: affordable residents are more likely to end up in dim, poorly ventilated units, often below street level, falling short of the Apartment Design Guide's own minimum liveability standards.

"Affordable" Isn't Always Permanent

Of the 721 affordable units identified, only around **80, just 11%**, are guaranteed to remain affordable in perpetuity. The rest revert to market-rate units after 15 years. Meanwhile, the same developments deliver **3,148 luxury units**, built using height and bulk bonuses that are *not* time-limited but remain in perpetuity, permanently reshaping neighbourhood character and impacting neighbouring homes.

If the community is going to carry the permanent cost of extra height and density, FOKE's view is that the affordable housing gained in return should also be permanent — not a 15-year arrangement that

quietly disappears.

Do the Rents Even Reflect "Affordable"?

Of the affordable units being delivered, 27% are one-bedroom/studio, 50% are two-bedroom, and 22% are three-bedroom. To test whether these genuinely serve lower-income households, FOKE compared weekly market rents across Ku-ring-gai's TOD precincts (via the NSW Government's Rent Check tool, and new-build data in Lindfield) against the income thresholds for affordable housing eligibility.

Even with a standard 20% affordability discount applied, weekly rents remain high relative to the income caps that define eligibility in the scheme in NSW. For many eligible households, the numbers simply don't add up.

A Policy Flaw, Not Just a Local Issue

This isn't only a Ku-ring-gai problem. Shelter Australia has repeatedly flagged this as a critical policy flaw: placing affordable housing in high-value suburbs does little for lower-income households without additional income support, since it directs resources away from areas where land values would naturally sustain more affordable rents.

Adding thousands more units to small, targeted areas, with limited genuine affordability benefit, will have lasting impacts on local infrastructure, the environment, heritage, and neighbourhood character.



Join FOKE Now!

www.foke.org.au

New banner launched at FOKE's AGM on 28 May 2026: **"Protect, maintain, enhance and share Ku-ring-gai's built & natural environment"**