



**Randwick City
Council**
a sense of community

DA COMPLIANCE REPORTS

**PLANNING COMMITTEE MEETING
TUESDAY, 6 DECEMBER, 2016**

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Development Application Compliance Report



Folder /DA No:	DA/120/2016
PROPERTY:	236 Alison Road, RANDWICK NSW 2031
Proposal:	Alterations and rear two storey addition to the existing boarding house to accommodate 4 additional boarding rooms and new motorcycle parking area fronting Alison Road.
Recommendation:	Approval

D100/16

1. Relevant Environment Planning Instruments

1.1. State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy No. 55 aims to promote the remediation of contaminated land for the purposes of reducing risk of harm to human health or any other aspect of the environment.

The subject site has been continuously used for residential purposes since before 1943, as evidenced by aerial photography and application history. The site has not been used for any potentially contaminating land use. Accordingly, no contamination report is required in this instance.

1.2. State Environmental Planning Policy (Affordable Rental Housing) 2009

The subject application is made pursuant to the SEPP (Affordable Rental Housing) 2009 and requires assessment under Division 3 of this policy. The following table contains relevant provisions and assessment of the proposal against each.

Clause	Comment	Complies
Division 3 Boarding houses		
26 Land to which Division applies		
This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones: Zone R3 Medium Density Residential,	The subject site is zoned R3 Medium Density Residential and the Division is therefore applicable.	Yes
27 Development to which Division applies		
(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.	The development application seeks approval for a boarding house on land to which the Division applies i.e. land zoned R3.	Yes
29 Standards that cannot be used to refuse consent		
(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or		

scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:		
(a) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:	Residential flat buildings are permitted in the R3 zone and the existing maximum floor space ratio is 0.9:1. The application cannot be refused on the basis of density and scale provided the FSR does not exceed 1.4:1. The proposal has an FSR of 0.92:1.	Yes
(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or		
(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:		
(a) building height if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,	The maximum building height permitted on the site under the Randwick LEP 2012 is 12m. The proposal has a maximum building height of 6.4m.	Yes
(b) landscaped area if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,	Front setback areas in the streetscape are typically shallow and comprise a combination of paving and landscaping. The front setback area of the subject site is at present covered with concrete and will remain this way. The original proposal sought to provide motorbike parking in this location however this has since been deleted as it was deemed unsuitable by Councils Development Engineering Branch.	Yes
(c) solar access where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	The communal room proposed is situated at the northern end of the addition, will have northern aspect and as such will receive the required degree of sunlight.	Yes

(d) private open space if at least the following private open space areas are provided (other than the front setback area):		
(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,	The private open space area provided is approximately 6m x 10m and satisfies the minimum area requirement	Yes
(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,	No accommodation for boarding house manager provided.	N/A
(e) parking if:		
(i) in the case of development in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and	<p>The site is within an accessible area and comprises four additional boarding rooms. Based on the threshold requirement contained in the SEPP, the application cannot be refused on the basis of parking if at least 0.8 parking spaces are provided (or 1 space when rounded up to the nearest whole number).</p> <p>No car parking is proposed to be provided on site. Council's development engineers have raised no objection to this aspect of the development and the shortfall is considered appropriate given the accessibility of the site.</p> <p>Detailed discussion provided at section 4.5 of the associated Council report.</p>	No
(f) accommodation size if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:		
(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or	<p>The applicant has indicated that each of the proposed boarding rooms are intended for a single occupant.</p> <p>Each room is at least 12m² with the exception of the northernmost boarding room on level 1 which is approximately 11.2m².</p>	No

	<p>Although non-compliant with numeric standard, plans show furniture layouts that demonstrate that the space can accommodate a double bed and wardrobe.</p> <p>The adjacent bathroom could be deleted to improve the room dimensions however the benefits associated with the bathroom are considered to outweigh the shortcomings of a marginally undersized room.</p> <p>Detailed discussion provided at section 4.6 of the associated Council report.</p>	
(ii) 16 square metres in any other case.		N/A
(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.	Common kitchen, laundry and bathroom facilities are proposed.	Yes
30 Standards for boarding houses		
(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:		
(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided	The communal room marked on the plans contains a kitchen and is configured so as to be capable of accommodating a dining table and chairs.	Yes
(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,	None of the additional boarding rooms have a GFA of greater than 25m ² .	Yes
(c) no boarding room will be occupied by more than 2 adult lodgers	Each boarding room proposed is for a single lodger only, as stated in the SEE.	Yes
(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	The proposed boarding house contains communal bathroom and kitchen facilities. In addition, each of the existing boarding rooms will be retrofitted with a kitchenette.	Yes
(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site	The SEE states that the existing boarding house is licenced to accommodate 12 boarders and the proposed boarding house will have a	N/A

dwelling will be provided for a boarding house manager,	capacity of 15 lodgers. Therefore an on-site boarding house manager is not required in this instance.	
(g) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	The additional boarding rooms will trigger the need for 1 bicycle space and 1 motorcycle space. The original proposal provided a motorcycle parking space in the front setback area however this has since been deleted as motorbike parking in this location was not supported by Council's Development Engineering Branch. Detailed discussion provided at section 4.1 of the associated Council report.	No
(2) Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.	The proposal is for significant alterations and additions to an existing boarding house and therefore subclause (1) applies.	N/A
30A Character of the local area		
A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	<p>The area is characterised by a mix of semi-detached dwellings, residential flat buildings and single dwelling houses.</p> <p>Allotments on the northern side of Alison Road between Lingard and Dutruc Streets are relatively narrow and therefore development in the locality is typically elongated, in some cases extending deep into the block.</p> <p>The proposal involves an addition at the rear and therefore will have no notable impact on the Alison Road streetscape.</p> <p>The proposed addition is considered to be relatively modest, although it will project beyond the rear alignment of the neighbouring dwelling.</p> <p>The proposed rear alignment is consistent with the rear alignment of other development in the block (e.g. Nos. 212 and 214) and is compatible with the likely building envelope of future development, given the R3 zoning that applies to land in the locality.</p> <p>The proposal has a rear setback of 10m and comfortably satisfies the rear setback requirement for medium density residential development, which in the case of a residential flat building or multi dwelling housing would be 6.9m (being 15% of the lot depth) and</p>	Yes

	<p>in the case of an attached dwelling would be 8m. The proposal also satisfies the rear setback requirement of low density residential development which is 8m.</p> <p>Further discussion is provided in relation to character assessment at section 4.1 of the Executive Summary Report.</p>	
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D100/16

1.3. Randwick Local Environmental Plan 2012

The subject site is zoned R3 Medium Density Residential under Randwick LEP 2012. The proposal development is characterised as a boarding house and is permissible in the zone.

Clause	Comment	Complies
Part 2 Permitted or Prohibited Development		
Objectives of the zone		
<ul style="list-style-type: none"> To provide for the housing needs of the community within a medium density residential environment. 	The boarding house will contribute to the provision of accommodation in a medium density residential context.	Yes
<ul style="list-style-type: none"> To provide a variety of housing types within a medium density residential environment. 	The proposal is for a boarding house comprising a number of boarding rooms which will supplement the existing variety of housing types in the locality.	Yes
<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	The proposal is not inconsistent with the zone objective.	Yes
<ul style="list-style-type: none"> To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area. 	The proposed addition is situated at the rear of the existing premises and will therefore have negligible impact on streetscape. The proposed built form is consistent with the nature and scale of development that could be reasonably anticipated to occur in Zone R3.	Yes
<ul style="list-style-type: none"> To protect the amenity of residents. 	The assessment demonstrates that the proposal will have no significant impact on the amenity of residents in terms of visual and acoustic privacy and overshadowing.	Yes
<ul style="list-style-type: none"> To encourage housing affordability. 	Boarding houses are traditionally a more affordable form of residential accommodation.	Yes
<ul style="list-style-type: none"> To enable small-scale business uses in existing commercial buildings. 	The development proposal relates to an existing boarding house.	N/A
Part 4 Principal Development Standards		
4.3 Height of buildings		
(2) The height of a building on any	The height of buildings map indicates	Yes

land is not to exceed the maximum height shown for the land on the Height of Buildings Map	that maximum building height on the subject site is 12m. The proposed building height is 6.4m.	
4.4 Floor space ratio		
(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map	<p>The floor space ratio map indicates the maximum floor space ratio for the subject site is 0.9:1. The proposed floor space ratio is 0.92:1.</p> <p>Clause 29 of the ARH SEPP states that the consent authority must not refuse consent to development on the grounds of density and scale if the FSR is not more than the existing maximum FSR for any form of residential accommodation permitted on the land plus 0.5:1 if the maximum FSR permitted is less than 2.5:1.</p> <p>Accordingly, the application cannot be refused on the grounds of density and scale as the proposal does not exceed an FSR of 1.4:1.</p>	Yes (pursuant to ARH SEPP)
5.9 Preservation of trees and vegetation		
<p>(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:</p> <p>(a) development consent</p>	<p>The proposed development involves extending the existing building into the rear yard and within proximity of a London Plane Tree, which straddles the boundary of the subject site and the neighbouring site at 234 Alison Road and is therefore in joint ownership. The site plan submitted with the development application indicates that the tree is within 900mm of proposed building work. The section suggests that excavation to a depth of 1.4 is proposed in this location.</p> <p>An arboricultural assessment report prepared by Jacksons Nature Works was submitted with the development application to address the impact of the proposal on the London Plane Tree and make recommendations regarding necessary tree protection measures. The arboricultural assessment report documented the findings of a root investigation undertaken by the arborist.</p> <p>Councils Landscape Assessment officer advised that despite the findings of the arboricultural assessment report, there remained major concerns regarding the depth of proposed excavation which is twice the depth of trenching carried out by the arborist for the root investigation. The Officer recommended that the</p>	Yes

	<p>proposal be amended by relocating the ground level bathroom to minimise incursion into the structural root zone.</p> <p>A condition of consent has been imposed accordingly. The condition requires that the bathroom on the ground floor be relocated to within the space identified on the plans as a bedroom, and that the communal living room be expanded such that the area complies with the numeric requirement stated in the Randwick DCP, being 20m2.</p> <p>For further discussion refer to Section 4.2 of the associated Council Report.</p>	
5.10 Heritage conservation		
<p>(5) Heritage assessment The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The subject site is on land within the vicinity of a number of heritage items and a heritage conservation area and therefore has been referred to Council's Heritage Planner for comment.</p> <p>That referral indicates that the proposed alterations and additions will have limited but acceptable impact on the setting of the subject boarding house and the adjoining heritage items.</p> <p>The heritage referral concludes that the development is supported in relation to heritage matters and recommends conditions relating to materials and finishes.</p>	Yes
6.2 Earthworks		
<p>(2) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely</p>	<p>A minor degree of cut will be required to allow for the construction of the proposed addition. The depth and extent of cut is not substantial or unreasonable in the circumstances and is not likely to adversely disrupt drainage patterns or compromise soil stability in the area.</p> <p>It is recommended that conditions of consent be imposed in relation to sediment and erosion controls to ensure excavation and site preparation works are appropriately managed. It is also recommended that a condition be imposed in requiring the preparation of waste management plan to address disposal of excavated material.</p>	Yes

amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.		
6.4 Stormwater management		
(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:	The application has been referred to Council's Development Engineer who has raised no specific issue in relation to stormwater management. A condition of consent will require that roof water is captured and directed to existing drainage infrastructure, which is presently discharged to the street.	Yes
(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and		
(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and		
(c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.		

2. Relevant Development Control Plans

2.1. Randwick Development Control Plan 2013

The DCP provisions are structured into two components, Objectives and Controls. The Objectives provide the framework for assessment under each requirement and outline key outcomes that a development is expected to achieve. The controls contain both numerical standards and qualitative provisions. Any proposed variations from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome.

The relevant provisions of the DCP are addressed in the table below. (Note: a number of control provisions that are not related to the proposal have been deliberately omitted.)

Clause	Comment	Complies
Part C4 – Boarding Houses		
2. Building Design		
2.1 Boarding Rooms		
(i) Orientate to receive the maximum amount of sunlight;	The boarding rooms are oriented to the north and east and therefore will receive sufficient solar access. Boarding room location / configuration is constrained as the structure is built to the western boundary.	Yes
(ii) Provide a balcony, terrace or window opening to outdoor areas for natural light and ventilation; and	Each boarding room has a window opening to the north or east and this allows natural light and ventilation into the space.	Yes
(iii) Where provided, private open space in the form of a balcony or terrace must have a minimum useable area of 4 square metres.	No private open space is provided.	N/A
2.2 Outdoor communal open space		
(i) Provide for all boarding houses, with a minimum total area of 20 square metres and a minimum dimension of 3 metres;	The rear yard provides a sufficient area of communal open space which satisfies the numeric requirements of the DCP.	Yes
(ii) Provide at ground or podium level in the form of a courtyard or terrace area, accessible to all residents;	The outdoor communal open space is provided at ground level and is accessible to all occupants.	Yes
(iii) Locate and orientate to maximise solar access;	The proposed area of outdoor communal open space is situated to the rear (northern end) of the subject site, therefore optimising solar access.	Yes
(iv) Incorporate both hard and soft landscaped areas;	Communal open space comprises soft landscaped areas. An outdoor covered area is indicated on the plan and can be carried out as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes).	Yes
(v) Provide shared facilities such as fixed outdoor seating benches, barbecues and the like to allow social interaction; and	The plans show a roofed outdoor communal area in the rear yard which has sufficient space to accommodate seating, bbq and the like.	Yes
(vi) Provide partial cover for weather protection, such as pergola, canopy or the like, where it does not cause unreasonable overshadowing on adjoining properties.	As above	Yes
2.3 Indoor communal living areas		

(i) Provide with a minimum dimension of 3 metres and a minimum total area of 20 square metres or 1.2 square metres/resident, whichever is greater; and	<p>The proposal provides a communal living room with dimensions of 3.6m x 3.4m and total area of 12.2m². The communal room is therefore non-compliant with numeric requirements.</p> <p>A condition of consent will require the reconfiguration of the ground floor to resolve tree impact issues and will also bring the communal living room area into alignment with this requirement.</p>	Yes – subject to condition of consent
(ii) Orientate to maximise solar access and have a northerly aspect where possible.	The communal room has a northerly aspect and will receive the required degree of solar access.	Yes
2.4 Communal kitchen, bathroom and laundry facilities		
(i) For all boarding houses, provide communal kitchen, bathroom and laundry facilities where they are easily accessible for all residents, unless these facilities are provided within each boarding room;	<p>A communal kitchen is provided within the living room at the northern end of the proposed addition. This will be readily accessible for boarders within the proposed addition. Existing boarding rooms will be retrofitted with kitchenettes and therefore will also have ready access to kitchen facilities.</p> <p>Bathrooms are provided throughout the boarding house, including one on the ground floor adjacent to the communal living room and three on the upper level.</p> <p>Laundry facilities are proposed at the ground level adjacent to the central entry to the boarding house. Again, this facility will be readily accessible to boarders.</p>	Yes
(iii) Locate and design any communal laundry room to minimise noise impact on boarding rooms and neighbouring properties; and	Communal laundry room is situated adjacent to side boundary. In this location, the laundry room will have no unreasonable impact on boarding rooms. The laundry room is adjacent to private open space areas of adjoining properties. These spaces are not noise sensitive and therefore will not be adversely affected by the proposed laundry room.	Yes
(iv) Where possible, locate clotheslines to maximise solar access while not compromising the street amenity or usability of communal open space.	Clothesline not shown on plans however there is ample space in rear yard for such facilities.	Yes
2.5 Safety and crime prevention		

(i) Locate building entry points and internal entries to living areas where they are clearly visible from common spaces;	Entry to proposed boarding rooms will be visible from the proposed communal room.	Yes
(ii) Locate a habitable living area (such as lounge room, kitchen, dining or bedroom) to allow general observation of the street and communal open space;	Communal room is adjacent to communal open space and will permit passive surveillance of this space.	Yes
(iii) Separate ground level private open space from public and common areas by measures such as open fencing or low level plants; and	No ground level private open space is proposed.	N/A
(iv) Select trees and low-lying shrubs that do not interfere with sight lines nor provide opportunities for concealment or entrapment.	No landscaping is proposed.	N/A
2.6 Visual and acoustic privacy		
(i) Indicative locations of facilities and appliances for bathrooms, kitchens and laundries must be clearly shown on the DA plans/drawings;	Complies	Yes
(ii) Locate kitchen, dining room, lounge room and outdoor open space adjacent to or directly accessible from each other;	Communal room is directly adjacent outdoor open space and thus complies with this requirement.	Yes
(iii) Locate similar uses (such as bedrooms or bathrooms) back to back, to minimise internal noise transmission;	Noise transmission between spaces is not likely to be a significant issue based on proposed configuration.	Yes
(iv) Provide screen fencing, plantings and acoustic barriers where practicable to screen noise and reduce visual impacts;	No such screening or acoustic barriers are proposed. Acoustic report recommends standard glazing to common room window.	Yes
(v) Where possible locate the main entry point at the front of the site, away from the side boundary and adjoining properties;	Entry on side boundary and will not be visible from the street however this is as per the existing arrangement and therefore acceptable.	No
(vi) Locate communal open space, balconies and windows to bedrooms or communal areas, to minimise overlooking, privacy and acoustic impacts on adjoining properties;	Communal open space is retained in rear yard and no privacy impacts are anticipated as a result of this space. Bedroom windows are appropriately oriented or have fixed obscure glazing and therefore have no privacy impact.	Yes
(vii) An acoustic report prepared by a suitably qualified acoustic consultant must be submitted for new development or conversions/intensifications with an increase in resident numbers. The report must:	A Noise Impact Assessment prepared by Acoustic Logic has been submitted with the application. The Assessment report has been referred to Council's Environmental Health Officer who has indicated that the proposal is acceptable subject to imposition of suitable conditions.	Yes

3. Management Plan		
(i) Submit a Management Plan with all DAs for new and existing boarding houses, that addresses the general requirements outlined in the Management Plan section in Part B, and the following specific requirements:	A Plan of Management has been submitted with the development application.	Yes
(a) Criteria and process for choosing residents. Preference should be given to people on low and moderate incomes;	Yes	
(b) A schedule detailing minimum furnishings for boarding rooms, provision of facilities and appliances for kitchens, bathrooms and laundry rooms and maximum occupancy of each room;	Yes	
(c) House rules, covering issues such as lodger behaviour, visitor and party policies, activities and noise control, use and operation hours of common areas (e.g. communal open space and living rooms) and policies for regulating smoking and consumption of alcohol and illicit drugs;	Yes	
(d) Professional cleaning and vermin control arrangements for at minimum, the shared facilities, such as kitchens and bathrooms;	Yes	
(e) Public notice and signs, including: <ul style="list-style-type: none"> - A sign showing the name and contact number of the manager/caretaker, placed near the front entry and in a visible position to the public; - Clear display of fixed room identification number for each boarding room; and - Internal signage prominently displayed in communal living areas informing maximum number of lodgers per room, house rules, emergency contact numbers for essential services, annual fire safety statement and current fire safety schedule and emergency egress routes and evacuation plan. 	Condition of consent to be imposed.	Yes
(ii) The manager/caretaker must maintain an up-to-date accommodation register with information on residents' details, length of stay, etc. and provide to Council officers upon request.	Condition of consent to be imposed.	Yes

3. 79C Matters for consideration

Section 79C 'Matters for Consideration'	Comments
Section 79C(1)(a)(i) – Provisions of any environmental planning instrument	Proposal is permissible with consent and satisfies the aims and objectives of the ARH SEPP and Randwick LEP. Detailed consideration of these instruments is provided at Section 1 of this compliance report.
Section 79C(1)(a)(ii) – Provisions of any draft environmental planning instrument	N/A
Section 79C(1)(a)(iii) – Provisions of any development control plan	The proposal is generally consistent with the provisions of the Randwick DCP. Detailed consideration of the Plan is provided at Section 2 of this compliance report.
Section 79C(1)(a)(iiia) – Provisions of any Planning Agreement or draft Planning Agreement	N/A
Section 79C(1)(a)(iv) – Provisions of the regulations	The relevant clauses of the Regulations have been satisfied.
Section 79C(1)(b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>The likely impacts of the development have been discussed throughout this compliance report and also within the associated council executive summary report.</p> <p>The proposal will enhance the quantum of more affordable housing stock in an accessible area and is therefore considered to have positive social impacts.</p>
Section 79C(1)(c) – The suitability of the site for the development	The site is located in close proximity to local services and public transport. The site has sufficient area to accommodate the proposed land use and associated structures. Therefore the site is considered suitable for the proposed development.
Section 79C(1)(d) – Any submissions made in accordance with the EP&A Act or EP&A Regulation	Addressed under the heading of 'submissions' in the associated Council Report.
Section 79C(1)(e) – The public interest	The proposal promotes the objectives of the zone and will not result in any significant adverse environmental, social or economic impacts on the locality. Accordingly, the proposal is considered to be in the public interest.

4. Referral Comments

4.1. Building surveyor

The application was referred to Council's Senior Building Surveyor for advice regarding BCA compliance. The referral advice states that the building will require extensive fire safety measures to generally satisfy BCA requirements. Conditions of consent relating to fire safety

and accessibility upgrades are recommended accordingly.

Further correspondence was received by Council's Senior Building Surveyor in relation to the accessibility requirements of the proposal. The advice stated as follows:

"I have completed a report in April this year (DO2613787) that recommended a condition relating to access for people with disabilities if it is considered appropriate to approve the application:-

7. *Access and/or facilities for people with disabilities must be provided to all new building work in accordance with any relevant provisions of the Building Code of Australia Disability (Access to Premises – Buildings) Standards 201, to the satisfaction of the Certifying Authority.*

It is apparent that it would create a "justifiable hardship" to meet that requirement to the developer in this instance. I have concluded that although compliance with the Premises Code would not be possible, certain measures may be made to improve the levels of access and facilities to the premises.

Therefore, it may be prudent to remove the recommended condition numbered 7 in my Memorandum and include the following conditions under the Access & Facilities heading of that Memo to the following:-

7. *Provide strategically located hand rails in the toilet/shower facility proposed at ground floor level, that may be redesigned, to assist people with an ambulant disability to utilise the convenience of the shower and toilet, to the satisfaction of the Certifying Authority;*
8. *Install Tactile Ground Surface Indicators to guide people with vision impairment to the proposed rear new section of the premises safely and to the external steps in the path of travel, to the satisfaction of the Certifying Authority.*

Accordingly, the conditions recommended in the initial referral advice, adjusted as per the most recent correspondence from the Council's Senior Building Surveyor, will be included in the suite of recommended conditions of consent.

4.2. Development engineer

The application was referred to Council's Development Engineer for advice regarding traffic and parking, waste management and tree management. The referral advice stated the following:

"Parking Comments

It is noted that due to site constraints that off-street parking is currently not provided for the site and with a total of 3 additional boarders the applicant proposes no car parking spaces.

The applicant however does propose an area within the small front courtyard for the parking of motorcycles/mopeds. Development Engineering does not object to the motorcycle/moped parking area.

Off-street motorcycle parking is usually provided in conjunction with off-street vehicular parking and thus a Council vehicular crossing has not previously been provided for motorbike only parking development. Council's Development Engineers in this situation recommends that no vehicular crossing be constructed for the use of motorcycles/ mopeds accessing the site as it will take away on-street parking for vehicles in the area and cars may also park across the crossing as the parking area is accessed from the side pathway and not directly from the site frontage.

Considering Development Engineering would not support the construction of a vehicular

crossing to provide access for the motorcycles/mopeds from Alison Road we would therefore no object to the deletion of the motorcycle/moped parking in the front courtyard. Alternatively it could be allocated as push bike parking.

Waste Management Comments

Council's 'Waste Management Guidelines for Proposed Developments' specify a waste generation rate for boarding houses of 9L/occupant/day for normal garbage and 3L/occupant per day for recycling.

Waste generation is therefore calculated as follows

Normal Garbage (weekly collection)

Amount = $9 \times 15 \times 7 = 945\text{L}$

Number of bins = $945/240$ (standard MGB) = 3.9 = say 4 bins

Recyclables (fortnightly collection)

Amount = $3 \times 15 \times 14 = 630\text{L}$

Number of bins = $630/240 = 2.6 = \text{say } 3 \text{ bins}$

Green Waste (fortnightly collection)

As some landscaped areas are proposed a minimum of 1 x 240L bins for green waste shall also be provided

Total Bins Required = 4 (garbage) + 3 (recycling) + 1 (green waste)
= 8 x 240L Bins

The submitted plans do not show a waste bin storage area however Development Engineering has included a condition which requires this prior to the issuing of a Construction Certificate.

Landscape Comments

On Council's Alison Road verge, in line with the side access path/eastern site boundary, there is a mature, 6m tall *Gleditsia triacanthos* 'Sunburst' (Honey Locust) of good health and condition, which is covered by the DCP, and is part of a formal strategy of this species in this section that contributes to the streetscape, so must be retained.

Despite no external works being proposed, excavations will be performed within the front setback for the new motorcycle parking area, with the path along the eastern side boundary being the only access to the rear yard, and as this is also in line with the tree, protection conditions and a bond need to be imposed, and have been included in this report. If clearance pruning is required, this can only be performed by Council, wholly at the applicant's cost.

Still on the verge, the other similarly sized *Gleditsia* to its west, uphill, was already observed to be leaning to the south, towards/over the roadway, but as it is sited well clear of the site and works, should not be directly affected, with conditions not required.

An inspection of the rear setback revealed that about halfway between the rear of the subject dwelling and the rear site boundary, there is a mature *Platanus x hybrida* (London Plane Tree) of good health and condition, which is covered by the DCP.

It is approximately 12 metres in height, and despite the clearance pruning of all lower growing branches (crown lifting), its upper eastern aspect still overhangs across almost the full width of the subject site.

Despite growing on the western side of the existing dividing fence, giving the impression it is located wholly on the neighbouring property at no.234, the submitted survey actually confirms that its trunk is growing right on the common boundary between both properties, meaning that legally, joint ownership applies to this tree.

It is recognized as an established landscape feature of the site/s as it contributes to environmental amenity, and may also assist with partial screening for several other properties in the area during the warmer months when in foliage.

The tree has only been shown on the Site Plan, not on any of the Architectural Plans; however, the assessing officer has confirmed that the northwest corner of the building will finish a distance of only 900mm from its trunk, which encroaches into its 6.2m TPZ, and will also result in a major encroachment of its more critical 2.7m SRZ, so is clearly more than the amounts estimated in the Arborist Report, and is also well beyond what is deemed acceptable by AS4970-2009: 'Protection of trees on development sites'.

Such a minimal setback from a mature tree is unacceptable and cannot be supported, and while an Arborists Report has been submitted, the photos of the trenching that was performed are inadequate and inconclusive, with this Report not even considering the most obvious and imminent threat to its preservation, which is the potential for major root damage as a direct result of excavations for footings within its SRZ.

Lastly, if works did proceed as shown, this tree would then be located within 2m of the building, which would automatically make it exempt from the DCP (under Part B, Section B5, Exceptions, point iii), meaning it could be removed at anytime, without needing to obtain any form consent from Council; however, it is noted that for this to occur in this particular circumstance, both property/tree owners would need to agree to this prior to physical removal from site.

While the resilience of this species is well known, sympathetic construction techniques such as pier and beam/cantilevered sections that will minimize the extent of root damage, are critical for ensuring its survival, and need to be imposed as conditions of consent, rather than just allowing the footprint to proceed as shown and dealing with major root damage during construction (as has been suggested by the Arborist).

Removal is also not an option as there appears ample space to perform a slight re-design to ensure its retention, and on this basis, and following consultations with the assessing officer/s, conditions require that the Ground Level bathroom be completely deleted from its current position at the northeast corner of the building, and be incorporated elsewhere within the bedroom or communal room.

Such a re-design will increase the offset by from 900mm out to about 2500mm, which will reduce the incursion of its SRZ, place the building beyond the 2m exempt clause in the DCP, and be a more sustainable, long-term outcome for the tree and future occupants, with conditions requiring these amendments included in the report.

The previous crown lifting means that the underside of its canopy is already held at such a height that conflict with the first floor should not result; however, conditions which allow minimal clearance pruning have still been included should the need arise during works.

Those other smaller trees on neighbouring private properties to the east and west, against the common boundaries, will not be affected, with the minimal pruning of a Magnolia growing on a neighbouring site to the east permitted should clearance be required, with the Ligustrum lucidum (Large Leafed Privet) located in the rear yard of the subject site, in the northeast corner, recognized as an invasive environmental weed, with conditions requiring that it be formally removed, whether affected by the works or not, so as to eliminate this weed source."

In later correspondence, the Council's Development Engineer requested that a condition be imposed in relation to ground water management and surface and roof water discharge. These conditions will be incorporated accordingly.

Further advice was provided by Council's Landscape Assessment Officer in response to the additional information submitted by the applicant in relation to the impact of the development

on the London Plane Tree situated in the rear yard of the subject site (refer to discussion at Section 4.2). The advice stated the following:

"The new Arborists Report now says that the offset from the tree will be 1800mm, and while this still encroaches significantly into both its SRZ & TPZ, it is noted that additional trenching to 450-550mm in depth confirmed an absence of any major roots in this area, which may be ok on its own.

However, major concerns still remain about the effect of lowering ground levels. Existing levels on the survey show 58.22 - with the Ground Floor Plan/North Elevation/Section AA all showing a FFL at RL57.20 = lowering of 1020mm. Twice the depth of the root mapping.

This hasn't been discussed or considered in the Arborists Report/s, and will definitely result in major root loss that will affect the tree. Presumably, this would also require a new retaining wall to be built (closer to the tree than the actual footprint), to support the difference in levels that will be created.

Deeper trenching won't solve anything as if it is approved as it stands, everything in this area will be severed & lost anyway, there's no way around it."

As per the advice of the Landscape Assessment Officer, it is recommended that a condition of consent will be imposed requiring the reconfiguration of the ground floor to achieve a suitable buffer between proposed development works and the tree in question. Similarly, a condition of consent will require the provision of a waste storage area as per the recommendations of Council's Development Engineer.

4.3. Environmental health officer

Council's DCP requires the submission of an acoustic report in relation to proposed boarding house development. The acoustic report submitted with the development application (and later updated to account for amendments to the plan) was referred to Council's environmental health officer for advice and the following comments were provided:

"Acoustic Amenity

Proposed boarding house with accommodation for 11 boarder rooms, communal room, outdoor common area and associated facilities.

An acoustic report was submitted to Council prepared by Acoustic Logic titled " 236 Alison Road, Randwick Noise Impact Assessment" dated 20th July 2016 project doc ref: 20160031.1 includes recommendations to address noise from operational use and recommended measures for ensuring noise criteria is complied with for the operation of the premises.

An amended acoustic report was received dated 17/08/2016 prepared by Acoustic Logic doc ref: 20160031.1/1708A/R4/RL was submitted addressing potential maximum useage of indoor and outdoor common areas for 15 persons respectively catering for some bedrooms having 2 occupants.

Mechanical plant selection and design is required to be assessed by the acoustic consultant and appropriate conditions have been provided.

The use and the operation of the boarding house accommodation has the potential to create offensive noise and the patrons behaviours may impact on the other users of the boarding house and/or the neighbouring residential properties. As a result a plan of management has been required to be submitted to Council prior to an occupation certificate to minimise potential disturbance.

The use and operation of the boarding house shall be in accordance with the Plan of Management (PoM) submitted to Council with the Development Application. The implementation of the PoM may assist in minimising disturbances and anti-social behaviour.

The use of the outdoor common area is proposed to be restricted by times of permitted use.

The potential for noise nuisance has been considered and appropriate conditions have been included in this referral.

Environmental Pollution

Standard conditions in relation to pollution control have been included in the following referral to ensure compliance with relevant legislation and guidelines.

Standard conditions in relation to pollution control have been included in the following referral to ensure compliance with relevant legislation and guidelines."

The advice of Council's Environmental Health Officer in relation to boarding house management, noise mitigation and acoustic performance will be addressed in a series of recommended operational conditions.

4.4. Heritage planner

The subject site is adjacent to a series of heritage items and is also adjacent to a heritage conservation area. As such, the application was referred to a heritage consultant for advice and the following comments were provided:

"Heritage Status and Significance

The subject site at 236 Alison Road is not listed as a Heritage Item under Schedule 5 of the Randwick Local Environmental Plan 2012 (the LEP); however, adjoins two Heritage Items including the 'Freestanding Victorian house' at 238-242 Alison Road (I262) at the corner of Dutruc Street, and the 'Sandstone cottage and terraced pair' at 60B, 62-64 Dutruc Street (I363) as defined under the LEP. Both of these heritage items are also located within the southeast end of the St Marks Heritage Conservation Area.

Comments

The proposed alterations and additions have been assessed in relation to their likely impacts on the identified heritage significance and settings of the adjoining two heritage items noted above. The inventory forms for the subject heritage items provide limited information on their heritage values essentially noting their description as below:

238-242 Alison Road:

Large Italianate, two storey house, c. 1880. Has suffered some loss of detail including some mouldings and lacework. Generally though quite good and certainly redeemable. Balcony and verandah on front and eastern sides. Asymmetrical featuring large bay window with its own roof. Stained glass in and around doors, possibly original. Palisade fence.

60B Dutruc Street:

Mid Victorian house, c. 1865. Fully restored but spoiled by sandstocking. Gabled corrugated iron roof with bullnosed verandah. Flat iron posts with lace brackets and fringes. Verandah floor reboarded. Original style palisade fence with entry for car in front. Set back with semi. Good planting.

62-64 Dutruc Street:

Good pair of Victorian terraces, c. 1880. Recently restored. Inauthentic alterations are roof to No. 64 shape and material should match No. 62), dormer to No. 62 and skylights to No. 64. Remainder good. Elaborate mouldings and lacework retained or restored (fringes to No. 64 out of scale, No. 62 is more elegant). No. 64 has verandah balustrade plus shutters to upstairs French doors (probably neither is original). Both retain excellent palisade fences. Good but

room for improvement.

With the exception of the sandstone cottage the other two group of terrace houses are of two-storey substantial buildings with primary views and setting from the approaches of Alison Road and Dutruc Street. Therefore, main consideration will need to be given to the proposed two-storey rear addition to the existing boarding house. Other changes are located within the existing structure and to the ground floor therefore will have no impact on the settings of the heritage items.

The SEE addresses the heritage impact under Clause 5.10 of the LEP and notes that "the development will clearly have negligible impact on the heritage setting of the sandstone cottage and terraced pair in Dutruc Street and their contribution to the St Marks HCA. Furthermore, the proposed alterations and additions to the rear of the existing building will be only obtusely visible from Alison Road. As such, the impact on the heritage setting of this dwelling as viewed from the surrounding public domain will be negligible. Whilst the proposed rear additions will extend the existing building in relation to the rear yard areas of that dwelling, given the north-south orientation of the subject site and the overall height commensurate with that development, the proposed additions will provide for an acceptable built interface..."

Given consideration to the existing setting and identified heritage values of the adjoining heritage items as well as the relatively limited relationship between the proposed rear addition and the heritage items through the rear yards, the assessment of the SEE in relation to heritage matters is concurred. The proposed alterations and additions will have limited but acceptable impact to the settings of the subject boarding house and the adjoining heritage items.

Conclusions and Recommendation

The proposed development for the reasons explained above is supported in relation to the heritage matters."

The heritage planner recommends imposing a condition stating that colours, materials and finishes of the external surfaces to the new addition are to be compatible with the existing building and heritage items adjoining. The condition would also require that a samples board or colour schedule be submit to and approved by the Manager City Planning prior to the issue of a construction certificate.

5. DEVELOPMENT CONSENT CONDITIONS

GENERAL CONDITIONS

The development must be carried out in accordance with the following conditions of consent.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of environmental amenity.

Approved Plans & Supporting Documentation

1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan Name	Plan Ref	Drawn By	Dated
Site Plan	A-01	John Spiteri Design and Drafting	17/06/16
Ground Floor / Level 1 Plan	A-02	John Spiteri Design and Drafting	17/06/16
East and West	A-03	John Spiteri Design	17/06/16

Elevations		and Drafting	
North and South Elevations / Section AA	A-04	John Spiteri Design and Drafting	17/06/16

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:
 - a. The bathroom shown at the northern end of the ground floor addition is to be deleted and relocated to within the space presently identified on the plan as a bedroom. To avoid confusion, relocation of the bathroom will preclude provision of a bedroom in this location and therefore the bedroom must also be deleted.
 - b. The adjacent communal room shall subsequently be expanded to occupy a portion of the former bedroom and hallway such that this space satisfies the numeric controls of Council's Development Control Plan, being an area of at least 20m² with minimum dimension of 3m. To avoid confusion, this condition does not permit expansion of the communal room beyond the approved building envelope.
 - c. An area for the storage of 1 bicycle shall be provided within the reconfigured communal room in a location that will not compromise the functionality of communal facilities and will allow for safe and convenient bicycle storage.
 - d. A waste bin storage area shall be provided in the rear yard of the site in a location that will enable the safe and convenient relocation of bins to the street for collection and will not impact the amenity of neighbouring residents or residents of the development. The bin storage area is to be configured to cater for 8 x 240 litre bins (4 x waste, 3 x recycling & 1 x green waste)

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REQUIREMENTS BEFORE A CONSTRUCTION CERTIFICATE CAN BE ISSUED

The following conditions of consent must be complied with before a 'Construction Certificate' is issued by either Randwick City Council or an Accredited Certifier. All necessary information to demonstrate compliance with the following conditions of consent must be included in the documentation for the construction certificate.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent conditions and to achieve reasonable levels of environmental amenity.

Consent Requirements

3. The requirements and amendments detailed in the 'General Conditions' must be complied with and be included in the construction certificate plans and associated documentation.

External Colours, Materials & Finishes

4. The colours, materials and finishes of the external surfaces to the new additions are to be compatible with the existing building and the heritage items in the adjoining sites. Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director City Planning, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.

5. The exposed western elevation situated on the common boundary shall be finished with an appropriate combination of materials with varied textures and finishes which serve to ameliorate the visual bulk of this elevation and achieves an aesthetically pleasing appearance. The proposed materials shall be included with the schedule of materials and finishes or sample board prepared to satisfy Condition 4.

Section 94A Development Contributions

6. In accordance with Council's Section 94A Development Contributions Plan effective from 21 April 2015, based on the development cost of \$275,000.00 the following applicable monetary levy must be paid to Council: \$2,750.00.

The levy must be paid in **cash, bank cheque** or by **credit card** prior to a construction certificate being issued for the proposed development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of Council's determination to the date of payment. Please contact Council on telephone 9399 0999 or 1300 722 542 for the indexed contribution amount prior to payment.

To calculate the indexed levy, the following formula must be used:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

IDC = the indexed development cost

ODC = the original development cost determined by the Council

CP2 = the Consumer Price Index, All Groups, Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment

CP1 = the Consumer Price Index, All Groups, Sydney as published by the ABS in respect of the quarter ending immediately prior to the date of imposition of the condition requiring payment of the levy.

Council's Section 94A Development Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick or at www.randwick.nsw.gov.au.

Long Service Levy Payments

7. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, must be forwarded to the Long Service Levy Corporation or the Council, in accordance with Section 109F of the *Environmental Planning & Assessment Act 1979*.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

Sydney Water

8. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

The approved plans must be submitted to a Sydney Water Quick Check agent, to determine whether the development will affect Sydney Water's waste water and water mains, stormwater drains and/or easements, and if any further requirements need to be met.

If suitable, the plans will be appropriately stamped. For details please refer to the Sydney Water web site at www.sydneywater.com.au for:

- Quick Check agents details - see *Building and Developing* then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see *Building and Development* then *Building and Renovating*, or telephone 13 20 92.

The Principal Certifying Authority must ensure that a Sydney Water Quick Check Agent has appropriately stamped the plans prior to issuing the construction certificate.

REQUIREMENTS TO BE INCLUDED IN THE CONSTRUCTION CERTIFICATE

The requirements contained in the following conditions of consent must be complied with and details of compliance must be included in the construction certificate for the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Councils development consent conditions and to achieve reasonable levels of environmental amenity.

Compliance with the Building Code of Australia

9. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA). Details of compliance with the BCA are to be included in the construction certificate application.
10. All new building work (including alterations, additions, fit-out work and fire safety works) are to be carried out in accordance with the relevant provisions of the Building Code of Australia (BCA) and details are to be included in the Construction Certificate, to the satisfaction of the Certifying Authority.
11. The existing levels of fire and safety within the building are to be upgraded to provide improved levels of fire and occupant safety in the building. The following works are to be undertaken in accordance with the specified provisions of the Building Code of Australia (BCA):
 - (a) Provide a self-closing tight-fitting solid-core timber door to the entry of each sole-occupancy unit in accordance with clause C3.11 of the BCA.
 - (b) Install a smoke detection and alarm system throughout the building in accordance with specification E2.2a of the BCA,
 - (c) Install a fully interconnected smoke detection and alarm system throughout the building in accordance with AS 1670.1 (2004) and clauses 4 & 6 of specification E2.2a of the BCA,
 - (d) Provide emergency lighting system to the common stairway and corridor/s, in accordance with clause E4.2 & E4.4 of the BCA,
 - (e) Provide exit signs to the entry/exit doorways in accordance with clause E4.5 & E4.7 of the BCA,
 - (f) Provide portable fire extinguishers within the building adjacent to any electrical switchboard, in accordance with clause E1.6 of the BCA,
 - (g) Remove the timber enclosure located below the common stairway so that it is fully open at all times. Alternatively, the enclosure must be provided with material having a -/60/60 fire resistance level (FRL) and a -/60/30 fire-door set with a self-closing device,
 - (h) Provide a non-combustible enclosure (ie a metal cabinet) with seals to prevent the passage of smoke to electricity meters and switchboard located in corridors, exits and within stairways etc,

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- (i) Balustrades and handrails to stairway/s, balconies, decks or the like are to be designed and constructed to satisfy clause D2.16 & D2.17 of the BCA,
 - (j) The floors/ceilings separating the residential units throughout the existing building shall be upgraded to achieve reasonable levels of fire separation and sound transmission, having regard to the relevant provisions of the Building Code of Australia and details are to be submitted to and approved by Council prior to commencement of the works,
 - (k) The main entry/exit doors are to be provided with a 'hold-open' device, or swing in the direction of egress, to facilitate people seeking egress from the building in the event of an emergency,
 - (l) Prior to commencing the abovementioned works, a Construction Certificate must be obtained from Council's Building Certification Services or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and *Environmental Planning & Assessment Regulation 2000*.
12. The building and fire safety upgrading works must be included in the *Construction Certificate* for the development and must be carried out prior to issuing of a final *Occupation Certificate* for the development. Written correspondence must be provided to Council which confirms that all of the upgrading works have been carried out in accordance with the conditions of consent.
- Access & Facilities**
13. Provide strategically located hand rails in the toilet/shower facility proposed at ground floor level to assist people with an ambulant disability to use the shower and toilet, to the satisfaction of the Certifying Authority.
14. Install Tactile Ground Surface Indicators to guide people with vision impairment to the proposed rear new section of the premises safely and to the external steps in the path of travel, to the satisfaction of the Certifying Authority.
- Stormwater Drainage**
15. A surface water/stormwater drainage system must be provided in accordance with the following requirements, to the satisfaction of the Certifying Authority and details are to be included in the construction certificate:-
- a) Surface water/stormwater drainage systems must be provided in accordance with the relevant requirements of the Building Code of Australia (Volume 2);
 - b) The surface water/stormwater must be drained and discharged to the street gutter or, subject to site suitability, the stormwater may be drained to a suitably designed absorption pit;
 - c) Any absorption pits or soaker wells should be located not less than 3m from any adjoining premises and the stormwater must not be directed to any adjoining premises or cause a nuisance;
 - d) External paths and ground surfaces are to be constructed at appropriate levels and be graded and drained away from the building and adjoining premises, so as not to result in the entry of water into the building, or cause a nuisance or damage to the adjoining premises;

- e) Details of any proposed drainage systems or works to be carried out in the road, footpath or nature strip must be submitted to and approved by Council before commencing these works.

Site Seepage & Dewatering

16. Site seepage and sub-soil drainage must comply with the following requirements:

- a) Seepage/ground water and subsoil drainage **must not be collected & discharged directly or indirectly to Council's street gutter or underground drainage system**
- b) Adequate provision is to be made for the ground water to drain around the ground floor level at the rear of the dwelling (to ensure the rear extension will not dam or slow the movement of the ground water through the development site).
- c) The walls of the rear extension, below ground level, are to be waterproofed to restrict the entry of any seepage water and subsoil drainage into this level of the building and the stormwater drainage system for the development.
- d) Sub-soil drainage systems may discharge via infiltration subject to the hydraulic consultant/engineer being satisfied that the site and soil conditions are suitable and the seepage is able to be fully managed within the site, without causing a nuisance to any premises and ensuring that it does not drain or discharge (directly or indirectly) to the street gutter.

Details of the proposed stormwater drainage system including any sub-soil drainage systems (as applicable) must be prepared or approved by a suitably qualified and experienced Professional Engineer to the satisfaction of the Certifying Authority and details are to be included in the construction certificate.

Street Tree Protection Measures

17. In order to ensure retention of the *Gleditsia triacanthos* 'Sunburst' (Honey Locust) located on the Alison Road verge, near the eastern site boundary in good health, the following measures are to be undertaken:

- a. All documentation submitted for the Construction Certificate application must show its retention, with the position and diameter of both its trunk and canopy to be clearly and accurately shown on all plans in relation to the proposed works.
- b. Any excavations associated with the installation of new services, pipes, stormwater systems or similar over public property must be setback a minimum distance of 2 metres from its trunk so as to minimise root damage.
- c. Prior to the commencement of any site works, its trunk must be physically protected by wrapping layers of geo-textile, underfelt or layers of Hessian, from ground level to a height of 2m above ground level, to which, lengths of 50mm x 100mm hardwood timbers, spaced at 150mm centres shall be placed around its circumference, and are to be secured by 8 gauge wires or steel strapping at 300mm spacing. NO nailing to the trunk.
- d. This measure shall be installed prior to the commencement of demolition and construction works and shall remain in place until all works are completed, to which, signage containing the following words shall be clearly displayed and permanently attached: "TREE PROTECTION ZONE (TPZ), DO NOT REMOVE/ENTER".
- e. Within the TPZ, there is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble, with all Site Management Plans needing to

acknowledge these requirements.

- f. Other than the approved works, the applicant is not authorised to perform any other works to this public tree, and must contact Council's Landscape Development Officer on 9399-0613 should further pruning or similar works appear necessary. If approval is given, it can only be performed by Council, wholly at the applicants cost, with payment to be received prior to the issue of an Occupation Certificate.
- g. The PCA must ensure compliance with all of these requirements, both on the plans as well as on-site during the course of construction, and prior to issuing any type of Occupation Certificate.
- h. A refundable deposit in the form of cash, credit card or for an amount of **\$1,250.00** must be paid at the Cashier on the Ground Floor of the Administrative Centre, **prior to a Construction Certificate being issued for the development**, in order to ensure compliance with the conditions listed in this consent, and ultimately, preservation of the tree.

The refundable deposit will be eligible for refund following the issue of an Occupation Certificate, subject to completion and submission of Council's 'Security Deposit Refund Application Form', and pending a satisfactory inspection by Council's Landscape Development Officer (9399-0613).

Any contravention of Council's conditions relating to the tree at any time during the course of the works, or prior to the issue of an Occupation Certificate, may result in Council claiming all or part of the lodged security in order to perform any rectification works necessary, as per the requirements of 80A (6) of the Environmental Planning and Assessment Act 1979.

Tree Protection Measures

18. In order to also ensure retention of the *Platanus x hybrid* (Plane Tree) located in the rear setback, right on the common boundary between the subject site and the adjoining private property at no.234, in good health, the following measures are to be undertaken:
 - a. All documentation submitted for the Construction Certificate application must show retention of this tree, with the position and diameter of both its trunk and canopy (taken directly from the site survey) to be clearly and accurately shown on all plans in relation to the proposed works.
 - b. **The Construction Certificate plans must demonstrate compliance with the requirements of Condition 2.**
 - c. **This must result in a minimum offset of 2500mm being provided between the eastern wall of the building and the outside edge of its trunk, measured horizontally, at a height of 1 metre above ground level.**
 - d. **No other physical part of the building; being eave, gutter, fascia, awning, post or similar can encroach within a minimum distance of 2 metres, measured horizontally off the outside edge of its trunk, at a height of 1 metre above ground level, with measurements confirming compliance to be shown on all plans.**
 - e. **The external access stairs linking the rear extension and rear yard must comprise a lightweight, timber construction only, that is supported on localized pad footings, and must not require a concrete slab on ground or continuous strip footings, with relevant details confirming compliance to be provided.**

- f. **All initial excavations for footings for the Ground Floor or external stairs as described above, within a radius of 3 metres, measured off the outside edge of its trunk at ground level, must be performed by hand, to a minimum depth of 600mm and a minimum width of 200mm, without damaging any roots in the process.**
- g. **Council's Landscape Development Officer (9399-0613) must then be contacted, prior to forming or pouring footings, and giving at least 2 working days notice, to inspect the trenches, with the applicant to comply with any instructions issued.**
- h. Where major roots with a diameter of 50mm or more are encountered, and Council's officer determines they must be retained; a cantilevered, pier and beam style footing must be used so as to bridge over the affected roots and ensure their preservation.
- i. The Construction Certificate plans must acknowledge that the site inspection may result in the need for a flexible footing system, with a suitably qualified engineer needing to have the required design approved by the PCA, prior to installing the footings.
- j. Where roots with a diameter of less than 50mm are found, which are in direct conflict with the works, and permission is given for their pruning, they may be cut cleanly, only by hand (not machinery), with the affected area to be backfilled with clean site soil as soon as practically possible.
- k. Any excavations associated with the installation of new services, pipes, stormwater systems or similar in the rear yard must be setback a minimum distance of 3.5m metres from its trunk at ground level.
- l. Any new common boundary fencing along the western site boundary, within a radius of 5 metres of its trunk, can only be a system which is supported on localised pad footings, not strip footings, with posts/footings to be positioned around so as to minimize damage. Details confirming compliance must be shown on the Construction Certificate plans.
- m. This tree is to be physically protected by the installation of 1.8 metre high steel mesh/chainwire fencing, which shall be located within the subject site, a minimum distance of **2m** to its south and **3m** to its east and north (measured off the outside edge of its trunk at ground level), matching up with the western site boundary in order to completely enclose this tree for the duration of works.
- n. This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until all works are completed, to which, signage containing the following words shall be clearly displayed and permanently attached: "TREE PROTECTION ZONE (TPZ), DO NOT REMOVE/ENTER".
- o. Ground levels within the TPZ must not be altered by more than 200mm, with no other structures such as continuous strip footings, planter boxes or similar to be located in this area, which must remain as undisturbed, deep soil.
- p. Within the TPZ, there is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble, with all Site Management Plans needing to acknowledge these requirements.
- q. The PCA must ensure compliance with all of these requirements, both on the

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plans as well as on-site during the course of construction, and prior to issuing any type of Occupation Certificate.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent must be complied with prior to the commencement of any works on the site. The necessary documentation and information must be provided to the Council or the 'Principal Certifying Authority' (PCA), as applicable.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity.

Certification, PCA & other Requirements

19. Prior to the commencement of any building works, the following requirements must be complied with:

- a) a *Construction Certificate* must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.

A copy of the construction certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

- b) a *Principal Certifying Authority* (PCA) must be appointed to carry out the necessary building inspections and to issue an *occupation certificate*; and
- c) a *principal contractor* must be appointed for the building work, or in relation to residential building work, an *owner-builder* permit may be obtained in accordance with the requirements of the *Home Building Act 1989*, and the PCA and Council are to be notified accordingly; and
- d) the *principal contractor* must be advised of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and
- e) at least two days notice must be given to the Council, in writing, prior to commencing any works.

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

Home Building Act 1989

20. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, the requirements of the *Home Building Act 1989* must be complied with.

Details of the Licensed Building Contractor and a copy of the relevant Certificate of Home Warranty Insurance or a copy of the Owner-Builder Permit (as applicable) must be provided to the Principal Certifying Authority and Council.

Dilapidation Reports

21. A dilapidation report prepared by a professional engineer, building surveyor or other suitably qualified independent person must be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any demolition, excavation or building works, in the following cases:

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- excavations for new dwellings, additions to dwellings, swimming pools or the like which are proposed to be located within the *zone of influence* of the footings of any dwelling, associated garage or other substantial structure located upon an adjoining premises,
- new dwellings or additions to dwellings sited up to shared property boundaries (e.g. additions to a semi-detached dwelling or terraced dwellings),
- excavations for new dwellings, additions to dwellings, swimming pools or the like which are within rock and may result in vibration and or potential damage to any dwelling, associated garage or other substantial structure located upon an adjoining premises,
- as otherwise may be required by the Principal Certifying Authority.

The report (including photographs) are required to detail the current condition and status of any dwelling, associated garage or other substantial structure located upon the adjoining premises, which may be affected by the subject works. A copy of the dilapidation report is to be given to the owners of the premises encompassed in the report/s before commencing any works.

Construction Noise & Vibration Management Plan

22. Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant requirements of the *Protection of the Environment Operations Act 1997* and NSW EPA Guidelines must be satisfied at all times.

Noise and vibration from any rock excavation machinery, pile drivers and all plant and equipment must be minimised, by using appropriate plant and equipment, silencers and the implementation of noise management strategies.

A *Construction Noise Management Plan*, prepared in accordance with the NSW EPA Construction Noise Guideline by a suitably qualified person, is to be implemented throughout the works. A copy of the strategy must be provided to the Principal Certifying Authority and Council prior to the commencement of works on site.

Construction Site Management Plan

23. A *Construction Site Management Plan* must be developed and implemented prior to the commencement of any works. The construction site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- provisions for temporary stormwater drainage;
- construction noise and vibration management;
- construction traffic management details.

The site management measures must be implemented prior to the commencement of any site works and be maintained throughout the works, to the satisfaction of Council.

A copy of the Construction Site Management Plan must be provided to the Principal Certifying Authority and Council prior to commencing site works. A copy must also be maintained on site and be made available to Council officers upon request.

Demolition Work Plan

24. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures and relevant environmental/occupational health and safety requirements.

The Demolition Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor
- Details of hazardous materials (including asbestos)
- Method/s of demolition (including removal of any asbestos)
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne dust and asbestos
- Methods and location of disposal of any hazardous materials (including asbestos)
- Other relevant details, measures and requirements to be implemented
- Details of re-use, recycling and disposal of waste demolition/building materials
- Date the demolition works will commence

The Demolition Work Plan must be submitted to the Principal Certifying Authority (PCA), not less than two (2) working days before commencing any demolition work. A copy of the Demolition Work Plan must be maintained on site and be made available to Council officers upon request.

If the work involves asbestos products or materials, a copy of the Demolition Work Plan must also be provided to Council not less than 2 days before commencing those works.

Notes

- *It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*
- *Refer to the conditions within the "Requirements During Construction & Site Work", for further details and requirements relating to demolition work, removal of any asbestos and public safety.*

Public Utilities

25. A public utility impact assessment must be carried out on all public utility services located on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the building works. The assessment should include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of services.
26. The owner/builder must make the necessary arrangements and meet the full cost for telecommunication companies, gas providers, Ausgrid, Sydney Water and other service authorities to adjust, repair or relocate their services as required.

REQUIREMENTS DURING CONSTRUCTION & SITE WORK

The following conditions of consent must be complied with during the demolition, excavation and construction of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity during construction.

Inspections During Construction

27. The building works must be inspected by the *Principal Certifying Authority*, in accordance with sections 109 E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

Site Signage

28. A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:
- name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - name, address and telephone number of the *Principal Certifying Authority*,
 - a statement stating that "unauthorised entry to the work site is prohibited".

Restriction on Working Hours

29. Building, demolition and associated site works must be carried out in accordance with the following requirements:

Activity	Permitted working hours
All building, demolition and site work, including site deliveries (except as detailed below)	<ul style="list-style-type: none"> • Monday to Friday - 7.00am to 5.00pm • Saturday - 8.00am to 5.00pm • Sunday & public holidays - No work permitted
Excavating of rock, use of jack-hammers, pile-drivers, vibratory rollers/compactors or the like	<ul style="list-style-type: none"> • Monday to Friday - 8.00am to 5.00pm • Saturday - No work permitted • Sunday & public holidays - No work permitted

An application to vary the abovementioned hours may be submitted to Council's Manager Health, Building & Regulatory Services for consideration and approval to vary the specified hours may be granted in exceptional circumstances and for limited occasions (e.g. for public safety, traffic management or road safety reasons). Any applications are to be made on the standard application form and include payment of the relevant fees and supporting information. Applications must be made at least 10 days prior to the date of the proposed work and the prior written approval of Council must be obtained to vary the standard permitted working hours.

Demolition Work Requirements

30. The demolition of buildings and the removal, storage, handling and disposal of building materials must be carried out in accordance with the relevant requirements of WorkCover NSW, the NSW Department of Environment, Climate Change & Water and Randwick City Council policies, including:
- Work Health & Safety Act 2011 and Regulations
 - WorkCover NSW Code of Practice for the Safe Removal of Asbestos
 - WorkCover NSW Guidelines and Codes of Practice
 - Australian Standard 2601 (2001) – Demolition of Structures
 - The Protection of the Environment Operations Act 1997 and Regulations
 - Relevant EPA Guidelines

- Randwick City Council Asbestos Policy

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

Removal of Asbestos Materials

31. Work involving the demolition, storage or disposal of asbestos products and materials must be carried out in accordance with the following requirements:

- Relevant Occupational Health & Safety legislation and WorkCover NSW requirements
- Randwick City Council's Asbestos Policy
- A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence. A copy of the relevant licence must be provided to the Principal Certifying Authority.
- On sites involving the removal of asbestos, a sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor.
- Asbestos waste must be stored, transported and disposed of in compliance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2005*. Details of the landfill site (which must be lawfully able to receive asbestos materials) must be provided to the Principal Certifying Authority.
- A Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council and the Principal certifying authority upon completion of the asbestos related works which confirms that the asbestos material have been removed appropriately and the relevant conditions of consent have been satisfied.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development Section or a copy can be obtained from Council's Customer Service Centre.

Sediment & Erosion Control

32. Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction. Details are to be included in the *Construction Site Management Plan*.

Public Safety & Site Management

33. Public safety and convenience must be maintained at all times during demolition, excavation and construction works and the following requirements must be complied with:
- a) Public access to the building site and materials must be restricted by existing boundary fencing or temporary site fencing having a minimum height of 1.5m, to Council's satisfaction.

Temporary site fences are required to be constructed of cyclone wire fencing material and be structurally adequate, safe and constructed in a professional manner. The use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

- b) Building materials, sand, soil, waste materials, construction equipment or other articles must not be placed upon the footpath, roadway or nature strip at any time.
- c) The road, footpath, vehicular crossing and nature strip must be maintained in a good, safe, clean condition and free from any excavations, obstructions, trip hazards, goods, materials, soils or debris at all times. Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be repaired immediately, to the satisfaction of Council.
- d) Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.
- e) Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction.
- f) Site fencing, building materials, bulk bins/waste containers and other articles must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health, Building and Regulatory Services department.
- g) Temporary safety fencing is to be provided to any swimming pools under construction, pending the completion of all building work and the pool must not be filled until a fencing inspection has been carried out and approved by the principal certifying authority.

Support of Adjoining Land, Excavations & Retaining Walls

- 34. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 E of the *Environmental Planning & Assessment Regulation 2000*, it is a prescribed condition that the adjoining land and buildings located upon the adjoining land must be adequately supported at all times.
- 35. All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations must be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Details of proposed retaining walls, shoring, piling or other measures are to be submitted to and approved by the Principal Certifying Authority.

- 36. Prior to undertaking any demolition, excavation or building work in the following circumstances, a report must be obtained from a *professional engineer* which details

the methods of support for the dwelling or associated structure on the adjoining land, to the satisfaction of the *Principal Certifying Authority*:

- when undertaking excavation or building work within the zone of influence of the footings of a dwelling or associated structure that is located on the adjoining land;
- when undertaking demolition work to a wall of a dwelling that is built to a common or shared boundary (e.g. semi-detached or terrace dwelling);
- when constructing a wall to a dwelling or associated structure that is located within 900mm of a dwelling located on the adjoining land;
- as may be required by the *Principal Certifying Authority*.

The demolition, excavation and building work and the provision of support to the dwelling or associated structure on the adjoining land, must also be carried out in accordance with the abovementioned report, to the satisfaction of the *Principal Certifying Authority*.

Building Encroachments

37. There must be no encroachment of any structures or building work onto Council's road reserve, footway, nature strip or public place.

Tree Management

38. The *Ligustrum lucidum* (Large Leafed Privet) located in the rear yard of the subject site, in the northeast corner, as this species is recognized as an invasive environmental weed, so must be removed as part of the works so as to eliminate this weed source from the environment.

Pruning

39. Permission is granted for the minimal and selective pruning of only those lower growing, lower order branches from the following trees, only where needed in order to avoid damage to them; or; interference with the approved works:
- i) The western aspect of the *Magnolia x soulangeana* (Magnolia) which is located in the rear yard of the adjoining private property to the east, 64 Dutruc Street, against the common boundary;
 - ii) The southeast aspect of the *Platanus hybrid* (Plane Tree) that is located right on the common boundary between the subject site and the adjoining private property to the west, no.234.
40. This approval does not imply any right of entry onto a neighbouring property nor does it allow pruning beyond a common boundary; however, where such measures are desirable in the best interests of correct pruning procedures, and ultimately, the ongoing health of these trees, the applicant must negotiate with the neighbour/tree owner for access to perform this work.
41. All pruning must be undertaken by an Arborist who holds a minimum of AQF Level III in Arboriculture, and to the requirements of Australian Standard AS 4373-2007 'Pruning of Amenity Trees,' and NSW Work Cover Code of Practice for the Amenity Tree Industry (1998).

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the '*Principal Certifying Authority*' issuing an '*Occupation Certificate*'.

Note: For the purpose of this consent, any reference to 'occupation certificate' shall also be taken to mean 'interim occupation certificate' unless otherwise stated.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health, safety and amenity.

Occupation Certificate Requirements

42. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The relevant requirements of the *Environmental Planning & Assessment Act 1979* and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

Fire Safety Certificate Requirements

43. Prior to issuing an interim or final Occupation Certificate, a single and complete *Fire Safety Certificate*, encompassing all of the essential fire safety measures contained in the *fire safety schedule* must be obtained and be submitted to Council, in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000*. The *Fire Safety Certificate* must be consistent with the *Fire Safety Schedule* which forms part of the Construction Certificate.

A copy of the *Fire Safety Certificate* must be displayed in the building entrance/foyer at all times and a copy of the *Fire Safety Certificate* and *Fire Safety Schedule* must also be forwarded to Fire & Rescue NSW.

Council's Infrastructure

44. Prior to issuing a final occupation certificate or occupation of the development (whichever is sooner), the owner/developer must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.
45. All external civil work to be carried out on Council property (including the installation and repair of roads, footpaths, vehicular crossings, kerb and guttering and drainage works), must be carried out in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works" and the following requirements:
- a) All work on Council land must be carried out by Council, unless specific written approval has been obtained from Council to use non-Council contractors.
 - b) Details of the proposed civil works to be carried out on Council land must be submitted to Council in a Pre-paid Works Application Form, prior to issuing an occupation certificate, together with payment of the relevant fees.
 - c) If it is proposed to use non-Council contractors to carry out the civil works on Council land, the work must not commence until the written approval has been obtained from Council and the work must be carried out in accordance with the conditions of consent, Council's design details and payment of a Council design and supervision fee.
 - d) The civil works must be completed in accordance with Council's conditions of consent and approved design and construction documentation, prior to occupation of the development, or as otherwise approved by Council in writing.

Waste Management

46. Prior to the occupation of the development, the owner or applicant is required to contact Council's City Services Department, to make the necessary arrangements for the provision of waste services for the premises.
47. The nature-strip upon Council's footway shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu Turf or similar. Such works shall be installed prior to the issue of a final Occupation Certificate.

Tree Protection Certification

48. Prior to the PCA issuing any type of Occupation Certificate, written certification must be obtained from Council's Landscape Development Officer (9399-0613) confirming that the 'Tree Protection Measures' condition, relating specifically to the requirement for a site inspection of hand dug trenches prior to pouring footings, as well as any other instructions issued on-site, were complied with during the course of works.

Boarding House Registration

49. Places of shared accommodation must comply with the *Local Government (Orders) Regulation 1999* and the premises must be registered with the Council prior to occupation and on an annual basis, and the approved registration/inspection fee is to be forwarded to Council **prior to occupation**.

OPERATIONAL CONDITIONS

The following operational conditions must be complied with at all times, throughout the use and operation of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health and environmental amenity.

Fire Safety Statements

50. A single and complete *Fire Safety Statement* (encompassing all of the fire safety measures upon the premises) must be provided to the Council in accordance with the requirements of the *Environmental Planning & Assessment Regulation 2000*.

The *Fire Safety Statement* must be provided on an annual basis, each year following the issue of the *Fire Safety Certificate* and other period if any of the fire safety measures are identified as a *critical fire safety measure* in the *Fire Safety Schedule*.

The *Fire Safety Statement* is required to confirm that all the fire safety measures have been assessed by a properly qualified person and are operating in accordance with the standards of performance specified in the *Fire Safety Schedule*.

A copy of the *Fire Safety Statement* must be displayed in the building entrance/foyer at all times and a copy must also be forwarded to Fire & Rescue NSW.

Waste Management

51. Adequate provisions are to be made within the premises for the storage, collection and disposal of trade/commercial waste and recyclable materials, to the satisfaction of Council.

Any trade/commercial waste materials must not be disposed in or through Council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are

to be submitted to the Principal Certifying Authority and Council prior to commencing operation of the business.

The operator of the business must also arrange for the recycling of appropriate materials and make the necessary arrangements with an authorised waste services contractor accordingly.

Residential Parking Permits

52. All prospective tenants of the building must be notified that Council will not issue any residential parking permits to occupants/tenants of this development.
53. A notice shall be placed in the foyer/common areas of the building advising tenants/occupiers that they are in a building which does not qualify for on-street resident parking permits.

External Lighting

54. External lighting to the premises must be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

Plant & Equipment

55. The operation of all plant and equipment upon the premises shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997 and Regulations*.

In this regard, the operation of the plant and equipment shall not give rise to an $L_{Aeq, 15 \text{ min}}$ sound pressure level at any affected premises that exceeds the background $L_{A90, 15 \text{ min}}$ noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A) in accordance with relevant NSW Office of Environment & Heritage (EPA) Noise Control Guidelines.

Air Conditioners

56. Air conditioning plant and equipment shall not be operated during the following hours if the noise emitted can be heard within a habitable room in any other residential premises, or, as otherwise specified in relevant Noise Control Regulations:
 - before 8.00am or after 10.00pm on any Saturday, Sunday or public holiday; or
 - before 7.00am or after 10.00pm on any other day.
57. The operation and use of the premises and all plant/equipment shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997 and Regulations*.

In this regard, the operation of the plant and equipment shall not give rise to an $L_{Aeq, 15 \text{ min}}$ sound pressure level at any affected premises that exceeds the background $L_{A90, 15 \text{ min}}$ noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A) in accordance with relevant NSW Department of Environment & Climate Change Noise Control Guidelines.

58. No parties or amplified music is permitted in the outdoor common area.
59. Outdoor common area use is permitted between:
Monday through to Sunday from: 7.00am to 10.00pm only.
60. A report/correspondence prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to Council **3 months after occupation certificate being issued for the development**, which demonstrates that noise and vibration emissions from the development satisfies the relevant provisions of the *Protection of the*

Environment Operations Act 1997, Environmental Protection Authority Noise Control Manual & Industrial Noise Policy, relevant conditions of consent (including any relevant approved acoustic report and recommendations).

The assessment and report must include all relevant fixed and operational noise sources.

61. The Plan of Management shall be amended in accordance with this condition and submitted to and approved by Council prior to an occupation certificate being issued. Once approved the Plan of Management shall be complied with at all times.
 - (a) All recommendations contained in Section 6.4 of the Acoustic Report prepared by Acoustic Logic and dated 17 August 2016 shall be incorporated into the Plan of Management.
 - (b) The manager of the boarding house accommodation must be a responsible person over the age of 18 years.
 - (c) The manager shall ensure that a notice is placed near the entrance to the property in a visible position to the public advising of the manager's name and after hours contact number.
 - (d) Clear display of fixed room identification number shall be provided for each boarding room.
 - (e) Internal signage prominently displayed in each boarding room and/or communal living areas informing maximum number of lodgers per room, house rules, emergency contact numbers for essential services, annual fire safety statement and current fire safety schedule and emergency egress routes and evacuation plan.
 - (f) The maximum permitted lodgers for the boarding house is 15.
 - (g) Each occupant shall be furnished with a set of house rules (i.e. the Plan of Management) and that no variation shall be permitted without the further approval of Council.
 - (h) The manager shall maintain a record of all residents with details of their names, length of stay & number of persons in each room. This information shall be stored for a minimum of 12 months on site and made available to Council Officers upon request.
 - (i) All residents in the boarding house accommodation are to sign a lease or licence agreeing to comply with the Plan of Management (PoM) for the boarding house, with the length of the lease to be determined by the management.
 - (j) The individual rooms, common areas, shared facilities and yard are to be maintained in a clean and tidy state and individual's rubbish is to be placed in the appropriate receptacles.

Environmental Amenity

62. The use and operation of the premises shall not give rise to an environmental health or public nuisance, cause a vibration nuisance or, result in an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment*

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Regulation 2000, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

- A1 The requirements and provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*, must be fully complied with at all times.

Failure to comply with these requirements is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million. Alternatively, Council may issue a penalty infringement notice (for up to \$3,000) for each offence. Council may also issue notices and orders to demolish unauthorised or non-complying building work, or to comply with the requirements of Council's development consent.

- A2 This determination does not include an assessment of the proposed works under the Building Code of Australia (BCA) and other relevant Standards. All new building work (including alterations and additions) must comply with the BCA and relevant Standards and you are advised to liaise with your architect, engineer and building consultant prior to lodgement of your construction certificate.

- A3 In accordance with the requirements of the *Environmental Planning & Assessment Act 1979*, building works, including associated demolition and excavation works (as applicable) must not be commenced until:

- A *Construction Certificate* has been obtained from an Accredited Certifier or Council,
- An Accredited Certifier or Council has been appointed as the *Principal Certifying Authority* for the development,
- Council and the Principal Certifying Authority have been given at least 2 days notice (in writing) prior to commencing any works.

- A4 Council's Building Certification & Fire Safety team can issue your *Construction Certificate* and be your *Principal Certifying Authority* for the development, to undertake inspections and ensure compliance with the development consent, relevant building regulations and standards of construction. For further details contact Council on 9399 0944.

- A5 A Local Approval application must be submitted to and be approved by Council prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:

- Install or erect any site fencing, hoardings or site structures
- Operate a crane or hoist goods or materials over a footpath or road
- Placement of a waste skip or any other container or article.

For further information please contact Council on 9399 0944.

- A6 Specific details of the location of the building/s should be provided in the Construction Certificate to demonstrate that the proposed building work will not encroach onto the adjoining properties, Council's road reserve or any public place.

- A7 Prior to commencing any works, the owner/builder should contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au and relevant Service Authorities, for information on potential underground pipes and cables within the vicinity of the development site.

- A8 This consent does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or permanent) or the like is proposed to be carried out upon any adjoining or supported land, the land owner or principal contractor must obtain:

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- the consent of the owners of such adjoining or supported land to trespass or encroach, or
- an access order under the *Access to Neighbouring Land Act 2000*, or
- an easement under section 88K of the *Conveyancing Act 1919*, or
- an easement under section 40 of the *Land & Environment Court Act 1979*, as appropriate.

Section 177 of the *Conveyancing Act 1919* creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

A9 Smoke alarms are required to be installed in all residential dwellings, in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979* and the Building Code of Australia. Details should be included in the construction certificate application.

A10 Demolition work and removal of asbestos materials:

- A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.
- It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.

A11 Any external lighting to the premises should be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

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Development Application Compliance Report



D101/16

Folder /DA No:	DA/574/2016
PROPERTY:	25 Hume Street, CHIFLEY NSW 2036
Proposal:	Demolition of existing structures, construction of a new 2 storey childcare centre for 35 children, outdoor play areas at the ground and first floor levels, new side boundary fence, 4 front hardstand car spaces and associated site and landscaping works.
Recommendation:	Approval

Relevant Environment Planning Instruments:

1. SEPPs

State Environmental Planning Policy No. 55 - Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land. The site contains an existing residential development and has been continuously used for residential purposes for a number of years, and there have been no known potentially contaminating activities undertaken on the site. No further site investigation is warranted in relation to contamination.

2. Randwick LEP 2012

The subject site is zoned R2 Low Density under Randwick LEP 2012. The proposal development is classified as a childcare centre and is permissible in the zone. The relevant objective of the zone enables land uses other than housing which satisfy the day to day needs of residents. The intent of this objective primarily relates to local shops which can satisfy the convenience retail needs of the local residential catchment on a day to day basis. However, it could also include childcare service needs of local residents. On that basis it would be consistent with the relevant objective of the R2 zone.

The following Clauses of RLEP 2012 apply to the proposal:

Description	Council Standard	Proposed	Compliance (Yes/No/NA)
Floor Space Ratio (Maximum)	Site area = 627m ² 0:50:1 (313.5m ²)	0.44:1 (280.6m ²)	Yes
Height of Building (Maximum)	9.5m	6.9m	Yes

Randwick Comprehensive DCP 2013

The DCP provisions are structured into two components, Objectives and Controls. The Objectives provide the framework for assessment under each requirement and outline key outcomes that a development is expected to achieve. The controls contain both numerical standards and qualitative provisions. Any proposed variations from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome.

The relevant provisions of the DCP are addressed in the table below. (Note: a number of control provisions that are not related to the proposal have been deliberately omitted.)

Part D11 Child Care Centres

DCP Clause	Controls	Proposal	Compliance
	Classification	Zoning = R2	Yes
2	SITE SELECTION		
	<p>1. i) DAs are to address the suitability and context of the proposal including:</p> <p>2.</p> <ul style="list-style-type: none"> ▪ Proposed size, number of children and age breakdown for the centre. ▪ The number of staff to be employed. ▪ Proposed hours of operation. ▪ Nature of the location and surrounding development (including proximity to residential, business, industrial uses and sex services premises etc). ▪ Likely effect of the development on surrounding properties (e.g. privacy, noise, solar access, views and the means to offset these effects). ▪ Likely effect of the development on the road network in the surrounding area including traffic and on street parking availability. ▪ Availability of on site vehicular access and parking. ▪ Proximity to public transport. ▪ Proximity to existing community and children's services. ▪ Demonstrated demand for the service and identification of any special needs the centre will address. <p>ii) Where a child care centre is proposed within 300 metres of a mobile phone tower, base station, transmission line easement or other source of potentially</p>	<p>The site is suitable for a childcare facility for the following reasons:</p> <ul style="list-style-type: none"> • it is a purpose built facility in an accessible location; • it has convenient and safe vehicle and pedestrian access; and • the use and intensity can be reasonably accommodated within the residential area, subject to suitable conditions to protect surrounding amenity. <p>ii) There is no known mobile phone tower, base station, transmission line easement or other</p>	<p>i) The site is suitable for this development subject to conditions.</p> <p>Refer to the Key Issues in Section 5 of the Executive Summary Report.</p> <p>ii) Yes</p>

DCP Clause	Controls	Proposal	Compliance
	significant electromagnetic radiation, a report by a suitably qualified consultant must be submitted with the DA, assessing the potential exposure impact on the centre and its occupants.	source of potentially significant electromagnetic radiation within 300m of the child care centre.	
3	BUILDING DESIGN		
3.1	Built form, Scale and character		
	<p>i) For new child care centres or extensions proposed in the R2 Low Density Residential zone, the building design is to be similar to a dwelling house in terms of built form, scale, massing, roof design and articulation. Single storey buildings are encouraged for safety and access reasons.</p> <p>ii) For all other zones or locations, the building design is to complement the desired built form, scale and character for that particular zone or location.</p> <p>iii) Where a child care centre is proposed in a multi storey building (e.g. mixed use building) it must be located on the ground floor of the development unless it can be demonstrated that:</p> <ul style="list-style-type: none"> ▪ There are no viable alternatives for a location at ground level in the building or surrounding area. ▪ With respect to a heritage item, the proposed child care centre on the ground floor would detrimentally impact on the heritage significance of the item. ▪ Adequate access to play areas, solar access (particularly mid winter) and natural ventilation is available. ▪ Adequate emergency access and egress is available. ▪ Adequate access for pick ups/drop offs is available. <p>iv) Architectural elements which articulate the front and other facades visible from the street frontage must be incorporated into the overall building design to</p>	<p>i) The design is similar to the built form, mass and scale of contemporary two storey dwellings in the locality.</p> <p>ii) Not Applicable</p> <p>iii) Not Applicable</p> <p>iv) The front elevation is suitably articulated to create visual interest within the streetscape.</p>	<p>Yes</p> <p>Refer to the Key Issues in Section 5 of the Executive Summary report.</p>

DCP Clause	Controls	Proposal	Compliance
	create visual interest. v) Avoid large expanses of blank and unarticulated walls.	v) The side walls have sufficient articulation to break up the visual mass without compromising acoustic or privacy qualities of the design.	
3.2	Setbacks		
	<p>i) New child care centre developments or extensions must address the setback controls for dwelling houses set out in Part C, Section C3 of this DCP or demonstrate that alternative setbacks are suitable, having regard to:</p> <ul style="list-style-type: none"> The zoning for the site and alternative setback controls in this DCP (e.g. for business centres, master plan sites or key sites); or The site location and prevailing setbacks of surrounding properties. <p>ii) Increased setbacks may be required in certain circumstances having regard to privacy, solar access, to achieve reasonable view sharing with neighbouring properties and/or to provide the required amount of space for outdoor play areas.</p> <p>iii) The front setback area may only be used for access, car parking and landscaping purposes and not for the purposes of outdoor play areas and the like.</p>	<p>i) The proposal has a setback of 1.2 m to the side boundaries and a rear setback of 8 m, which complies with the setback controls. However, the building is approximately 6-8 m behind the front alignment of the dwellings houses on the adjoining properties so as to provide car parking on the site. The front setback does not comply with Part C3 of the DCP.</p> <p>ii) The proposed setbacks are acceptable and will not result in unacceptable impacts on solar access, privacy or view loss. Adequate play areas have been provided to cater for 35 children.</p> <p>iii) The proposed front setback will be used for parking.</p>	<p>i) Partial Refer to Key Issues in Section 5 of the Executive Summary Report.</p> <p>ii) Yes</p> <p>iii) Yes</p>
3.3	Building Material and Colours		
	<p>3. Controls</p> <p>i) For child care centres proposed in residential zones, the selection of building materials, finishes and</p>	<p>i) Conditions have been included in the consent to ensure the</p>	<p>Conditioned to comply.</p>

DCP Clause	Controls	Proposal	Compliance
	<p>colours must have regard to the relevant controls set out in Part C, Section C3 of this DCP.</p> <p>ii) For child care centres proposed within a business centre, master plan or key site, the selection of building materials, finishes and colours must have regard to the relevant controls set out in the relevant section of this DCP.</p> <p>iii) For childcare centres proposed in special purposes or recreation zones, a range of high quality and durable materials must be used in construction which require minimal maintenance and facilitate articulation of the building form. The use of a single colour or material should be avoided.</p>	<p>proposed materials, finishes and colours of the external surfaces to the building are compatible with the streetscape.</p> <p>ii) Not Applicable</p> <p>iii) Not Applicable</p>	
4	4. MENITY		
4.1	Acoustic Amenity and Privacy		
	<p>i) Submit an acoustic report prepared by an accredited acoustic consultant. The report must demonstrate that:</p> <ul style="list-style-type: none"> Adequate site planning and building design measures are proposed to minimise noise impacts. Noise levels generated from the child care centre, when measured over a 15 minute period at any point on the boundary of the site) will not exceed 5dBA above the background level. Suitable noise attenuation measures have been incorporated into the proposal. <p>ii) Orient new buildings and extensions to minimise overlooking, overshadowing and to preserve the acoustic amenity of adjoining properties.</p> <p>iii) Locate outdoor and indoor play</p>	<p>i) An acoustic report has been submitted with the application. The report demonstrates compliance with acoustic criteria, subject to a number of recommendations.</p> <p>ii) The building is orientated to minimise overlooking; and with the implementation of recommended conditions should not unreasonably impact</p>	<p>i) Yes. Refer to Key Issues in Section 5 of the Executive Summary Report.</p> <p>ii) Acceptable. Refer to Key Issues in Section 5 of the Executive Summary Report.</p>

DCP Clause	Controls	Proposal	Compliance
	<p>areas, balconies and terraces and openable windows to minimise the direct line of sight to and from neighbouring properties.</p> <p>iv) Locate pedestrian access ways and ramps away from neighbouring residential properties where practical.</p> <p>v) Maximise the use of fencing, landscape buffers and window coverings to protect visual privacy and acoustic amenity for the centre and neighbouring properties.</p>	<p>on the acoustic amenity of adjoining properties.</p> <p>iii) Appropriate acoustic screen fencing is proposed along the side and rear boundaries to minimise visual and acoustical privacy that could be generated from the outdoor play areas.</p> <p>iv) A secondary exit from the first floor is proposed at the rear of the building along the western boundary. A transparent screen balustrade fence will mitigate potential privacy and noise impacts from the use of the stairwell.</p> <p>v) The proposal maximizes the use of fencing, landscape buffers and window coverings to protect the visual privacy and acoustic amenity for the centre and neighbouring site.</p>	<p>iii) Acceptable. Refer to Key Issues in Section 5 of the Executive Summary Report.</p> <p>iv) Acceptable</p> <p>v) Yes.</p>
4.2	Safety and Security		
	<p>i) Entry to the child care centre is to be limited to one secure point which is to be:</p> <ul style="list-style-type: none"> ▪ Appropriately located to allow ease of access. ▪ Well lit and adequately sign posted. ▪ Located away from areas used for vehicle access. ▪ Located away from outdoor space used by children. ▪ Monitored through natural or camera surveillance. ▪ Limited to authorised persons only through the provision of an electronic security system 	<p>The single main pedestrian entry is at the Hume Street frontage and is clearly identified on the plans.</p> <p>Majority of the play area is located to the rear of the site. The area to the front of the property will be well-lit and windows and a balcony is provided to the Hume Street for monitoring of casual surveillance.</p>	<p>i) Yes.</p>

DCP Clause	Controls	Proposal	Compliance
	<p>such as swipe cards.</p> <p>ii) Where a child care centre is located within a building that also accommodates other uses, a separate and clearly marked entrance for the child care centre must be provided.</p> <p>iii) Incorporate windows on the front façade where possible to enable casual surveillance.</p> <p>iv) Where a proposed child care centre has a direct street frontage or vehicular access onto a classified road, identify additional safety measures (e.g. secure fencing, landscaping or other measures to prevent unaccompanied children from exiting the centre).</p>	<p>ii) Not Applicable</p> <p>iii) Windows are provided on the front facade</p> <p>iv) Not Applicable</p>	<p>iii) Yes</p>
4.3	Play Areas		
	<p>i) Outdoor and indoor play areas must be clearly identified and dimensioned on the submitted DA plans.</p> <p>ii) Locate outdoor and indoor play areas to the north or north eastern portion of the site where practical.</p> <p>iii) Locate outdoor play areas away from the main entrance, car parking areas or vehicular circulation areas.</p> <p>iv) Provide adequate separation between outdoor play areas and habitable rooms of adjoining residential properties.</p> <p>v) Design and layout of outdoor</p>	<p>i) Outdoor and indoor play areas are dimensioned and clearly identifiable on the plans.</p> <p>ii) The proposed play areas are located to the north of the site. This is considered acceptable and appropriate shading is provided over the play areas.</p> <p>iii) The play area is mainly located to the rear of the site and separated from the main entrance, car parking areas or vehicular circulation areas.</p> <p>iv) Adequate screening is proposed to the sides and rear of the boundary to minimise impacts to adjoining properties.</p> <p>v) The outdoor play</p>	<p>i) Yes</p> <p>ii) Yes</p> <p>iii) Yes</p> <p>iv) Yes</p>

DCP Clause	Controls			Proposal	Compliance
	<p>play areas should maximise clear sight lines and ensure ease of access to the main indoor play areas.</p> <p>vi) Indoor play areas must have adequate access to sunlight and natural ventilation.</p> <p>vii) Dedicate at least 50% of outdoor play areas for unencumbered activity and use a variety of surfaces (e.g. grass, sand, hard paving, and moulding).</p> <p>viii) Provide physical shading devices that are integrated into the design of the building. The material and colour of shading devices must be considered in relation to the streetscape and adjoining properties.</p> <p>ix) Toilets should be easily accessible from both indoor and outdoor play areas.</p>			<p>areas have clear sightlines and are easily accessible from the main indoor play areas.</p> <p>vi) The indoor play areas receive adequate access to sunlight and natural ventilation.</p> <p>vii) The landscape plan submitted indicates that at least 50% of the outdoor play area is for unencumbered activity and have used a variety of surface materials such as grass, sand, soft fall surface and hard paving.</p> <p>viii) Adequate sun shade structures are provided to the rear over parts of the outdoor play area.</p> <p>ix) Adequate toilet facilities are provided that is readily accessible, safe and convenient for the children.</p>	<p>v) Yes</p> <p>vi) Yes</p> <p>vii) Yes</p> <p>viii) Yes.</p> <p>ix) Yes</p>
	Indoor Space	0-6 years old	3.25m ² per licensed child space of unencumbered space	<p>35 Children</p> <p>Required = 114m² Proposed = 159m²</p>	Yes
	Outdoor Space	0-6 years old	7m ² per licensed child space of useable outdoor space	<p>Required = 245m² Proposed = 331m²</p>	Yes
4.4	Landscaping				
	<p>i) Submit a landscape plan with the DA clearly identifying the following elements:</p> <ul style="list-style-type: none"> Location of play equipment Location and extent of landscape buffers Proposed planting including 			<p>i) Landscape plans have been provided with appropriate planting and screening for visual interest and shading for the children.</p>	Yes

DCP Clause	Controls	Proposal	Compliance
	<p>a variety of trees and plants to create visual interest and shade for children</p> <ul style="list-style-type: none"> Materials and finishes of outdoor surfaces. <p>ii) Landscape design is to reflect the prevailing landscape character of the streetscape in terms of scale and planting style.</p> <p>iii) Landscaping must be designed to minimise the visual impact of the development on the streetscape and neighbouring properties.</p> <p>iv) A landscape buffer of no less than 1 metre must be provided in the front setback where on site car parking and drop off areas are proposed in residential zones.</p> <p>v) A landscape buffer with suitable screening plants should be provided along the side and rear boundaries where practicable.</p> <p>vi) Toxic, spiky or other plant species hazardous to children should not be used.</p>	<p>ii) The landscaping design reflects the character of the streetscape in terms of scale and planting style and has been strategically placed to minimise impact onto the neighbouring properties.</p> <p>iii) Landscape buffers with suitable screen planting have been provided to the rear play areas of the building.</p> <p>iv) No spiky or toxic plants are proposed.</p> <p>v) Suitable landscape planting will be provided along the boundaries to assist in visual screening.</p>	
5	TRAFFIC, PARKING AND PEDESTRIAN SAFETY		
	<p>i) Submit a Parking and Access Report with the DA, by an accredited consultant. The Report must address, but is not limited to:</p> <ul style="list-style-type: none"> prevailing traffic conditions likely impact of the proposal on existing traffic flows pedestrian and traffic safety appropriate arrangements for safe and convenient pick up and drop off at the site. <p>ii) A reduction in car parking controls in Part B, section B7 may be considered where:</p> <ul style="list-style-type: none"> The site is located in proximity to high frequency public transport. The site is co located or in proximity to other trip 	<p>Council's comprehensive DCP 2013 Part B7 specifies that parking be provided for childcare centres at the rate of 1 space per two staff plus 1 space per 8 children for pickup and drop of children.</p> <p>For the proposed development consisting of 35 children and 8 staff this will require 4 spaces for staff and 4 spaces for pickup and drop off.</p> <p>2 spaces provided for staff and 2 cars spaces for drop-off and pick-</p>	<p>No</p> <p>Refer to Key Issues in Section 5 of the Executive Summary Report.</p>

DCP Clause	Controls	Proposal	Compliance
	<p>generators (e.g. business centres, schools, public open space, car parks).</p> <ul style="list-style-type: none"> There is sufficient on street parking available at appropriate times within proximity of the site. The development is not likely to result in any adverse impact on the safe operation of the surrounding road network. 	up will be provided on the site.	
Vehicle Circulation and Carparking Design			
	<p>i) On-site parking and drive through facilities must not visually dominate or detract from the streetscape character.</p> <p>ii) Car parking areas and set down and pick up points, must be appropriately marked, signposted and lit to ensure pedestrian safety.</p> <p>iii) The entry and exit of set down and pick up points should preferably be separated.</p> <p>iv) On-site parking and vehicle manoeuvring areas are to be designed so that vehicles can safely enter and exit the site in a forward direction.</p> <p>v) Stack parking may be considered for a maximum of 2 car spaces.</p> <p>vi) Access driveways must not be located opposite or in the vicinity of road intersections.</p>	<p>i) The car park will be suitably landscaped to minimise its visual impact from the street.</p> <p>ii) The car park design and layout has been reviewed by Council's Development Engineer.</p> <p>iii) No safety concerns were raised by Council's Development Engineer in relation to parking and manoeuvring.</p> <p>iv) Vehicles will enter and exit the site in a forward motion.</p> <p>v) The car park design and layout has been reviewed by Council's Development Engineer.</p>	<p>Yes</p> <p>Refer to Key Issues in Section 5 of the Executive Summary Report</p>
Pedestrian Access Design			
	<p>i) Pedestrian access must be separated from vehicular access with clearly defined paths, signage and fencing.</p>	<p>i) The plans indicate that the pedestrian access is separated from vehicular access.</p>	<p>i) Yes</p>

DCP Clause	Controls	Proposal	Compliance
	<p>ii) Appropriate site distances and traffic calming measures may be required to ensure pedestrian safety.</p> <p>iii) Pedestrian pathways are to be a minimum width of 1.2 metres to allow for easy circulation throughout the site.</p>	<p>ii) Appropriate site distances and pedestrian safety is provided.</p> <p>iii) Pedestrian pathways are a minimum of 1.2 m.</p>	<p>ii) Yes</p> <p>iii) Yes</p>
6	Hours of Operation		
	<p>i) DAs should include supporting information demonstrating that the proposed hours of operation are compatible with adjoining land uses, and in the case of multi storey buildings, that the proposed hours of operation are compatible with the upper level uses.</p>	<p>The proposed childcare centre will operate 7.00am to 6.00pm Monday to Friday and will be shut for weekends and on public holidays. These hours are considered to be acceptable in a residential area provided other impacts of the use such as noise and traffic/parking generation are also acceptable.</p>	<p>Refer to Key Issues in Section 5 of the Executive Summary Report</p>
7	Fences		
	<p>i) Fencing is to be of a height and design suitable to contain noise generated by children's activities and compatible with the building and fencing materials used in the vicinity.</p> <p>ii) Child proof fencing and self closing gates must be installed around outdoor play areas and at the entrance to ensure the safety and security of children.</p> <p>iii) Fencing must not obstruct sight lines between pedestrians and vehicles.</p>	<p>i) Acoustic screening and fencing have been recommended by the Acoustic consultant. The recommendations are indicated on the amended acoustic report.</p> <p>The front boundary will contain a 800mm high fence brick wall.</p> <p>ii) Appropriate safety and security fencing has been proposed. childproof gates with self-closers.</p> <p>iii) The proposed fencing does not obstruct any sight lines between pedestrians and vehicles.</p>	<p>i) Yes</p> <p>ii) Yes</p> <p>iii) Yes</p>

Part D11 above should be read in conjunction with Part B General controls and Part C residential controls, which in this case are the low density controls relevant to the R2 zone. As the proposal is for a purpose built childcare centre, compliance with the residential controls normally applicable to dwelling houses are difficult to achieve. Notwithstanding, the proposal has been tested against the relevant general and residential controls as outlined below.

Part B6 Recycling and Waste Management

B6	Recycling and Waste Management		
4.	On-Going Operation		
	(iv) Locate and design the waste storage facilities to visually and physically complement the design of the development. Avoid locating waste storage facilities between the front alignment of a building and the street where possible.	A waste storage area will be provide on the western sid of the building out of view from the street but with easy access for the transfer of bins for collection by a private contractor.	Complies

Part B7 Transport, Traffic, Parking and Access

B7	Transport, Traffic, Parking and Access		
3.	Parking & Service Delivery Requirements		
	<p>Car parking requirements:</p> <p>1space per 2 staff: 8 staff require 4 spaces 1 space per 8 children: 35 children require 4.375 spaces say 4 spaces</p>	<p>The proposal requires 4 spaces for staff and 4 spaces for parent pick-up and drop equating to a total of 8 car spaces.</p> <p>The proposal provides 4 car spaces on the site (2 for staff and 2 for pick-up and drop-off). A 15 minute time restricted zone is proposed along the street front for pick-up and drop-off by parents. Council's development Engineer has recommended time restricted zone be extended to accommodate two car spaces.</p> <p>The proposal</p>	<p>The proposal does not comply.</p> <p>Refer to Section 5 of the Executive Summary report.</p>

		therefore provides six car spaces resulting in a short fall of 2 staff car spaces.	
4.	Bicycles		
	1 bike space per 10 spaces: one space required	One bicycle rack is proposed adjacent to the main entry.	The proposal complies.

Part C1 Low Density Residential

DCP Clause	Controls	Proposal	Compliance
	Classification	Zoning = R2	Child care centres are permissible within the zone.
2	Site planning		
2.3	Site coverage		
	Up to 300 sqm = 60% 301 to 450 sqm = 55% 451 to 600 sqm = 50% 601 sqm or above = 45%	Site = 627m ² Proposed = 45% (or 280m ²)	Complies
2.4	Landscaping and permeable surfaces		
	i) Up to 300 sqm = 20% ii) 301 to 450 sqm = 25% iii) 451 to 600 sqm = 30% iv) 601 sqm or above = 35% v) Deep soil minimum width 900mm. vi) Maximise permeable surfaces to front vii) Retain existing or replace mature native trees viii) Minimum 1 canopy tree (8m mature). Smaller (4m mature) If site restrictions apply. ix) Locating paved areas, underground services away from root zones.	Site = 627m ² Proposed = 16% or 103 m ²	No Refer to Key Issues in Section 5 of the Executive Summary Report
3	Building envelope		
3.1	Floor space ratio LEP 2012 = 0.5:1	Site area = 627m ² Proposed FSR = 0.44:1 (or 154.6m ²)	Complies
3.2	Building height		
	Maximum overall height LEP 2012 = 9.5m	Existing = Maximum 6.9m	Complies
3.3	Setbacks		
3.3.1	Front setbacks	The front setback is	No

DCP Clause	Controls	Proposal	Compliance
	i) Average setbacks of adjoining (if none then no less than 6m) Transition area then merit assessment. ii) Corner allotments: Secondary street frontage: <ul style="list-style-type: none"> - 900mm for allotments with primary frontage width of less than 7m - 1500mm for all other sites iii) do not locate swimming pools, above-ground rainwater tanks and outbuildings in front	between 6-8 m behind the alignment of adjoining properties.	Refer to Key Issues in Section 5 of the Executive Summary Report.
3.3.2	Side setbacks: Semi-Detached Dwellings: <ul style="list-style-type: none"> • Frontage less than 6m = merit • Frontage b/w 6m and 8m = 900mm for all levels Dwellings: <ul style="list-style-type: none"> • Frontage less than 9m = 900mm • Frontage b/w 9m and 12m = 900mm (Gnd & 1st floor) 1500mm above • Frontage over 12m = 1200mm (Gnd & 1st floor), 1800mm above. 	Frontage width = 13m Minimum = 1.2m ground and first floor	Yes
3.3.3	Rear setbacks i) Minimum 25% of allotment depth or 8m, whichever lesser. Note: control does not apply to corner allotments. ii) Provide greater than aforementioned or demonstrate not required, having regard to: <ul style="list-style-type: none"> - Existing predominant rear setback line - reasonable view sharing (public and private) - protect the privacy and solar access iii) Garages, carports, outbuildings, swimming or spa pools, above-ground water tanks, and unroofed decks and terraces attached to the dwelling may encroach upon the required rear setback, in so far as they comply with other relevant	Minimum = 8m	Yes

DCP Clause	Controls	Proposal	Compliance
	provisions of this DCP. iv) For irregularly shaped lots = merit assessment on basis of:- <ul style="list-style-type: none"> - Compatibility - POS dimensions comply - minimise solar access, privacy and view sharing impacts Refer to 6.3 and 7.4 for parking facilities and outbuildings		
4	Building design		
6	Car Parking and Access		
6.1	Location of Parking Facilities:		
	i) Maximum 1 vehicular access ii) Locate off rear lanes, or secondary street or iii) Locate behind front façade, within the dwelling or positioned to the side of the dwelling. <i>Note: See 6.2 parking facilities forward of the front façade alignment may be considered.</i> iv) Single width garage/carport if frontage <12m; Double width if: <ul style="list-style-type: none"> - Frontage >12m, - Consistent with pattern in the street; - Landscaping provided in the front yard. v) Minimise excavation for basement garages and scale of the front elevation vi) Avoid long driveways (impermeable surfaces)	Parking for four cars will be provided in the front setback.	Yes
6.2	Parking Facilities forward of front façade alignment (if other options not available)		
	i) <ul style="list-style-type: none"> - An uncovered single car space - A single carport (max. external width of not more than 3m and - Landscaping incorporated in site frontage ii) Regardless of the site's frontage width, the provision of garages (single or double width) within the front setback areas may only be considered where:	As above	Yes

DCP Clause	Controls	Proposal	Compliance
	<ul style="list-style-type: none"> - There is no alternative, feasible location for accommodating car parking; iii) Regardless of site's frontage, the forward parking structures are only considered where: <ul style="list-style-type: none"> - no alternative or feasible location - Significant slope down to street level - does not adversely affect the visual amenity of the street and the surrounding areas; - does not pose risk to pedestrian safety and - does not require significant contributory landscape elements (such as rock outcrop or sandstone retaining walls) 		
7	Fencing and Ancillary Development		
7.1	General - Fencing		
	<ul style="list-style-type: none"> i) Use durable materials ii) sandstone not rendered or painted iii) don't use steel post and chain wire, barbed wire or dangerous materials iv) Avoid expansive surfaces of blank rendered masonry to street 	New fencing is proposed including an acoustic timber paling fence along the side and rear boundaries	Yes

3. 79C Matters for consideration

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
Section 79C(1)(a)(i) – Provisions of any environmental planning instrument	Refer to Section 1
Section 79C(1)(a)(ii) – Provisions of any draft environmental planning instrument	Not Applicable
Section 79C(1)(a)(iii) – Provisions of any development control plan	Refer to Section 2
Section 79C(1)(a)(iiia) – Provisions of any	Not Applicable

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
Planning Agreement or draft Planning Agreement	
Section 79C(1)(a)(iv) – Provisions of the regulations	The relevant clauses of the Regulations have been satisfied.
Section 79C(1)(b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>The environmental impacts of the proposed development on the natural and built environment, which are otherwise not addressed in this report, are discussed in the paragraphs below.</p> <p>The proposed development would not result in any unreasonable amenity impacts on the surrounding area subject to conditions. The proposal would not considered result in detrimental social or economic impacts on the locality.</p>
Section 79C(1)(c) – The suitability of the site for the development	The site has sufficient area to accommodate the proposed development. Therefore, the site is considered suitable for the proposed development. Refer to Section 5.6 of the Executive Summary report.
Section 79C(1)(d) – Any submissions made in accordance with the EP&A Act or EP&A Regulation	The issues raised in the submissions have been addressed in this report.
Section 79C(1)(e) – The public interest	The proposal is not inconsistent with the objectives of the zone and will not result in any significant adverse environmental, social or economic impacts on the locality. Accordingly, the proposal is considered to be in the public interest.

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4. Referral Comments

Environmental Health

Council's Environmental Health Officer raised no objection to the proposal and recommends conditions to mitigate potential noise impacts, including the recommendations in the Acoustic Assessment submitted with the application. Conditions to this effect are included in the recommended development consent.

Development Engineer

The following comments were provided by Council's Development Engineer:

Traffic and parking comments

Site Characteristics

Development Engineering has undertaken an assessment of the site and notes the following characteristics affecting the likely traffic and parking impacts of the proposed development.

- Due to the significant walking distance to the nearest bus-stops, the site is not considered to be in a convenient location for public transport and it is anticipated that a majority of staff and parents/carers will be arriving at the premises by motor vehicle. The nearest bus stops are as follows;

- Anzac Parade (approximately 460-500m to the east) - Routes 393,394,L94 with typical frequencies of 10 minutes (peak) and 30 mins (off-peak).
- Wassell Street (approximately 480-500m) to the west - Routes 392,X92 with typical frequencies of 10-15 minutes (peak) and 30 mins (off-peak).
- The site is located in close proximity to Chifley Public School and Matraville Sports High School which are significant traffic generators especially during the peak times of 8:00am -9:00am and 2:30pm – 3:30pm. Pickup and drop off for Chifley Public School is undertaken on the southern side of Burke Street just west of the intersection with Hume Street while pickup and drop-off for the High School is undertaken much further eastwards also on Burke St near the intersection with Franklin Street or on the Anzac Parade frontage. There is unrestricted parking available all along the southern side of Burke Street along the schools frontages.
- The site is located within close proximity to other childcare centres including Wee Wonders at 40 Burke Street Chifley approved under DA/221/2005 for 35 children and 5 staff and Kinderhaven at 36 Burke Street approved under DA/130/2012 for 36 children and 4 staff. Some parking demand associated with the childcare centre at 36 Burke St may also extend into Hume Street but is generally restricted to the centre's dual street frontages or on-site.
- Co-location with schools are specified as desirable locations for child care centres in Council's DCP but other criteria such as proximity to public transport and town centres have not been met.
- Upon site inspection on 24/10/2016 demand for on-street parking was observed during the afternoon 3pm peak for the nearby Chifley Public School on Burke St. This was observed to be short in duration (between 2:50-3:20pm) and generally restricted to Burke Street where the main pickup and drop-off area is located. Some on-street spaces on the southern side of Hume Street near the intersection of Burke street were also occupied at this time (see photo P2-left side) although these are also likely to be used by the childcare centre at No.36 Burke St. Generally on-street parking was observed to be available in the vicinity of the subject site in Hume Street especially on the northern side.
- During site inspection it was also observed that most traffic associated with adjacent school pick-up and drop-off is using Burke Street. Only 12 vehicles were observed to travel in Hume Street during this 35 minute period.

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P1 - Site frontage - 2:55pm 24th October 2016P2 -Hume Street view west - 3:08pm 24th October 2016



P3 –Intersection of Hume & Burke – 2:57pm 24th October 2016



Parking Provision

Part B7 of Council's DCP-Parking requires that parking be provided for child care centres at the rate of 1 space per 2 staff members plus 1 space per 8 children for pick-up and drop-off

For the proposed centre of 35 children and 8 staff this would require the provision of 4 spaces for staff and 4 spaces for pick-up and drop-off being a total of 8 spaces

Staff Parking

It is noted that 4 carspaces have been provided within the site although there are conflicting statements within the submitted documentation as to whether these spaces will be used for staff parking or pickup and drop-off. The SEE states on pp 17 that the 4 spaces will be used for staff parking while the accompanying Traffic Report contradicts this and states on pp 9 they will be used for pickup and drop-off (with staff to park on-street).

The submitted floorplans are further inconsistent and indicate only 1 space on the site is to be dedicated for pickup and drop-off while the remaining 3 spaces appear to be staff parking. It has since been clarified by the Traffic consultant that they are recommending two of the off-street spaces be used by staff and two for pick-up and drop-off. This is also the recommendation of the Development Engineer and has been conditioned in this report. The two spaces for pick-up and drop-off will become available for staff outside of the peak times thereby satisfying the staff parking requirements of the DCP.

Parking for pick-up and drop-off

In addition to the proposed 2 off-street spaces, a timed pickup and drop-off zone is proposed on Hume Street and restricted to the site frontage. The length of the zone would be approximately 9.5m which is technically only long enough to accommodate 1 vehicle in accordance with AS 2890.5 (On-street parking). Extending the zone length to say 11 m to officially accommodate 2 spaces would extend the zone slightly across the neighbouring frontage at 27 Hume Street which is generally not supported by Development Engineering as it may restrict the future development potential of 27 Hume Street. In this case however the encroachment is minor (approx. 1.0m) and the position of a telegraph pole near the common boundary would mean any possible future driveway for No.27 would unlikely be situated close to this common boundary.

It is therefore recommended that a timed pickup and drop-off zone minimum 11m in length be installed on the Hume Street frontage. This will increase the parking provision within the on-street timed zone to 2 spaces and the total parking provision for pickup and drop off to 4 spaces thereby satisfying the pickup and drop-off requirements of the DCP. It is recommended the zone be labelled 15 minute parking 7-9am, 3-6:30pm Mon-Fri. Approval of the timed zone will be required by Randwick traffic Committee prior to the commencement of operations,

Overall there will still be a shortage of 2 spaces (6 provided – 8 required) that will be burdened by the surrounding street network however the submitted parking survey indicates that there is sufficient availability within the street to accommodate this demand with minimal impact to residents. It should also be noted that outside of the peak times, all of the off-street spaces will become available for staff thereby reducing the impact to on-street parking to zero outside of the peak times.

Development Engineering therefore considers the proposal can be supported subject to the following;

- A minimum of 2 off-street spaces are to be dedicated for exclusive use by staff
- A minimum of 2 off street spaces are to be dedicated for pickup-and drop-off during the peak times. These shall then become available for staff parking outside of the peak times to achieve compliance with the staff parking requirements.
- A 15 minute timed pickup and drop-off zone is to be established on the Hume Street frontage. The zone shall be 11m in length which will result in an encroachment of up to 1.0m across the neighbouring frontage at No.27 Hume street. Due to the presence of a power pole at the common boundary this will unlikely affect future development potential of No.27 Hume Street and can be supported in this instance.
- The above measures will ensure the parking impacts are generally restricted to on-site or on the street frontage.

Parking Layout

The parking layout generally complies with the minimum requirements of AS 2890.1 with the exception of the carspace closest to Hume Street. Access to this carspace may be problematic as a tight turning manoeuvre will be required to access the carspace. This situation can be improved by widening the access driveway at the front property boundary to 4.0m. A suitable condition has been included in this report.

Traffic GenerationExisting Development

Using the updated traffic generation rates provided in technical direction TDT 2013/04a by the RMS, the existing use of the property as a residence would generate a total of 10.7 trips per day with the most intense peak occurring in the evening being 0.99-1.39 trips per hour.

Proposed Development

Using the rates provided in the 'RMS Guide to Traffic Generating Developments' the proposed use as a 35 place childcare centre would generate the following vehicle trip generation during peak times;

Time	Number of Trips
7:00-9:00am	$0.8 \times 35 = 28$
2:30-4:00pm	$0.3 \times 35 = 10.5$
4:00-6:00 pm	$0.7 \times 35 = 24.5$
Total	= 63 per day

This indicates that the proposed 35 place child care centre would generate an additional 52.3 (62-10.7) vehicle trips per day above the existing use as a residence with the most intense traffic generation occurring during the morning 7-9am peak where a vehicle is expected to arrive/depart the centre once every 4.28 minutes (on average). This is not expected to create any unacceptable issues on the performance of the nearby intersection at Hume Street and Burke Street. Traffic volume sin Hume Street are very low and observations by the Development Engineer on 24th October noted that there were only 12 turning movements (i.e. turning from Hume into Burke St or from Burke into Hume St) at this intersection during the peak 3-3:30pm afternoon peak.

It is therefore considered;

- The intersection of Burke Street and Hume Street will operate satisfactorily under both existing and projected post development traffic demand.
- The additional traffic generated by the proposed development is relatively minor and will not have any unacceptable impact on the road network serving the site.

Undergrounding of power lines to site

At the ordinary Council meeting on the 27th May 2014 it was resolved that;

Should a mains power distribution pole be located on the same side of the street and within 15m of the development site, the applicant must meet the full cost for Ausgrid to relocate the existing overhead power feed from the distribution pole in the street to the development site via an underground UGOH connection.

The subject site **is** located within 15m of a power pole on the same side of the street hence the above clause **is** applicable. A suitable condition has been included in this report.

Drainage Comments

The submitted drainage plans (Drawing No. DA05) indicates the site discharge pipe in close proximity to the Council Street Tree. This is not supported by Development Engineering and further setback from the Council Street Tree is required.

The Planning Officer is therefore advised that the submitted drainage plans should not be approved in conjunction with the DA, rather, the Development Engineer has included a number of conditions in this memo that relate to drainage design requirements. The applicant is required to submit detailed drainage plans to the certifying authority for approval prior to the issuing of a construction certificate.

Landscape Comments

On Council's public verge, to the east of the existing vehicle crossing, there is a mature *Agonis flexuosa* (Willow Myrtle) whose true size has been reduced to about 5m due to repeated lopping and topping away from the overhead wires by service authorities, but still appears in good health and fair condition.

It is covered by the DCP, and along with many other established trees of the same species along the length of both sides of this street, provides a contribution to the streetscape, so must be retained.

While the crossing will be widened out to 4m, the offset provided will still mean that it will not be directly affected; however, conditions still need to be imposed to protect against secondary impacts associated with trucks, machinery, deliveries and similar, and if clearance pruning is

required to improve conditions for parking or pedestrian access, this can only be performed by Council, wholly at the applicant's cost.

There is no significant vegetation within the site that would pose a constraint to the works in anyway, so can be removed where necessary, subject to suitable replacement planting being provided as part of the new landscape scheme.

5. DEVELOPMENT CONSENT CONDITIONS

GENERAL CONDITIONS

The development must be carried out in accordance with the following conditions of consent.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of environmental amenity.

Approved Plans & Supporting Documentation

- The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn by	Dated	Received by Council
DA01 Site Plan	Michael Bell Architects	11 November 2016 Rev 04	14 November 2016
DA02 Ground Floor Plan	Michael Bell Architects	11 November 2016 Rev 04	14 November 2016
DA03 First Floor Plan	Michael Bell Architects	11 November 2016 Rev 02	14 November 2016
DA04 Site Analysis	Michael Bell Architects	18 July 2016	18 August 2016
DA05 Stormwater Drainage Plan	Michael Bell Architects	18 July 2016	18 August 2016
DA06 Section at Grid 2	Michael Bell Architects	11 November 2016 Rev 01	14 November 2016
DA07 Section at Grid E	Michael Bell Architects	18 July 2016	18 August 2016
DA08 Section at Grid C	Michael Bell Architects	18 July 2016	18 August 2016
DA09 Eastern Elevation	Michael Bell Architects	11 November 2016 Rev 02	14 November 2016
DA10 Western Elevation	Michael Bell Architects	11 November 2016 Rev 02	14 November 2016
DA11 Front Elevation	Michael Bell Architects	11 November 2016 Rev 02	14 November 2016
DA12 Rear Elevation	Michael Bell Architects	18 July 2016	18 August 2016
DA13 Roof Plan	Michael Bell Architects		18 August 2016
DA14 FSR	Michael Bell Architects	18 July 2016	18 August 2016
DA15 Ground Floor Landscape	Michael Bell Architects	18 July 2016	18 August 2016
DA16 First Floor and Carpark	Michael Bell Architects	18 July 2016	18 August 2016

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Landscape Plan			
DA 17 Interior Material Board	Michael Bell Architects	18 July 2016	18 August 2016

REQUIREMENTS BEFORE A CONSTRUCTION CERTIFICATE CAN BE ISSUED

The following conditions of consent must be complied with before a 'Construction Certificate' is issued by either Randwick City Council or an Accredited Certifier. All necessary information to demonstrate compliance with the following conditions of consent must be included in the documentation for the construction certificate.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent conditions and to achieve reasonable levels of environmental amenity.

Consent Requirements

2. The requirements and amendments detailed in the 'General Conditions' must be complied with and be included in the construction certificate plans and associated documentation.

External Colours, Materials & Finishes

3.
 - a) The colours, materials and finishes of the external surfaces are to be compatible with the character of modern residential development in the locality to maintain the integrity and amenity of the building and the streetscape.
 - b) Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Manager Development Assessments prior to issuing a construction certificate for the development.

Long Service Levy Payments

4. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, must be forwarded to the Long Service Levy Corporation or the Council, in accordance with Section 109F of the *Environmental Planning & Assessment Act 1979*.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

Security Deposits

5. The following security deposits requirement must be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to Council's assets and infrastructure; and as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the *Environmental Planning and Assessment Act 1979*:

- \$2000.00 - Damage / Civil Works Security Deposit

Security deposits may be provided by way of a cash, cheque or credit card payment and is refundable upon a satisfactory inspection by Council upon the completion of the civil works which confirms that there has been no damage to Council's infrastructure.

The owner/builder is also requested to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

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To obtain a refund of relevant deposits, a *Security Deposit Refund Form* is to be forwarded to Council's Director of City Services upon issuing of an occupation certificate or completion of the civil works.

Sydney Water

6. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

The approved plans must be submitted to the Sydney Water **Tap in™** online service, to determine whether the development will affect Sydney Water's waste water and water mains, stormwater drains and/or easements, and if any further requirements need to be met.

a)

*The Sydney Water **Tap in™** online service replaces the Quick Check Agents as of 30 November 2015*

The **Tap in™** service provides 24/7 access to a range of services, including:

- Building plan approvals
- Connection and disconnection approvals
- Diagrams
- Trade waste approvals
- Pressure information
- Water meter installations
- Pressure boosting and pump approvals
- Change to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's **Tap in™** online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

The Principal Certifying Authority must ensure that the developer/owner has submitted the approved plans to Sydney Water Tap in online service.

REQUIREMENTS TO BE INCLUDED IN THE CONSTRUCTION CERTIFICATE

The requirements contained in the following conditions of consent must be complied with and details of compliance must be included in the construction certificate for the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Councils development consent conditions and to achieve reasonable levels of environmental amenity.

Compliance with the Building Code of Australia

7. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA). Details of compliance with the BCA are to be included in the construction certificate application.

Design Alignment levels

8. The design alignment level (the finished level of concrete, paving or the like) at the property boundary for driveways, access ramps and pathways or the like, must match the back of the existing footpath along the full site frontage.

The design alignment level/s at the property boundary as issued by Council and their relationship to the footpath must be indicated on the building plans for the construction certificate (a construction note is considered satisfactory). The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.

Any enquiries regarding this matter should be directed to Council's Development Engineer on 9399 0881.

9. The above alignment levels and the site inspection by Council's Development Engineer have been issued at a prescribed fee of \$159.00 (inclusive of GST). This amount is to be paid prior to a construction certificate being issued for the development.

Carpark Layout

10. The internal access driveway and carpark must be designed and constructed in accordance with AS 2890.1 (2004) – Off Street Car Parking and the levels of the internal driveway must match the alignment levels at the property boundary (as specified by Council). Details of compliance are to be included in the construction certificate documentation.
11. The width of the vehicle access at the front property boundary shall be widened to 4.0m to facilitate satisfactory vehicle access to all carspaces. Details of compliance are to be included in the construction certificate documentation.

Stormwater Drainage

12. Detailed drainage plans with levels reduced to Australian Height Datum (AHD), shall be prepared by a suitably qualified Hydraulic Engineer and be submitted to and approved by the certifying authority. A copy of the plans shall be forwarded to Council, if Council is not the certifying authority.

The drainage plans must demonstrate compliance with the Building Code of Australia, Australian Standard AS3500.3:2003 (Plumbing and Drainage - Stormwater Drainage) and the relevant conditions of this development approval.

13. The site stormwater drainage system is to be provided in accordance with the following requirements;
 - a) The stormwater drainage system must be provided in accordance with the relevant requirements of the Building Code of Australia and the conditions of this consent, to the satisfaction of the *Certifying Authority* and details are to be included in the construction certificate.
 - b) The stormwater must be discharged (by gravity) either:
 - i. Directly to the kerb and gutter in front of the subject site in Hume Street; or
 - ii. To a suitably designed infiltration system (subject to confirmation in a geotechnical investigation that the ground conditions are suitable for the infiltration system)
 - iii. Directly into Council's underground drainage system located in Hume Street via the existing kerb inlet pit; or
 - c) Should stormwater be discharged to Council's drainage system, an on-site stormwater detention system must be provided to ensure that the maximum discharge from the site does not exceed that which would occur during a **1 in 10** year storm of one hour duration for existing site conditions. All other stormwater run-off from the site for all storms up to the 1 in 20 year storm is to be retained on the site for gradual release to the street drainage system, to the satisfaction of the certifying authority.

An overland escape route or overflow system (to Council's street drainage system) must be provided for storms having an average recurrence interval of 100 years (1 in 100 year storm), or, alternatively the stormwater detention system is to be provided to accommodate the 1 in 100 year storm.

- d) Should stormwater be discharged to an infiltration system, the infiltration area shall be sized for all storm events up to the 1 in 20 year storm event with provision for a formal overland flow path to Council's Street drainage system.

Should no formal overland escape route be provided for storms greater than the 1 in 20 design storm, the infiltration system shall be sized for the 1 in 100 year storm event.

- e) Determination of the required cumulative storage (in the on-site detention and/or infiltration system) must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Run-off Volume 1, 1987 Edition.

Where possible any detention tanks should have an open base to infiltrate stormwater into the ground. Infiltration should not be used if ground water and/or any rock stratum is within 2.0 metres of the base of the tank.

- f) Should a pump system be required to drain any portion of the site the system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump wet well shall be sized for the 1 in 100 year, 2 hour storm assuming both pumps are not working.

The pump system must also be designed and installed strictly in accordance with Randwick City Council's Private Stormwater Code.

- g) If connecting to Council's underground drainage system, a reflux valve shall be provided (within the site) over the pipeline discharging from the site to ensure that stormwater from Council drainage system does not surcharge back into the site stormwater system.
- h) Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. above the 1 in 20 year storm) to the proposed drainage (detention/infiltration) system.
- i) A sediment/silt arrestor pit must be provided within the site near the street boundary prior to discharge of the stormwater to Council's drainage system and prior to discharging the stormwater to any absorption/infiltration system.

Sediment/silt arrestor pits are to be constructed generally in accordance with the following requirements:

- The base of the pit being located a minimum 300mm under the invert level of the outlet pipe.
- The pit being constructed from cast in-situ concrete, precast concrete or double brick.
- A minimum of 4 x 90 mm diameter weep holes (or equivalent) located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating located over the weep holes.

- A galvanised heavy-duty screen being provided over the outlet pipe/s (Mascot GMS multipurpose filter screen or equivalent).
- The grate being a galvanised heavy-duty grate that has a provision for a child proof fastening system.
- A child proof and corrosion resistant fastening system being provided for the access grate (e.g. spring loaded j-bolts or similar).
- Provision of a sign adjacent to the pit stating, "This sediment/silt arrester pit shall be regularly inspected and cleaned".

Sketch details of a standard sediment/silt arrester pit may be obtained from Council's Drainage Engineer.

- j) The floor level of all habitable, retail, commercial and storage areas located adjacent to any detention and/or infiltration systems with above ground storage must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be provided.

(In this regard, it must be noted that this condition must not result in any increase in the heights or levels of the building. Any variations to the heights or levels of the building will require a new or amended development consent from the Council prior to a construction certificate being issued for the development).

- k) Infiltration systems/Absorption Trenches must be designed and constructed generally in accordance with Randwick City Council's Private Stormwater Code.
- l) The maximum depth of ponding in any above ground detention areas and/or infiltration systems with above ground storage shall be as follows (as applicable):
- i. 150mm in uncovered open car parking areas (with an isolated maximum depth of 200mm permissible at the low point pit within the detention area)
 - ii. 300mm in landscaped areas (where child proof fencing is not provided around the outside of the detention area and sides slopes are steeper than 1 in 10)
 - iii. 600mm in landscaped areas where the side slopes of the detention area have a maximum grade of 1 in 10
 - iv. 1200mm in landscaped areas where a safety fence is provided around the outside of the detention area
 - v. Above ground stormwater detention areas must be suitably signposted where required, warning people of the maximum flood level.
- m) A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.
- n) A 'V' drain (or equally effective provisions) are to be provided to the perimeter of the property, where necessary, to direct all stormwater to the detention/infiltration area.
- o) Mulch or bark is not to be used in on-site detention areas.
- p) Seepage waters are required to be drained and disposed of within the site and are not to be drained into Council's stormwater drainage system.
- q) Site discharge pipelines shall cross the verge at an angle no less than 45 degrees to the kerb line and must not encroach across a neighbouring property's frontage unless approved in writing by Council's Development Engineering Coordinator.

Street Tree Protection Measures

14. In order to ensure retention of the *Agonis flexuosa* (Willow Myrtle) located on Council's Hume Street verge, to the east of the existing vehicle crossing in good health, the following measures are to be undertaken:

- a. All documentation submitted for the Construction Certificate application must show its retention, with the position and diameter of both its trunk and canopy to be clearly and accurately shown on all plans in relation to the proposed works.
- b. Any excavations associated with the installation of new services, pipes, stormwater systems or similar over public property must be located along either side of the crossing or side boundaries so as to minimise root damage and to avoid future maintenance issues.
- c. This tree is to be physically protected by the installation of 1.8 metre high steel mesh/chainwire fencing, which shall be located a minimum distance of **1.5 metres** to its west (measured off the outside edge of its trunk at ground level), matching up with the power pole to its east, the back of the kerb to its south, and pedestrian footpath to its north, in order to completely enclose this tree for the duration of works.
- d. This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until all works are completed, to which, signage containing the following words shall be clearly displayed and permanently attached: "TREE PROTECTION ZONE (TPZ), DO NOT REMOVE/ENTER".
- e. Within the TPZ, there is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble, with all Site Management Plans needing to acknowledge these requirements.
- f. The PCA must ensure compliance with all of these requirements, both on the plans as well as on-site during the course of construction, and prior to issuing any type of Occupation Certificate.
- g. A refundable deposit in the form of cash, credit card or cheque for an amount of **\$1,000.00** must be paid at the Cashier on the Ground Floor of the Administrative Centre, **prior to a Construction Certificate being issued for the development**, in order to ensure compliance with the conditions listed in this consent, and ultimately, preservation of the tree.

The refundable deposit will be eligible for refund following the issue of an Occupation Certificate, subject to completion and submission of Council's 'Security Deposit Refund Application Form', and pending a satisfactory inspection by Council's Landscape Development Officer (9399-0613).

Any contravention of Council's conditions relating to the tree at any time during the course of the works, or prior to the issue of an Occupation Certificate, may result in Council claiming all or part of the lodged security in order to perform any rectification works necessary, as per the requirements of 80A (6) of the Environmental Planning and Assessment Act 1979.

Design, Construction & Fit-out of Food Premises

15. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the

provisions of the Building Code of Australia (BCA).

The premises is to be designed and constructed in accordance with the *Food Act 2003*, *Food Regulation 2010*, Australia & New Zealand Food Standards Code and Australian Standard AS 4674-2004, Design, construction and fit-out of food premises. Details of the design and construction of the premises are to be included in the documentation for the construction certificate to the satisfaction of the certifying authority.

The design and construction of the food premises must comply with the following requirements (**as applicable**):

- a) Floors of kitchens and food preparation areas and the like are to be constructed of materials which are impervious, non slip and non abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer. The intersection of walls with floor and plinths is to be coved, to facilitate cleaning.
- b) Walls of kitchens and preparation areas and the like are to be of suitable construction finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall adjacent to cooking and food preparation facilities or areas.

Glazed tiling or other approved material is to extend up to the underside of any mechanical exhaust ventilation hoods and a minimum of 450mm above bench tops, wash hand basins, sinks and equipment.

Walls where not tiled are to be cement rendered or be of rigid smooth faced non-absorbent material (i.e. fibrous cement sheeting, plasterboard or other approved material) and finished to a smooth even surface, painted with a washable paint of a light colour or sealed with other approved materials.

- c) Ceilings of kitchens, food preparation areas and storerooms are to be of rigid smooth-faced, non absorbent material (i.e. fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material) painted with a light-coloured washable paint. 'Drop-down' ceiling panels must not be provided in food preparation or cooking areas.
- d) All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc must be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.
- e) Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particleboard or similar material is not permitted unless laminated on all surfaces.
- f) Fly screens and doors with self-closing devices, (where applicable), are to be provided to all external door and window openings and an electronic insect control device must also be provided within food premises.
- g) A mechanical ventilation exhaust system is to be installed where cooking or heating processes are carried out in the kitchen or in food preparation areas, where required under the provisions of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2.
- h) Wash hand basins must be provided in convenient positions located in the food preparation areas, with hot and cold water, together with a sufficient supply of

soap and clean towels. The hot and cold water must be supplied to the wash hand basins through a suitable mixing device.

- i) Cool rooms or freezers must have a smooth epoxy coated concrete floor, which is to be sloped to the door. A floor waste connected to the sewer is to be located outside the cool room/freezer. The floor waste should be provided with a removable basket within a fixed basket arrestor and must comply with Sydney Water requirements.
- j) All cool rooms and freezers must be able to be opened from the inside without a key and fitted with an alarm (bell) that can only be operated from within the cool room/freezer.
- k) Any space or gap between the top of any cool room or freezer and the ceiling must be fully enclosed and kept insect and pest proof (e.g. plasterboard partition with gaps sealed).

Acoustic Amenity

16. A report prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to Council **prior to a construction certificate being issued for the development**, which demonstrates that the design and noise and vibration emissions from the development satisfies the relevant provisions of the *Protection of the Environment Operations Act 1997*, Environmental Protection Authority Noise Control Manual & Industrial Noise Policy, relevant conditions of consent, including the Acoustic report submitted with the development application, namely: Acoustic Assessment for proposed Child Care Centre prepared by NG Child & Associates reference CA/16/92-5001 dated 29 August 2016 - Council Reference D02747287. The assessment and report must include all relevant fixed and operational noise sources.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent must be complied with prior to the commencement of any works on the site. The necessary documentation and information must be provided to the Council or the 'Principal Certifying Authority' (PCA), as applicable.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity.

Certification, PCA & other Requirements

17. Prior to the commencement of any building works, the following requirements must be complied with:
- a) a *Construction Certificate* must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.

A copy of the construction certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.
 - b) a *Principal Certifying Authority* (PCA) must be appointed to carry out the necessary building inspections and to issue an *occupation certificate*; and
 - c) a *principal contractor* must be appointed for the building work, or in relation to residential building work, an *owner-builder* permit may be obtained in accordance with the requirements of the *Home Building Act 1989*, and the PCA and Council are to be notified accordingly; and

- d) the *principal contractor* must be advised of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and
- e) at least two days notice must be given to the Council, in writing, prior to commencing any works.

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

Dilapidation Reports

18. A dilapidation report prepared by a professional engineer, building surveyor or other suitably qualified independent person must be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any demolition, excavation or building works, in the following cases:

- excavations for new dwellings, additions to dwellings, swimming pools or the like which are proposed to be located within the *zone of influence* of the footings of any dwelling, associated garage or other substantial structure located upon an adjoining premises,
- new dwellings or additions to dwellings sited up to shared property boundaries (e.g. additions to a semi-detached dwelling or terraced dwellings),
- excavations for new dwellings, additions to dwellings, swimming pools or the like which are within rock and may result in vibration and or potential damage to any dwelling, associated garage or other substantial structure located upon an adjoining premises,
- as otherwise may be required by the Principal Certifying Authority.

The report (including photographs) are required to detail the current condition and status of any dwelling, associated garage or other substantial structure located upon the adjoining premises, which may be affected by the subject works. A copy of the dilapidation report is to be given to the owners of the premises encompassed in the report/s before commencing any works.

Construction Noise & Vibration Management Plan

19. Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant requirements of the *Protection of the Environment Operations Act 1997* and NSW EPA Guidelines must be satisfied at all times.

Noise and vibration from any rock excavation machinery, pile drivers and all plant and equipment must be minimised, by using appropriate plant and equipment, silencers and the implementation of noise management strategies.

A *Construction Noise Management Plan*, prepared in accordance with the NSW EPA Construction Noise Guideline by a suitably qualified person, is to be implemented throughout the works. A copy of the strategy must be provided to the Principal Certifying Authority and Council prior to the commencement of works on site.

Construction Site Management Plan

20. A *Construction Site Management Plan* must be developed and implemented prior to the commencement of any works. The construction site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;

- provisions for public safety;
- dust control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- provisions for temporary stormwater drainage;
- construction noise and vibration management;
- construction traffic management details.

The site management measures must be implemented prior to the commencement of any site works and be maintained throughout the works, to the satisfaction of Council.

A copy of the Construction Site Management Plan must be provided to the Principal Certifying Authority and Council prior to commencing site works. A copy must also be maintained on site and be made available to Council officers upon request.

Demolition Work Plan

21. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures and relevant environmental/occupational health and safety requirements.

The Demolition Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor
- Details of hazardous materials (including asbestos)
- Method/s of demolition (including removal of any asbestos)
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne dust and asbestos
- Methods and location of disposal of any hazardous materials (including asbestos)
- Other relevant details, measures and requirements to be implemented
- Details of re-use, recycling and disposal of waste demolition/building materials
- Date the demolition works will commence

The Demolition Work Plan must be submitted to the Principal Certifying Authority (PCA), not less than two (2) working days before commencing any demolition work. A copy of the Demolition Work Plan must be maintained on site and be made available to Council officers upon request.

If the work involves asbestos products or materials, a copy of the Demolition Work Plan must also be provided to Council not less than 2 days before commencing those works.

Notes

- *It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*
- *Refer to the conditions within the "Requirements During Construction & Site Work", for further details and requirements relating to demolition work, removal of any asbestos and public safety.*

Public Utilities

22. A *Public Utility Impact Assessment* must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.

23. The applicant must meet the full cost for telecommunication companies, gas providers, Ausgrid, and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.

Landscape Plan

24. A detailed landscape plan that has been prepared by a qualified professional in the Landscape/Horticultural industry (must be a registered member of AILDM, AILA or equivalent) must be submitted to, and be approved by, the Certifying Authority/PCA, **prior to the commencement of site works**, and must detail the following:
- a) A Planting Plan & Plant Schedule containing a mixture of ground covers, plants, shrubs and feature/shade trees throughout the site, including details of proposed species, botanic and common names, pot size at the time of planting, quantity, location, dimensions at maturity;
 - b) A predominance of species that can withstand poor quality sandy soils and are not reliant on high quantities of moisture and fertilizer for survival;
 - c) Irrigation being provided to landscaped areas/planting that is not open to natural rainfall;
 - d) A high quality selection and arrangement of decorative species and interactive play spaces/items throughout the site so as to assist with presentation of the development to the streetscape, as well as cater to the needs of children;
 - e) At least 2 x 25 litre (pot size at the time of planting) feature/shade trees (not palms) within the site, strategically located to maximise screening and privacy between this site and neighbours.

Pruning of street tree

25. At least 4 weeks prior to the commencement of any site works, the applicant must determine whether clearance pruning of the *Agonis flexuosa* (Willow Myrtle), located on Council's Hume Street verge, to the east of the existing vehicle crossing, will be needed so as to assist with parking, pedestrian access, new signage or similar.
26. If this is required, Council's Landscape Development Officer must be contacted on 9093-6613 to arrange a site inspection to determine the extent allowable.
27. If approval is given, this pruning can only be performed by Council, wholly at the applicant's cost, with the required fee to be paid into **Tree Amenity Income** at the Cashier on the Ground Floor of the Administrative Centre **prior to undertaking pruning, and prior to the issue of any Occupation Certificate**.

REQUIREMENTS DURING CONSTRUCTION & SITE WORK

The following conditions of consent must be complied with during the demolition, excavation and construction of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity during construction.

Inspections During Construction

28. The building works must be inspected by the *Principal Certifying Authority*, in accordance with sections 109 E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to

monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

Site Signage

29. A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:

- name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
- name, address and telephone number of the *Principal Certifying Authority*,
- a statement stating that "unauthorised entry to the work site is prohibited".

Restriction on Working Hours

30. Building, demolition and associated site works must be carried out in accordance with the following requirements:

Activity	Permitted working hours
All building, demolition and site work, including site deliveries (except as detailed below)	<ul style="list-style-type: none"> • Monday to Friday - 7.00am to 5.00pm • Saturday - 8.00am to 5.00pm • Sunday & public holidays - No work permitted
Excavating of rock, use of jack-hammers, pile-drivers, vibratory rollers/compactors or the like	<ul style="list-style-type: none"> • Monday to Friday - 8.00am to 5.00pm • Saturday - No work permitted • Sunday & public holidays - No work permitted

An application to vary the abovementioned hours may be submitted to Council's Manager Health, Building & Regulatory Services for consideration and approval to vary the specified hours may be granted in exceptional circumstances and for limited occasions (e.g. for public safety, traffic management or road safety reasons). Any applications are to be made on the standard application form and include payment of the relevant fees and supporting information. Applications must be made at least 10 days prior to the date of the proposed work and the prior written approval of Council must be obtained to vary the standard permitted working hours.

Demolition Work Requirements

31. The demolition of buildings and the removal, storage, handling and disposal of building materials must be carried out in accordance with the relevant requirements of WorkCover NSW, the NSW Department of Environment, Climate Change & Water and Randwick City Council policies, including:

- Work Health & Safety Act 2011 and Regulations
- WorkCover NSW Code of Practice for the Safe Removal of Asbestos
- WorkCover NSW Guidelines and Codes of Practice
- Australian Standard 2601 (2001) – Demolition of Structures
- The Protection of the Environment Operations Act 1997 and Regulations
- Relevant EPA Guidelines
- Randwick City Council Asbestos Policy

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

Removal of Asbestos Materials

32. Work involving the demolition, storage or disposal of asbestos products and materials must be carried out in accordance with the following requirements:

- Relevant Occupational Health & Safety legislation and WorkCover NSW requirements
- Randwick City Council's Asbestos Policy
- A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence. A copy of the relevant licence must be provided to the Principal Certifying Authority.
- On sites involving the removal of asbestos, a sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor.
- Asbestos waste must be stored, transported and disposed of in compliance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2005*. Details of the landfill site (which must be lawfully able to receive asbestos materials) must be provided to the Principal Certifying Authority.
- A Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council and the Principal certifying authority upon completion of the asbestos related works which confirms that the asbestos material have been removed appropriately and the relevant conditions of consent have been satisfied.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development Section or a copy can be obtained from Council's Customer Service Centre.

Sediment & Erosion Control

33. Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction. Details are to be included in the *Construction Site Management Plan*.

Public Safety & Site Management

34. Public safety and convenience must be maintained at all times during demolition, excavation and construction works and the following requirements must be complied with:

- a) Public access to the building site and materials must be restricted by existing boundary fencing or temporary site fencing having a minimum height of 1.5m, to Council's satisfaction.

Temporary site fences are required to be constructed of cyclone wire fencing material and be structurally adequate, safe and constructed in a professional manner. The use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

- b) Building materials, sand, soil, waste materials, construction equipment or other articles must not be placed upon the footpath, roadway or nature strip at any time.
- c) The road, footpath, vehicular crossing and nature strip must be maintained in a good, safe, clean condition and free from any excavations, obstructions, trip hazards, goods, materials, soils or debris at all times. Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be repaired immediately, to the satisfaction of Council.
- d) Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.
- e) Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction.
- f) Site fencing, building materials, bulk bins/waste containers and other articles must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health, Building and Regulatory Services department.
- g) Temporary safety fencing is to be provided to any swimming pools under construction, pending the completion of all building work and the pool must not be filled until a fencing inspection has been carried out and approved by the principal certifying authority.

Support of Adjoining Land, Excavations & Retaining Walls

35. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 E of the *Environmental Planning & Assessment Regulation 2000*, it is a prescribed condition that the adjoining land and buildings located upon the adjoining land must be adequately supported at all times.
36. All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations must be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Details of proposed retaining walls, shoring, piling or other measures are to be submitted to and approved by the Principal Certifying Authority.

37. Prior to undertaking any demolition, excavation or building work in the following circumstances, a report must be obtained from a *professional engineer* which details the methods of support for the dwelling or associated structure on the adjoining land, to the satisfaction of the *Principal Certifying Authority*:
- when undertaking excavation or building work within the zone of influence of the footings of a dwelling or associated structure that is located on the adjoining land;

- when undertaking demolition work to a wall of a dwelling that is built to a common or shared boundary (e.g. semi-detached or terrace dwelling);
- when constructing a wall to a dwelling or associated structure that is located within 900mm of a dwelling located on the adjoining land;
- as may be required by the *Principal Certifying Authority*.

The demolition, excavation and building work and the provision of support to the dwelling or associated structure on the adjoining land, must also be carried out in accordance with the abovementioned report, to the satisfaction of the *Principal Certifying Authority*.

Building Encroachments

38. There must be no encroachment of any structures or building work onto Council's road reserve, footway, nature strip or public place.

Road/Asset Opening Permit

39. Any openings within or upon the road, footpath, nature strip or in any public place (i.e. for proposed drainage works or installation of services), must be carried out in accordance with the following requirements, to the satisfaction of Council:

- A *Road / Asset Opening Permit* must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the *Roads Act 1993* and all of the conditions and requirements contained in the *Road / Asset Opening Permit* must be complied with.
- The owner/builder must ensure that all works within or upon the road reserve, footpath, nature strip or other public place are completed to the satisfaction of Council, prior to the issuing of a *final occupation certificate* for the development.
- Relevant *Road / Asset Opening Permit* fees, repair fees, inspection fees and security deposits, must be paid to Council prior to commencing any works within or upon the road, footpath, nature strip or other public place.

For further information, please contact Council's Road / Asset Opening Officer on 9093 6691 or 9399 0999.

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the '*Principal Certifying Authority*' issuing an '*Occupation Certificate*'.

Note: For the purpose of this consent, any reference to 'occupation certificate' shall also be taken to mean 'interim occupation certificate' unless otherwise stated.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health, safety and amenity.

Occupation Certificate Requirements

40. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The relevant requirements of the

Environmental Planning & Assessment Act 1979 and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

Council's Infrastructure, Vehicular Crossings, street verge

41. Subject to the approval of Randwick Traffic Committee where appropriate, the applicant must meet the full cost for a Council approved contractor to:

- a. Re-construct concrete vehicular crossing between existing layback and front boundary opposite the vehicular entrance to the site.

Note: The crossing shall widen to 4m wide at the front property boundary

- b. Install new signage for a minimum 11m long pickup and drop-off zone located in front of the site on Hume Street. The sign shall read P15 minute parking Mon-Fri 7-9am, 3-6:30pm (or as varied by RTC)

Note: The zone will slightly encroach onto the neighbouring frontage at No.27 Hume Street by approx 1.0m. This has been considered to be acceptable by Development engineering in this instance.

42. The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.

43. All external civil work to be carried out on Council property (including the installation and repair of roads, footpaths, vehicular crossings, kerb and guttering and drainage works), must be carried out in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works" and the following requirements:

- a) All work on Council land must be carried out by Council, unless specific written approval has been obtained from Council to use non-Council contractors.
- b) Details of the proposed civil works to be carried out on Council land must be submitted to Council in a Pre-paid Works Application Form, prior to an occupation certificate being issued for the development, together with payment of the relevant fees.
- c) If it is proposed to use non-Council contractors to carry out the civil works on Council land, the work must not commence until the written approval has been obtained from Council and the work must be carried out in accordance with the conditions of consent, Council's design details and payment of a Council design and supervision fee.
- d) The civil works must be completed in accordance with Council's conditions of consent and approved design and construction documentation, prior to occupation of the development, or as otherwise approved by Council in writing.

Stormwater Drainage

44. A "restriction on the use of land" and "positive covenant" (under section 88E of the Conveyancing Act 1919) shall be placed on the title of the subject property to ensure that the onsite detention/infiltration system is maintained and that no works which could affect the design function of the detention/infiltration system are undertaken without the prior consent (in writing) from Council. Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council.

Notes:

- a. The "restriction on the use of land" and "positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout for the

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restriction and positive covenant may be obtained from Council's Development Engineer.

- b. The works as executed drainage plan and hydraulic certification must be submitted to Council prior to the "restriction on the use of land" and "positive covenant" being executed by Council.

45. A works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced hydraulic consultant/engineer must be forwarded to the Principal Certifying Authority and the Council. The works-as-executed plan must include the following details (as applicable):

- The location of any detention basin/s with finished surface levels;
- Finished site contours at 0.2 metre intervals;
- Volume of storage available in any detention areas;
- The location, diameter, gradient and material (i.e. PVC, RC etc) of all stormwater pipes;
- The orifice size/s (if applicable);
- Details of any infiltration/absorption systems; and
- Details of any pumping systems installed (including wet well volumes).

46. The applicant shall submit to the Principal Certifying Authority (PCA) and Council, certification from a suitably qualified and experienced Hydraulic Engineer, which confirms that the design and construction of the stormwater drainage system complies with the Building Code of Australia, Australian Standard AS3500.3:2003 (Plumbing & Drainage- Stormwater Drainage) and conditions of this development consent.

The certification must be provided following inspection/s of the site stormwater drainage system by the Hydraulic Engineers to the satisfaction of the PCA.

Ausgrid

47. Prior to the issuing of any form of occupation certificate the applicant/developer must meet the full cost for Ausgrid to relocate the existing overhead power feed between the mains distribution pole in Hume street and the development site to an underground (UGOH) connection.

Parking

48. Two of the carspaces within the site must be dedicated for exclusive use by staff while the remaining two spaces shall be dedicated for pick-up and drop-off during the peak times. These shall also become available for staff outside of the peak times. Appropriate signage shall be installed on the internal carspaces to reflect this allocation.

Sydney Water Requirements

49. The applicant shall liaise with Sydney Water Corporation to determine if a *Section 73 Compliance Certificate* under the *Sydney Water Act 1994* must be obtained.

If required, application for a Section 73 Certificate must be made through an authorised Water Servicing Co-ordinator. For details, please refer to the "Your Business" section of Sydney Water's web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under Developing Your Land" or telephone 13 20 92.

Following the application, a "Notice of Requirements" will be provided, detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Water Servicing Co-ordinator, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to issuing of an *Occupation Certificate*.

Landscaping

50. The PCA must ensure that landscaping at this site has been installed in accordance with the approved plan and relevant conditions of consent, prior to the issue of any Occupation Certificate, with the owner to maintain it in a healthy and vigorous state until maturity.
51. Suitable strategies must be implemented to ensure that the landscaping is maintained in a healthy and vigorous state until maturity, for the life of the development.
52. That part of the nature-strip upon Council's footway which is damaged during the construction of the proposed works shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed with Kikuyu turf or similar. Such works shall be completed at the applicant's expense.

Food Safety

53. The child care centre must be registered with Council's Health, Building & Regulatory Services Department in accordance with the Food Safety Standards, prior to commencing operations.
54. Upon completion of the work, the centres Kitchen and Food Storage areas are to be inspected by Council's Environmental Health Officer to ascertain compliance with relevant Food Safety Standards and the written approval of Council (being the relevant Food Authority for this food business) must be obtained, prior to the issuing of an occupation certificate.

Acoustic Amenity

55. A validation acoustic report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council **prior to an occupation certificate** being issued for the development, which demonstrates and certifies that the design, construction, noise and vibration from the development satisfies the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW EPA Noise Control Manual & Industrial Noise Policy, Council's conditions of consent (including any relevant approved acoustic report and recommendations), to the satisfaction of Council. The assessment and report must include all relevant fixed and operational noise sources.

OPERATIONAL CONDITIONS

The following operational conditions must be complied with at all times, throughout the use and operation of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health and environmental amenity.

Hours of Operation

56. The hours of the operation of the child care centre is restricted to the Monday through to Friday inclusive, from: 7.00 AM – 6.00 PM.

Food Storage

57. All food preparation, cooking, display and storage activities must only be carried out within the approved food premises.

Storage shall be within appropriate shelves, off the floor and in approved storage containers. External areas or structures must not be used for the storage, preparation

or cooking of food, unless otherwise approved by Council in writing and subject to any necessary further approvals.

Food Safety Requirements

58. The food premises must be registered with Council's Health, Building & Regulatory Services Department and the NSW Food Authority in accordance with the Food Safety Standards, prior to commencing business operations.
59. A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance. A digital probe type thermometer must also be readily available to check the temperature of food items.
60. All food that is to be kept hot should be heated within one (1) hour from the time when it was prepared or was last kept cold, to a temperature of not less than 60°C and keep this food hot at or above the temperature. Food that is to be kept cold should be cooled, within four (4) hours from the time when it was prepared or was last kept hot, to a temperature of not more than 5°C and keep this food cold at or below that temperature.
61. Food safety practices and the operation of the food premises must be in accordance with the *Food Act 2003*, Food Regulation 2004, *Food Standards Code* and Food Safety Standards at all times, including the requirements and provisions relating to:
 - Food handling – skills, knowledge and controls.
 - Health and hygiene requirements.
 - Requirements for food handlers and businesses.
 - Cleaning, sanitising and maintenance.
 - Design and construction of food premises, fixtures, fitting and equipment.

The Proprietor of the food business and all staff carrying out food handling and food storage activities must have appropriate skills and knowledge in food safety and food hygiene matters, as required by the Food Safety Standards.

Failure to comply with the relevant food safety requirements is an offence and may result in legal proceedings, service of notices and/or the issuing of on-the-spot penalty infringement notices.

62. The food premises must be kept in a clean and sanitary condition at all times, including all walls, floors, ceilings, fixtures, fittings, appliances, equipment, fridges, freezers, cool rooms, shelving, cupboards, furniture, crockery, utensils, storage containers, waste bins, light fittings, mechanical ventilation & exhaust systems & ducting, storage areas, toilet facilities, basins and sinks.

Environmental Amenity

63. There are to be no emissions or discharges from the premises which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.
64. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and *Regulations*.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background (L_{A90}), 15 min noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an

$L_{Aeq, 15 \text{ min}}$ and adjusted in accordance with the NSW Office of Environment & Heritage/Environment Protection Authority Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).

Waste Management

65. Adequate provisions are to be made within the confines of the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of Council, prior to commencing business operations.

The waste storage area must be located within the property and not within any areas used for the preparation or storage of food.

A tap and hose is to be provided within or near the waste storage area and suitable drainage provided so as not to cause a nuisance.

Waste/recyclable bins and containers must not be placed on the footpath (or road), other than for waste collection, in accordance with Council's requirements.

66. Trade/commercial waste materials must not be disposed via council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are to be submitted to Council prior to commencing operation of the business.

Use of car spaces

67. Two carspaces within the site must be continually dedicated for exclusive use by staff.

External Lighting

68. External lighting to the premises must be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

Air Conditioners

69. Air conditioning plant and equipment shall not be operated during the following hours if the noise emitted can be heard within a habitable room in any other residential premises, or, as otherwise specified in relevant Noise Control Regulations:

- before 8.00am or after 10.00pm on any Saturday, Sunday or public holiday; or
- before 7.00am or after 10.00pm on any other day.

Rainwater Tanks

70. The operation of plant and equipment associated with rainwater tanks are to be restricted to the following hours if the noise emitted can be heard within a habitable room in any other residential premises:

- before 8.00am or after 8.00pm on weekends or public holiday; or
- before 7.00am or after 8.00pm on weekdays.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

- A1 The requirements and provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*, must be fully complied with at all times.

Failure to comply with these requirements is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million. Alternatively, Council may issue a penalty infringement notice (for up to \$3,000) for each offence. Council may also issue notices and orders to demolish unauthorised or non-complying building work, or to comply with the requirements of Council's development consent.

- A2 This determination does not include an assessment of the proposed works under the Building Code of Australia (BCA) and other relevant Standards. All new building work (including alterations and additions) must comply with the BCA and relevant Standards and you are advised to liaise with your architect, engineer and building consultant prior to lodgement of your construction certificate.
- A3 In accordance with the requirements of the *Environmental Planning & Assessment Act 1979*, building works, including associated demolition and excavation works (as applicable) must not be commenced until:
- A *Construction Certificate* has been obtained from an Accredited Certifier or Council,
 - An Accredited Certifier or Council has been appointed as the *Principal Certifying Authority* for the development,
 - Council and the Principal Certifying Authority have been given at least 2 days notice (in writing) prior to commencing any works.
- A4 Council's Building Certification & Fire Safety team can issue your *Construction Certificate* and be your *Principal Certifying Authority* for the development, to undertake inspections and ensure compliance with the development consent, relevant building regulations and standards of construction. For further details contact Council on 9399 0944.
- A5 A Local Approval application must be submitted to and be approved by Council prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:
- Install or erect any site fencing, hoardings or site structures
 - Operate a crane or hoist goods or materials over a footpath or road
 - Placement of a waste skip or any other container or article.
- For further information please contact Council on 9399 0944.
- A6 Specific details of the location of the building/s should be provided in the Construction Certificate to demonstrate that the proposed building work will not encroach onto the adjoining properties, Council's road reserve or any public place.
- A7 Prior to commencing any works, the owner/builder should contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au and relevant Service Authorities, for information on potential underground pipes and cables within the vicinity of the development site.
- A8 This consent does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or permanent) or the like is proposed to be carried out upon any adjoining or supported land, the land owner or principal contractor must obtain:
- the consent of the owners of such adjoining or supported land to trespass or encroach, or
 - an access order under the *Access to Neighbouring Land Act 2000*, or
 - an easement under section 88K of the *Conveyancing Act 1919*, or
 - an easement under section 40 of the *Land & Environment Court Act 1979*, as appropriate.

Section 177 of the *Conveyancing Act 1919* creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

- A9 Smoke alarms are required to be installed in all residential dwellings, in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979* and the Building Code of Australia. Details should be included in the construction certificate application.
- A10 Demolition work and removal of asbestos materials:
- *A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.*
 - *It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*
- A11 Any external lighting to the premises should be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.
- A12 Building owners and occupiers should consider implementing appropriate measures to prevent children from falling from high-level window openings and balconies (e.g. by installing window locking devices; installing heavy-duty screens to window openings; limiting the dimensions of any openings to 125mm; ensuring balustrades to balconies are at least 1m high and; locating fixtures, fittings and furniture away from high-level windows and balconies).
- For further information about preventing falls from windows and balconies refer to www.health.nsw.gov.au/childsafety or pick-up a brochure from Council's Customer Service Centre.
- A13 Underground assets (eg pipes, cables etc) may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
- The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.
 - Further information and details on Council's requirements for trees on development sites can be obtained from the recently adopted Tree Technical Manual, which can be downloaded from Council's website at the following link, <http://www.randwick.nsw.gov.au> - Looking after our environment – Trees – Tree Management Technical Manual; which aims to achieve consistency of approach and compliance with appropriate standards and best practice guidelines.

- A14 The assessment of this development application does not include an assessment of the proposed building work under the Food Act 2003, Food Safety Standards or Building Code of Australia (BCA).

All new building work must comply with relevant regulatory requirements and Australian Standards and details of compliance are to be provided in the *construction certificate* application.

- A15 The design and construction of the premises must satisfy the requirements of the Food Act 2003, Food Standards Code and AS 4674 (2004). Prior to finalising the design and fit-out for the development and prior to a *construction certificate* being obtained, advice should be obtained from an accredited Food Safety Consultant (or Council's Environmental Health Officer).

- A16 The applicant/operator is advised to engage the services of a suitably qualified and experienced Acoustic consultant, prior to finalising the design and construction of the development, to ensure that the relevant noise criteria and conditions of consent can be fully satisfied.

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Development Application Compliance Report



Folder /DA No:	DA/168/2016
PROPERTY:	36 Bona Vista Avenue, MAROUBRA NSW 2035
Proposal:	Demolition of existing residential flat building, construction of new 4 storey residential flat building containing 10 dwellings including 4 affordable housing units under the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009, basement car parking for 14 vehicles, landscaping and associated works (variation to height control).
Recommendation:	Refusal

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Relevant Environment Planning Instruments:

1. SEPPs

State Environmental Planning Policy (Building Sustainability Index) 2004

The application is accompanied by a BASIX certificate which conforms to the requirements of the SEPP in terms of solar access, energy efficiency and thermal comfort.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Division 1: In-fill affordable housing

The subject application is made pursuant to the SEPP 2009 (SEPPARH 2009). Clause 10 of the SEPP states that this division applies to residential flat buildings where the use is permissible in the relevant EPI where such development is located in an accessible area.

Clause 13 Floor Space Ratio

Clause 13 states:

- (1) *This clause applies to development to which this Division applies if the percentage of the gross floor area of the development that is to be used for the purposes of affordable housing is at least 20 per cent.*
- (2) *The maximum floor space ratio for the development to which this clause applies is the existing maximum floor space ratio for any form of residential accommodation permitted on the land on which the development is to occur, plus:*
 - (a) *if the existing maximum floor space ratio is 2.5:1 or less:*
 - (i) *0.5:1—if the percentage of the gross floor area of the development that is used for affordable housing is 50 per cent or higher, or*
 - (ii) *Y:1—if the percentage of the gross floor area of the development that is used for affordable housing is less than 50 per cent,*

AH is the percentage of the gross floor area of the development that is used for affordable housing.

$$Y = AH \div 100$$

COMMENT:

The percentage of affordable housing is 38.7%.

$$Y = 38.7 \div 100 = 0.387$$

Allowable FSR is $0.9 + 0.387 = 1.29:1$

Proposed FSR is $1.24:1$

In accordance with the above, the proposed development has a complying FSR as the maximum allowable FSR is 1.29:1.

Clause 14 Standards that cannot be used to refuse consent

Clause 14 provides – *Standards that cannot be used to refuse consent*. The following tables outline the assessment:

Assessment of Clause 14 – Standards that cannot be used to refuse consent	
Standard	Assessment
Site and solar access requirements A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:	
a) (Repealed)	
b) site area if the site area on which it is proposed to carry out the development is at least 450 square metres,	The subject site has an area 650.6m ² and therefore meets the minimum site requirements. Complies.
c) landscaped area if: <ul style="list-style-type: none"> a. in the case of a development application made by a social housing provider—at least 35 square metres of landscaped area per dwelling is provided, or b. in any other case—at least 30 per cent of the site area is to be landscaped, 	The proposed development has a landscaped area of 33.66%. Complies.
d) deep soil zones if, in relation to that part of the site area (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed: <ul style="list-style-type: none"> (i) there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15 per cent of the site area (the deep soil zone), and (ii) each area forming part of the deep soil zone has a minimum dimension of 3 metres, and (iii) if practicable, at least two-thirds of the deep soil zone is located at the rear of the site area, 	The site has a maximum of 19.14% deep soil planting area. This complies with the minimum requirements for SEPPARH 2009 and complies with the SEPP 65 requirement of 7%. The deep soil provided is located to the rear and has dimensions of at least 3m x 3m. Complies.
e) solar access if living rooms and private open spaces for a minimum of 70 per cent of the dwellings	Less than 70% of units receive 3hrs of direct sunlight in mid-winter due to the orientation of the lot and the neighbouring

Assessment of Clause 14 – Standards that cannot be used to refuse consent																
Standard	Assessment															
of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.	development. <ul style="list-style-type: none">• 40% receive 4 hours;• 30% receive 2 hours; and• 30% receive 0 hours of direct sunlight. Non-compliant.															
(2) General A consent authority must not refuse consent to development to which this Division applies on any of the following grounds: a) parking if: (i) in the case of a development application made by a social housing provider for development on land in an accessible area—at least 0.4 parking spaces are provided for each dwelling containing 1 bedroom, at least 0.5 parking spaces are provided for each dwelling containing 2 bedrooms and at least 1 parking space is provided for each dwelling containing 3 or more bedrooms, or (ii) in any other case—at least 0.5 parking spaces are provided for each dwelling containing 1 bedroom, at least 1 parking space is provided for each dwelling containing 2 bedrooms and at least 1.5 parking spaces are provided for each dwelling containing 3 or more bedrooms,	The subject site is located within an accessible area in accordance with the definition referred to below. accessible area means land that is within: 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday. In total, 1.5 spaces are provided per unit. Complies.															
(b) dwelling size if each dwelling has a gross floor area of at least: (i) 35 square metres in the case of a bedsitter or studio, or (ii) 50 square metres in the case of a dwelling having 1 bedroom, or (iii) 70 square metres in the case of a dwelling having 2 bedrooms, or (iv) 95 square metres in the case of a dwelling having 3 or more bedrooms.	The below table indicates that the majority of the units meet the minimum requirements. <table><tr><th>Unit no.</th><th>Area</th><th>Complies</th></tr><tr><td>Unit 1 – 2 bed</td><td>83m²</td><td>Yes</td></tr><tr><td>Unit 2 – 1 bed</td><td>75m²</td><td>Yes</td></tr><tr><td>Unit 3 – 2 bed</td><td>72m²</td><td>Yes</td></tr><tr><td>Unit 4 – 2 bed</td><td>83m²</td><td>Yes</td></tr></table> Complies.	Unit no.	Area	Complies	Unit 1 – 2 bed	83m ²	Yes	Unit 2 – 1 bed	75m ²	Yes	Unit 3 – 2 bed	72m ²	Yes	Unit 4 – 2 bed	83m ²	Yes
Unit no.	Area	Complies														
Unit 1 – 2 bed	83m ²	Yes														
Unit 2 – 1 bed	75m ²	Yes														
Unit 3 – 2 bed	72m ²	Yes														
Unit 4 – 2 bed	83m ²	Yes														
(3) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).																

Clause 16 - Continued application of SEPP 65

Nothing in this Policy affects the application of *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development* to any development to which this Division applies.

Clause 16A - Character of local area

In accordance with Clause 16A the consent authority must not consent to development which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

COMMENT:

An assessment was carried out in relation to the context, compatibility of the built form, compatibility of the use and compatibility of the R3 zone.

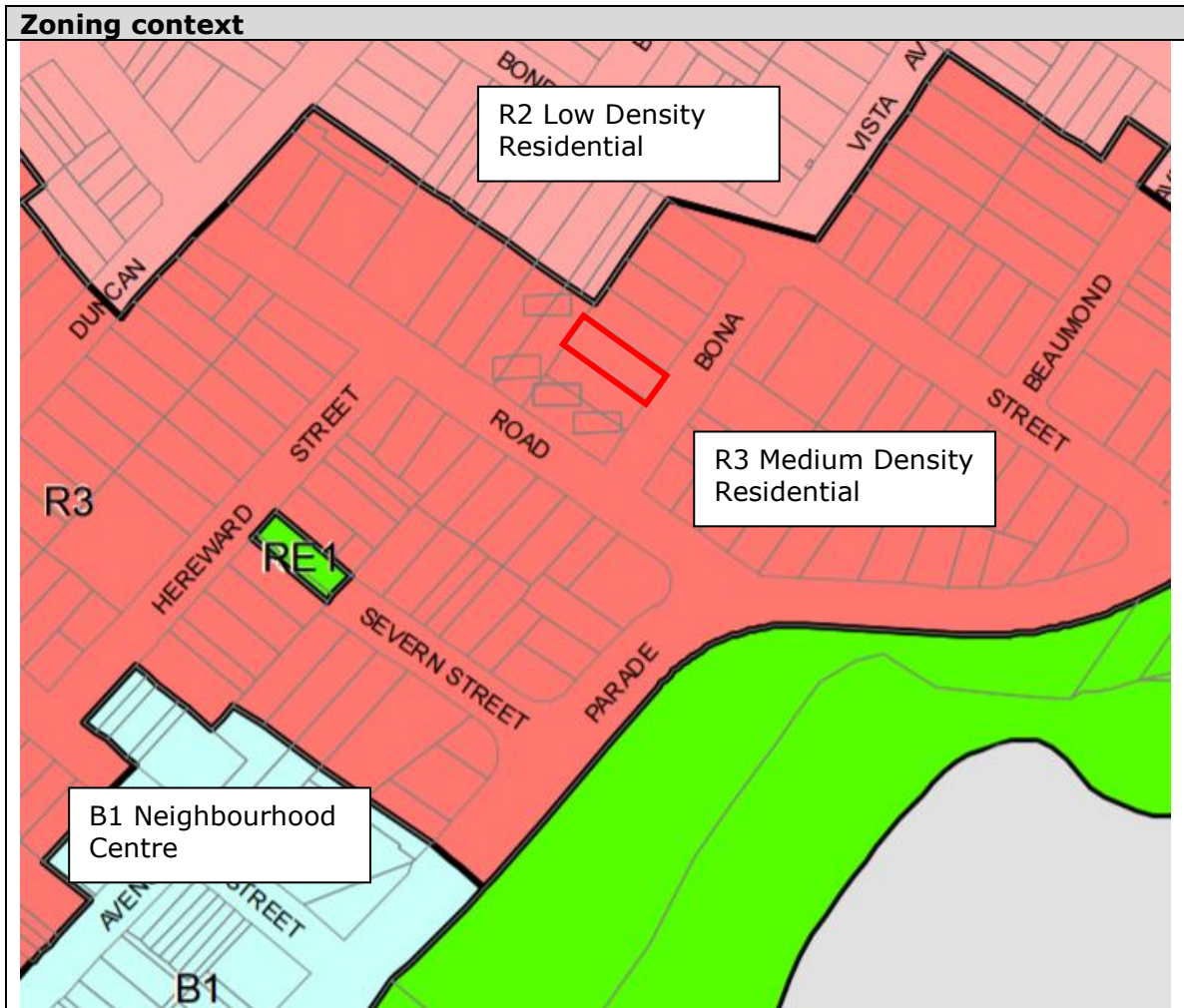
Context:

The site is rectangular in shape, with a frontage of 15.24m to Bona Vista Avenue and an area of 650.6m².

To the north-east, south, east and west of the site is zoned R3 medium density residential and includes a mix of residential flat buildings and low density dwellings. This R3 area has a maximum height of 12m and FSR of 0.9:1. Directly to the north are properties zoned R2 low density residential, and includes mostly single dwellings with a maximum height of 9.5m and FSR of 0.5:1. The site is located within 300m of the Maroubra Beach town centre. The site is located approximately 13km from the Sydney CBD.

The locality is occupied by a mix of low to medium density residential land uses, the surrounding development is generally consistent with the allowable FSR and density for the area.

The following image demonstrates the zoning context.



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Compatibility of built form:

- FSR

The subject site has an allowable FSR of 0.9:1, however the proposal is utilising SEPPARH 2009 to achieve a total FSR of 1.24:1. Although this FSR is permissible under SEPPARH 2009, it results in an over development of the site and a bulk that is inconsistent with the surrounding area. This is indicated through non-compliance of the setbacks, landscaping and deep soil planting areas.

- Landscaping

The proposal provides 33.6% landscaped area which is less than the minimum DCP requirement of 50% landscaped area, which is considered highly appropriate in such transitional suburban areas. The long side access path and driveway result in minimal landscaping along the side boundaries to break up the built form. It is considered that the proposed landscaping is inconsistent with the control objectives as there is insufficient area for recreational activities, will result in poor amenity for residents and neighbours and is inconsistent with the future desired streetscape.

- Deep Soil

The development provides approximately 19.14% deep soil planting area which is less than the minimum DCP requirement of 25%. The limited deep soil planting area surrounding the proposed building, especially within the rear setback, is inconsistent with the neighbouring properties. It is considered that the non-compliance is inconsistent with the objectives of the DCP as there is a significant increase in impermeable surface and the character of the area which acts as a transition between low density residential areas to the rear.

- Setbacks

The proposal has non-complying front, side and rear setbacks, these non-compliances, as well as having units partially below ground level, indicate that the proposal is an over development of the site. The proposal is generally inconsistent with the future design character of the area as the non-complying setbacks impede the sites ability to achieve appropriate and established building separation, as well as landscaping and deep soil planting areas. These factors contribute to the existing streetscape and break up the built form.

Compatibility of use:

The proposed use of the site, which includes a residential flat building comprising of 10 units, including 4 affordable housing units, constitutes a permissible form of development. The proposed development would provide affordable housing to the community in a location within close proximity to Maroubra town centre, public transport and commercial centres.

Consistency with the objectives of the R3 Medium Density Residential zone:

The proposal is inconsistent with some objectives of the zone, detailed as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
- *To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.*
- *To protect the amenity of residents.*
- *To encourage housing affordability.*
- *To enable small-scale business uses in existing commercial buildings.*

It is considered that proposed development does not comply with all objectives of the zones as the proposal is inconsistent with desirable elements of the existing and future streetscape due to non-compliant setbacks, landscaping and deep soil planting areas. Furthermore, the development will result in poor internal amenity for residents due to non-compliant solar access and subterranean units.

The local character test is not satisfied on this occasion.

Clause 17 - Must be used for affordable housing for 10 years

- (1) A consent authority must not consent to development to which this Division applies unless conditions are imposed by the consent authority to the effect that:*
 - (a) for 10 years from the date of the issue of the occupation certificate:*
 - (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and*
 - (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, and*
 - (b) a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.*
- (2) Subclause (1) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by, or on behalf of, a public authority.*

COMMENT:

An appropriate condition could be applied to ensure that the designated affordable housing units will be used as such for a minimum of 10 years.

Clause 18 - Subdivision

Land on which development has been carried out under this Division may be subdivided with the consent of the consent authority.

State Environmental Planning Policy No. 65 – Apartment Design Guide

SEPP No. 65 aims to promote quality design of Residential Flat Buildings. The proposal is subject to the policy as it involves the development of a residential flat building being 3 storeys and more in height. The proposal has been considered by Council's Design Review Panel. The Panel's comments are included in Section 6. An assessment has been carried out in accordance with Part 3: Siting the Development and Part 4: Designing the Building of the Apartment Design Guide against the design criteria requirements. Any non-compliance to the design criteria includes a merits based assessment as per the design guidance of the Apartment Design Guide.

A Design Verification Statement in accordance with the requirements of SEPP 65 has been provided in the Statement of Environmental Effects.

The Design Review Panel provided comments in April 2016 for the application. The applicant has made amendments to their design in response to the Design Review Panel comments.

Clause	Requirement	Proposal	Compliance
Part 3: Siting the Development			
3A-1	Site Analysis		
	Each element in the Site Analysis Checklist should be addressed	The submitted development application addresses each relevant section of the site analysis checklist.	Complies.
3B-1	Orientation		
	Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1)	The building has been orientated to the street frontage and direct access is provided.	Complies.
	Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2)	NA	N/A
3B-2	Overshadowing of Neighbouring Property		
	Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access	Submitted shadowing diagrams demonstrate that adjoining development will received a minimum of 3 hrs solar access on 21 June.	Complies.
	Solar access to living rooms,		

Clause	Requirement	Proposal	Compliance
	balconies and private open spaces of neighbours should be considered.		
	If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy		
	Overshadowing should be minimised to the south or downhill by increased upper level setbacks	Properties to the south of the development will still achieve solar and daylight access in accordance with 4A of the AGD.	Complies.
	It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development	Not practical on the site.	Complies.
	A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings	The proposal will not impact any existing solar collectors.	Complies.
3C-1	Public Domain Interface		
	Terraces, balconies and courtyard apartments should have direct street entry, where appropriate	Front apartment has direct street entry.	Complies.
	Upper level balconies and windows should overlook the public domain	Balconies have been positioned and orientated to overlook the street and rear reserve.	Complies.
	Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m	Front fencing is higher than 1m.	Non-compliant
	Length of solid walls should be limited along street frontages	The solid wall is only in front of the ground floor dwellings POS.	Complies.

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Clause	Requirement	Proposal	Compliance
	Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets	Interactions between the front balconies/terrace and the public domain are possible.	Complies.
	In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions: <ul style="list-style-type: none"> • architectural detailing • changes in materials • plant species • colours 	NA	NA
	Opportunities for people to be concealed should be minimised	Opportunities for concealment is minimal.	Complies.
Objective 3C-2	Amenity of the public domain is retained and enhanced		
	Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking	Minimal landscaping is provided within the front, side and rear setbacks.	Non-compliant.
	Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided	Letterboxes are provided in the front fence.	Complies.
	The visual prominence of underground car park vents should be minimised and located at a low level where possible	No vents associated with the basement are visible from the public domain.	Complies.
	Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view	Utilities are generally provided within the basement.	Complies.
	Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels	NA	NA
	Durable, graffiti resistant and easily cleanable materials should	The proposal complies with the requirements	Complies.

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Clause	Requirement	Proposal	Compliance												
	be used														
	On sloping sites protrusion of car parking above ground level should be minimised by using split levels to step underground car parking	The car parking is below ground level.	Complies.												
3D-1	Communal and Public Open Space														
	Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)	Proposed = 18.4%	Non-compliant												
	Developments achieve a min. of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3 pm on 21 June (mid-winter).	Achieves more than 2 hours direct sunlight.	Complies												
3E-1	Deep Soil Zones														
	<div>Deep soil zones are to meet the following minimum requirements:</div> <table><tr><th>Site area</th><th>Minimum Dimensions</th><th>Deep Soil Zone (% of site area)</th></tr><tr><td><650m²</td><td><u>0m</u></td><td rowspan="4">7%</td></tr><tr><td><u>650-1500m²</u></td><td><u>3m</u></td></tr><tr><td>>1500m²</td><td>6m</td></tr><tr><td>>1500m² with sig. existing tree cover</td><td>6m</td></tr></table>	Site area	Minimum Dimensions	Deep Soil Zone (% of site area)	<650m ²	<u>0m</u>	7%	<u>650-1500m²</u>	<u>3m</u>	>1500m ²	6m	>1500m ² with sig. existing tree cover	6m	<div>Proposed = 10%</div> <div>Minimum dimensions achieved.</div>	Complies
Site area	Minimum Dimensions	Deep Soil Zone (% of site area)													
<650m ²	<u>0m</u>	7%													
<u>650-1500m²</u>	<u>3m</u>														
>1500m ²	6m														
>1500m ² with sig. existing tree cover	6m														
3F-1	Visual Privacy														
	<div>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</div> <table><tr><td>Building</td><td>Habitable</td><td>Non-</td></tr></table>	Building	Habitable	Non-	<div>The proposal is three and four storeys and provides separation from both side boundaries of 2m and 3m.</div> <div>The proposal addresses visual privacy by way of side window location and privacy screens.</div>	Non-compliant.									
Building	Habitable	Non-													

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Clause	Requirement			Proposal	Compliance
	height	rooms and balconies	habitable rooms		
	Up to 12m (4 storeys)	6m	3m		
	Up to 25m (5-8 storeys)	9m	4.5m		
	>25m (9+ storeys)	12m	6m		
	<p>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2). Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.</p>				
3J-1	Bicycle and Car Parking				
	<p>For development in the following locations:</p> <ul style="list-style-type: none"> on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre <p>The minimum car parking requirement for residents and visitors are set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be</p>			See Engineers comments	See Engineers comments

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Clause	Requirement	Proposal	Compliance						
	provided off street								
Part 4: Designing the Building									
4A	Solar and Daylight Access								
	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.	It is proposed that 70% of apartments will receive a minimum of 2 hours sunlight. However, less than 70% of POS will receive a minimum of 2 hours direct sunlight.	Non-compliant.						
	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter	It is proposed that 30% of apartments will not receive no direct sunlight.	Non-compliant.						
4B	Natural Ventilation								
	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed	All apartments achieve cross ventilation.	Complies.						
	Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	All apartments achieve cross-ventilation within the required 18m.	Complies.						
4C	Ceiling Heights								
	Measured from finished floor level to finished ceiling level, minimum ceiling heights are: <div><div>Minimum Ceiling height for apartment and mixed use buildings</div><table><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor; 2.4m for second floor where its area does not exceed 50% of</td></tr></table></div>	Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor; 2.4m for second floor where its area does not exceed 50% of	All apartments will achieve the minimum floor to ceiling height of 2.7 metres	Complies
Habitable rooms	2.7m								
Non-habitable	2.4m								
For 2 storey apartments	2.7m for main living area floor; 2.4m for second floor where its area does not exceed 50% of								

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Clause	Requirement		Proposal	Compliance										
		the apartment area												
	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope												
	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use.												
	These minimums do not preclude higher ceilings if desired.													
4D	Apartment Size and Layout													
	<p>Apartments are required to have the following minimum internal areas:</p> <table><tr><td>Apartment Type</td><td>Minimum Internal Area</td></tr><tr><td>Studio</td><td>35m2</td></tr><tr><td>1 bedroom</td><td>50m2</td></tr><tr><td>2 bedroom</td><td>70m2</td></tr><tr><td>3bedroom</td><td>90m2</td></tr></table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m2 each.</p>		Apartment Type	Minimum Internal Area	Studio	35m2	1 bedroom	50m2	2 bedroom	70m2	3bedroom	90m2	Nine of the ten units comply with the minimum unit size requirements. Unit 6, is a two bedroom apartment which has an area of 68.5m ² .	Non-compliant.
Apartment Type	Minimum Internal Area													
Studio	35m2													
1 bedroom	50m2													
2 bedroom	70m2													
3bedroom	90m2													
	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms		All habitable rooms feature a window opening that will not comprise less than 10% of the floor area of the room.	Complies.										
	Habitable room depths are limited to a maximum of 2.5 x the ceiling height		The habitable rooms meet this requirement.	Complies.										

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Clause	Requirement	Proposal	Compliance										
	In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	The rear apartments have combined living areas marginally longer than 8m. These units are dual aspect for cross ventilation and access to light.	Non-compliant.										
	Master bedrooms have a minimum area of 10m2 and other bedrooms 9m2 (excluding wardrobe space)	All bedrooms exceed min. size requirements.	Complies										
	Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	Not all bedrooms have minimum 3m for both dimensions.	Non-compliant.										
	Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none">3.6m for studio and 1 bedroom apartments4m for 2 and 3 bedroom apartments	All living dining rooms have a minimum width in excess of 4m.	Complies.										
	The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	All cross-through apartments are greater than 4m wide.	Complies.										
4E	Private open space and balconies												
	For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m	All terraced areas at ground floor level meet the minimum dimension requirements.	Non-compliant.										
4G	Storage												
	<div>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:<table><tr><td>Dwelling Type</td><td>Storage Size Volume</td></tr><tr><td>Studio</td><td>4m3</td></tr><tr><td>1 bedroom</td><td>6m3</td></tr><tr><td>2 bedroom</td><td>8m3</td></tr><tr><td>3bedroom</td><td>10m3</td></tr></table><div>At least 50% of the required storage is to be located within the apartment</div></div>	Dwelling Type	Storage Size Volume	Studio	4m3	1 bedroom	6m3	2 bedroom	8m3	3bedroom	10m3	The proposal meets the minimum storage volume sizes; this is spread between storage units in the basement and within the apartment.	Complies
Dwelling Type	Storage Size Volume												
Studio	4m3												
1 bedroom	6m3												
2 bedroom	8m3												
3bedroom	10m3												

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2. Randwick LEP 2012

The subject site is zoned under Randwick LEP 2012. The proposal development is classified as a residential flat building and is permissible in the zone. The zoning objectives are addressed as follows:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.
- To protect the amenity of residents.
- To encourage housing affordability.
- To enable small-scale business uses in existing commercial buildings.

It is considered that proposed development does not comply with all objectives of the zones as the proposal is not consistent with desirable elements of the existing streetscape due to non-compliant setbacks, landscaping and deep soil and the development will result in poor internal amenity for residents due to non-compliant solar access.

The following Clauses of RLEP 2012 apply to the proposal:

Description	Council Standard	Proposed	Compliance (Yes/No/NA)
Floor Space Ratio (Maximum)	0.9:1	1.24:1	Yes – Complies with the SEPPARH 2009
Height of Building (Maximum)	12m	12.3m	No – Minor non-compliance of lift overrun.

3. Randwick Comprehensive DCP

Randwick Development Control Plan

The DCP provisions are structured into two components, Objectives and Controls. The Objectives provide the framework for assessment under each requirement and outline key outcomes that a development is expected to achieve. The controls contain both numerical standards and qualitative provisions. Any proposed variations from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome.

The relevant provisions of the DCP are addressed in the table below. (Note: a number of control provisions that are not related to the proposal have been deliberately omitted.)

DCP Clause	Control	Proposal	Compliance
B6	Recycling and Waste Management		
4.	On-Going Operation		
	(iv) Locate and design the waste storage facilities to visually and physically complement the design of the development. Avoid locating	Waste room is located in the basement level.	Yes

DCP Clause	Control	Proposal	Compliance
	waste storage facilities between the front alignment of a building and the street where possible.		
	(v) Locate the waste storage facilities to minimise odour and acoustic impacts on the habitable rooms of the proposed development, adjoining and neighbouring properties.	The waste room includes mechanical ventilation.	Yes
	(vi) Screen the waste storage facilities through fencing and/or landscaping where possible to minimise visual impacts on neighbouring properties and the public domain.	Waste room is located in the basement level.	Yes
	(vii) Ensure the waste storage facilities are easily accessible for all users and waste collection personnel and have step-free and unobstructed access to the collection point(s).	The waste room is easily accessible.	Yes
	(viii) Provide sufficient storage space within each dwelling / unit to hold a single day's waste and to enable source separation.	No bins were shown on the plans. The engineer has provided appropriate conditions.	Yes
	(ix) Bin enclosures / rooms must be ventilated, fire protected, drained to the sewerage system and have lighting and water supply.	The waste room will have mechanical ventilation.	Yes
B7	Transport, Traffic, Parking and Access		
3.	Parking & Service Delivery Requirements		
	Car parking requirements: 1 space per 2 studios 1 space per 1-bedroom unit (over 40m ²) 1.2 spaces per 2-bedroom unit 1.5 spaces per 3- or more bedroom unit 1 visitor space per 4 dwellings	The development should provide 14.3 car parking spaces. 14 spaces are provided. This is considered to be sufficient given the location and that the development meets the minimum affordable housing requirements. Condition: Two stacked car spaces should be allocated to a single unit.	Yes
	Motor cycle requirements: 5% of car parking requirement	1 motorcycle space is provided.	Yes
4.	Bicycles		
	Residents: 1 bike space per 2 units Visitors: 1 per 10 units	No bike spaces were indicated on the plans. Council's Development Engineer provided an	No

DCP Clause	Control	Proposal	Compliance
		appropriate condition in the case of approval.	
C2	Medium Density Residential		
2	Site Planning		
2.1	Site Layout Options Site layout and location of buildings must be based on a detailed site analysis and have regard to the site planning guidelines for: <ul style="list-style-type: none"> • Two block / courtyard example • T-shape example • U-shape example • Conventional example 	The proposed design is a conventional example.	Yes
2.2	Landscaped open space and deep soil area		
2.2.1	Landscaped open space		
	A minimum of 50% of the site area (323m ²) is to be landscaped open space.	The proposal provides 33.6% landscaped area. The landscaped area is non-compliant with the DCP, but complies with the ADG requirements of 30%.	No
2.2.2	Deep soil area		
	(i) A minimum of 25% of the site area (161m ²) should incorporate deep soil areas sufficient in size and dimensions to accommodate trees and significant planting.	The development provides approximately 19.14% deep soil planting. The deep soil area is non-compliant with the DCP, but complies with the ADG requirements of 7%.	No
	(ii) Deep soil areas must be located at ground level, be permeable, capable for the growth of vegetation and large trees and must not be built upon, occupied by spa or swimming pools or covered by impervious surfaces such as concrete, decks, terraces, outbuildings or other structures.	The deep soil is located to the rear of the site. The landscape design includes three medium sized trees.	Yes
	(iii) Deep soil areas are to have soft landscaping comprising a variety of trees, shrubs and understorey planting.	There is a mix of grass, shrubs and trees.	Yes
	(iv) Deep soil areas cannot be located on structures or facilities such as basements, retaining walls, floor slabs, rainwater tanks or in planter boxes.	Part of the deep soil area is located above the basement area. The deep soil area is non-compliant with the DCP, but complies with the ADG which allows for on structure planting.	No

DCP Clause	Control	Proposal	Compliance
	(v) Deep soil zones shall be contiguous with the deep soil zones of adjacent properties.	Deep soil on the surrounding lots it located adjacent to the proposal. The deep soil provided is inconsistent with the neighbouring developments.	Yes
2.3	Private and communal open space		
2.3.1	Private open space		
	Private open space is to be: (i) Directly accessible from the living area of the dwelling. (ii) Open to a northerly aspect where possible so as to maximise solar access. (iii) Be designed to provide adequate privacy for residents and where possible can also contribute to passive surveillance of common areas.	Each unit includes private open space located off the living areas. The balconies provide opportunities for passive surveillance over the street and towards the beach.	Yes
	For residential flat buildings: (vi) Each dwelling has access to an area of private open space in the form of a courtyard, balcony, deck or roof garden, accessible from with the dwelling. (vii) Private open space for apartments has a minimum area of 8m ² and a minimum dimension of 2m.	The majority of units have POS of at least 8m ² with dimensions of at least 2m. With the exception of unit 3 which includes three areas of POS, two being 5m ² and one being 7m ² .	No
2.3.2	Communal open space		
	Communal open space for residential flat building is to be: (a) Of a sufficient contiguous area, and not divided up for allocation to individual units. (b) Designed for passive surveillance. (c) Well oriented with a preferred northerly aspect to maximise solar access. (d) adequately landscaped for privacy screening and visual amenity. (e) Designed for a variety of recreation uses and incorporate recreation facilities such as playground equipment, seating and shade structures.	Communal open space is located to the rear of the site in the form of a terrace. The terrace is landscaped and has a northerly aspect. The lower terrace is grassed, while the upper terrace is paved. The communal area has been designed for passive recreation. The communal open space will receive 2 hours of sunlight during winter. The communal space has an area of approximately 90m ² , which is less than the 25% (162m ²) ADG requirement.	Yes

DCP Clause	Control	Proposal	Compliance
3	Building Envelope		
3.1	Floor space ratio		
	Floor Space Ratio (FSR) is a measure that assists in controlling the mass and bulk of a development. Under RLEP the maximum FSR permissible on a parcel of land is shown on the Floor Space Ratio Map. FSR is expressed as a ratio of the permissible gross floor area to the site area and is explained and defined in Clause 4.5 of RLEP.	The proposed development utilizes Clause 13 of the SEPPARH 2009 for bonus FSR. The proposed development has a complying FSR of 1.24:1.	No
3.2	Building height		
	Building height is a major factor affecting the visual mass of a development and influences streetscape character and adjoining residential amenity. Under RLEP the maximum building height permissible on a parcel of land is shown in metres on the Height of Buildings Map. The height of buildings is measured from the natural ground level (at any point) to the highest point of the building which includes roofs, list overruns and plants, as defined in Clause 4.3 of RLEP.	<p>The lift overrun is non-compliant with the height limits, having a maximum height of 12.3m.</p> <p>The remainder of the building is below the maximum building height limit.</p>	No
3.3	Building depth		
	For residential flat buildings, the preferred maximum building depth (from window to window line) is between 10m and 14m. Any greater depth must demonstrate that the design solution provides good internal amenity such as via cross-over, double-height or corner dwellings / units.	The proposed development has a depth of approximately 32m.	No
3.4	Setbacks		
3.4.1	Front setback		
	<p>(i) The front setback on the primary and secondary property frontages must be consistent with the prevailing setback line along the street. Notwithstanding the above, the front setback generally must be no less than 3m in all circumstances to allow for suitable landscaped areas to building entries.</p> <p>(ii) Where a development is proposed in an area identified as being</p>	<p>The bulk of the building has a setback of 4.56m, however the balconies which occupy the full width of the front façade only have a setback of 1.985m.</p> <p>The basement stairs are located within the front setback.</p> <p>The front setback is inconsistent with the 3m requirement, includes POS for units 1 and 2, and is</p>	No

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DCP Clause	Control	Proposal	Compliance
	<p>under transition in the site analysis, the front setback will be determined on a merit basis.</p> <p>(iii) The front setback areas must be free of structures, such as swimming pools, above-ground rainwater tanks and outbuildings.</p> <p>(iv) The entire front setback must incorporate landscape planting, with the exception of driveways and pathways.</p>	inconsistent with the neighbouring properties.	
3.4.2	Side setback		
	<p>Residential flat building</p> <p>(i) Comply with the minimum side setback requirements stated below:</p> <ul style="list-style-type: none"> - $14m \leq \text{site frontage width} < 16m$: 2.5m <p>(ii) Incorporate additional side setbacks to the building over and above the above minimum standards, in order to:</p> <ul style="list-style-type: none"> - Create articulations to the building facades. - Reserve open space areas and provide opportunities for landscaping. - Provide building separation. - Improve visual amenity and outlook from the development and adjoining residences. - Provide visual and acoustic privacy for the development and the adjoining residences. - Ensure solar access and natural ventilation for the development and the adjoining residences. <p>(iii) A fire protection statement must be submitted where windows are proposed on the external walls of a residential flat building within 3m of the common boundaries. The statement must outline design and construction measures that will enable operation of the windows (where required) whilst still being capable of complying with the relevant provisions of the BCA.</p>	<p>The site has a frontage of 15.24m, therefore the minimum side setbacks are 2.5m.</p> <p>The side setbacks proposed are between 2m and 3m. With bedrooms and living areas having only 2m setbacks.</p> <p>The non-compliant setbacks and POS within the side setbacks reduce the developments ability to provide appropriate landscaping within the side setback.</p>	No
3.4.3	Rear setback		
	For residential flat buildings, provide a minimum rear setback of 15% (6.4m) of	The building has an approximate rear setback of	No

DCP Clause	Control	Proposal	Compliance
	allotment depth or 5m, whichever is the greater.	<p>5.8m to rear wall and 4.2m to the balconies on the upper levels.</p> <p>This is a variation of approximately 2.2m.</p> <p>The non-compliant setbacks reduce the proposals ability to achieve the minimum landscape and deep soil requirements.</p> <p>The non-complaint setbacks may contribute to view loss.</p> <p>The rear setbacks indicated on the plans do not correspond with the dimensions on the plans.</p>	
4	Building Design		
4.1	Building façade		
	<ul style="list-style-type: none"> (i) Buildings must be designed to address all street and laneway frontages. (ii) Buildings must be oriented so that the front wall alignments are parallel with the street property boundary or the street layout. (iii) Articulate facades to reflect the function of the building, present a human scale, and contribute to the proportions and visual character of the street. (iv) Avoid massive or continuous unrelieved blank walls. This may be achieved by dividing building elevations into sections, bays or modules of not more than 10m in length, and stagger the wall planes. (vi) Conceal building services and pipes within the balcony slabs. 	<p>The building addresses the street.</p> <p>The design clearly reflects the residential use.</p> <p>The design utilizes articulation to break up the length of the wall.</p>	Yes
4.2	Roof design		
	<ul style="list-style-type: none"> (i) Design the roof form, in terms of massing, pitch, profile and silhouette to relate to the three dimensional form (size and scale) and façade composition of the building. (ii) Design the roof form to respond 	<p>The proposal utilizes a flat roof. This is consistent with the surrounding developments.</p> <p>The lift overrun is 600mm above the roof height and it setback from the street. This</p>	Yes

DCP Clause	Control	Proposal	Compliance
	<p>to the orientation of the site, such as eaves and skillion roofs to respond to sun access.</p> <p>(iii) Use a similar roof pitch to adjacent buildings, particularly if there is consistency of roof forms across the streetscape.</p> <p>(iv) Articulate or divide the mass of the roof structures on larger buildings into distinctive sections to minimise the visual bulk and relate to any context of similar building forms.</p> <p>(v) Use clerestory windows and skylights to improve natural lighting and ventilation of internalised space on the top floor of a building where feasible. The location, layout, size and configuration of clerestory windows and skylights must be sympathetic to the overall design of the building and the streetscape.</p> <p>(vi) Any services and equipment, such as plant, machinery, ventilation stacks, exhaust ducts, lift overrun and the like, must be contained within the roof form or screened behind parapet walls so that they are not readily visible from the public domain.</p> <p>(vii) Terraces, decks or trafficable outdoor spaces on the roof may be considered only if:</p> <ul style="list-style-type: none"> - There are no direct sightlines to the habitable room windows and private and communal open space of the adjoining residences. - The size and location of terrace or deck will not result in unreasonable noise impacts on the adjoining residences. - Any stairway and associated roof do not detract from the architectural character of the building, and are positioned to minimise direct and oblique views from the street. - Any shading devices, privacy screens and planters do not adversely increase the visual bulk of the building. <p>(viii) The provision of landscape planting on the roof (that is, "green roof")</p>	<p>variation is considered reasonable given it is minor and it unlikely to be visible from the public domain. The overrun will not have an impact of the overall amenity of the development.</p> <p>The unit 10 terrace is located on the roof level. The terrace is located on the eastern boundary and is orientated to the east. A 1.6m wall provides privacy to the neighbouring units at 34 Bona Vista Avenue.</p> <p>No green roof is proposed.</p>	

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DCP Clause	Control	Proposal	Compliance
	is encouraged. Any green roof must be designed by a qualified landscape architect or designer with details shown on a landscape plan.		
4.4	External wall height and ceiling height		
	i) Where the site is subject to a 12m building height limit under the LEP, a maximum external wall height of 10.5m applies.	The proposed development has a non-compliance of maximum wall height on the south east corner. The corner has a maximum height of 11.7m at this point. This is a non-compliance of 1.2m.	No
	(iii) The minimum ceiling height is to be 2.7m for all habitable rooms.	Ceilings have an internal height of 2.7m.	Yes
4.5	Pedestrian Entry		
	(i) Separate and clearly distinguish between pedestrian pathways and vehicular access.	The primary pedestrian access is clearly distinguished.	Yes
	(ii) Present new development to the street in the following manner: <ul style="list-style-type: none"> - Locate building entries so that they relate to the pedestrian access network and desired lines. - Design the entry as a clearly identifiable element in the façade composition. - Integrate pedestrian access ramps into the overall building and landscape design. - For residential flat buildings, provide direct entries to the individual dwellings within a development from the street where possible. - Design mailboxes so that they are convenient to residents, do not clutter the appearance of the development at street frontage and are preferably integrated into a wall adjacent to the primary entry (and at 90 degrees to the street rather than along the front boundary). - Provide weather protection for building entries. <p>Postal services and mailboxes</p> <p>(i) Mailboxes are provided in</p>	The communal areas have been designed with consideration of this clause. The ground level units each have direct pedestrian access. Mailboxes are provided within the front setback. They are accessible to residents and postal staff.	Yes

DCP Clause	Control	Proposal	Compliance
	<p>accordance with the delivery requirements of Australia Post.</p> <p>(ii) A mailbox must clearly mark the street number of the dwelling that it serves.</p> <p>(iii) Design mail boxes to be convenient for residents and not to clutter the appearance of the development from the street.</p>		
4.6	Internal circulation		
	<p>(i) Enhance the amenity and safety of circulation spaces by:</p> <ul style="list-style-type: none"> - Providing natural lighting and ventilation where possible. - Providing generous corridor widths at lobbies, foyers, lift doors and apartment entry doors. - Allowing adequate space for the movement of furniture. - Minimising corridor lengths to give short, clear sightlines. - Avoiding tight corners. - Articulating long corridors with a series of foyer areas, and/or providing windows along or at the end of the corridor. 	<p>The stairwell will have natural light & ventilation through the slatted screen.</p> <p>The lobby will have a north facing window at each leave.</p> <p>The proposal has been designed with a lobby and minimal internal corridors.</p>	Yes
4.7	Apartment layout		
	<p>(i) Maximise opportunities for natural lighting and ventilation through the following measures:</p> <ul style="list-style-type: none"> - Providing corner, cross-over, cross-through and double-height maisonette / loft apartments. - Limiting the depth of single aspect apartments to a maximum of 6m. - Providing windows or skylights to kitchen, bathroom and laundry areas where possible. <p>Providing at least 1 openable window (excluding skylight) opening to outdoor areas for all habitable rooms and limiting the use of borrowed light and ventilation.</p>	<p>The plans indicate the units have good cross ventilation.</p>	Yes
	<p>(ii) Design apartment layouts to accommodate flexible use of rooms and a variety of furniture arrangements.</p>	<p>The open plan living allows for flexible furniture arrangements.</p>	Yes
	<p>(iii) Provide private open space in the form of a balcony, terrace or courtyard for each and every</p>	<p>Each unit includes POS in the form of balconies and terraces.</p>	Yes

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DCP Clause	Control	Proposal	Compliance
	apartment unit in a development.		
	(iv) Avoid locating the kitchen within the main circulation space of an apartment, such as hallway or entry.	The units generally have an open plan kitchen, dining and living area.	Yes
4.8	Balconies		
	(i) Provide a primary balcony and/or private courtyard for all apartments with a minimum area of 8m ² and a minimum dimension of 2m and consider secondary balconies or terraces in larger apartments.	Each unit has POS of at least 8m ² and dimensions of 2m. The majority of units have secondary balconies.	Yes
	(ii) Provide a primary terrace for all ground floor apartments with a minimum depth of 4m and minimum area of 12m ² . All ground floor apartments are to have direct access to a terrace.	Unit 1 and 2 provide ground floor terraces of 18m ² and 25m ² , however these spaces are long and narrow and do not have minimum dimensions of 4m.	No
4.9	Colours, materials and finishes		
	(i) Provide a schedule detailing the materials and finishes in the development application documentation and plans. (ii) The selection of colour and material palette must complement the character and style of the building. (iv) Use the following measures to complement façade articulation: <ul style="list-style-type: none"> - Changes of colours and surface texture - Inclusion of light weight materials to contrast with solid masonry surfaces - The use of natural stones is encouraged. (v) Avoid the following materials or treatment: <ul style="list-style-type: none"> - Reflective wall cladding, panels and tiles and roof sheeting - High reflective or mirror glass - Large expanses of glass or curtain wall that is not protected by sun shade devices - Large expanses of rendered masonry - Light colours or finishes where they may cause adverse glare or reflectivity impacts 	The materials and palette are compatible with the coastal area.	Yes

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DCP Clause	Control	Proposal	Compliance
	(vi) Use materials and details that are suitable for the local climatic conditions to properly withstand natural weathering, ageing and deterioration. (vii) Sandstone blocks in existing buildings or fences on the site must be recycled and re-used.		
4.12	Earthworks Excavation and backfilling		
	(i) Any excavation and backfilling within the building footprints must be limited to 1m at any point on the allotment, unless it is demonstrated that the site gradient is too steep to reasonably construct a building within this extent of site modification. (ii) Any cut and fill outside the building footprints must take the form of terracing following the natural landform, in order to minimise the height or depth of earthworks at any point on the site. (iii) For sites with a significant slope, adopt a split-level design for buildings to minimise excavation and backfilling.	The bedrooms of unit 3 and 6 are below ground level. The cut for the POS of units 3 and 6 is not terraced.	No
	Retaining walls (i) Setback the outer edge of any excavation, piling or sub-surface walls a minimum of 900mm from the side and rear boundaries. (ii) Step retaining walls in response to the natural landform to avoid creating monolithic structures visible from the neighbouring properties and the public domain. (iii) Where it is necessary to construct retaining walls at less than 900mm from the side or rear boundary due to site conditions, retaining walls must be stepped with each section not exceeding a maximum height of 2200mm, as measured from the ground level (existing).	The retaining wall adjacent to the ground level units and communal open space are on the boundary and have a height of at least 2.8m in front of units 3 and 6.	No
5	Amenity		
5.1	Solar access and overshadowing		
	Solar access for proposed development		
	(i) Dwellings must receive a	Only 4 units will receive at	No

DCP Clause	Control	Proposal	Compliance
	minimum of 3 hours sunlight in living areas and to at least 50% of the private open space between 8am and 4pm on 21 June.	least 3 hours of direct sunlight. The non-complying units have south facing views to Maroubra Beach.	
	(ii) Living areas and private open spaces for at least 70% of dwellings within a residential flat building must provide direct sunlight for at least 3 hours between 8am and 4pm on 21 June.	Less than 70% of units receive 3hrs of direct sunlight in mid-winter. Only 40% of units receive at least 3 hours of direct sunlight.	No
	(iii) Limit the number of single-aspect apartments with a southerly aspect to a maximum of 10 percent of the total units within a residential flat building.	All apartments have at least two aspects. Most have windows and balconies with dual aspects.	Yes
	(iv) Any variations from the minimum standard due to site constraints and orientation must demonstrate how solar access and energy efficiency is maximised.	The proposed development varies from the minimum standards of the DCP. Despite this, the non-compliance is significant and cannot be supported.	Yes
Solar access for surrounding development			
	(i) Living areas of neighbouring dwellings must receive a minimum of 3 hours access to direct sunlight to a part of a window between 8am and 4pm on 21 June. (ii) At least 50% of the landscaped areas of neighbouring dwellings must receive a minimum of 3 hours of direct sunlight to a part of a window between 8am and 4pm on 21 June. (iii) Where existing development currently receives less sunlight than this requirement, the new development is not to reduce this further.	The internal living areas of units will receive at least 3 hours sunlight. At least 50% of the neighbouring properties POS will receive 3 hours of sunlight. The proposed development will not significantly increase overshadowing on neighbouring properties.	Yes
5.2	Natural ventilation and energy efficiency		
	(i) Provide daylight to internalised areas within each dwelling and any poorly lit habitable rooms via measures such as ventilated skylights, clerestory windows, fanlights above doorways and highlight windows in internal partition walls.	More than 15% of the units do not receive adequate direct sunlight.	No
	(ii) Sun shading devices appropriate to	Most windows have screening.	Yes

DCP Clause	Control	Proposal	Compliance
	the orientation should be provided for the windows and glazed doors of the building.		
	(iii) All habitable rooms must incorporate windows opening to outdoor areas. The sole reliance on skylight or clerestory windows for natural lighting and ventilation is not acceptable.	Habitable rooms have operable windows.	Yes
	(iv) All new residential units must be designed to provide natural ventilation to all habitable rooms. Mechanical ventilation must not be the sole means of ventilation to habitable rooms.	Habitable rooms have operable windows.	Yes
	(v) A minimum of 90% of residential units should be naturally cross ventilated. In cases where residential units are not naturally cross ventilated, such as single aspect apartments, the installation of ceiling fans may be required.	Each unit benefits from at least two aspects. As such, the units have good cross ventilation. Habitable rooms include fans.	Yes
	(vi) A minimum of 25% of kitchens within a development should have access to natural ventilation and be adjacent to openable windows.	The majority of kitchens have access to windows for ventilation.	Yes
5.3	Visual privacy		
	(i) Locate windows and balconies of habitable rooms to minimise overlooking of windows or glassed doors in adjoining dwellings. (ii) Orient balconies to front and rear boundaries or courtyards as much as possible. Avoid orienting balconies to any habitable room windows on the side elevations of the adjoining residences. (iii) Orient buildings on narrow sites to the front and rear of the lot, utilising the street width and rear garden depth to increase the separation distance. (iv) Locate and design areas of private open space to ensure a high level of user privacy. Landscaping, screen planting, fences, shading devices and screens are used to prevent overlooking and improve privacy. (v) Incorporate materials and design of privacy screens including: <ul style="list-style-type: none"> - Translucent glazing - Fixed timber or metal slats - Fixed vertical louvres with the individual blades oriented away 	Windows are located to not be directly adjacent to neighbouring windows. The majority of balconies are orientated towards the front and rear of the lot. Units 3 and 9 have primary balconies to the side located above ground level, both of which are screened. Units 5 and 8 have secondary, narrow circulation balconies to the side boundary, both of which are screened. Appropriate measures including orientation and screening have been used to improve neighbour privacy.	Generally complies.

DCP Clause	Control	Proposal	Compliance
	<p>from the private open space or windows of the adjacent dwellings</p> <ul style="list-style-type: none"> - Screen planting and planter boxes as a supplementary device for reinforcing privacy protection 		
5.4	Acoustic privacy		
	<ul style="list-style-type: none"> (i) Design the building and layout to minimise transmission of noise between buildings and dwellings. (ii) Separate "quiet areas" such as bedrooms from common recreation areas, parking areas, vehicle access ways and other noise generating activities. (iii) Utilise appropriate measures to maximise acoustic privacy such as: <ul style="list-style-type: none"> - Double glazing - Operable screened balconies - Walls to courtyards - Sealing of entry doors 	<p>Within the units which share a party wall, the majority of wall is hallway and living area.</p> <p>Side balconies are screened which will reduce potential acoustic impacts.</p>	Yes
5.5	View sharing		
	<ul style="list-style-type: none"> (i) The location and design of buildings must reasonably maintain existing view corridors and vistas to significant elements from the streets, public open spaces and neighbouring dwellings. (ii) In assessing potential view loss impacts on the neighbouring dwellings, retaining existing views from the living areas should be given a priority over those obtained from the bedrooms and non-habitable rooms. (iii) Where a design causes conflicts between retaining views for the public domain and private properties, priority must be given to view retention for the public domain. (iv) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring residences and the public domain. (v) Adopt a balanced approach to privacy protection and view sharing, and avoid the creation of long and massive blade walls or 	<p>The proposal has been redesigned to retain view corridors.</p> <p>A view loss assessment was undertaken from the living areas of neighbouring properties in accordance with the LEC Planning Principles. The assessment indicated that the proposal would result in a minor to moderate view loss for most properties. While unit 9/34 would have moderate to severe view loss.</p> <p>The applicant worked with Unit 9/34 to resolve many view loss issues. The resultant impact is considered reasonable. Unit 9/34 withdrew their objection letter.</p> <p>No views are impacted from the public domain.</p>	Yes

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DCP Clause	Control	Proposal	Compliance
	<p>screens that obstruct views from the neighbouring dwellings and the public domain.</p> <p>(vi) Clearly demonstrate any steps or measures adopted to mitigate potential view loss impacts in the development application.</p>		
5.6	Safety and security		
	(i) Design buildings and spaces for safe and secure access to and within the development.	Secure access is provided.	Yes
	(iii) For residential flat buildings, provide direct, secure access between the parking levels and the main lobby on the ground floor.	A lift and stairs provides access from the basement to the lobby.	Yes
	(iv) Design window and door placement and operation to enable ventilation throughout the day and night without compromising security. The provision of natural ventilation to the interior space via balcony doors only, is deemed insufficient.	The proposed development has good cross ventilation with a dual aspect windows and balconies.	Yes
	(v) Avoid high walls and parking structures around buildings and open space areas which obstruct views into the development.	NA	NA
	(vi) Resident car parking areas must be equipped with security grilles or doors.	Grilles are not indicated on the plans. Grilles can be conditioned where required.	Yes
	(vii) Control visitor entry to all units and internal common areas by intercom and remote locking systems.	Access control can be conditioned where required.	Yes
	(viii) Provide adequate lighting for personal safety in common and access areas of the development.	Lighting can be conditioned where required.	Yes
	(ix) Improve opportunities for casual surveillance without compromising dwelling privacy by designing living areas with views over public spaces and communal areas, using bay windows which provide oblique views and casual views of common areas, lobbies / foyers, hallways, open space and car parks.	The proposed development provides good passive surveillance over the street and car park entrance.	Yes
	(x) External lighting must be neither intrusive nor create a nuisance for nearby residents.	Lighting can be conditioned where required.	Yes
	(xi) Provide illumination for all building entries, pedestrian paths	Lighting can be conditioned where required.	Yes

DCP Clause	Control	Proposal	Compliance
	and communal open space within the development.		
6.1	Location		
	(ii) The location of car parking and access facilities must minimise the length of driveways and extent of impermeable surfaces within the site.	The driveway is located near the street.	Yes
	(iii) Setback driveways a minimum of 1m from the side boundary. Provide landscape planting within the setback areas.	The driveway is located on the side boundary. No landscape separation is provided.	No
	(v) For residential flat buildings, comply with the following: (a) Car parking must be provided underground in a basement or semi-basement for new development. (b) On grade car park may be considered for sites potentially affected by flooding. In this scenario, the car park must be located on the side or rear of the allotment away from the primary street frontage. (c) Where rear lane or secondary street access is not available, the car park entry must be recessed behind the front façade alignment. In addition, the entry and driveway must be located towards the side and not centrally positioned across the street frontage.	The site has a single street frontage. All car parking is provided in the basement.	Yes
6.2	Configuration		
	(i) With the exception of hardstand car spaces and garages, all car parks must be designed to allow vehicles to enter and exit in a forward direction.	Council's Development Engineer did not raise this as an issue.	Yes
	(ii) For residential flat buildings, the maximum width of driveway is 6m. In addition, the width of driveway must be tapered towards the street boundary as much as possible.	The driveway is a single vehicle entry. Having a width of 3m.	Yes
	(iv) Provide basement or semi-basement car parking consistent with the following requirements: (a) Provide natural ventilation. (b) Integrate ventilation grills into the façade composition and landscape design. (c) The external enclosing walls of	The basement car park is fully below ground level and includes mechanical ventilation. Pedestrian access can be provided via the lift, and the main stairwell located in the	Yes

DCP Clause	Control	Proposal	Compliance
	<p>car park must not protrude above ground level (existing) by more than 1.2m. This control does not apply to sites affected by potential flooding.</p> <p>(d) Use landscaping to soften or screen any car park enclosing walls.</p> <p>(e) Provide safe and secure access for building users, including direct access to dwellings where possible.</p> <p>(f) Improve the appearance of car park entries and avoid a 'back-of-house' appearance by measures such as:</p> <ul style="list-style-type: none"> - Installing security doors to avoid 'black holes' in the facades. - Returning the façade finishing materials into the car park entry recess to the extent visible from the street as a minimum. - Concealing service pipes and ducts within those areas of the car park that are visible from the public domain. 	centre of the building and a secondary stairwell located to the front of the site.	
7	Fencing and Ancillary Development		
7.1	Fencing		
	<p>(i) Fences are constructed with durable materials that are suitable for their purpose and can properly withstand wear and tear and natural weathering.</p> <p>(ii) Sandstone fencing must not be rendered and painted.</p> <p>(iii) The following materials must not be used in fences:</p> <ul style="list-style-type: none"> - Steel post and chain wire - Barbed wire or other dangerous materials <p>(i) Expansive surfaces of blank rendered masonry to street frontages must be avoided.</p>	The front fence is constructed of similar materials to the building.	Yes
7.2	Front Fencing		
	(i) The fence must align with the front property boundary or the predominant fence setback line along the street.	The fence aligns with the front boundary.	Yes
	(ii) The maximum height of front	Due to the sloping site, the	No

DCP Clause	Control	Proposal	Compliance
	fencing is limited to 1200mm, as measured from the footpath level, with the solid portion not exceeding 600mm, except for piers. The maximum height of front fencing may be increased to 1800mm, provided the upper two-thirds are partially open, except for piers.	front fence has a height greater than 1200mm with the solid portion exceeding 600mm.	
	(iii) Construct the non-solid portion of the fence with light weight materials that are at least 30% open and evenly distributed along the full length of the fence.	The non-solid portion of the fence will be constructed of wood.	Yes
	(iv) Solid front fence of up to 1800mm in height may be permitted in the following scenarios: <ul style="list-style-type: none"> - Front fence for sites facing arterial roads. - Fence on the secondary street frontage of corner allotments, which is behind the alignment of the primary street façade. Such solid fences must be articulated through a combination of materials, finishes and details, and/or incorporate landscaping, so as to avoid continuous blank walls.	NA	NA
	(v) The fence must incorporate stepping to follow any change in level along the street boundary. The height of the fence may exceed the aforementioned numerical requirement by a maximum of 150mm adjacent to any stepping.	Despite the site slope, the fence does not incorporate any stepping.	
	(vi) The preferred materials for front fences are natural stone, face bricks and timber.	The front fence is mix of painted render and wood. However, the fence materials are consistent with the proposed development.	No
	(vii) Gates must not open over public land.	Gates open over private land.	Yes
	(viii) The fence adjacent to the driveway may be required to be splayed to ensure adequate sightlines for drivers and pedestrians.	NA	NA
7.3	Side and Rear Fencing		
	(i) The maximum height of side, rear or common boundary fences is limited to 1800mm, as measured from the ground level (existing). For sloping sites, the fence must be stepped to follow the topography of the land, with each step not exceeding 2200mm above ground level (existing).	No change is proposed to the side fencing.	Yes

DCP Clause	Control	Proposal	Compliance																						
	<div><div>(ii)</div><div>In the scenario where there is significant level difference between the subject and adjoining allotments, the fencing height will be considered on merits.</div></div> <div><div>(iii)</div><div>The side fence must be tapered down to match the height of the front fence once pasts the front façade alignment.</div></div> <div><div>(iv)</div><div>Side or common boundary fences must be finished or treated on both sides.</div></div>																								
7.6	Storage																								
	<div><div>(i)</div><div>The design of development must provide for readily accessible and separately contained storage areas for each dwelling.</div></div> <div><div>(ii)</div><div>Storage facilities may be provided in basement or sub floor areas, or attached to garages. Where basement storage is provided, it should not compromise any natural ventilation in the car park, reduce sight lines or obstruct pedestrian access to the parked vehicles.</div></div> <div><div>(iii)</div><div>In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:<div><div>(a)</div><div>Studio apartments – 6m³</div></div><div><div>(b)</div><div>1-bedroom apartments – 6m³</div></div><div><div>(c)</div><div>2-bedroom apartments – 8m³</div></div><div><div>(d)</div><div>3 plus bedroom apartments – 10m3</div></div></div></div>	<div>The proposal appears to have provided sufficient storage. However, details were provided in square meters not cubic metres.</div> <table><tr><td>UNIT</td><td>Square metres</td></tr><tr><td>Unit 1</td><td>1.2 x 2.6</td></tr><tr><td>Unit 2</td><td>1.2 x 2.6</td></tr><tr><td>Unit 3</td><td>2 x 2.6 + under stairs</td></tr><tr><td>Unit 4</td><td>3.3 x 2.6</td></tr><tr><td>Unit 5</td><td>3.3 x 2.6</td></tr><tr><td>Unit 6</td><td>2 x 2.6 + under stairs</td></tr><tr><td>Unit 7</td><td>3.3 x 2.6</td></tr><tr><td>Unit 8</td><td>3.3 x 2.6</td></tr><tr><td>Unit 9</td><td>5.2 x 2.6</td></tr><tr><td>Unit 10</td><td>5 x 2.6</td></tr></table>	UNIT	Square metres	Unit 1	1.2 x 2.6	Unit 2	1.2 x 2.6	Unit 3	2 x 2.6 + under stairs	Unit 4	3.3 x 2.6	Unit 5	3.3 x 2.6	Unit 6	2 x 2.6 + under stairs	Unit 7	3.3 x 2.6	Unit 8	3.3 x 2.6	Unit 9	5.2 x 2.6	Unit 10	5 x 2.6	Yes
UNIT	Square metres																								
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Unit 9	5.2 x 2.6																								
Unit 10	5 x 2.6																								
7.7	Laundry facilities																								
	<div><div>(i)</div><div>Provide a retractable or demountable clothes line in the courtyard of each dwelling unit.</div></div>	<div>No clothes lines are indicated on the plans. This can be conditioned.</div>	Yes																						
	<div><div>(ii)</div><div>Provide internal laundry for each dwelling unit.</div></div>	<div>Each unit includes an internal laundry cupboard.</div>	Yes																						
	<div><div>(iii)</div><div>Provide a separate service balcony for clothes drying for dwelling units where possible. Where this is not feasible, reserve a space for clothes drying within the sole balcony and use suitable balustrades to screen it to avoid visual clutter.</div></div>	<div>The southern units can use the side balconies to dry clothes. The side balconies provide sufficient screening to avoid visual clutter.</div>	Yes																						
7.8	Air conditioning units:																								
	<div><div>•</div><div>Avoid installing within window</div></div>	<div>No air conditioners are</div>	NA																						

DCP Clause	Control	Proposal	Compliance
	frames. If installed in balconies, screen by suitable balustrades. <ul style="list-style-type: none"> Air conditioning units must not be installed within window frames. 	indicated on the plans.	

4. 79C Matters for consideration

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
Section 79C(1)(a)(i) – Provisions of any environmental planning instrument	The provisions of the applicable environmental planning instruments have been addressed in the body of this report and the executive summary.
Section 79C(1)(a)(ii) – Provisions of any draft environmental planning instrument	N/A
Section 79C(1)(a)(iii) – Provisions of any development control plan	The proposed development has been assessed and determined to be inconsistent with a number of provisions of the DCP. Any non-compliances have been addressed in this report.
Section 79C(1)(a)(iia) – Provisions of any Planning Agreement or draft Planning Agreement	N/A
Section 79C(1)(a)(iv) – Provisions of the regulations	The relevant clauses of the Regulations have been satisfied.
Section 79C(1)(b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report.
Section 79C(1)(c) – The suitability of the site for the development	The development proposes non-compliant front, rear and side setbacks, as well as poor solar access. The development is not suitable for the site.
Section 79C(1)(d) – Any submissions made in accordance with the EP&A Act or EP&A Regulation	The issues raised in the submissions have been addressed in this report.
Section 79C(1)(e) – The public interest	The proposal is inconsistent with all objectives of the zone. The proposal will not protect the amenity of neighbouring, future residents or the amenity of the streetscape.

5. Referral Comments

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Development Engineer**Drainage Comments**

The Development Engineer has included a number of conditions in this memo that relate to drainage design requirements. The applicant is required to submit detailed drainage plans to the certifying authority for approval prior to the issuing of a construction certificate.

The stormwater must be discharged (by gravity) either:

- i. Directly to the kerb and gutter in front of the subject site in Bona Vista Avenue; or
- i. Directly into Council's underground drainage system located in Bona Vista Avenue via a new kerb inlet pit; or

The maximum discharge from the site must not exceed **25L/S** for all storm events up to the 1 in 20 year storm event. All stormwater run-off from the site exceeding this amount is to be detained on the site for gradual release to the street drainage system, to the satisfaction of the certifying authority.

An overland escape route or overflow system (to Council's street drainage system) must be provided for storms having an average recurrence interval of 100 years (1 in 100 year storm), or, alternatively the stormwater detention system is to be provided to accommodate the 1 in 100 year storm.

Parking Comments

The proposed development comprises of 10 x 2 bedroom units.

Parking Requirements for the development have been assessed as per the rates specified in Part B7 of Randwick Council's Development Control Plan 2013 and Clause 14.2a(ii) of the Affordable housing SEPP for the 4 affordable housing units. The following parking rates are therefore applicable to the proposed development:

Under Part B7 of Council's DCP 2013

1.2 spaces per 2 bedroom unit

1 visitor space per 4 bedrooms

Under Clause 14.2a(ii) of the SEPP (Affordable Housing)

1 space for each dwelling containing 2 bedrooms

No visitor parking required

Parking Required = $[(6 \times 1.2) + 6/4(\text{visitor}) \text{ under DCP}] + [(4 \times 1) \text{ under SEPP}]$
 = 8.7 (DCP) + 4 (SEPP)
 = 12.7
 = say 13 spaces (including 2 visitor spaces)

Parking Provided = 14 spaces (complies)

Although the total parking provision complies, no visitor parking has been proposed as each pair of the proposed tandem spaces is to be allocated to an individual unit. The lack of visitor parking is generally not supported by Development Engineering however it is noted the site is

close to alternative transport options and any visitor parking demand would tend to be restricted to the site frontage.

The on-street parking arrangement report also demonstrates that on-street parking was available in the vicinity of the site. The over-compliance in the parking for the units will also assist in alleviating any additional parking demand created by the residents themselves.

In consideration of the above factors no objections are raised to the proposed parking provision and allocation in this instance.

Motorbike Parking

Motorbike Parking is to be provided at 5% of the vehicle parking requirement.

Parking Required = $0.05 \times 13 = 0.65 = 1$ space

Parking Provided = 1 space (complies)

Bicycle Parking

For Flats/multi dwelling bicycle parking to be provided at 1 space per 2 units plus 1 visitor space per 10 units

Parking Required = $10/2 + 10/10$

= 6 spaces (including 1 visitor space)

Parking Provided = 0 (No bicycle parking indicated -does not comply)

The lack of bicycle parking is not supported by Development Engineering. A condition has been included in this consent for the provision of 6 bicycle spaces

Carpark Layout

The vehicular access driveways, internal circulation ramps and the carpark areas, (including, but not limited to, the ramp grades, carpark layout and height clearances) are to be in accordance with the requirements of Australian Standard 2890.1:2004.

Swept paths have been provided in the Traffic management report that satisfactorily demonstrate the carspaces can be accessed and vehicles are able to exit the basement in a forward direction.

No objections are raised to the 2 small carspaces provided any future approval for strata subdivision of the property must include a clause that any contract of sale for the unit to be allocated the small carspaces must include a clause highlighting that the carspaces do not meet the minimum dimensions for standard carspaces under AS 2890.1 and shall be used for small cars only.

Undergrounding of site feed power lines

At the ordinary Council meeting on the 27th May 2014 it was resolved that;

Should a mains power distribution pole be located on the same side of the street and within 15m of the development site, the applicant must meet the full cost for Ausgrid to relocate the existing overhead power feed from the distribution pole in the street to the development site via an underground UGOH connection.

The subject **is** located within 15m of a power pole on the same side of the street hence the above clause **is** applicable. A suitable condition has been included in this report.

Waste Management Comments

Council's 'Waste Management Guidelines for Proposed Developments' specify a waste generation rate for multi-unit housing of 120L/unit/week for normal garbage and

60L/unit/week for recycling. Assuming a standard 240L bin this translates to 1 bin per two units for normal garbage (weekly collection) and 1 bin per two units for recycling (fortnightly collection).

This results in 5 bins for garbage + 5 bins for recycling being required for the proposed development.

As some landscaping is also proposed it is recommended 2 x 240L bin also be provided for green waste

Total number of bins required = 5(garbage) + 5(recycling) + 2(green waste)
= 12 x 240L bins

Total number of bins proposed = A Bin room has been provided but individual bins have not been shown. Conditions have been included to ensure the bin room is of adequate size.

Landscape Comments

There are no significant trees within this site at all that would pose a constraint to the development, and as the submitted landscape plans show a high level of detail on both the ground and roof levels, which will result in a high quality treatment for future occupants, dramatically increasing the amount of plant material at this site, conditions require that this scheme be fully implemented as part of any approval.

There is a stand of established vegetation growing beyond the rear (northwest) boundary, wholly on an adjoining private property, which may assist with screening and privacy, and whose southern aspects overhang slightly into the subject site.

While the basement level and actual building are setback at such a distance that these works would pose no direct threat, in order to address the sloping topography, a blockwork retaining wall/planter has been shown across the width of the rear boundary, and despite being offset several metres from their trunks, there is still the potential for root damage to occur during excavations, with relevant protection conditions imposed.

Design Review Panel

Principle 1: Context and Neighbourhood Character

The context of the site is characterised by 2, 3, and 4 storey scale apartment buildings of varying ages and styles along with some single houses, however the rather self-conscious treatment proposed for the façade to Bona Vista Avenue would make it "stand out" rather than fit into its neighbourhood, as discussed below.

The building will be highly visible from the street due to the large setback of the neighbour to the south. The street facade and southern facade will be very prominent and the Panel considers that the style of architectural expression chosen by the applicant is not appropriate or sufficiently skilled architecturally. The design is not considered compatible with the character of the local area.

A more simple and direct approach could be taken to resolve issues of orientation, privacy and aesthetics. This could then present as a contemporary building that related to its context which has a predominant character of straightforward and less adorned housing.

The building footprint is also longer than its neighbours. Its length could easily be reduced if the lobbies and unit interior planning were rationalised. This would reduce the amount the rear unit would be below ground level and increase the landscape area, which is currently deficient with the DCP.

The outline plan and section of and the location of windows in the next-door building to the North should be shown on the drawings.

Principle 2: Built Form and Scale

The current proposal has not sufficiently advanced any of the design issues discussed in the Panel's previous report. Existing and proposed ground levels on both sides of the site boundaries should be shown on the ground floor plan.

The following issues need to be addressed:

- The percentage of units that do not achieve sunlight in midwinter exceeds 15%, as the neighbour's shadow has not been accounted for.
- Windows within 3m of the boundary need fire protection. The north-eastern facade shows a number of windows are within the 3m. The drawings note that this will be addressed during Construction Certificate stage. This is not acceptable and the Panel would like to know what changes the solution might affect and advises that appropriate BCA advice should be sought for the DA stage.
- The proposed building exceeds LEP height controls by just under 2m. If the rear below-ground unit (U3) was deleted and the building lowered this could be alleviated. Unit 3 is up to 4m below natural ground level and considered unacceptable. The lost floor space may be able to be placed on the top level on the north side of the site and remain within the height limit. The basement ramp and layout would also need to be adjusted, however there are a number of options that could be pursued which would also allow the lift position to move closer to the street. This in turn will shorten the entry path which is quite long.
- The building is substantially longer than, and should be more in line with the length of its neighbour at 34 Bona Vista Avenue. The Panel believes that a more compact footprint moved towards the street would be a better outcome. The reduced building length would enable more useful outdoor areas that are more integrated with the building.
- Egress from the car park is too close to the private open space of Unit 1 and impinges on the limited front garden area.
- The built form is awkward and has varied protruding elements that are poorly resolved. The n-e bedroom in the centre of the north elevation will have fire issues, poor ventilation and insufficient sun-shading. This protruding form, if followed to the roof level on the elevation shows the roof in the same plane. This is not what is shown on the plans.
- The north elevation is dominated by bathrooms and blank bedroom walls. The units could easily be replanned so that living areas achieve southern views and also have access to northern sun.
- Balconies that face the side boundaries, unless they are screened, should be removed as they can cause privacy and overlooking problems. It is unclear how these balconies work as the solid brick balustrade is shown at 1.5m high - given the slope of the land it seems possible that the lower balconies could still overlook the neighbours' private open space. The Panel recommends that other window types be investigated and privacy achieved with good planting and trees. The rear bedroom could have windows to the north. Brick balustrades would need to be reinforced.
- The Panel previously noted that the ramped driveway should have some landscape along its southern boundary. A green wall to future specification is unsatisfactory and does not reduce the impact of the driveway on U2 living areas. Further, there appears to be insufficient head height on the driveway as shown on the south west elevation.
- The basement is best contained within the footprint of the building above.
- A number of windows are dimensioned incorrectly on the schedule provided.
- The upper level should be reconsidered. The large communal space, although in principle commendable, is unnecessarily large and impacts on the privacy of the private roof terrace. Unit 10 is awkward due to the lift position.
- The bulky stair form should be revised so that it is part of the main building. Windows to the stairs or methods to make it an open stair (connecting 3 storeys to the ground) should be investigated. The Panel recommends that the stair be open to the lobby, rather than a separate fire stair, subject to BCA advice.
- All openings and glazing will need to have appropriate sun shading and weather protection. These need to be carefully integrated with the facade design. The stylised

facades in the perspectives are not well considered and have too many varying elements that have no purpose

- Relationships with neighbours need to be clearly described on the elevations and sections which need to extend to the neighbouring buildings. The Panel is keen to understand the interface and the ground line between the varying conditions.
- Planter boxes that are part of the building form need to be appropriately designed for soil capacity and irrigation. This information has not been provided - see comment under Principle 5: Landscape.
- Relaxation of side setbacks should be discussed with Council.
- Ground level apartments have insufficient storage.
- Unit 2, as a 2-bed unit has insufficient living room area
- The laundry in the adaptable unit will not comply.
- Room sizes need to be dimensioned.
- The dining area in Unit 1 is too narrow.

The rear terraces impact on the privacy of Unit 1.

Principle 3: Density

Affordable Rental Housing is desirable in this location. The proposed additional density is achievable under the ARH SEPP, however the building design cannot be supported as it does not yet comply with a number of other requirements as noted above.

Principle 4: Sustainability

The following matters need to be addressed in the DA:

- sun shading to windows
- the provision of ceiling fans in habitable rooms – shown on drawings
- the provision of a storm-water retention tank
- windows that can securely allow cross-ventilation
- shadow and privacy impacts on and from the northern neighbour need to be taken into consideration when calculating hours of winter sunlight.

Principle 5: Landscape

Although the deep soil area may comply with the Apartment Design Guidelines the proposal is well short of Council's long-standing landscape and deep soil area requirements which are highly appropriate in such transitional suburban areas. The Panel considers that the Council's requirements could be met and the building occupants and neighbours would both benefit from increased amenity.

The planter box section shown on the landscape details plan is generic and does not relate well to the proposed planters on the upper levels.

Principle 6: Amenity

None of the unit plans have progressed satisfactorily and new layouts should be considered in line with the comments made throughout this report.

While the roof terraces are a good idea in principle neither are well integrated or resolved in this application.

Principle 7: Safety

The BCA issues need to be fully investigated and reported on in the DA. Provision for planter box maintenance would need to comply to safety standards.

Principle 8: Housing Diversity and Social interaction

Satisfactory if all other issues are suitably resolved.

Affordable Housing is supported in principle.

Principle 9: Aesthetics

As noted above under Context the Panel is unconvinced by a number of components and characteristics of the proposed façades to Bona Vista Avenue and elsewhere on the building:

- The meaningless curved forms to the balcony ends
- The absence of articulation within the large expanses of unrelieved white painted cement render
- The inappropriate use of (apparently self-supporting) brickwork as balcony balustrades
- The proposed colour palette that, as can be seen from the photo-montages, does not relate sufficiently with the colours existing in the surrounding buildings.

It can only be assumed that it is the proponent's intention to make this building contrast as strongly as possible with its context, rather than fitting it in. All these characteristics can easily be changed and should be changed.

The DA should include large-scale typical cross-sections and part elevations to indicate how the proposed building would be constructed.

Summary and Recommendations

If the issues identified above were to be satisfactorily addressed, the bulk, scale and planning of this proposal could be made satisfactory. However in the opinion of the Panel the design of this proposal is presently unacceptable.

The Panel wishes to review this proposal again after the above comments have been considered and acted upon.

D102/16

Development Application Compliance Report



Folder /DA No:	DA/559/2016
PROPERTY:	51-53 Garrett Street, MAROUBRA NSW 2035
Proposal:	Subdivision of existing attached dual occupancy into two Torrens Title lots including new front and side fences and relocation of a window to the rear of 53 Garrett Street (variation to lot size control).
Recommendation:	Approval

D103/16

Relevant Environment Planning Instruments:

1. SEPPs

None applicable

2. Randwick LEP 2012

The subject site is zoned R2 Low Density Residential under Randwick LEP 2012. The proposal development is classified as an amendment to the existing subdivision of the site which contains two part lots in the same Deposited Plan (a likely remnant of the original subdivision of lots along Garrett Street). In fact the occupancies on the two allotments were built as semi-detached buildings in 1938 under BA/185/1938. The proposal essentially seeks a reduction in the size of one lot (Lot B (No. 53 Garrett Street)) and an increase in the size of another lot (Lot A (No. 51 Garrett Street)) allowing removal of encroachments. The proposal also seeks minor works such as fencing and relocating a window to the rear of No. 53 Garrett Street. The proposed subdivision is permissible in the zone. The zoning objectives are addressed as follows:

- To provide for the housing needs of the community within a low density residential environment.
- To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.
- To protect the amenity of residents.
- To encourage housing affordability.

As shown in the table below the proposed lot sizes don't meet the minimum allotment size required under Clause 4.1(3) of the RLEP 2012 which requires a minimum of 400sqm per lot. The applicant has submitted documentation under Clause 4.6 of the RLEP 2012 seeking an exception to the minimum lot size standards. These are addressed in more detail in the Council executive report. Notwithstanding, it is briefly noted here that while the shortfalls are significant it is considered that the proposed subdivision is supportable in the circumstances of the case, having regard to the historical nature of the site and the subdivision pattern of semi-detached dwellings within the immediate vicinity. In combination the proposed subdivision will not increase speculative development for smaller lot subdivisions which would potentially transform the low density character of the R2 zone into higher density developments.

The following Clauses of RLEP 2012 apply to the proposal:

Description	Council Standard	Proposed	Compliance (Yes/No/NA)
Floor Space Ratio (Maximum)	Merit assessment for lot A as it measures less than 300sqm and 0.75:1 for lot B	0.33:1 for lot A and 0.30:1 for lot B	The proposed FSR for lot A is within the maximum allowed and the FSR for lot B is considered to be consistent with the objectives of the standard.
Height of buildings	9.5m	No change	N/A
Lot Size (Minimum)	400sqm per lot	Lot A = 286.7sqm Lot B = 303.2sqm	No* see executive report

* See Council executive report summary addressing the exception to development standard submitted under Clause 4.6 of the RLEP 2012.

3. Randwick Comprehensive Development Control Plan (DCP)

The DCP provisions are structured into two components, Objectives and Controls. The Objectives provide the framework for assessment under each requirement and outline key outcomes that a development is expected to achieve. The controls contain both numerical standards and qualitative provisions. Any proposed variations from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome.

The relevant provisions of the DCP are addressed in the table below. (Note: a number of control provisions that are not related to the proposal have been deliberately omitted.)

B7 Transport, Traffic, Parking and Access

Section 3 of Part B7 of the DCP sets out parking requirements for the semi-detached dwellings on adjusted lot sizes. The requirements are that 1 space be provided for each of the proposed dwelling on each of the lots.

Lot B at No. 53 Garrett Street has no parking and isn't capable of providing parking without substantially altering the layout of the existing dwelling. As well, any alterations required for the semi-detached dwelling would likely detract from the appearance of the building as viewed along Garrett Street. It is also noted that the proposal is not dissimilar to the existing arrangement of the two buildings on the each of the part lots, whereby the proposal seeks to merely convert the part lots of the same DP into single Torrens Title allotments of land.

Council's Development Engineer raises no objection to the shortfall in parking.

C1 Table: Low Density Residential

DCP Clause	Controls	Proposal	Compliance
	Classification	Zoning =	
2	Site planning		
2.1	Minimum lot size and frontage		
	Minimum lot size (RLEP): • R2 = 400sqm	See RLEP table above.	No. See council executive report and assessment of Clause 4.6

DCP Clause	Controls	Proposal	Compliance
			submission under key issues section of report.
	Minimum frontage		
	i) Min frontage R2 = 12m	Proposed = 7.03m and 8.515m	No see Council executive report
2.3	Site coverage		
	Up to 300 sqm = 60% 301 to 450 sqm = 55%	Lot A = 33% Lot B = 30%	Yes
2.4	Landscaping and permeable surfaces		
	i) Up to 300 sqm = 20% ii) 301 to 450 sqm = 25% iii) Deep soil minimum width 900mm. iv) Maximise permeable surfaces to front v) Retain existing or replace mature native trees vi) Minimum 1 canopy tree (8m mature). Smaller (4m mature) If site restrictions apply. vii) Locating paved areas, underground services away from root zones.	Lot A = 52.6% Lot B = 61.5%	Yes
2.5	Private open space (POS)		
	Dwelling & Semi-Detached POS		
	Up to 300 sqm = 5m x 5m 301 to 450 sqm = 6m x 6m	Lot A = 7.8m x 12m Lot B = 7.5m x 18m	Yes
3	Building envelope		
3.1	Floor space ratio LEP 2012 =	See table above	Yes
3.2	Building height		
	Maximum overall height LEP 2012 = 9.5m	Existing	Yes
	i) Maximum external wall height = 7m (Minimum floor to ceiling height = 2.7m)	Existing	No, however it is existing built form and requiring an increase would not achieve a reasonable nexus between the nature of works being proposed and the cost of increasing the floor to ceiling heights.
3.3	Setbacks		
3.3.1	Front setbacks		Existing
	i) Average setbacks of adjoining (if		

DCP Clause	Controls	Proposal	Compliance
	none then no less than 6m) Transition area then merit assessment.		
3.3.2	Side setbacks: Semi-Detached Dwellings: <ul style="list-style-type: none"> Frontage b/w 6m and 8m = 900mm for all levels 		Existing
3.3.3	Rear setbacks <ul style="list-style-type: none"> i) Minimum 25% of allotment depth or 8m, whichever lesser. Note: control does not apply to corner allotments. ii) Provide greater than aforementioned or demonstrate not required, having regard to: <ul style="list-style-type: none"> Existing predominant rear setback line - reasonable view sharing (public and private) protect the privacy and solar access 		Existing
4	Building design		
4.1	General		
4	Building design		
	Respond specifically to the site characteristics and the surrounding natural and built context - <ul style="list-style-type: none"> articulated to enhance streetscape stepping building on sloping site, no side elevation greater than 12m encourage innovative design 		Yes
4.2	Additional Provisions for symmetrical semi-detached dwellings		
	<ul style="list-style-type: none"> i) Enhance the pair as coherent entity: <ul style="list-style-type: none"> behind apex of roof; low profile or consistent with existing roof new character that is first floor at front after analysis streetscape outcome ii) Constructed to common boundary of adjoining semi iii & iv) avoid exposure of blank party walls to adjoining semi and public domain 	Asymmetrical	No change
4.5	Colours, Materials and Finishes		
	<ul style="list-style-type: none"> i) Schedule of materials and finishes ii) Finishing is durable and non-reflective. iii) Minimise expanses of rendered masonry at street frontages (except due to heritage consideration) iv) Articulate and create visual interest by using combination of materials and finishes. v) Suitable for the local climatic to 		Yes

DCP Clause	Controls	Proposal	Compliance
	withstand natural weathering, ageing and deterioration. vi) recycled and re-use sandstone		
5	Amenity		
5.1	Solar access and overshadowing		
	Solar access to proposed development:		Existing
	i) Portion of north-facing living room windows must receive a minimum of 3 hrs direct sunlight between 8am and 4pm on 21 June ii) POS (passive recreational activities) receive a minimum of 3 hrs of direct sunlight between 8am and 4pm on 21 June.		
	Solar access to neighbouring development:		
	i) Portion of the north-facing living room windows must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. iv) POS (passive recreational activities) receive a minimum of 3 hrs of direct sunlight between 8am and 4pm on 21 June. v) solar panels on neighbouring dwellings, which are situated not less than 6m above ground level (existing), must retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. If no panels, direct sunlight must be retained to the northern, eastern and/or western roof planes (not <6m above ground) of neighbouring dwellings. vi) Variations may acceptable be subject to: <ul style="list-style-type: none"> Degree of meeting the FSR, height, setbacks and site coverage controls. Orientation of the subject and adjoining allotments and subdivision pattern of the urban block. Topography of the subject and adjoining allotments. Location and level of the windows in question. Shadows cast by existing buildings on the neighbouring allotments. 		Existing
5.3	Visual Privacy		
	Windows		
	i) minimise any direct viewing habitable		Yes

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DCP Clause	Controls	Proposal	Compliance
	of proposed and neighbours habitable room windows by one or more of the following measures: - windows are offset or staggered ii) orientate living and dining windows away from similar opposite (that is front or rear or side courtyard)		
5.4	Acoustic Privacy		
	i) noise sources not located adjacent to adjoining dwellings bedroom windows Attached dual occupancies ii) Reduce noise transmission between dwellings by: - Locate noise-generating areas and quiet areas adjacent to each other. - Locate less sensitive areas adjacent to the party wall to serve as noise buffer.		Existing arrangement
5.5	Safety and Security		
	i) dwellings main entry on front elevation (unless narrow site) ii) Street numbering at front near entry. iii) 1 habitable room window (glazed area min 2 square metres) overlooking the street or a public place. iv) Front fences, parking facilities and landscaping does not to obstruct casual surveillance (maintain safe access)		Existing
7	Fencing and Ancillary Development		
7.1	General - Fencing		
	i) Use durable materials ii) sandstone not rendered or painted iii) don't use steel post and chain wire, barbed wire or dangerous materials iv) Avoid expansive surfaces of blank rendered masonry to street		Yes
7.2	Front Fencing		
	i) 1200mm max. (Solid portion not exceeding 600mm), except for piers. - 1800mm max. provided upper two-thirds partially open (30% min), except for piers. ii) light weight materials used for open design and evenly distributed iii) Natural stone, face bricks and timber are preferred. Cast or wrought iron pickets may be used if compatible vi) Avoid roofed entry portal, unless complementary to established fencing pattern in heritage streetscapes. vii) Gates must not open over public		Yes

DCP Clause	Controls	Proposal	Compliance
	land. viii) The fence must align with the front property boundary or the predominant fence setback line along the street. ix) Splay fence adjacent to the driveway to improve driver and pedestrian sightlines.		
7.3	Side and rear fencing		
	i) 1800mm maximum height (from existing ground level). Sloping sites step fence down (max. 2.2m). ii) Fence may exceed max. if level difference between sites iii) Taper down to front fence height once past the front façade alignment.		Yes
7.8	Clothes Drying Facilities		
	i) Located behind the front alignment and not be prominently visible from the street		Yes

4. 79C Matters for consideration

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
Section 79C(1)(a)(i) – Provisions of any environmental planning instrument	<p>Randwick Local Environmental Plan 2012</p> <p>The site is zoned Residential R2 Low Density under Randwick Local Environmental Plan 2012 and the proposal is permissible with Council's consent.</p> <p>The proposed development remains consistent with the specific objectives of the zone in that the proposed activity and built form will not change as a result of the Torrens title subdivision.</p> <p>The proposal also maintains the housing needs of the community whilst maintaining the aesthetic character of the area and protecting the amenity of the local residents.</p>
Section 79C(1)(a)(ii) – Provisions of any draft environmental planning instrument	None applicable
Section 79C(1)(a)(iii) – Provisions of any development control plan	The proposal where relevant generally satisfies the objectives and controls of the Randwick Comprehensive DCP 2013. See table above and key issues section in executive summary report for aspects not otherwise dealt with.
Section 79C(1)(a)(iiia) – Provisions of any Planning Agreement or draft Planning Agreement	None applicable
Section 79C(1)(a)(iv) – Provisions of the	The relevant clauses of the Regulations have been satisfied.

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
regulations	
Section 79C(1)(b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>The environmental impacts of the proposed development on the natural and built environment, which are otherwise not addressed in this report, are discussed in the paragraphs below.</p> <p>The proposed development is consistent with the dominant residential character in the locality. The proposal would not considered result in detrimental social or economic impacts on the locality.</p>
Section 79C(1)(c) – The suitability of the site for the development	The site is located in close proximity to local services and public transport. The site has sufficient area to accommodate the proposed land use and associated structures. Therefore, the site is considered suitable for the proposed development.
Section 79C(1)(d) – Any submissions made in accordance with the EP&A Act or EP&A Regulation	The issues raised in the submissions have been addressed in this report.
Section 79C(1)(e) – The public interest	The proposal promotes the objectives of the zone and will not result in any significant adverse environmental, social or economic impacts on the locality. Accordingly, the proposal is considered to be in the public interest.

5. Referral Comments

Development Engineers

An application has been received for torrens title subdivision of the above site into 2 lots.

This report is based on the following plans and documentation:

- *Draft Subdivision Plans by kvmzvarchitecture dated August 2016.*
- *Statement of Environmental Effects by kvmzvarchitecture dated August 2016.*

Parking Comments

As a result of the proposed subdivision the lot containing the existing semi-detached dwelling at No.53 Garrett Street will not have access to off-street parking. Nor would it be possible to provide any due to the setback of the dwelling being less than 5.0m from Garrett Street.

As the dwellings are already separated and the subdivision boundary will generally be reflecting existing occupations, no objections are raised by Development Engineering in this instance providing the existing vehicle access is upgraded to current standards (see Access Driveway comments below).

Access Driveway

It is considered the existing vehicle crossing across Council's verge (currently bare earth & gravel) shall be upgraded in accordance with Council's current standards as part of the subdivision approval. A suitable condition has been included in this report.

6. DEVELOPMENT CONSENT CONDITIONS

GENERAL CONDITIONS

The development must be carried out in accordance with the following conditions of consent.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of environmental amenity.

Approved Plans & Supporting Documentation

- The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn by	Dated	Received by Council
DA001 Rev A	kvmcarchitecture	16.08.16	16 August 2016
DA100 Rev A		16.08.16	16 August 2016
DA101 Rev A		16.08.16	16 August 2016
DA102 Rev A		16.08.16	16 August 2016
DA103 Rev A		16.08.16	16 August 2016
DA104 Rev A		16.08.16	16 August 2016
DA105 Rev A		16.08.16	16 August 2016
DA201 Rev A		16.08.16	16 August 2016
DA202 Rev A		16.08.16	16 August 2016
DA301 Rev A		16.08.16	16 August 2016
DA401 Rev A		16.08.16	16 August 2016
DA402 Rev A		16.08.16	16 August 2016

REQUIREMENTS BEFORE A CONSTRUCTION CERTIFICATE CAN BE ISSUED

The following conditions of consent must be complied with before a 'Construction Certificate' is issued by either Randwick City Council or an Accredited Certifier. All necessary information to demonstrate compliance with the following conditions of consent must be included in the documentation for the construction certificate.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent conditions and to achieve reasonable levels of environmental amenity.

Consent Requirements

- The requirements and amendments detailed in the 'General Conditions' must be complied with and be included in the construction certificate plans and associated documentation.

Long Service Levy Payments

- The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, must be forwarded to the Long Service Levy Corporation or the Council, in accordance with Section 109F of the *Environmental Planning & Assessment Act 1979*.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

REQUIREMENTS TO BE INCLUDED IN THE CONSTRUCTION CERTIFICATE

The requirements contained in the following conditions of consent must be complied with and details of compliance must be included in the construction certificate for the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Councils development consent conditions and to achieve reasonable levels of environmental amenity.

Compliance with the Building Code of Australia

4. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA). Details of compliance with the BCA are to be included in the construction certificate application.

Structural Adequacy

5. Certificate of Adequacy supplied by a *professional engineer* shall be submitted to the certifying authority (*and the Council, if the Council is not the certifying authority*), certifying the structural adequacy of the existing structure to support the works to the party wall.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent must be complied with prior to the commencement of any works on the site. The necessary documentation and information must be provided to the Council or the '*Principal Certifying Authority*' (PCA), as applicable.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity.

Certification, PCA & other Requirements

6. Prior to the commencement of any building works, the following requirements must be complied with:
 - a) a *Construction Certificate* must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.

A copy of the construction certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.
 - b) a *Principal Certifying Authority* (PCA) must be appointed to carry out the necessary building inspections and to issue an *occupation certificate*; and
 - c) a *principal contractor* must be appointed for the building work, or in relation to residential building work, an *owner-builder* permit may be obtained in accordance with the requirements of the *Home Building Act 1989*, and the PCA and Council are to be notified accordingly; and
 - d) the *principal contractor* must be advised of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and

- e) at least two days notice must be given to the Council, in writing, prior to commencing any works.

In relation to residential building work, the principal contractor must be the holder of a contractor licence, in accordance with the provisions of the Home Building Act 1989.

Home Building Act 1989

7. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, the requirements of the *Home Building Act 1989* must be complied with.

Details of the Licensed Building Contractor and a copy of the relevant Certificate of Home Warranty Insurance or a copy of the Owner-Builder Permit (as applicable) must be provided to the Principal Certifying Authority and Council.

Construction Noise & Vibration

8. Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant requirements of the *Protection of the Environment Operations Act 1997* and NSW EPA Guidelines must be satisfied at all times.

Construction Site Management Plan

9. A *Construction Site Management Plan* must be developed and implemented prior to the commencement of any works. The construction site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- provisions for temporary stormwater drainage;
- construction noise and vibration management;
- construction traffic management details.

The site management measures must be implemented prior to the commencement of any site works and be maintained throughout the works, to the satisfaction of Council.

A copy of the Construction Site Management Plan must be provided to the Principal Certifying Authority and Council prior to commencing site works. A copy must also be maintained on site and be made available to Council officers upon request.

Demolition Work Plan

10. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures and relevant environmental/occupational health and safety requirements.

The Demolition Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor
- Details of hazardous materials (including asbestos)

- Method/s of demolition (including removal of any asbestos)
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne dust and asbestos
- Methods and location of disposal of any hazardous materials (including asbestos)
- Other relevant details, measures and requirements to be implemented
- Details of re-use, recycling and disposal of waste demolition/building materials
- Date the demolition works will commence

The Demolition Work Plan must be submitted to the Principal Certifying Authority (PCA), not less than two (2) working days before commencing any demolition work. A copy of the Demolition Work Plan must be maintained on site and be made available to Council officers upon request.

If the work involves asbestos products or materials, a copy of the Demolition Work Plan must also be provided to Council not less than 2 days before commencing those works.

Notes

- *It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*
- *Refer to the conditions within the "Requirements During Construction & Site Work", for further details and requirements relating to demolition work, removal of any asbestos and public safety.*

REQUIREMENTS DURING CONSTRUCTION & SITE WORK

The following conditions of consent must be complied with during the demolition, excavation and construction of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity during construction.

Inspections During Construction

11. The building works must be inspected by the *Principal Certifying Authority*, in accordance with sections 109 E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

Site Signage

12. A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:
 - name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - name, address and telephone number of the *Principal Certifying Authority*,
 - a statement stating that "unauthorised entry to the work site is prohibited".

Restriction on Working Hours

13. Building, demolition and associated site works must be carried out in accordance with the following requirements:

Activity	Permitted working hours
All building, demolition and site work, including site deliveries (except as detailed below)	<ul style="list-style-type: none"> Monday to Friday - 7.00am to 5.00pm Saturday - 8.00am to 5.00pm Sunday & public holidays - No work permitted
Excavating of rock, use of jack-hammers, pile-drivers, vibratory rollers/compactors or the like	<ul style="list-style-type: none"> Monday to Friday - 8.00am to 5.00pm Saturday - No work permitted Sunday & public holidays - No work permitted

An application to vary the abovementioned hours may be submitted to Council's Manager Health, Building & Regulatory Services for consideration and approval to vary the specified hours may be granted in exceptional circumstances and for limited occasions (e.g. for public safety, traffic management or road safety reasons). Any applications are to be made on the standard application form and include payment of the relevant fees and supporting information. Applications must be made at least 10 days prior to the date of the proposed work and the prior written approval of Council must be obtained to vary the standard permitted working hours.

Demolition Work Requirements

14. The demolition of buildings and the removal, storage, handling and disposal of building materials must be carried out in accordance with the relevant requirements of WorkCover NSW, the NSW Department of Environment, Climate Change & Water and Randwick City Council policies, including:

- Work Health & Safety Act 2011 and Regulations
- WorkCover NSW Code of Practice for the Safe Removal of Asbestos
- WorkCover NSW Guidelines and Codes of Practice
- Australian Standard 2601 (2001) – Demolition of Structures
- The Protection of the Environment Operations Act 1997 and Regulations
- Relevant EPA Guidelines
- Randwick City Council Asbestos Policy

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

Removal of Asbestos Materials

15. Work involving the demolition, storage or disposal of asbestos products and materials must be carried out in accordance with the following requirements:

- Relevant Occupational Health & Safety legislation and WorkCover NSW requirements
- Randwick City Council's Asbestos Policy
- A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence. A copy of the relevant licence must be provided to the Principal Certifying Authority.
- On sites involving the removal of asbestos, a sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor.

- Asbestos waste must be stored, transported and disposed of in compliance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2005*. Details of the landfill site (which must be lawfully able to receive asbestos materials) must be provided to the Principal Certifying Authority.
- A Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council and the Principal certifying authority upon completion of the asbestos related works which confirms that the asbestos material have been removed appropriately and the relevant conditions of consent have been satisfied.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development Section or a copy can be obtained from Council's Customer Service Centre.

Sediment & Erosion Control

16. Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction. Details are to be included in the *Construction Site Management Plan*.

Public Safety & Site Management

17. Public safety and convenience must be maintained at all times during demolition, excavation and construction works and the following requirements must be complied with:
- a) Public access to the building site and materials must be restricted by existing boundary fencing or temporary site fencing having a minimum height of 1.5m, to Council's satisfaction.

Temporary site fences are required to be constructed of cyclone wire fencing material and be structurally adequate, safe and constructed in a professional manner. The use of poor quality materials or steel reinforcement mesh as fencing is not permissible.
 - b) Building materials, sand, soil, waste materials, construction equipment or other articles must not be placed upon the footpath, roadway or nature strip at any time.
 - c) The road, footpath, vehicular crossing and nature strip must be maintained in a good, safe, clean condition and free from any excavations, obstructions, trip hazards, goods, materials, soils or debris at all times. Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be repaired immediately, to the satisfaction of Council.
 - d) Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.
 - e) Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom, to Council's satisfaction.

- f) Site fencing, building materials, bulk bins/waste containers and other articles must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health, Building and Regulatory Services department.
- g) Temporary safety fencing is to be provided to any swimming pools under construction, pending the completion of all building work and the pool must not be filled until a fencing inspection has been carried out and approved by the principal certifying authority.

Support of Adjoining Land, Excavations & Retaining Walls

- 18. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 E of the *Environmental Planning & Assessment Regulation 2000*, it is a prescribed condition that the adjoining land and buildings located upon the adjoining land must be adequately supported at all times.
- 19. All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations must be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Details of proposed retaining walls, shoring, piling or other measures are to be submitted to and approved by the Principal Certifying Authority.

- 20. Prior to undertaking any demolition, excavation or building work in the following circumstances, a report must be obtained from a *professional engineer* which details the methods of support for the dwelling or associated structure on the adjoining land, to the satisfaction of the *Principal Certifying Authority*:
 - when undertaking excavation or building work within the zone of influence of the footings of a dwelling or associated structure that is located on the adjoining land;
 - when undertaking demolition work to a wall of a dwelling that is built to a common or shared boundary (e.g. semi-detached or terrace dwelling);
 - when constructing a wall to a dwelling or associated structure that is located within 900mm of a dwelling located on the adjoining land;
 - as may be required by the *Principal Certifying Authority*.

The demolition, excavation and building work and the provision of support to the dwelling or associated structure on the adjoining land, must also be carried out in accordance with the abovementioned report, to the satisfaction of the *Principal Certifying Authority*.

Building Encroachments

- 21. There must be no encroachment of any structures or building work onto Council's road reserve, footway, nature strip or public place.

Road/Asset Opening Permit

- 22. A *Road / Asset Opening Permit* must be obtained from Council prior to commencing any excavations or works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the *Roads Act 1993* and all of the conditions and requirements contained in the *Road / Asset Opening Permit* must be complied with.

For further information, please contact Council's Road / Asset Opening Officer on 9399 0691 or 9399 0999.

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REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the 'Principal Certifying Authority' issuing an 'Occupation Certificate'.

Note: For the purpose of this consent, any reference to 'occupation certificate' shall also be taken to mean 'interim occupation certificate' unless otherwise stated.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health, safety and amenity.

Occupation Certificate Requirements

23. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The relevant requirements of the *Environmental Planning & Assessment Act 1979* and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

OPERATIONAL CONDITIONS

The following operational conditions must be complied with at all times, throughout the use and operation of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health and environmental amenity.

External Lighting

24. External lighting to the premises must be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

Plant & Equipment

25. The operation of all plant and equipment upon the premises shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997 and Regulations*.

In this regard, the operation of the plant and equipment shall not give rise to an $L_{Aeq, 15 \text{ min}}$ sound pressure level at any affected premises that exceeds the background $L_{A90, 15 \text{ min}}$ noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A) in accordance with relevant NSW Office of Environment & Heritage (EPA) Noise Control Guidelines.

REQUIREMENTS PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the 'Principal Certifying Authority' issuing a 'Subdivision certificate'.

These conditions have been applied to satisfy the provisions of Council's environmental plans, policies and codes for subdivision works.

26. A Section 73 Compliance Certificate, under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. An Application for a Section 73 Certificate must be made through an authorised Water Servicing Coordinator. For details, please refer to the Sydney Water web site www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

Please make early contact with the Water Servicing Co-ordinator, as building of water/sewer extensions may take some time and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council prior to the issuing of a *Subdivision Certificate*.

27. The applicant shall create suitable rights of carriageway, easements for services, support and stormwater lines, as required. The applicant shall be advised that the minimum easement width for any stormwater line is 0.9 metres.

Council's Infrastructure, Vehicular Crossings

28. The applicant must meet the full cost for Council or a Council approved contractor to:
- a. Construct new concrete vehicular crossing across Council's verge between the existing layback at the kerb and the Council footpath at the vehicular entrance to the site.
29. All external civil work to be carried out on Council property (including the installation and repair of roads, footpaths, vehicular crossings, kerb and guttering and drainage works), must be carried out in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works" and the following requirements:
- a) All work on Council land must be carried out by Council, unless specific written approval has been obtained from Council to use non-Council contractors.
 - b) Details of the proposed civil works to be carried out on Council land must be submitted to Council in a *Civil Works Application Form*, prior to a subdivision certificate being issued for this development, together with payment of the relevant fees.
 - c) If it is proposed to use non-Council contractors to carry out the civil works on Council land, the work must not commence until the written approval has been obtained from Council and the work must be carried out in accordance with the conditions of consent, Council's design details and payment of a Council design and supervision fee.
 - d) The civil works must be completed in accordance with Council's conditions of consent and approved design and construction documentation, prior to issuing of a subdivision certificate, or as otherwise approved by Council in writing.
30. The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.

31. A formal application for a subdivision certificate is required to be submitted to and approved by the Council and all conditions of this development consent are required to be satisfied and Council's verge satisfactorily restored prior to the release of the subdivision plans.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

- A1 The requirements and provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*, must be fully complied with at all times.

Failure to comply with these requirements is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million. Alternatively, Council may issue a penalty infringement notice (for up to \$3,000) for each offence. Council may also issue notices and orders to demolish unauthorised or non-complying building work, or to comply with the requirements of Council's development consent.

- A2 This determination does not include an assessment of the proposed works under the Building Code of Australia (BCA) and other relevant Standards. All new building work (including alterations and additions) must comply with the BCA and relevant Standards and you are advised to liaise with your architect, engineer and building consultant prior to lodgement of your construction certificate.

- A3 In accordance with the requirements of the *Environmental Planning & Assessment Act 1979*, building works, including associated demolition and excavation works (as applicable) must not be commenced until:

- A *Construction Certificate* has been obtained from an Accredited Certifier or Council,
- An Accredited Certifier or Council has been appointed as the *Principal Certifying Authority* for the development,
- Council and the Principal Certifying Authority have been given at least 2 days notice (in writing) prior to commencing any works.

- A4 Council's Building Certification & Fire Safety team can issue your *Construction Certificate* and be your *Principal Certifying Authority* for the development, to undertake inspections and ensure compliance with the development consent, relevant building regulations and standards of construction. For further details contact Council on 9399 0944.

- A5 A Local Approval application must be submitted to and be approved by Council prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:

- Install or erect any site fencing, hoardings or site structures
- Operate a crane or hoist goods or materials over a footpath or road
- Placement of a waste skip or any other container or article.

For further information please contact Council on 9399 0944.

- A6 Specific details of the location of the building/s should be provided in the Construction Certificate to demonstrate that the proposed building work will not encroach onto the adjoining properties, Council's road reserve or any public place.

A7 Prior to commencing any works, the owner/builder should contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au and relevant Service Authorities, for information on potential underground pipes and cables within the vicinity of the development site.

A8 This consent does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or permanent) or the like is proposed to be carried out upon any adjoining or supported land, the land owner or principal contractor must obtain:

- the consent of the owners of such adjoining or supported land to trespass or encroach, or
- an access order under the *Access to Neighbouring Land Act 2000*, or
- an easement under section 88K of the *Conveyancing Act 1919*, or
- an easement under section 40 of the *Land & Environment Court Act 1979*, as appropriate.

Section 177 of the *Conveyancing Act 1919* creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

A9 Smoke alarms are required to be installed in all residential dwellings, in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979* and the Building Code of Australia. Details should be included in the construction certificate application.

A10 Demolition work and removal of asbestos materials:

- A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.
- It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.

A11 Any external lighting to the premises should be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

A12 Building owners and occupiers should consider implementing appropriate measures to prevent children from falling from high-level window openings and balconies (e.g. by installing window locking devices; installing heavy-duty screens to window openings; limiting the dimensions of any openings to 125mm; ensuring balustrades to balconies are at least 1m high and; locating fixtures, fittings and furniture away from high-level windows and balconies).

For further information about preventing falls from windows and balconies refer to www.health.nsw.gov.au/childsafety or pick-up a brochure from Council's Customer Service Centre.

Development Application Compliance Report



Folder /DA No:	DA/404/2016
PROPERTY:	155 Malabar Road, SOUTH COOGEE NSW 2034
Proposal:	Demolition of the existing structures and construction of a new 3 storey attached dual occupancy*
Recommendation:	Refusal

*see Council executive summary report for amendments made to the application.

Relevant Environment Planning Instruments:

1. SEPPs

SEPP: BASIX requirements came into force for all new dwellings, dual occupancies and some transient residential accommodation where development applications were lodged on or after 1 July 2004. A BASIX assessment is a mandatory component of the development approval process under the Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 and State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

The applicant has submitted a BASIX certificate. The plans have been checked with regard to this certificate and they are consistent with the requirements indicated for DA stage. Standard conditions of consent requiring the continued compliance of the development with the SEPP: BASIX.

2. Randwick Local Environmental Plan (RLEP) 2012

The following Clauses of RLEP 2012 apply to the proposal:

Description	Council Standard	Proposed	Compliance (Yes/No/NA)
Floor Space Ratio (Maximum)	0.9:1	0.9:1	Yes
Height of Building (Maximum)	12m	12m	Yes

3. Randwick Comprehensive Development Control Plan (RDCP) 2013

C1 Table: Low Density Residential

Randwick

The DCP provisions are structured into two components, Objectives and Controls. The Objectives provide the framework for assessment under each requirement and outline key outcomes that a development is expected to achieve. The controls contain both numerical standards and qualitative provisions. Any proposed variations from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome.

The relevant provisions of the DCP are addressed in the table below. (Note: a number of control provisions that are not related to the proposal have been deliberately omitted.)

DCP Clause	Controls	Proposal	Compliance
	Classification	Zoning = R3	
2	Site planning		
2.3	Site coverage		
	Up to 300 sqm = 60%	Proposed = 70%	No, see key issue section of this report.
2.4	Landscaping and permeable surfaces		
	i) Up to 300 sqm = 20% ii) Deep soil minimum width 900mm. iii) Maximise permeable surfaces to front iv) Retain existing or replace mature native trees v) Minimum 1 canopy tree (8m mature). Smaller (4m mature) If site restrictions apply. vi) Locating paved areas, underground services away from root zones.	Proposed = 22%	Yes
2.5	Private open space (POS)		
	Dwelling & Semi-Detached POS		
	Up to 300 sqm = 5m x 5m	Proposed = Dwelling 2 = 2.49m x 7.9m Dwelling 1 = 3.25m x 5.3m & 1.6m x 6.5m	No however the shortfall is minor. No however the total area is compliant.
3	Building envelope		
3.1	Floor space ratio LEP 2012 = 0.9:1		Yes
3.2	Building height		
	Maximum overall height LEP 2012 = 12m		Yes
	i) Maximum external wall height = 8m (note 10.5m maximum wall height applies to Medium Density development such as flat buildings in Part C2 of the RDCP 2013 (Minimum floor to ceiling height = 2.7m) ii) Sloping sites = 8m iii) Merit assessment if exceeded	Proposed = Floor to ceiling heights vary between 3m and 2.5m	No
Comment: The proposed development has rooms that are below the required minimum of 2.7m. These are associated with bedrooms which are low use rooms and generally not used for the lengthy periods of living rather used for more sedate purposes such as sleeping or lying down in bed. The key part of the development is that it provides compliant floor to ceiling heights for the living rooms which is clearly the most usable area of each of the dwellings.			
3.3	Setbacks		
3.3.1	Front setbacks		
	i) Average setbacks of adjoining (if none then no less than 6m)	Proposed = in line with the adjoining.	Yes, however the proposed upper floor

DCP Clause	Controls	Proposal	Compliance
	<p>Transition area then merit assessment.</p> <p>ii) Corner allotments: Secondary street frontage:</p> <ul style="list-style-type: none"> - 900mm for allotments with primary frontage width of less than 7m - 1500mm for all other sites <p>iii) do not locate swimming pools, above-ground rainwater tanks and outbuildings in front</p>		level has a wall height that exceeds the maximum wall height control and is readily viewable from the street alongside an adjoining building and will dominate the scale of this dwelling and the streetscape character.
3.3.2	<p>Side setbacks:</p> <p>Semi-Detached Dwellings:</p> <ul style="list-style-type: none"> • Frontage b/w 6m and 8m = 900mm for all levels 	Proposed = 900mm	No see key issues section above.
3.3.3	<p>Rear setbacks</p> <p>i) Minimum 25% of allotment depth or 8m, whichever lesser. Note: control does not apply to corner allotments.</p> <p>ii) Provide greater than aforementioned or demonstrate not required, having regard to:</p> <ul style="list-style-type: none"> - Existing predominant rear setback line - reasonable view sharing (public and private) - protect the privacy and solar access <p>iii) Garages, carports, outbuildings, swimming or spa pools, above-ground water tanks, and unroofed decks and terraces attached to the dwelling may encroach upon the required rear setback, in so far as they comply with other relevant provisions of this DCP.</p> <p>iv) For irregularly shaped lots = merit assessment on basis of:-</p> <ul style="list-style-type: none"> - Compatibility - POS dimensions comply - minimise solar access, privacy and view sharing impacts <p>Refer to 6.3 and 7.4 for parking facilities and outbuildings</p>	<p>Minimum = 7.42mm Proposed = between 3.955m at the shortest and 5.355m at the longest.</p> <p>Existing adjoining semi is a more appropriate reference point for rear setbacks = between 5.6m the shortest northern side of the site and 6.5m the longest southern side of the site.</p> <p>If the development were to align with the rear of the adjoining semi at garaging level then it would have a rear setback of between 6.4m at the shortest northern side of the site and 7.8m at the longest southern part of the site.</p>	No, see key issues section above.
4	Building design		
4.1	General		
	<p>Respond specifically to the site characteristics and the surrounding natural and built context -</p> <ul style="list-style-type: none"> • articulated to enhance streetscape 		No

DCP Clause	Controls	Proposal	Compliance
	<ul style="list-style-type: none"> stepping building on sloping site, no side elevation greater than 12m encourage innovative design 		
4.3	Additional Provisions for Attached Dual Occupancies		
	Present similar bulk as single dwellings and street;		
	i) Parking single garage width	4m wide exceeds the 3m in section 6.5	No see comment below
	ii) Articulate and soften garage entry	4.2m high garage above footpath level includes: 700mm ground floor slab, 950mm bulk head and 2.55m garage	No see comment below
	iii) Minimise driveway width	Minimised however this is achieved by installation of curved 1.8m high wall on one side of the driveway.	Yes, however the driveway width is only minimised by installing curved walls along the sides of the driveway which add considerable bulk in the front elevation.
	iv) Maximum 2m setback of front entry from front façade		Yes
	v) Maximise landscape planting at front		No landscaping provided in front as site is incapable of providing any substantial landscaping due to the small setback.

Comment: The proposed dual occupancy has garaging that does not meet the minimum controls under Section 4.3 of Part C1 of the RDCP 2013 namely controls that seek to limit the width of garage widths and to ensure that garage entry is articulated and softened.

In particular as indicated above, the proposed driveway has a width of 4m which is 1m wider than the 3m maximum considered necessary for a single width garage under Part 6.5 of this section of the RDCP. Further the proposed garage and associated structures such as bulk head and slab for ground level above have a height of around 4.2m which is 1m higher than the 3.2m maximum under the RDCP which allows for a 2.6m entry (accommodate a 2.2m clearance with the door and 600mm bulk head).

The garage component of the development is considered to be inappropriately designed, it width and height dominate the development at the front and it is considered to be one of the main reasons for the development not meeting other key controls under the RDCP for low

DCP Clause	Controls	Proposal	Compliance
	density residential development including: <ul style="list-style-type: none"> • Deep soil (extends across the full width of the site and in close proximity to the rear) • Site coverage (for the similar reason outlined above); • Side setbacks (stepped setbacks between nil and 1.35m which mostly don't meet the 900mm minimum side setback control in the RDCP); • Rear setbacks (between 3.955m and 5.355m which does not meet the minimum rear setback control of around 7.42m being 25% of the shorter southern side boundary length of 29.68m); • Wall heights (for the various elements of the development these include: <ul style="list-style-type: none"> ○ Front building = between 11.15m and 11.5m; ○ Lift component = between 11.6m and 12m; ○ Beyond lift being stairs for level 1 = between 11.8m and 11.7m; ○ Rear section (comprising dwelling 2 ground and level 1 habitable rooms and dwelling 1 roof garden = between 8.4m and 8.6m; The proposed parking area is clearly not able to be supported.		
4.4	Roof Design and Features		
	i) Rooftop terraces on dwelling (not roof) vi) Suitable for existing <ul style="list-style-type: none"> • Celestial windows and skylights vii) Sympathetic to design of dwelling Mechanical equipment viii) Contained within roof form and not visible from street and surrounding properties.		Yes
4.5	Colours, Materials and Finishes		
	i) Schedule of materials and finishes ii) Finishing is durable and non-reflective. iii) Minimise expanses of rendered masonry at street frontages (except due to heritage consideration) iv) Articulate and create visual interest by using combination of materials and finishes. v) Suitable for the local climatic to withstand natural weathering, ageing and deterioration. vi) recycled and re-use sandstone (See also section 8.3 foreshore area.)		Can be conditioned.
4.6	Earthworks		
	i) excavation and backfilling limited to 1m, unless gradient too steep ii) minimum 900mm side and rear setback iii) Step retaining walls iv) site conditions allow for side or rear setback less than 900mm (max 2.2m) v) sloping sites down to street level must minimise blank retaining walls (use combination of materials, and landscaping)	Proposed = 2.38m excavation	No, however the depth of excavation can be addressed by way of condition.

DCP Clause	Controls	Proposal	Compliance
	vi) cut and fill for POS is terraced where site has significant slope: vii) adopt a split-level design viii) Minimise height and extent of any exposed under-croft areas.		
5	Amenity		
5.1	Solar access and overshadowing		
	Solar access to proposed development:		
	i) Portion of north-facing living room windows must receive a minimum of 3 hrs direct sunlight between 8am and 4pm on 21 June ii) POS (passive recreational activities) receive a minimum of 3 hrs of direct sunlight between 8am and 4pm on 21 June.		The only north facing living room is Dwelling 1 at level 02. This will receive solar access due to its height above the adjoining semi-detached dwelling.
Comment: The proposed development allows for solar access of solar access to the subject site is difficult,			
	Solar access to neighbouring development:		
	i) Portion of the north-facing living room windows must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. iv) POS (passive recreational activities) receive a minimum of 3 hrs of direct sunlight between 8am and 4pm on 21 June. v) solar panels on neighbouring dwellings, which are situated not less than 6m above ground level (existing), must retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. If no panels, direct sunlight must be retained to the northern, eastern and/or western roof planes (not <6m above ground) of neighbouring dwellings.		Yes No impact No impact
5.2	Energy Efficiency and Natural Ventilation		
	i) Provide day light to internalised areas within the dwelling (for example, hallway, stairwell, walk-in-wardrobe and the like) and any poorly lit habitable rooms via measures such as: <ul style="list-style-type: none"> • Skylights (ventilated) • Clerestory windows • Fanlights above doorways • Highlight windows in internal 		BASIX

DCP Clause	Controls	Proposal	Compliance
	partition walls <ul style="list-style-type: none"> living rooms contain windows and doors opening to outdoor areas <i>Note:</i> The sole reliance on skylight or clerestory window for natural lighting and ventilation is not acceptable		
5.3	Visual Privacy		
	Windows		
	i) minimise any direct viewing habitable of proposed and neighbours habitable room windows by one or more of the following measures: <ul style="list-style-type: none"> windows are offset or staggered minimum 1600mm window sills Install fixed and translucent glazing up 1600mm minimum effective sill. Install fixed privacy screens to windows. Creating a recessed courtyard (minimum 3m x 2m). ii) orientate living and dining windows away from similar opposite (that is front or rear or side courtyard)		Yes
	Balcony		
	i) Upper floor balconies to street or rear yard of the site. (wrap around balcony to have a narrow width at side) ii) Privacy screens iii) minimise overlooking of POS via privacy screens (fixed, minimum of 1600mm high and achieve minimum of 70% opaqueness (glass, timber or metal slats and louvers) iv) Supplementary privacy devices: Screen planting and planter boxes (Not sole privacy protection measure) v) vi) For sloping sites, step down and avoid large areas of ground floor decks or terraces.	The use of the stair landing at ground level will look directly into the windows of the flat building opposite at No. 159-161 Malabar Road. There is also direct outlook from the rear terrace of dwelling 2 into the windows of unit in the RFB at No. 159-161 Malabar Road.	No, the development is not supported. If the development were setback back further to the rear and included access stairs within the deck frame it would address privacy concerns.
5.4	Acoustic Privacy		
	i) noise sources not located adjacent to adjoining dwellings bedroom windows Attached dual occupancies ii) Reduce noise transmission between dwellings by: <ul style="list-style-type: none"> Locate noise-generating areas and quiet areas adjacent to each other. Locate less sensitive areas adjacent to the party wall to serve as noise buffer. 	The proximity of the rear decks at ground and level 2 have the potential to result in adverse acoustic impacts due in large part to their location in close proximity to the rear boundary and neighbouring buildings, the opening within the blade wall at ground level and	No, not supported due to location of decks at the rear ground level and rear of level 2.

DCP Clause	Controls	Proposal	Compliance
		unencumbered areas at level 2 and being connected to living rooms.	
5.5	Safety and Security		
	i) dwellings main entry on front elevation (unless narrow site) ii) Street numbering at front near entry. iii) 1 habitable room window (glazed area min 2 square metres) overlooking the street or a public place. iv) Front fences, parking facilities and landscaping does not to obstruct casual surveillance (maintain safe access)		Yes
5.6	View Sharing		
	i) Reasonably maintain existing view corridors or vistas from the neighbouring dwellings, streets and public open space areas. ii) retaining existing views from the living areas are a priority over low use rooms iii) retaining views for the public domain takes priority over views for the private properties iv) fence design and plant selection must minimise obstruction of views v) Adopt a balanced approach to privacy protection and view sharing vi) Demonstrate any steps or measures adopted to mitigate potential view loss impacts in the DA. (certified height poles used)		No known view sharing issues have been raised by neighbouring properties.
6	Car Parking and Access		
6.1	Location of Parking Facilities:		
	i) Maximum 1 vehicular access ii) Locate behind front façade, within the dwelling or positioned to the side of the dwelling. iv) Minimise excavation for basement garages and scale of the front elevation vi) Avoid long driveways (impermeable surfaces)	One vehicular access Located within the dwelling. Garage entry takes up 4m width leaving 2.4m for storage and meters room. Excavation minimised as garage level is located mostly over natural ground level Short driveway	See key issues section of report.
7	Fencing and Ancillary Development		

DCP Clause	Controls	Proposal	Compliance
7.1	General - Fencing		
	i) Use durable materials ii) sandstone not rendered or painted iii) don't use steel post and chain wire, barbed wire or dangerous materials iv) Avoid expansive surfaces of blank rendered masonry to street		Yes
7.2	Front Fencing		
	i) 1200mm max. (Solid portion not exceeding 600mm), except for piers. - 1800mm max. provided upper two-thirds partially open (30% min), except for piers. ii) lightweight materials used for open design and evenly distributed iii) 1800mm max solid front fence permitted in the following scenarios: - Site faces arterial road - Secondary street frontage (corner allotments) and fence is behind the alignment of the primary street façade (tapered down to fence height at front alignment). - avoid continuous blank walls (using a combination of materials, finishes and details, and/or incorporate landscaping (such as cascading plants)) iv) 150mm allowance (above 1800mm) for stepped sites v) Natural stone, face bricks and timber are preferred. Cast or wrought iron pickets may be used if compatible vi) Avoid roofed entry portal, unless complementary to established fencing pattern in heritage streetscapes. vii) Gates must not open over public land. viii) The fence must align with the front property boundary or the predominant fence setback line along the street. ix) Splay fence adjacent to the driveway to improve driver and pedestrian sightlines.	1.75m high fencing at the front boundary; 1.8m high fencing along the side boundary in front of the building line.	Generally considered acceptable given that it will partially shield the substantial driveway width and the fact that the adjoining already has a substantial fence in front.
7.3	Side and rear fencing		
	i) 1800mm maximum height (from existing ground level). Sloping sites step fence down (max. 2.2m). ii) Fence may exceed max. if level difference between sites iii) Taper down to front fence height once past the front façade alignment. iv) Both sides treated and finished.	Generally 1.8m high walls including significant sized external walls located along the side and rear boundaries adjoin the neighbouring properties.	No.
7.6	Air conditioning equipment		

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DCP Clause	Controls	Proposal	Compliance
	i) Minimise visibility from street. ii) Avoid locating on the street or laneway elevation of buildings. iii) Screen roof mounted A/C from view by parapet walls, or within the roof form. iv) Locate to minimise noise impacts on bedroom areas of adjoining dwellings.		Yes
7.8	Clothes Drying Facilities		
	i) Located behind the front alignment and not be prominently visible from the street		Yes

4. 79C Matters for consideration

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
Section 79C(1)(a)(i) – Provisions of any environmental planning instrument	Randwick Local Environmental Plan 2012 The site is zoned Residential R3 Medium Density under Randwick Local Environmental Plan 2012 and the proposal is permissible with Council's consent. See table below for compliance with development standards. The proposal is inconsistent with the specific objectives of the zone in that the proposed built form is an overdevelopment of the site particularly given its narrow allotment width, it provides an imbalance between the height of a building, its setbacks from front, side and rear and will result in unreasonable adverse impacts on the desired streetscape character and will not protect or minimise the adverse impacts on the neighbouring properties.
Section 79C(1)(a)(ii) – Provisions of any draft environmental planning instrument	Nil.
Section 79C(1)(a)(iii) – Provisions of any development control plan	The proposal results in non-compliances with several key provisions of the Randwick Comprehensive DCP 2013, having regard to side setbacks, rear setbacks and wall heights. It is also considered that the applicant has not suitably demonstrated that the proposal satisfies the objectives of these controls or the objectives of the zone.
Section 79C(1)(a)(iiia) – Provisions of any Planning Agreement or draft Planning Agreement	Not applicable.
Section 79C(1)(a)(iv) – Provisions of the regulations	The relevant clauses of the Regulations are able to be satisfied.
Section 79C(1)(b) – The likely impacts of the development, including	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report.

Section 79C 'Matters for Consideration'	Comments
Environmental Planning Instruments	
environmental impacts on the natural and built environment and social and economic impacts in the locality	The proposed development is inconsistent with the dominant residential character in the locality and the desired future streetscape character. The proposal will result in detrimental environmental, social or economic impacts on the locality.
Section 79C(1)(c) – The suitability of the site for the development	The site is located in close proximity to local services and public transport. The site has sufficient area to accommodate the proposed land use for a dual occupancy development; however the proposed form and massing, site planning and general distribution of floor area within the site relative to the streetscape character and the neighbouring properties cannot be considered a suitable site for this development. Therefore, the site is considered unsuitable for the proposed development.
Section 79C(1)(d) – Any submissions made in accordance with the EP&A Act or EP&A Regulation	The issues raised in the submission have been addressed in this report.
Section 79C(1)(e) – The public interest	The proposal does not promote the objectives of the zone and will result in significant adverse environmental, social or economic impacts on the locality. Accordingly, the proposal is not considered to be in the public interest.

5. Conclusion

The proposal does not comply with key relevant assessment criteria and will result in significant adverse impacts upon the amenity of the adjoining premises and the desired character of the area. In short the proposed development does not meet the key objectives of the R3 Medium Density zone.

The proposed dual occupancy on such a narrow site, including above ground parking and high walls in close proximity to the side and rear boundaries, will dominate both the subject site and neighbouring buildings and properties. The site is not dissimilar to other narrow sites in the area, which mostly contain two storey scale development in the form of semi-detached dwellings. The proposal however seeks to accommodate a large part three part four storey dual occupancy on the site that has the bulk and scale associated with a RFB and yet does not provide the spatial separation that would be required for such a development. Also, the proposal does not provide the spatial separation that would be required for low density forms of development such as semi-detached dwellings or dual occupancies in the Randwick Council area located on similarly configured and orientated properties along Malabar Road.

Although the RLEP allows for a maximum overall height of 12m, it is not considered that the narrow width of the site allows it to take full advantage of this height. As the development has above ground parking that also extends for a considerable length of the site, it results in significantly high walls in close proximity to the side boundaries. This results in a development which dominates the site, the adjoining properties and detracts from the Malabar Road streetscape.

It is considered that a more desirable planning outcome could be achieved by amalgamating the site with the adjoining semi-detached dwelling and redeveloping it for the purposes of low to medium density development.

For the reasons discussed in this report and identified in the recommendation section below the application is therefore recommended for refusal.

6. Recommendation

THAT Council's as the consent authority, refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. DA/404/2016 for permission to demolish the existing structures and construction of a new 3 storey attached dual occupancy (variation to height of buildings).for at 155 Malabar Road, SOUTH COOGEE NSW 2034 for the following reasons:-

1. The proposed development does not comply with the objectives of Clause 2.3 of the Randwick Local Environmental Plan 2012 for R3 Medium Density Residential Zone in that the resultant bulk and scale of the proposed building does not recognise the desirable elements of the existing streetscape/built form and does not protect the amenity of residents.
2. The proposed development does not satisfy the controls for site coverage in Part C1, Clause 2.3 of the Randwick Comprehensive Development Control Plan (RDCP) in that the bulk, mass and scale of the building will form a detracting feature that compromises the streetscape character and the neighbouring properties amenity.
3. The proposed development does not satisfy the control for building heights in Part C1, Clause 3.2 of the RDCP in that the walls exceed the maximum external wall height control.
4. The proposal does not satisfy the objectives and controls for building setbacks in Part C1, Clause 3.3 of the RDCP in that the proposed building does not ensure the form and massing of the development complements the streetscape character and will result in additional adverse impacts on the visual amenity, solar access and privacy of neighbouring properties.
5. The proposal does not satisfy the objectives for building design in Part C1, Clause 4.1 of the RDCP in that the proposed building does not ensure the form, scale, massing and proportions of building recognise and adapt to the characteristics of a site in terms of topography, orientation and surrounding built context.
6. The proposal does not satisfy the objectives for building design in Part C1, Clause 4.2 of the RDCP in that the proposed building does not integrate with the building to which it is attached, and does not take into account any possible future development on the adjoining site.
7. The proposed development does not satisfy the objectives for visual privacy in Part C1, Section 5.3 and 5.4 of the RDCP, in that it does not ensure satisfactory privacy relationship with the neighbouring dwellings. The proposed size and location of the rear terraces on elevated ground level and level 2 are in close proximity to the neighbour's habitable rooms and privacy measures are not able to be implemented without resulting in additional adverse impacts on the amenity of neighbouring properties
8. The proposed development does not satisfy the objectives and controls for parking facilities and garage configuration permitted in Part C1, Clause 6 of the RDCP in that the garage exceeds the maximum wall height and external width controls.
9. The proposed development does not satisfy the objectives and controls for side and rear fencing in Part C1, Clause 7.3 of the RDCP, in that the walls associated with the lower ground level parking area exceed the maximum 2.2m height control.
10. The proposal is not in the public interest and does not satisfy Section 79C(i)(e) of the Environmental Planning and Assessment Act 1979.

Randwick City Council

Draft Planning Strategy Kensington and Kingsford town centres

December 2016



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Part A – Overview

1.0 Purpose

This draft Planning Strategy for Kingsford and Kensington has been prepared for public consultation and engagement to assist in understanding the issues facing the two town centres and allow discussion and debate to occur.

This is an ideal time to start this process and ensure Council and community goals are achieved. This draft Planning Strategy provides a firm basis to commence this community engagement.

This draft Planning Strategy sets out the vision, strategies and implementation actions to guide the sustainable growth and physical development of the Kensington and Kingsford town centres over the next 15 years.

It forms the basis for changes to land use and built form controls in *the Randwick Local Environmental Plan 2012* (RLEP 2012) and the *Randwick Development Control Plan 2013* (DCP 2013), together with improvements to the public domain to enhance the liveability, sustainability and economic prosperity of both town centres.

The draft Planning Strategy has been informed by considerable background research and analysis, extensive community engagement, and an international Urban Design Competition which identified innovative design ideas and concepts to support the betterment of these town centres.

It is consistent with the Randwick City Plan, in particular Action 4a. 1 to achieve *Outcome 4 – Excellence in urban design and development*.

2.0 Comprehensive Planning Review

2.1 Background

In early 2016 Council initiated a comprehensive planning review of the Kensington and Kingsford town centres to ensure the planning framework is up to date, robust and well-aligned to meet future needs.

The review is timely as the planning controls for both town centres are over 15 years old, which has given rise to a number of planning, urban design and public domain issues such as aging building stock, a deteriorating urban fabric, low levels of activation and poor design responses in certain locations¹.

Both town centres are presently facing considerable redevelopment pressure, reflected by an increase in the number of rezoning applications for various sites along Anzac Parade seeking substantial changes to the planning controls.

¹ The RLEP 2012 is the result of a planning review undertaken over 2010-2012 to conform to the State Government's Standard LEP Instrument. As part of this process a comprehensive review of the planning controls for both Kensington and Kingsford town centres was earmarked for a separate study.

The town centres are also in the process of transition, stemming from the construction of the City to South East Light Rail network on Anzac Parade which forms the main spine of these centres.

The light rail will not only transform people's travel behaviour but will have a direct impact on the centres' identity, accessibility, functionality and amenity. It is also likely to be a catalyst for urban renewal and growth as envisaged by the State Government's metropolitan planning objectives for key transport corridors in Sydney, and evidenced in other precincts and cities that have introduced such infrastructure.

2.2 Planning Review Process

As a first step in the Planning Review the Kensington/Kingsford Town Centre Issues Paper (draft Issues Paper) was prepared in March 2016, which should be read as the background report to this Planning Strategy. The draft Issues Paper provides a detailed overview of the study area, including the legislative context, existing conditions, and issues and opportunities. It identifies a number of pertinent planning, urban design and public domain challenges affecting the Kensington and Kingsford town centres, together with strategic directions to be addressed in the subsequent Strategy.

The next stage of the Review process was an International Urban Design Competition held between July and October 2016, which provided the opportunity for a creative visioning of the town centres as they face competing pressures and move through the current cycle of transition. Background to the Competition is discussed in further detail in Part A Section 1.4. A comprehensive community consultation program was run throughout the Competition period which is further detailed in Part A section 1.5.

The subject Planning Strategy comprises Stage 3 in the Planning Review process. It builds up on the findings of the draft Issues Paper, and contains a range of objectives, strategies and actions to guide the future sustainable growth and development of the town centres.

The final stage of the Planning Review process will be the preparation of new draft RLEP 2012 for each town centre, to be placed on public exhibition along with the draft Planning Strategy for an extensive community consultation and engagement process.

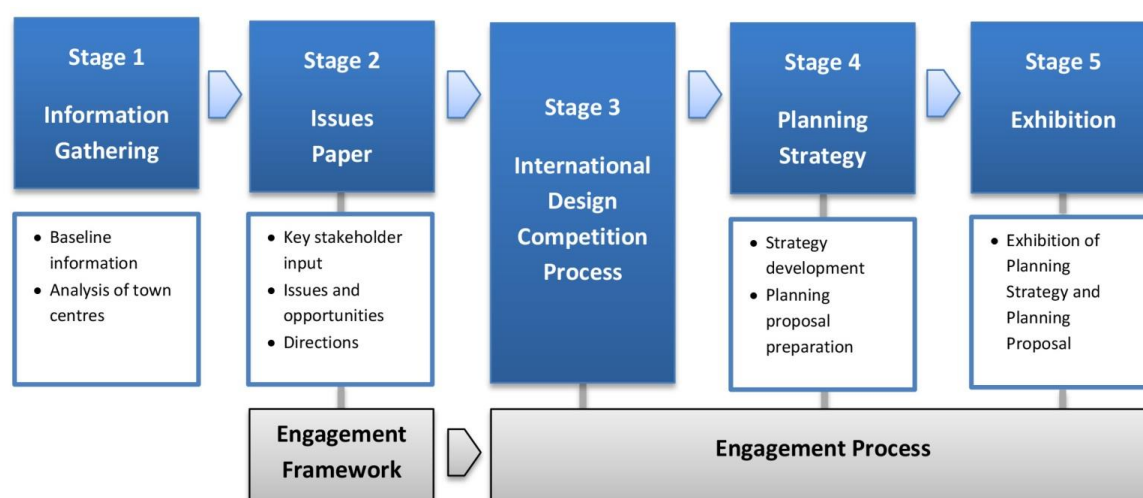


Figure 1: Planning Review process

3.0 Key Drivers and Challenges

This Planning Strategy takes into account and responds to the following drivers and challenges affecting the Kensington and Kingsford town centres:

3.1 Metropolitan Planning Directions

The NSW Government's long term metropolitan plan for Sydney *A Plan for Growing Sydney* identifies a broad section of Anzac Parade (the main transport corridor for both Kensington and Kingsford Town Centres) as an area for urban renewal opportunities (see map below). Under this Plan identification of housing, services and jobs in proximity to the City to South East Light Rail network is earmarked as a priority.

Kensington and Kingsford town centres are located in proximity to the Randwick Education and Health Strategic Centre, comprising several major institutions and destinations, including the University of NSW, the Randwick Health Campus with four major hospitals forming Australia's largest complex of teaching hospitals, and some of Australia's premier research institutions including Neuroscience Research Australia.

The Strategic Centre, as identified in the Plan, plays a vital economic role within Randwick City and the Sydney Metropolitan region. Collectively, the University and Health Campuses are the largest employers in Randwick City, with almost 40 percent of its workforce. The large workforce, students and visitors provide substantial local economic benefits to Kensington and Kingsford town centres.

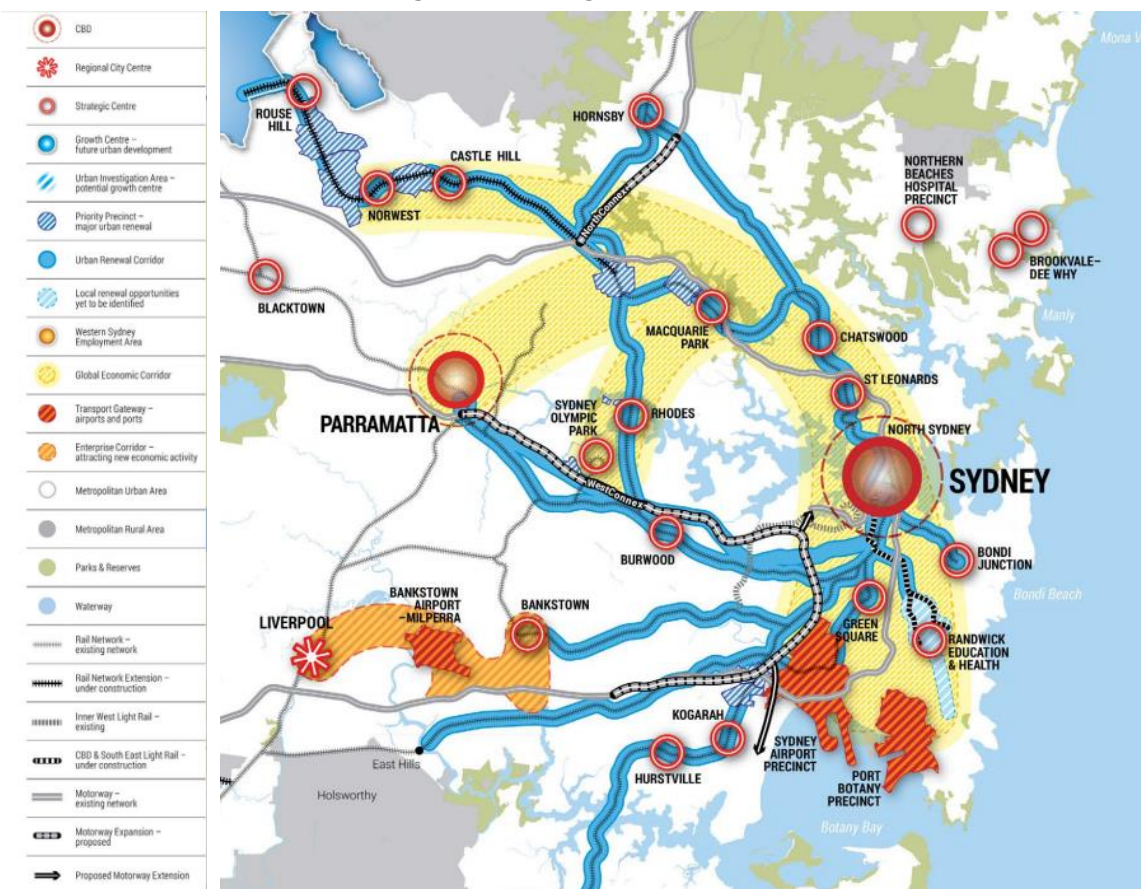


Figure 2: Metropolitan Sydney
Source: A Plan for Growing Sydney

3.2 District Planning Priorities

The draft district plan for Greater Sydney's Central District² was released for consultation on 21 November 2016. This draft plan sets out priorities and actions to give effect to *A Plan for Growing Sydney* and help realise the vision for the Central District to 2036. The draft plan is centred on three key themes: A Productive City, A Liveable City and A Sustainable City.

The draft district plan contains job targets for the Randwick Education and Health Strategic Centre and a five year housing target for Randwick LGA. This five year housing target sets an additional 2,250 dwellings to be delivered by 2021, to meet projected population demands. The draft plan also sets an action that Councils will need to increase housing capacity across the District to ensure there is sufficient longer term capacity to deliver a minimum of 157,500 additional new dwellings across the Central District over the next 20 years. A 20 year strategic housing target is to be set in consultation with councils. All councils will need to prepare local housing strategies to demonstrate how additional capacity can be created to deliver supply and housing choice including affordable rental housing over the next 20 years. Planning for this growth is discussed in more detail under Part C Section 4 –Housing and Diversity.

In relation to the theme for A Sustainable City, the draft district plan sets an action for Councils to support the development of initiatives for sustainable low carbon future and deliver Sydney's Green Grid Project. The Green Grid project aims to enhance access to open space, provide routes for walking and cycling, conserve natural areas and provide opportunities for active and passive recreation. It also aims to support the management of stormwater, flood risk and water quality, while improving Sydney's landscape value and urban amenity.

The Central District Plan is on exhibition until March 2017.

3.3 Revised Population Projections

The NSW State Government has recently released revised³ projections which indicate that the population of Randwick City is likely to increase by 23% resulting in an additional 33,900 people in the Randwick Local Government Area (LGA) by 2036.

While the draft district plan sets a five year housing target, at the time of drafting the issues paper and preparing this planning strategy, a dwelling demand projection of 15,150⁴ additional new dwellings by 2031 was adopted for this work, to cater for the incoming population across the LGA. A portion of these additional dwellings will be accommodated in the Kensington and Kingsford town centres given they are well serviced by public transport and are located in close proximity to employment hubs, as historically has been the case. This is discussed in further detail in Section 4 –Housing and Diversity and Part C Section 6 – Built Form.

² The Central District includes the local government areas of Bayside, Burwood, Canada Bay, Inner West, Randwick, Strathfield, the City of Sydney, Waverley and Woollahra.

³ Department of Planning & Environment, 2016, NSW LGA Population and household projections

⁴ Department of Planning & Environment, 2014, NSW LGA Population and household projections

3.4 Sydney City to South East Light Rail

As previously noted, the Sydney CBD and South East Light Rail project, due to be completed in 2019, will introduce a high capacity and high frequency service connecting Randwick City to Central Station and Sydney CBD, as well as the sporting facilities at Moore Park and Randwick Racecourse.

The route will branch into two sections in Randwick City – to the Randwick Junction town centre and Health Campus on High Street and along Anzac Parade, through the Kensington Town Centre and terminating south of the nine ways intersection in Kingsford Town Centre.

Key pieces of new infrastructure to be introduced include a major terminus south of the nine-ways intersection in Kingsford town centre, the removal of the nine-ways round about and four new light rail stops (located adjacent to Carlton Street, Todman Avenue, and University of New South Wales in Kensington and Strachan Street in Kingsford town centre).

The light rail will also result in the creation of new urban spaces and movement patterns, increased levels of accessibility around the light rail stops, the relocation of on street parking in various locations and the undergrounding of overhead powerlines in the Kingsford town centre.



Figure 3: City to South East Light Rail Route

Source: Transport NSW 2016 website

4.0 Study Area

The Planning Review Study Area is defined in the following Map. It includes the RLEP 2012 B2 Local Centre zoned land that makes up the Kensington and Kingsford town centres.

The study area also includes three residential zoned sites identified for inclusion in the Kingsford town centre (see Part C Section 11- Zoning and Landuse for further detail on these sites).

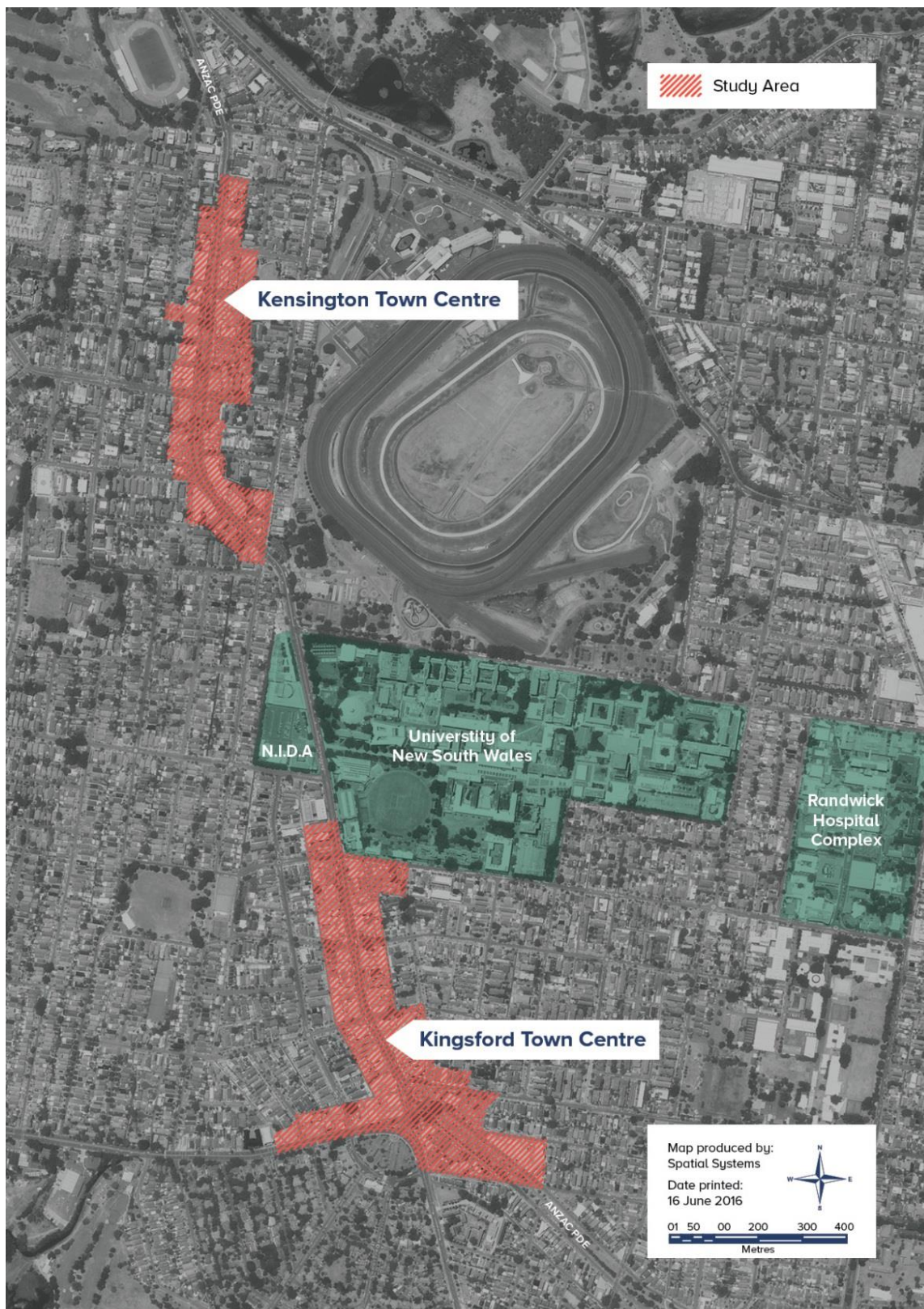


Figure 4: Planning Review Study Area
Source: Randwick City Council

5.0 K2K Urban Design Competition

As noted earlier, this Planning Strategy has been informed, in part, by an urban design competition held between June and October 2016, to identify an innovative urban design vision to enhance the livability, sustainability and economic vitality of the Kensington and Kingsford town centres.

Endorsed by the Australian Institute of Architects (AIA), the K2K Urban Design Competition was run as a 2 stage process, open to multi-disciplinary teams with demonstrated expertise in innovative solutions to urban design, sustainability and liveability challenges.

The Competition was underpinned by the following themes which also provide the overarching scope for the objectives, strategies and implementation actions identified in this document:

- Business and economy
- Public domain, streets, and open space
- Housing growth and diversity
- Sense of place and identity
- Urban design excellence
- Sustainability.

An Independent Jury Panel of pre-eminent professionals in the fields of architecture, planning, landscape architecture and urban design was tasked with reviewing Submissions and selecting the Competition winner.

Consistent with Council's consultation priorities, the involvement of the community was integral to the Competition process, with feedback enhancing the Competition Brief and assisting in developing the Overarching Vision for this Planning Strategy.

The community was also invited to comment on the short listed entries with feedback provided to the Independent Jury Panel for their consideration. Further detail on community consultation undertaken is provided in section 6.0.

The winning entry was by JMD, Hill Thallis and Bennett and Trimble. Key ideas from the Competition that have been translated into this Strategy is provided in Part C Section 3 – K2K 10 big Ideas.

6.0 Community Engagement

Community engagement has been an integral component of the Planning Review, informing all stages, as well as the overarching vision for the Kensington and Kingsford Town Centres.

A Communication Plan was prepared to engage and involve Council representatives, key stakeholders and the broader community to assist shaping the content and direction of the Planning Strategy.

Entitled *K2K – Your Place Your Future*, this Communication Plan was underpinned by the following consultation principles:

- Multiple and meaningful opportunities for community input
- Involving all relevant stakeholders, including harder to reach sectors
- Strong customer focus and a respect for the community
- Acknowledge the community's right to be advocates for what they want or need
- An awareness and understanding by staff of how Council actions impact on the community
- Honesty and transparency in communication
- Accurate and timely information
- Clear explained decisions and actions of Council at all stages of the consultation process
- Actively listening and acknowledging other points of view
- Respecting individuals and cultural differences.

StraightTalk consultants were commissioned by Council for support in delivering a number of community engagement activities throughout the K2K Urban Design Competition. New approaches to consultation broadened the public conversation about the future of both town centres and gave the community ownership of the process to a greater extent than traditional engagement practices.

The key aims of engagement was to reach as many local residents and business owners as possible; to inform them about the Competition and to encourage participation in the process by giving feedback on what they valued and wanted in the town centres.

The community were given the opportunity to help develop the Competition Brief by outlining their aspirations for the town centres under a number of themes. This feedback was integrated into the Competition Brief provided to competitors participating in Stage 2 of the Competition. The community also provided feedback on the Competition entries, which was also reported to the jury for consideration in the judging process.

Key engagement activities undertaken during the K2K Competition are summarised in the following table:

Activity	Detail
K2K Competition Project website www.K2k.sydney	Included information for competition entrants and tools for community feedback: online survey, interactive map and forum questions.
Fact sheets/letter to ratepayers	General information provided via mail informing local residents of the competition, timelines and how to get involved.
Flyers	
Table Talkers	Stand up flyers were distributed in the local area (restaurants and cafes) to encourage participation in the project; standard Chinese translation was included. It is intended that these will be active for the length of the project.
Pop up information stalls x3	Pop up stalls were conducted in three locations at Southern Cross Close in Kingsford, Anzac Parade opposite the UNSW entrance and Duke Street in Kensington. Each pop up featured; snacks, posters with information about the competition, questions for people to answer about what they liked about the area and spare paper for people to comment about the competition and provide general feedback.
Intercept interview sessions x3	Three roving intercept sessions were conducted where people were stopped along Anzac Parade and asked to participate in an intercept survey to get feedback on the six design themes.
Meeting with Kingsford Chamber of Commerce	A meeting was held to discuss details of the Competition and to gain an understanding of the broad attitude of the Chamber towards the competition process.
Meeting with relevant Precinct Committee executive members	Meetings were held with the Kensington West Kingsford Precinct Committee and Kingsford South Precinct Committee and the UNSW Office of the Vice Chancellor to provide an overview of the Competition and to ascertain feedback on the future of the town centres.

Table 1: K2K Competition Community Engagement Activities

Community feedback has identified important issues, opportunities, ideas and aspirations to help shape the future of the Kensington and Kingsford town centres.

This Strategy has sought to respond to these issues and ideas, by providing strategies and actions on a range of considerations such as housing diversity, public domain improvements, pedestrian accessibility and sustainability.



Figure 5: Community engagement activities
Source: Randwick City Council 2016

7.0 Strategic Planning Framework

The draft Issues Paper provides a detailed overview of the State and local strategic planning framework guiding the planning review of the Kensington and Kingsford Town Centres.

The following documents, strategies and guidelines have provided background to, and helped informed the objectives, strategies and actions contained in this Strategy, including:

- Sydney Metropolitan Strategy 'A Plan for Growing Sydney' 2014
- Randwick City Plan
- Randwick Local Environmental Plan 2012
- Randwick Development Control Plan 2013
- Kingsford Town Centre Strategy 2013 (Randwick City Council)

- Kensington, Kingsford and Randwick Junction Economic Impact of Light Rail (stage 1 and 2 reports) 2016 (MacroplanDimasi)
- Landscape and Urban Design Plan- Kingsford 2016 (Transport NSW)
- Randwick Urban Design Guidelines 2014 (Randwick City Council)
- K2K Built Form Study 2016 (Conybeare Morrison)
- A Cultural Randwick City (2009) (Randwick City Council)
- An Inclusive Randwick City (2010) (Randwick City Council)
- *A Safer Randwick Plan* (2003) (Randwick City Council).

8.0 Planning Strategy Structure

The Planning Strategy is structured as follows:

Part A: Overview

This part provides an overview of the Planning Review process, including the methodology, key drivers, and outcomes of the K2K Urban Design Competition and community feedback.

Part B: The Town Centres

This Part provides a snap shot of the Kensington and Kingsford town centres including their regional/local context, key attributes and a summary of the main planning and urban design challenges identified in the draft Issues Paper.

Part C: Vision and Themes

This Part establishes a vision for how Kensington and Kingsford town centres should grow and change over the next 15 year period, based on outcomes from community consultation.

A number of objectives, strategies and actions are set out, which are grouped under the following themes:

- Housing Growth and Diversity
- Business and Economy
- Built form
- Heritage Conservation
- Sustainability and Transport
- Public realm and Landscape
- Social Infrastructure
- Zoning and Landuse

Under this Part, the **objectives** provide the aim or purpose for each theme, setting out what the Strategy intends to achieve. The **strategies** describe how the objectives are to be achieved. The **actions** provide more specific detail on what Council can do to implement the strategies, including statutory (e.g. through the RLEP 2012/DCP2013) or non-statutory mechanisms (e.g. capital works, advocacy).

Maps are provided to illustrate how the strategies and actions can be implemented on ground.

Part D: Structure Plan and Precincts

This Part contains a Structure Plan for the K2K Study Area to illustrate how the town centres relate to their surrounding context and future opportunities outside the town centre boundaries.

It also contains Precinct Plans for the identified precincts reflecting consolidating relevant objectives, strategies and actions identified in this Strategy.

Part E: Feasibility and Funding Infrastructure

This Part outlines a contributions scheme to support infrastructure improvements for the Kensington and Kingsford town centres. It also provides an overview of independent feasibility testing undertaken of proposed new built form controls and the recommended infrastructure funding mechanism.

Part F: Implementation Plan

This Part includes an Implementation summary for the Strategy's actions, including key timeframes.

Part B – The Town Centres

This section provides a snapshot of the Kensington and Kingsford Town Centres including key characteristics and scenarios for growth and change. A detailed assessment of the town centres' existing conditions and opportunities and challenges is included in the draft Issues Paper.

1.0 Regional and Local Context

The Kensington and Kingsford town centres are located along the Anzac Parade corridor in the northern suburbs of Randwick City. The town centres are located approximately 9km from the Sydney CBD and 6km from Sydney International Airport. Nearby Centres include Bondi Junction, 6km to the north east, and Maroubra Junction 3km to the south.

Key sites and destinations in proximity to the town centres include the University of NSW, National Institute of Dramatic Art, Randwick Hospitals Campus, the Royal Randwick Racecourse, Centennial Park and the eastern beaches of Coogee and Maroubra.

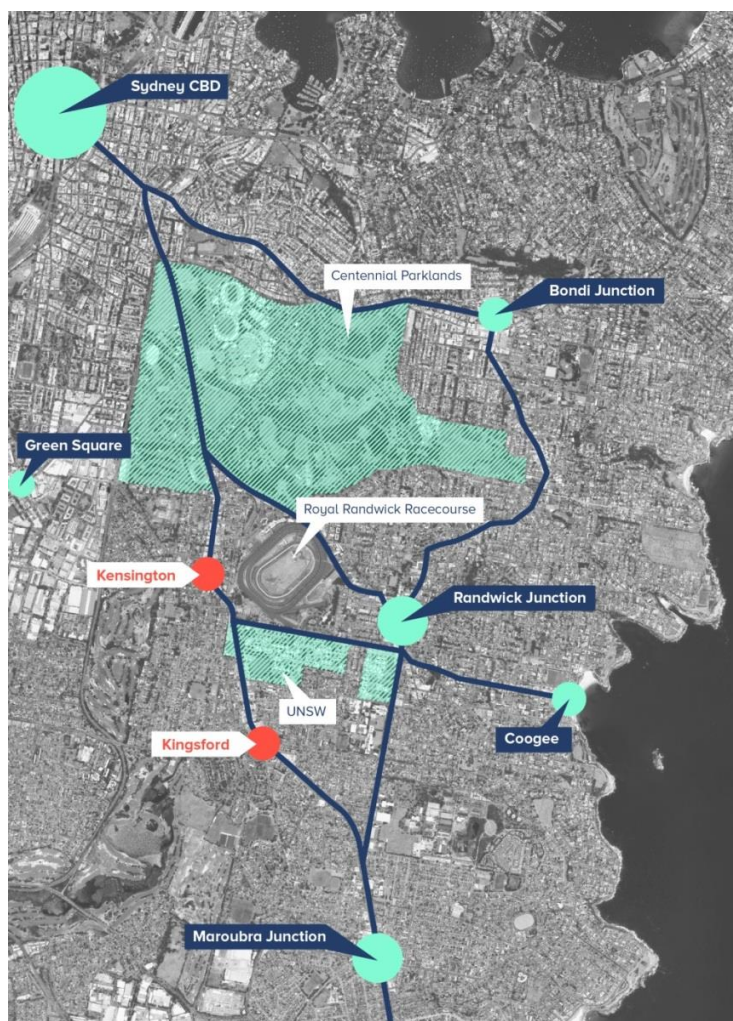


Figure 6. Regional Context
Source: Randwick City Council 2016

1.1 Kensington Town Centre: A Snapshot

Kensington Town Centre extends along Anzac Parade, and is bounded by Carlton Street to the north and Doncaster Avenue to the south.

The town centre occupies a land area of around 60,200m² and has evolved as a traditional strip based centre with a distinctive retail and residential character. It has a localised catchment other than the Peter's of Kensington store which draws customers outside of Randwick LGA.

A variety of development typologies occupy the town centre including:

- Recently developed multi-storey mixed use developments (up to 6/7 storeys)
- Low rise 2 storey developments
- Single storey dwelling houses and 3-4 storey residential walk up flats.

The town centre is distinct from other centres in Randwick City in that a large portion (approximately 34%) of ground floor uses are currently used for residential purposes (e.g. houses or walk-up flats). These residential components are largely located towards the northern and southern ends of the town centre.

The most dominant business activity in Kensington is food services (17%), followed by retail trade (15%) and other services (7%). Kensington has a high ground floor vacancy rate of 12%, mostly clustered towards the northern part of the Centre.

In terms of urban structure and fabric, the town centre has a focus on Anzac Parade and with a grid street pattern. The street edge is affected by variations to building setbacks, street walls and period of developments.

Finer urban grain with consistent setbacks is generally visible where older shop-top housing typology has been retained; newer mixed use developments, on the other hand, are usually associated with large building floorplates, resulting in a coarser urban grain.

There are two local heritage items located near the southern entrance of the town centre, being the Doncaster Hotel (268 Anzac Parade) and the Masonic Temple (199 Anzac Parade).

There are also a number of contributory items identified along Anzac Parade which demonstrate a range of key architectural elements, scale and proportion which help define the streetscape character.



Figure 7: 159-171 Anzac Parade Kensington
Source: Google Streetview 2016



Figure 8: 76-82 Anzac Parade Kensington
Source: Google Streetview 2016



Figure 9: 112-124 Anzac Parade Kensington
Source: Google Streetview 2016



Figure 10: Map of Kensington town centre
Source: Randwick City Council 2016

1.2 Kingsford Town Centre: A Snapshot

Kingsford Town Centre is based around the intersection of Anzac Parade, Gardeners Road, and Bunnerong Road on the south (commonly known as 'Nine-Ways'). It straddles both sides of Anzac Pde, extending from Barker Street on the north to the South's Juniors Club to the south, as well as east and west along Rainbow Street and Gardeners Road respectively.

The town centre occupies a land area of 96,962 m² and is a traditional strip based centre with a distinctive retail and dining character, and strong evening economy stemming from its proximity to UNSW and its large student demography.

The town centre accommodates a variety of business and retail uses ranging from restaurants, cafes and takeaway food outlets to smaller office suites, shop top housing, small scale independent supermarkets, pubs and banks. The ground floor vacancy rate is relatively low and is 9% of all properties, mainly clustered along the southern end of the town centre along Gardeners Road.

Much of the established commercial area is concentrated towards the southern end of Anzac Parade and west along Gardeners Road and comprises small fragmented allotments with 'fine grain' two to three storey 'shop top' buildings. A number of these buildings have facades listed as 'contributory' in the DCP2013 as they demonstrate a range of key architectural elements, scale and proportion which help define the streetscape character.

Towards the north and centre of the town centre lies a greater concentration of taller, contemporary mixed commercial/residential developments with retail and commercial uses at the ground level and up to 9 storeys of residential above. At the corner of Barker St and Anzac Parade lies a service station and McDonalds restaurant development both of which occupy a prominent position.

Kingsford Town Centre has three sites on the south that are separated from the remainder of the town centre's main commercial area due to the Nine Ways roundabout and existing street structure.

These are:

- South's Juniors Club, which includes the standalone club building of considerable bulk and scale, together with a row of retail uses that fall outside the town centre boundary. These buildings comprise retail and restaurant uses that transition to a lower 2-3 storey scale and interface with the surrounding low density residential neighbourhood
- Rainbow Street (1-11 Rainbow St, Kingsford Site), which comprises a vacant site accommodating parking, and also used as a temporary works depot during construction of the light rail. This site has been identified as a potential site for a new integrated civic building
- Kingsford Triangle site, which includes a variety of development types including low scale two storey strata titled residential flat buildings, single dwellings, a church, boarding house, childcare centre, a large drive in car wash centre and other business uses.

The town centre is located within walking distance to a number of open spaces including Paine Reserve, Kensington Park and Daceyville Gardens (City of Botany Bay LGA) on the south and west. There are a number of small public places in the centre which are underutilised (at Nine Ways roundabout, Southern Cross Laneway, Meeks Street, Borrodale Road and Strachan Street).

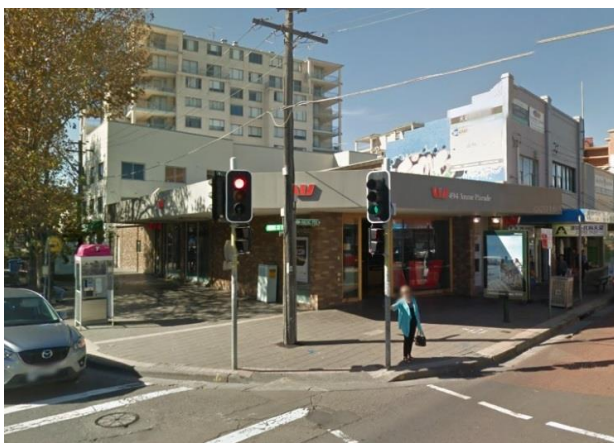


Figure 11: 375-387 Anzac Parade, Kingsford
Source: Google Streetview 2016



Figure 12: 494 Anzac Parade Kingsford
Source: Google Streetview 2016



Figure 13: 532 Anzac Parade Kingsford
Source: Google Streetview 2016



Figure 14: 277-291 Anzac Parade, Kingsford
Source: Google Streetview 2016

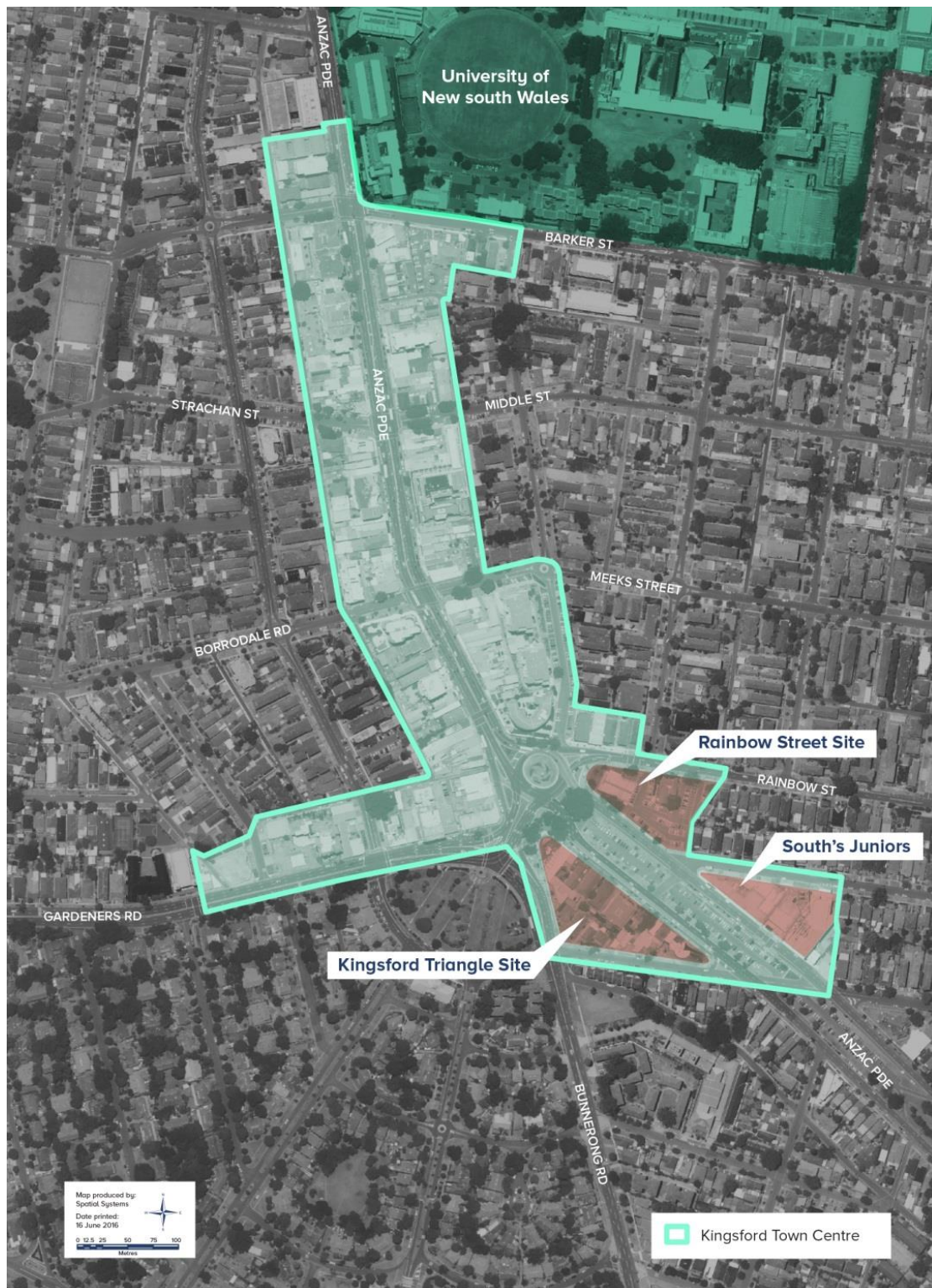


Figure 15: Map of Kingsford town centre
 Source: Randwick City Council 2016

1.3 Local Planning Framework

The *Randwick Local Environmental Plan 2012* (RLEP 2012) is the statutory planning instrument that currently applies to all land in Randwick City. It regulates how land is used through land use zones and sets out provisions for how land can be developed via principle development standards and key planning controls.

The RLEP 2012 is the result of a comprehensive planning review undertaken over 2010-2012 to bring the instrument in line with the State Government's Standard LEP Template. A review of the planning controls for Kensington and Kingsford town centres was flagged as a separate Study.

The following table outlines the main RLEP 2012 provisions applicable to the Kingsford and Kensington town centres.

	Kingsford	Kensington
Land Use Zone	B2 Local Centre	B2 Local Centre
Maximum Height	24m	9.5m 12m 21m 25m 31m
Maximum Floor Space Ratio	3:1	No FSR applies to land within the Centre – building envelope controls for each block are contained within Randwick DCP 2013 (Section D1)
Heritage	One (1) heritage item in the town centre - O'Dea's Corner	Two (2) heritage items in the town centre - Masonic Centre - Doncaster Hotel
Key Sites (Identified on the Key Sites Map of Randwick LEP 2012)	Kingsford Triangle Site Kingsford Market Site	No Key sites

Table 2: Key Applicable RLEP 2012 Planning Controls

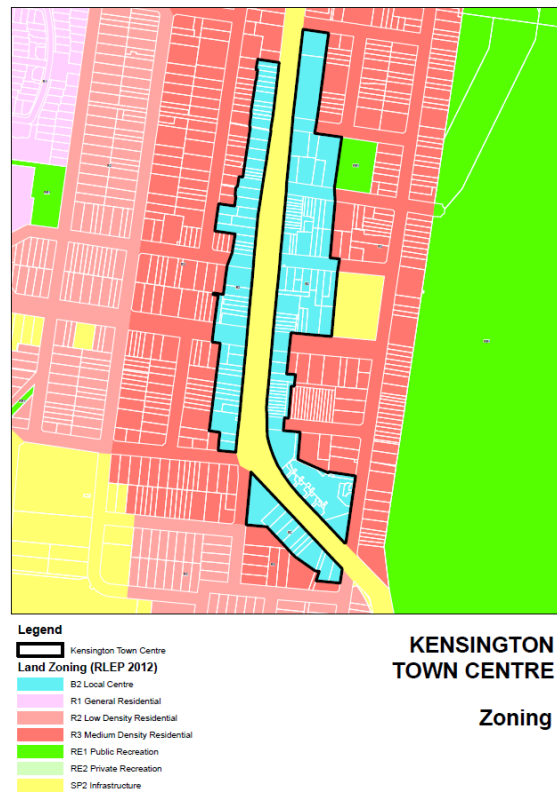
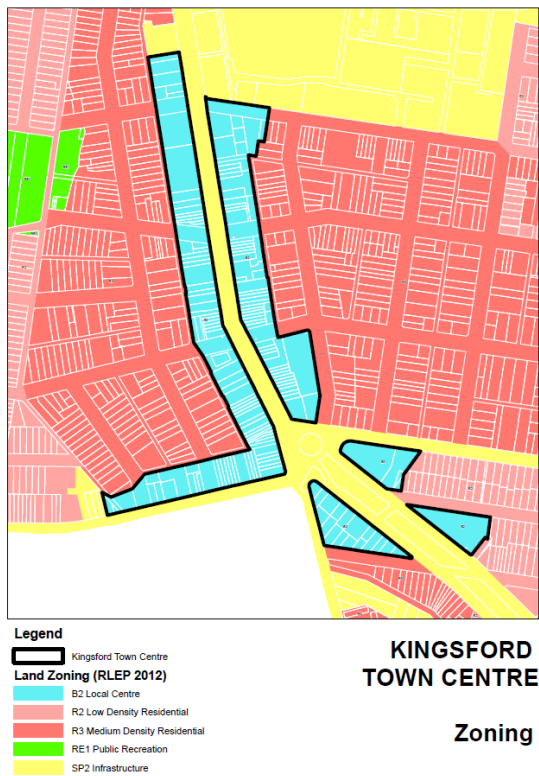


Figure 16: Existing Zoning – RLEP 2012
Source: RLEP 2012 (www.legislation.nsw.gov.au)

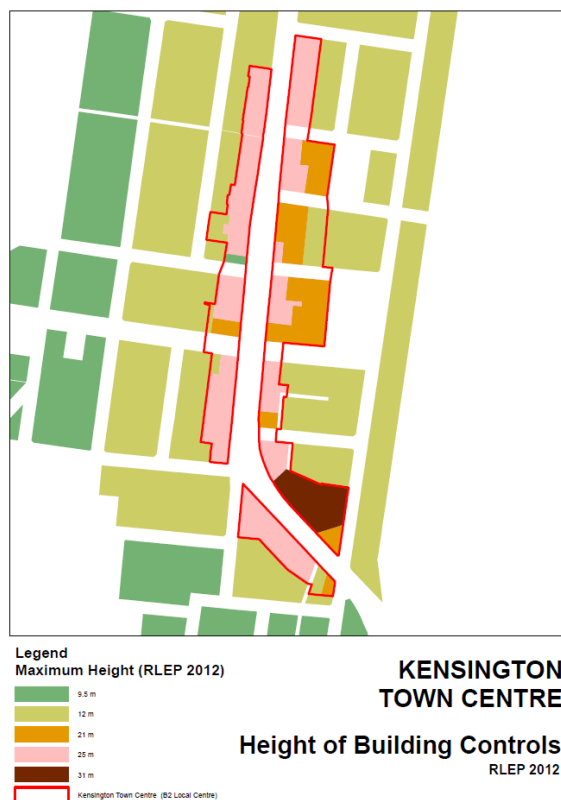
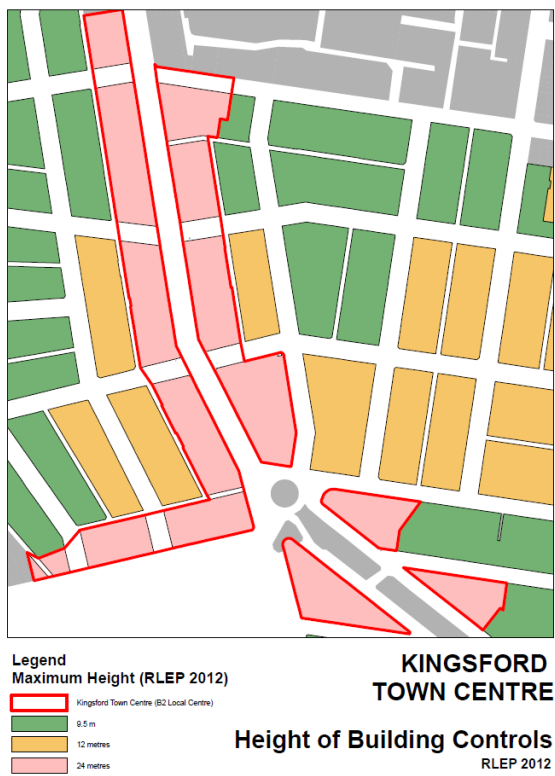


Figure 17: Existing Heights – RLEP 2012
Source: RLEP 2012 (www.legislation.nsw.gov.au)

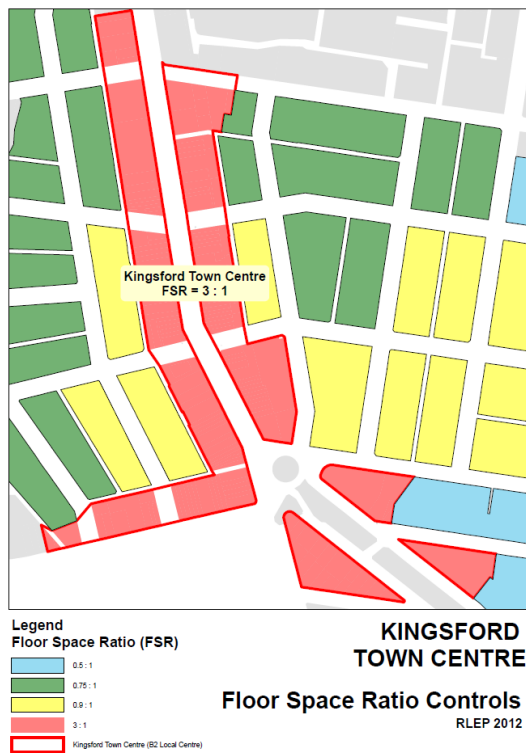


Figure 18: Existing Floorspace Ratio (Kingsford town centre) – RLEP 2012
Source: RLEP 2012 (www.legislation.nsw.gov.au)

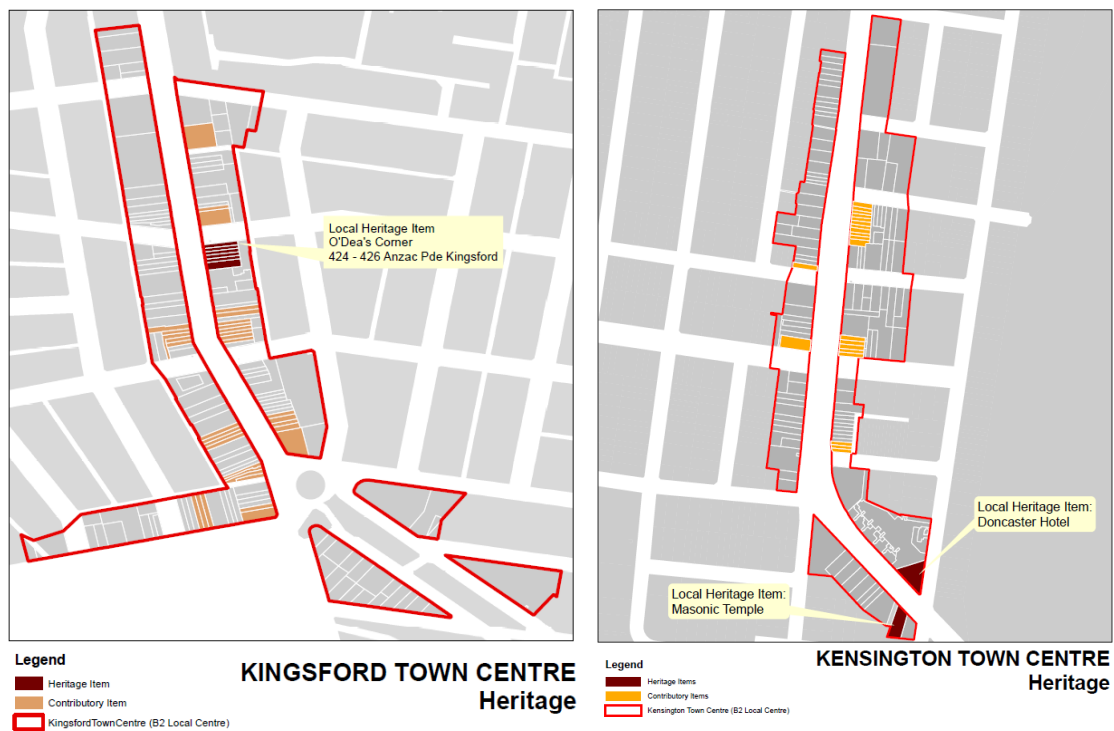


Figure 19: Existing heritage listed items and contributory buildings
Source: RLEP 2012 (www.legislation.nsw.gov.au)

1.4 Randwick Development Control Plan 2013

The *Randwick Development Control Plan 2013* (DCP 2013) provides detailed planning and design guidance to supplement the provisions of the RLEP 2012. The DCP contains site specific chapters for the Kingsford Town Centre (section D2) and Kensington Town Centre (section D1) originating from the previous DCPs applying to these centres.

1.4.1 Kensington town centre:

A major planning/design review for Kensington Town Centre was carried out in 2001/02, resulting in the introduction of building envelope controls in the *Kensington Town Centre DCP* (2002) based on the architectural character of the centre, articulation requirements and building heights. Site amalgamation is encouraged through bonuses to the building envelopes. The building envelope controls developed in 2002 have been transferred into the current DCP 2013 Section D1. The DCP provides a broad vision statement for future development in the Centre and block by block controls for height, setbacks and building location zone. The controls aim to achieve 'innovative' design quality first envisaged for the 'Model Suburb of Kensington' in 1891⁵

1.4.2 Kingsford town centre:

The DCP aims to achieve high quality building and urban design for Kingsford Town Centre and to promote economic employment opportunities. The DCP controls focus on site planning, building design, articulation, materials and finishes, through site links, and car parking.

The DCP also contains a requirement to prepare site specific controls for key sites being the Kingsford Triangle and Rainbow Street site.

in the form of a DCP. The site specific DCPs are to include urban design studies/ concept master plans, traffic studies and site amalgamation requirements and address a range of considerations such as high quality architecture, dwelling mix, through site links, landscape and streetscape design to ensure that future development in these prominent locations are of high quality design.

2.0 Planning for the Future of K2K

This section summarises a number of trends and indicators that provide the baseline for planning the future growth of Kensington and Kingsford town centres.

2.1 Population and Household Growth Projections

Current population growth projections indicate that the population of Randwick City will continue to grow to over 180,150 persons by 2036⁶. The distribution of population growth by age group is forecast to be in line with projected Greater Sydney averages, towards a significantly older population profile by 2036. For Randwick City, the greatest proportional growth is forecast in the 85+ age group, which is expected to increase by 74% from 2016-2036⁷. Conversely, there will be 33% growth in school aged children (5-19 years) in Randwick City, which is one of the largest projections for a council area within the Greater Sydney Central District.

While single person households are projected to make up 31% of the total households in Randwick City by 2036, family households will continue to be the dominant household

⁵ Posters advertising the 1891 subdivision plan for the 'Model Suburb of Kensington'.

⁶ Department of Planning and Environment (2016) NSW State and LGA Population and Household projections

⁷ Greater Sydney Commission (November 2016) Draft Central District Plan (pg.81)

type, at around 59%⁸ of the total households by 2036. This demonstrates that there is a need for additional housing including diverse housing to meet increased population and changing household structure which is discussed in more detail under Part C Section 4- Housing Growth and Diversity. The level of growth will place additional pressure on the Kensington and Kingsford town centres given their location to employment hubs, education and health services.

2.2 Demographic Trends

While the 2016 Australian Bureau of Statistics (ABS) Census Data has not yet been released, an analysis of ABS 2006 and 2011 Census Data has revealed key demographic trends for Kingsford and Kensington. Kensington and Kingsford both have a relatively young and ethnically diverse population due to high student population, as detailed below:

Kingsford town centre

- Kingsford has a young population, with 31% of residents between the ages of 20 and 29 years in 2011, reflecting the area's high student population.
- In 2011, the average household size was 2.61 and increasing, probably due to increased group households, while Randwick City's average household size decreased over the same period.
- In 2011, there was a high proportion of households renting (46%), with an increasing rate of households with mortgages and a decreasing rate of households who own their homes.
- The suburb has a high and increasing rate of ethnic diversity, with 52% of persons speaking a language other than English at home and 52% of persons born overseas in 2011.
- There are increasing levels of education and growth in the number of jobs in the centre. In particular, there has been employment growth in education and training, health care and social assistance, professional, scientific and technical services, and arts and recreation services.

⁸ Department of Planning and Environment (2016) NSW State and LGA Population and Household projections

Kensington town centre

- Like Kingsford, Kensington's population is young, with 34% of people between the ages of 20 and 29 years, reflecting the area's high student population.
- The average household size in Kensington is 2.37, which stayed steady between 2006 and 2011, while Randwick City's household size decreased over the same period. There is a lower level of lone-person households compared to Randwick City, and an increasing number of group households.
- In 2011, almost half (49%) of all households were renting, with an increasing rate of households with mortgages and a decreasing rate of households who own their homes.
- Similar to Kingsford, there is a high rate of ethnic diversity, with 41.5% of people speaking a language other than English at home and 47% of residents in 2011 born overseas.
- There are increasing levels of education and growth in the number of jobs in the centre. In particular, there has been employment growth in education and training, health care and social assistance and professional, scientific and technical services.

2.3 Employment Trends

As identified in the Issues Paper, both Kensington and Kingsford are village centres performing a localised role and function with local retail/commercial services. Kensington has a broad and dispersed range of retail and commercial uses, and key retail tenancies include Peters of Kensington and Auto One. Kensington has a convenience store, cafes, restaurants and food outlets, and convenience retail services such as a newsagency, pharmacy and optometrist.

Kingsford is popular with students from the UNSW, contains a small supermarket and several small Asian supermarkets, some retail services, and supports a significant and vibrant provision of food catering with a focus on Asian cuisines and pubs. Non-retail and commercial uses include medical and allied health facilities, real estate agencies, banks and pubs.

The NSW BTS estimates the Kensington village centre to grow from 1,540 jobs to around 1,890 jobs by 2036, an increase of around 23%. Accounting for the light rail, jobs are likely to increase by 10% above projections by 2036. This means the projected employment in the Kensington village centre is 1,924 jobs by 2036, a growth rate of 25%. 70% of the future jobs growth is expected to occur in the industries of Retail trade; Accommodation & food services; Education & training; and Health care & social assistance.

The NSW BTS estimates the Kingsford village centre to grow from 2,400 jobs to around 2,950 jobs by 2036, an increase of around 22%. Accounting for the light rail, jobs are likely to increase by 10% above projections by 2036. This means the projected employment in the Kingsford village centre is 3,000 jobs by 2036, a growth rate of 24%. 47% of the future jobs growth is expected to occur in the industries of Accommodation & food services and Health care & social assistance.

The strategies and actions contained in this Strategy are a decision making tool for Council to direct and manage investment and growth in each town centre in a sustainable manner.

2.4 Strategic Precincts

The draft Issues Paper provides an analysis of existing floor space capacity and redevelopment potential of the Kensington and Kingsford town centres⁹, resulting in the identification of a number of key opportunity sites.

These have been further refined in the development of this Strategy, and three distinct Precincts have been identified. The Precincts are based around key strategic transport nodes being the Todman Avenue light rail stop in Kensington, and the Strachan Street light rail stop and terminus in Kingsford town centre.

Buildings located in these Precincts are largely 1-2 storey shop-top housing or multi-business properties with moderate to significant remaining capacity¹⁰ and are likely to be redeveloped in the short-medium term following possible lot consolidation.

These Precincts have been selected on the basis that clustering appropriately scaled development around key transport nodes can support a hub of activity, contributing to business activation and vibrancy in the town centres. A precinct based approach also provides the opportunity to accommodate a greater variety of housing in a 'live/work/play' environment, while making greater use of public transport and reducing car dependence.

Importantly it will allow greater opportunities to utilise the development process to deliver a range of public benefits to the community such as new plazas, and wider footpaths as outlined in this Strategy.

The Precincts are identified in the following maps and discussed in greater detail throughout this Strategy.

⁹ Refer to the draft Issues Paper for a detailed outline of the methodology and assessment criteria for identifying the key opportunity sites.

¹⁰ Our preliminary capacity analysis shows that the development capacity remaining at or near these key intersections is approximately 25,000m² GFA (see section on capacity analysis for details).

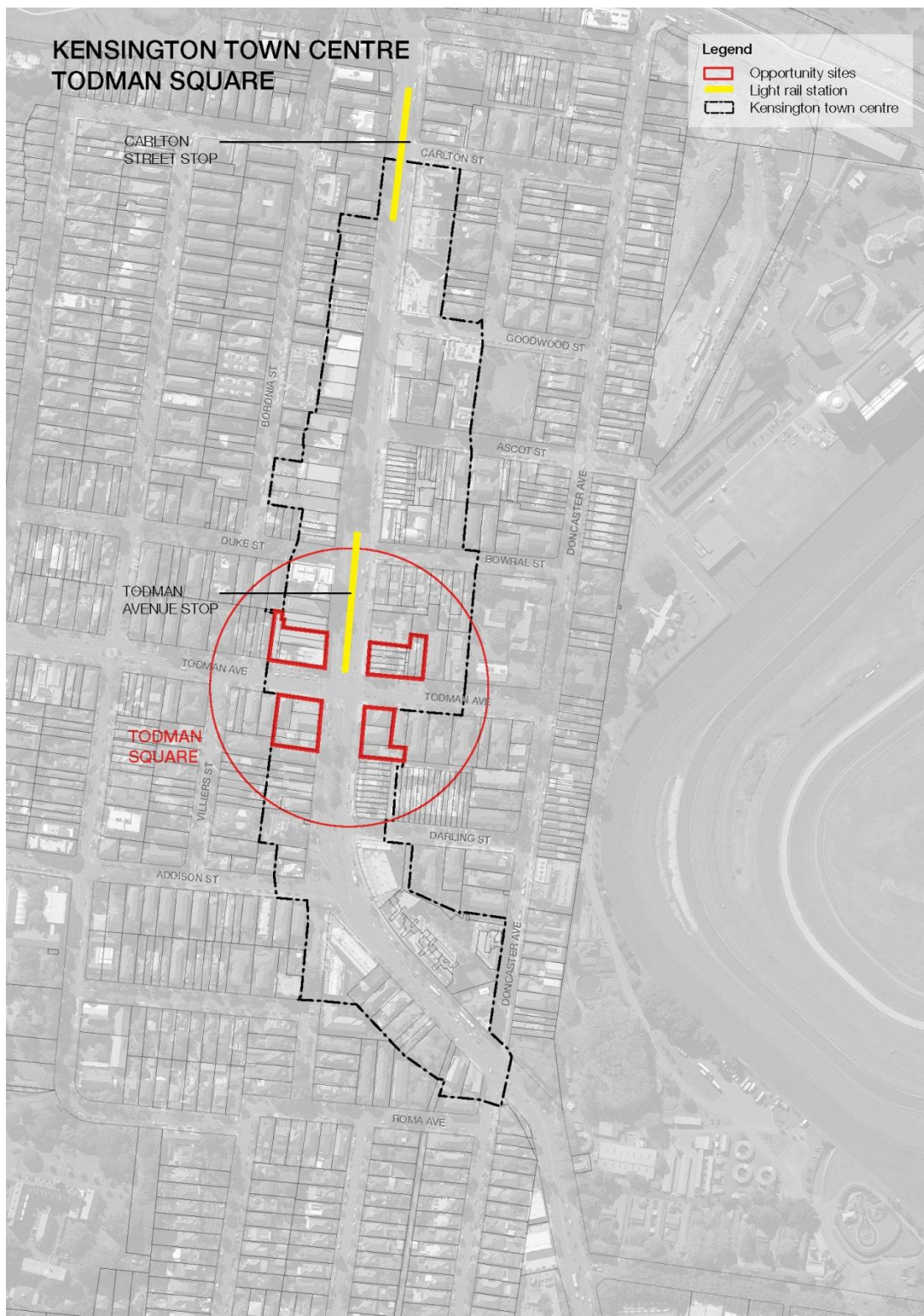


Figure 20: Proposed Todman Square Precinct, Kensington
Source: Randwick City Council 2016

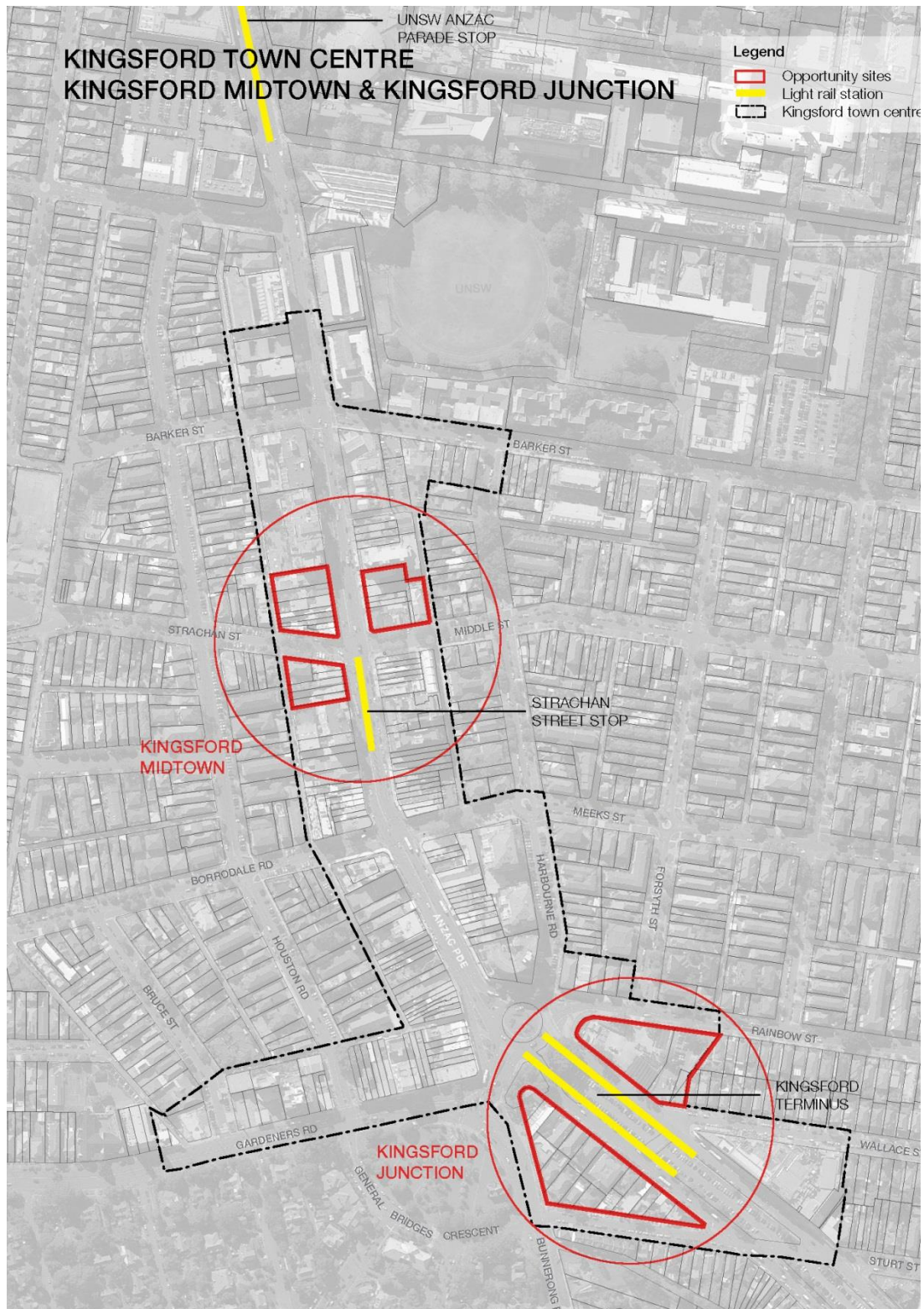


Figure 21: Proposed Kingsford Mid-Town and Kingsford Junction Precincts,
Kingsford
Source: Randwick City Council 2016

Part C – Vision and Strategies

This section outlines the vision for the town centres of Kensington and Kingsford which has emerged from community feedback received throughout the duration of the planning review.

1.0 Overview

The following themes are embodied in this vision which also form the basis of the strategies and actions contained in this document:

- Housing growth and diversity
- Business and economy
- Built form and heritage
- Transport and sustainability
- Public realm and landscape
- Social infrastructure
- Zoning and land use

Each theme includes a suite of 'objectives' - what we want to achieve, and 'strategies' - how we want to achieve the objectives, together with a series of specific actions.

Key points raised by the community during engagement activities, are provided at the beginning of each theme.

2.0 Vision

The following vision for the Kensington and Kingsford town centres has been informed by the extensive community consultations undertaken throughout the Planning Review process.

It provides the guide for this Planning Strategy, including its actions and recommendations, and the forthcoming draft RLEP 2012 and RDCP 2013 controls for the Kensington and Kingsford town centres.

All proposals for future development in the Kensington and Kingsford town centres are expected to be consistent with this vision.

2.1 Vision for Kensington Town Centre

Kensington will evolve into a vibrant and dynamic town centre situated along Anzac Parade, Sydney's finest grand green boulevard.

The town centre will be well connected and highly accessible, capitalising on its proximity to key employment hubs including the Randwick Health and Education Super Precinct and the Sydney CBD.

Kensington town centre will offer an exciting city apartment lifestyle, with buildings designed to the highest quality and offering excellent amenity to residents. A range of housing types including affordable housing will be woven into the town centre's urban fabric to offer housing diversity and choice to a wide range of people including the

elderly, students and families. The integrity of existing heritage and contributory buildings will be respected and integrated with the best contemporary architecture that enhances the character and layering of the town centre experience.

Kensington town centre will be a centre for creativity and innovation. A gallery/creative space at Todman Square will create a cultural anchor for the town centre, supported by a diverse range of cafes, restaurants and shopping options that attract visitors from across Sydney. Innovative startups will translate cutting edge research into real world business success.

The town centre will have a green identity, setting the bench mark for sustainability within the Local Government Area (LGA) through Ecologically Sustainable Development (ESD) targets, Water Sensitive Urban Design (WSUD) practices, high quality green public places with linkages to nearby parks, and sustainable transport modes such as the light rail, cycling and walking.

2.2 Vision for Kingsford Town Centre

Kingsford will develop into an exciting and dynamic town centre continuing to draw on its rich multi-cultural identity. The town centre will provide a diverse offer of restaurants, cafes and retail shopping, set within a rejuvenated public domain that supports activation and social interaction.

The town centre will be a safe and inclusive place to live, work and visit. Buildings will be designed to the highest quality incorporating a mix of apartments, laneway mews and affordable housing.

Highly connected and accessible, the town centre will foster hubs of activity focused around the terminus at Kingsford Junction and Kingsford Mid-Town, the old heart of the Kingsford.

The town centre will have a green focus and set a new performance benchmark for sustainability within the LGA through ESD targets, WSUD practices, public places with canopy trees and landscaping and support of sustainable transport modes such as the light rail, cycling and walking.

The integrity of existing heritage and contributory buildings will continue to be respected and integrated, through high quality architectural design. Innovative business start-ups will be encouraged to provide a 'bridge' between research and business.

3.0 K2K Competition – 10 Big Ideas

The following ideas have been derived from the K2K Urban Design Competition entries and are reflected in a number of strategies in this document.

1. Widen Anzac Parade to form a Boulevard: 'Anzac Parade For The People'
2. Integrate sustainability infrastructure into the precinct
3. Establish a "green grid" of walkable streets that link plazas and parks
4. Community spaces and a range of public benefits
5. Concentrate activity and built form at nodes
6. Nine-ways transformed into Kingsford Junction, as a new civic transport and urban hub
7. Prioritise walking, cycling and public transport
8. Increased provision of affordable housing
9. Leverage the university and health campus to foster innovation uses
10. Create new and reinvigorated plazas for people to gather

4.0 Housing Growth and Diversity

This section outlines a number of strategies and actions to facilitate sustainable housing growth within the Kensington and Kingsford Town Centres to meet future housing needs of a growing population. It identifies opportunities to increase the amount of affordable housing across both town centres, recognising the critical challenge of decreasing housing affordability, while promoting housing diversity and choice for a wide demography and social mix.

4.1 Overview

The Kensington and Kingsford town centres are highly desirable areas to live given their proximity to key employment hubs including the Randwick Education and Health Precinct and Sydney City CBD, and excellent access to frequent public transport services, retail and commercial facilities. As such, the town centres are expected to attract new residents and face continued pressure for growth in the years to come.

Future demand for housing in the Kensington and Kingsford town centres is likely to be driven by a number of changing socio demographic influences, including smaller household sizes, high numbers of young people, and an aging population. These factors combined with the locational attributes outlined above, and compounded with declining housing affordability is likely to further fuel the growth for urban living in both town centres.

In consideration of future housing provision, Randwick City's local planning policy has consistently promoted higher densities within the town centres as a sustainable approach, to make better use of existing infrastructure, facilities and services while maintaining the character of existing low density residential neighbourhoods.

Consistent with this approach, this Strategy provides the framework to achieving sustainable housing growth across both Kensington and Kingsford town centres recognising their strategic location, excellent access to services and capacity to accommodate change. Specific housing needs including the provision of affordable housing and fostering housing diversity and choice are key considerations in this Strategy.

4.2 Objectives

- To accommodate sustainable housing growth and expected demographic changes
- To provide for well-located housing in proximity to transport, employment and services
- To encourage housing diversity and choice
- To provide for affordable housing.

The Draft Issues Paper provides a comprehensive overview of demographic trends which have implications for future housing supply and specific housing needs in the Kensington and Kingsford Town Centres.

Key demographic trends affecting both town centres:

- Moderate population growth
- A relatively young population reflecting the high number of students in the area
- An aging population
- An increase in lone person households and group housing
- A higher number of apartments/shop top housing
- A higher number of people in rental accommodation
- A diverse population including high numbers of persons speaking a language other than English
- Increasing levels of education attainment

Key challenges:

- The population of Randwick City is projected to increase by 26% resulting in 36,500 additional people residing in the LGA by 2031.

Approximately 15,150 dwellings will be required to meet future housing needs by 2031.

- Future housing growth needs to occur in areas well serviced by public transport, and in proximity to employment, education, open space, and other services/facilities to ensure a safe and liveable environment.
- Ensuring sufficient housing supply in appropriate locations to address demand, while also managing the impact on neighbourhood character and amenity as development pressure intensifies are key factors which will play a crucial role in the future.
- Ensuring future housing growth provides for housing diversity including affordable housing.

Community Feedback

Feedback received during consultations shows that people value high quality development that meets the housing needs of a diverse community. In summary, the community told us:

- Provide a range of housing types to suit different types of people and life stages
- Encourage a diverse community
- Provide more housing that is affordable
- Encourage more families to live in the area through high quality development with more bedrooms and bigger spaces

4.3 Planning for Growth

Randwick City needs to plan for population and employment growth. As part of State Government's metropolitan plan for Sydney (in *A Plan for Growing Sydney*), the Council is required to demonstrate how population growth and dwelling demand can be met via its local planning framework. The draft district plan for Greater Sydney's Central District sets a five-year target of an additional 2,250 dwellings by 2021. This equates to around 450 dwellings per year which is on track with Council's historical development trends. To deliver the five-year housing target, Council will need to plan to provide sufficient capacity to support the delivery of housing to meet this target.

The draft district plan also sets the direction that Council will need to consider sufficient housing capacity over the next 20 years.

While longer term (i.e 20 years) housing targets have not been set for each council area, the draft plan directs Councils that they will need to consider sufficient housing capacity over the next 20 years, to help meet the Greater Sydney Commission's minimum housing target of an additional 157,500 new dwellings to be delivered across the Central district by 2036. As such, both the issues paper and the strategy has adopted the state government's (2014) projected dwelling demand of 15,150 additional new dwellings by 2031 to help plan for this long term growth.

As part of the Council's approach to plan for growth, the Council is investigating opportunities to accommodate growth across the entire LGA to ensure an even and equitable distribution of housing delivery to meet future needs.

Key considerations in determining where housing growth can be accommodated for across the LGA, include historical development trends, estimated development capacity (which takes into consideration environmental constraints) and future planning policy implications.

Analysis of past development trends shows, our (major) town centres (of Kensington, Kingsford and Maroubra Junction) and key redevelopment sites (formerly master planned sites) have provided the majority of housing growth followed by residential infill across the whole LGA.

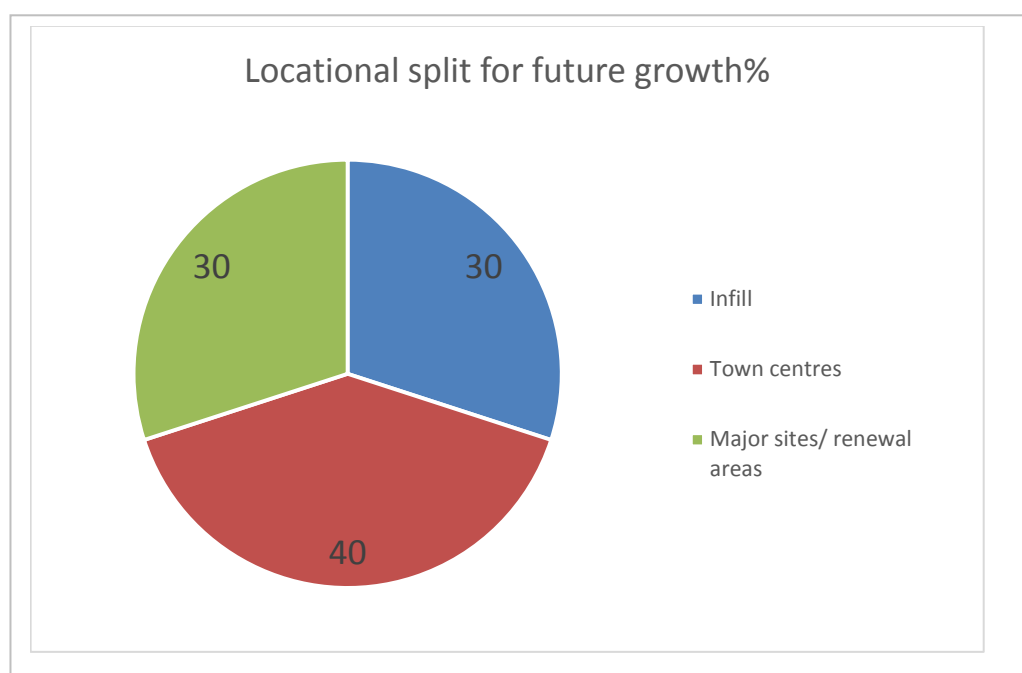
However, more recently dwelling completions in the town centres have reduced (from approximately 45% to 33%). This reflects the take up of development capacity in these areas since the planning controls for these centres were introduced.

Similarly, most of Randwick's major redevelopment sites (typically on government land identified as surplus to need i.e Prince Henry, and Bundock St for example) are either close to or have been completed. These key sites and/or areas have provided the majority of new housing growth over the last 5 years. However, housing growth from these redevelopment sites is not expected to remain at this level due to the limited supply of these large sites in the LGA, unless, there is state government led renewal of some of its Land and Housing Estates corporation assets. The state government has also identified the Anzac Parade corridor in *A Plan for Growing Sydney* as local renewal opportunity.

In relation to infill development, the state government's proposed new draft medium density code has the potential to increase densities in established residential areas significantly by allowing medium density housing types (ie dual occupancies, town houses, terraces and manor homes) as complying development in both the low and medium density residential zones. The draft code will introduce two new building types including the manor house (a two-storey building containing 3 or 4 dwellings with common wall and/or floor) and terraces (3 or more dwellings with frontage to a public

road) as complying development, only if it is permissible in the land use zone. The permissibility of these building types in the existing low and medium density residential zones has the potential to facilitate infill redevelopment and increase densities in these areas significantly, including adjoining residential areas to town centres. As such, it is expected that housing growth will increase in these established areas much more significantly than in the past.

Based on these considerations, the following locational split is applied as a guide to help plan for future housing growth across the LGA.



This translates to approximately 60% of all future growth to be accommodated outside of our town centres; and is in keeping with Council's existing planning approach which focuses growth in and around centres with access to services, amenities and transport.

The locational split has also been applied to the state government's (2014) projected dwelling demand of 15,150 additional new dwellings by 2031, which was adopted for the issues paper and is shown in the table below. The table below provides an indication on dwelling numbers that would need to be provided over the long term, to ensure we are meeting projected population demand.

Table 3: Locational split for future growth

Dwelling demand projection 15,150 dwellings		
Town Centres (Major)	40%	6,060
Infill	30%	4,545
Major redevelopment sites and/or urban renewal areas	30%	4,545
TOTAL	100%	15,150

This locational split for future growth also demonstrates a sustainable and balanced approach towards new housing growth across the LGA.

4.4 Considerations for Kensington and Kingsford Town Centres

While the Issues Paper noted that there is an estimated dwelling capacity (under existing planning controls) across the (major) town centres of approximately 20-30% of the projected dwelling demand, based on the above locational split, the major town centres would need to increase their share of new (dwelling) growth in the order of 10% or an additional 1,515 dwellings (above the current capacity) to ensure they retain a share of at least 30- 40% of the future dwelling growth for the LGA.

The Kensington and Kingsford town centres are best placed to accommodate this growth in new dwellings given the:

- investment of light rail in this corridor
- identification of this portion of Anzac Parade in *A Plan for Growing Sydney* for urban renewal opportunities
- proximity to major employment destinations (CBD, Randwick Education and Health Precinct)
- development interest and market demand
- specialised urban design review and input; and
- International design competition to garner ideas.

The table below outlines the existing dwelling capacity, as identified in the Issues paper, and a new dwelling capacity range incorporating the 10% share of the State Government's projected dwelling demand. While this range provides a guide to ensure that a minimum dwelling yield is taken into consideration into the future planning and design of this corridor, a higher dwelling yield may be demonstrated through good design and planning strategy.

Table 4: Existing Dwelling Capacity and New Dwelling Capacity

	Low	High
Existing dwelling capacity under existing planning controls	3158	3553
Additional new dwellings at 10% of the share of the projected dwelling demand	+ 1,515 new dwellings	
Therefore new dwelling capacity range*	4700	5100

*Note: These numbers have been rounded up for ease of application

4.4.1 Future Capacity for Kensington and Kingsford Town Centres

The key challenge for accommodating projected housing growth in the Kensington and Kingsford town centres is to ensure it occurs in a sustainable way, in appropriate locations with sufficient infrastructure capacity, while maintaining residential amenity and the community's quality of life.

This Strategy outlines a number of changes to built form controls which will increase the capacity of the town centres to absorb additional growth. An analysis of floor space yields resulting from proposed changes to built form controls is provided in Part C Built Form Section 6.11 – Floorspace Capacity.

4.5 Housing Diversity and Choice

Planning for sustainable housing growth in Kensington and Kingsford Town Centres will need to ensure a suitable mix of housing stock in a range of sizes and designs to address declining housing affordability, and support the current and future needs of the community, which includes people of different age groups, cultures, lifestyles, incomes and life stages.

In particular there is a need to consider:

- The need for greater affordable housing options to meet the needs of the large student population, and to retain people with a mix of skills and occupations in the locality such as key workers and those in creative and serviced based industries
- Changing household composition recognising the growing trend of single person and group households
- Slow but growing demand from young families choosing to live in apartment buildings for affordability and lifestyle reasons
- Needs of the aging population taking into account changing mobility needs and the desire to age in place.

Housing diversity is well recognised to help create sustainable and diverse communities. Providing housing choice will attract a diverse range of people to the town centres, contributing to social vibrancy.

A range of housing sizes also provides the opportunity for the existing community to remain in the area at different life stages. For instance, as people age, there is often preference to stay in the existing neighbourhoods that they know, where social networks have already been established. By providing safe, adaptable and accessible smaller housing in proximity to amenities for daily living and public transport nodes, the aging population can downsize after children have moved out of home, and still remain in the area. Well located and smaller compact housing forms may also meet the housing needs of the increasing proportion of households comprising single persons, couples without children and single parent families.

The majority of units being developed in the Kensington and Kingsford town centres are predominantly one and two bedroom units. While these units may meet the needs for single persons, couples without children, they do not readily accommodate a family household. Family households are expected to make up at least 60% of all households¹¹ in Randwick by 2031.

4.6 Affordable Housing

The loss of affordable housing through the gentrification process and the limited ability for the private rental market to accommodate the needs of low to moderate income households at affordable levels now presents one of the most critical housing challenges facing Randwick City.

The issue of housing affordability is particularly pertinent for the Kensington and Kingsford Town Centres given their rising land values and desirable location compounded with the high number of students, key workers such as nurses and police and an aging population- key groups that require more affordable housing options.

The Centre for Affordable Housing defines affordable housing as *'housing that is appropriate for the needs of a range of very low, low and moderate income households and priced so that these households are also able to meet other basic living costs such as food, clothing, transport, medical care and education'*.

¹¹ Based on the state government's (2014) population and household projections

Affordable housing offers a number of economic, social and environmental benefits to the community. At the local level affordable housing is important because it:

- Promotes social integration and social diversity
- Meets the needs of the growing number of smaller households living in high cost areas
- Allows key workers (such as nurses, police etc) and students to remain in the area close to work and educational establishments
- Provides direct economic benefits to local economies, including an increased demand for a range of goods and services which in turn can create employment opportunities; and
- Allows people to stay in the community that they know as they move through different life stages.

It is generally accepted that if housing costs exceed 30% of a low income household's (lowest 40% of households) gross income, the household is experiencing housing stress (30/40 rule). That is, housing is significantly unaffordable and housing costs consume disproportionately high amount of household income. When talking about affordable housing there is a focus on facilitating affordable rental housing, given that the private rental market is the most vulnerable to those very low to moderate income households on stock levels and rental price increases.

4.6.1 The need for affordable housing

The impact of pressures on house prices (rent and purchase) over the past decade are widely illustrated with Sydney now classified as being one of the least affordable housing markets internationally. Randwick City is one of the most expensive areas in Sydney to rent and purchase a home. As at June 2016, Randwick City had a median house valuation of \$1,857,345 which is \$908,194 higher than the median house valuation for Greater Sydney. And to rent, a median house rental of \$950, \$430 higher than the median house rental for Greater Sydney. In 2011, Kingsford had the highest proportion of people experiencing rental stress in Randwick City (36.9%) followed by Kensington (26%).

Moreover, Randwick City has continued to lose affordable housing stock. The proportion of affordable rental stock for low income households in Randwick has declined by more than 40% from June 2011 to December 2015. This is mainly due to increasing land and property values, increasing rents and the resultant loss of rental stock at the lower end of the market.

This has particular implications on the local businesses in the area ability to hire the essential key workers needed to support these businesses. Randwick's Hospitals Complex have noted the difficulty in filling job vacancies for specialist nurses (such as paediatric and neonatology nurses) who are highly desirable in terms of international competition for their skills and being priced out of living in the area.

The Randwick Education and Health Precinct is Randwick's largest employment destination. The draft Central district plan sets a job target range for the Randwick Health and Education strategic centre of an additional 9,200 to 12,700 new jobs by 2036 as shown in the table below. This represents approximately a 40-55% increase in additional jobs required by 2036.

Centre	2016 Estimate	2036 Baseline Target	2036 Higher Target
Randwick Health & Education	22,800	32,000	35,500

Figure 22: Randwick Health and Education Strategic Centre Jobs Target

Source: Greater Sydney Commission (November 2016) draft Central District Plan Co-creating a Greater Sydney

A projection in employment for this centre will not only generate demand for these specialist nurses, it will generate demand for services typically staffed by lower income earners, such as childcare workers and shop assistants.

The resulting loss of population diversity including lower income key workers, street life vibrancy and social authenticity will present a significant risk to Randwick City's economic productivity and success as a major contributor to Greater Sydney as a global city. Without provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing in the area, so that housing will only be affordable to households on relatively high incomes.

4.6.2 Existing Mechanisms to Encourage Affordable Housing

There are two key state planning policies aimed to facilitate and encourage affordable housing through the planning framework including the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (AHSEPP) and the *State Environmental Planning Policy No70 (SEPP 70) Affordable Housing (Revised Schemes) (SEPP 70 Affordable Housing)*.

The AHSEPP is the main mechanism intended to increase the supply and diversity of affordable housing and social housing in NSW, and to protect existing stock. The AHSEPP covers housing types including infill affordable rental housing (villas, townhouses and apartments) that contain an affordable rental housing component, along with secondary dwellings (granny flats), new generation boarding houses, group homes, social housing and supportive accommodation.

The most common development types being built in Randwick City under this policy are new generation boarding houses and secondary dwellings. In relation to new generation boarding houses, the majority of boarding house rooms approved and developed (under the SEPP) are mostly to the north of Randwick City, around the UNSW. Anecdotal evidence suggests that the new generation boarding houses are meeting a demand for student accommodation being located close to the University and are being rented at levels not considered affordable to both students and key workers. While these development types are providing a form of diverse housing, they are in reality not delivering 'affordable housing' to those households in need.

The SEPP 70 enables councils listed by the SEPP to implement mandatory requirements for developers to contribute towards affordable housing either monetary or as complete dwellings. This policy is based on an inclusionary zoning based approach. Only two councils the City of Sydney and Willoughby, are able to require contributions towards affordable housing under existing contribution schemes for Green Square, Ultimo/Pymont and Willoughby. Since the SEPP was introduced in 2009, no other council areas have been listed in the SEPP, despite worsening housing affordability.

At the local level, Randwick City Council is one of the state's more active councils on affordable housing. Council's *Affordable Rental Housing Program and Strategy/Action Plan 2008-2018* sets policies to retain existing stocks of affordable housing and facilitate development of new affordable housing stock for low to moderate income or key worker

households in the community. To date, the Council has acquired 20 affordable housing units mainly via a negotiated planning agreement approach on large redevelopment sites required to demonstrate diverse housing including affordable housing on these sites. The Council's measures, while progressive for local Government, are having little influence on meeting the demand for affordable housing across the City, mainly due to the limited nature of the voluntary planning agreement approach and the limited number of large redevelopment sites in the LGA.

4.6.3 Inclusionary Zoning for Affordable Housing

Academic research and best practice outline that the only reliable way for local councils to secure affordable housing supply is through mandatory provisions embedded within a legislative framework, via an inclusionary zoning mechanism. An inclusionary zoning based approach is also more equitable than the negotiated planning agreement approach and provides more certainty to the developer by making clear the requirements to contribute towards affordable housing upfront.

A mandatory approach based on inclusionary zoning provides greater certainty for the delivery of affordable housing within the Kensington and Kingsford town centres. This approach will help contribute towards the provision of affordable rental housing in high value areas such as Kensington and Kingsford town centres. This inclusionary zoning pathway has been chosen by Council and has received support from the Department of Planning and Environment for an amendment to SEPP 70 to include Randwick City.

The strategic location of these town centres to key employment centres such as the Randwick Education and Health Specialised Centre and the Sydney CBD makes the need to provide for affordable housing an essential consideration in the future planning of these areas.

To ensure that low to moderate income households can live in Kensington and Kingsford town centres, this strategy proposes that future new development be required to provide a proportion of affordable housing. A staged approach is proposed which seeks an equivalent proportion of 3% increasing to 5% of the total residential floor area be dedicated as affordable housing in all new developments. This will provide more than 200 essential affordable housing dwellings for key workers in this area and is discussed in more detail in Part E Funding Infrastructure.

The following strategies aim to address the prevailing housing issues affecting Kensington and Kingsford town centres, including providing for sustainable growth, housing diversity and choice including affordable housing in these centres.

Strategies	Actions
1. Direct housing growth into locations and sites that have the capacity to accommodate change	<ul style="list-style-type: none"> a) Amend the RLEP 2012 building height and floor space ratio controls for Kensington and Kingsford town centres, as per the built form chapter, to provide for forecast dwelling growth b) Concentrate higher density housing growth within key Precincts and sites in walkable proximity to light rail stops/terminus (see C6 Built Form)
2. Encourage a diversity and mix of apartment sizes in the town centres having regard to changing demography, housing trends and affordability for a resident population.	<ul style="list-style-type: none"> a) Consider new DCP controls requiring a mix of dwelling types, sizes and forms in all new major residential/mixed use development based on demographic trends and social mix
3. Encourage adaptable and accessible housing to enable the community to age in place	<ul style="list-style-type: none"> a) Continue to implement the universal accessible housing principles and controls contained in Part C1 of DCP 2013 for new developments.
4. Provide for affordable housing options for students and key workers to enhance opportunities to live, work and learn together and to support the economic functions of the Randwick Education and Health Strategic Centre	<ul style="list-style-type: none"> a) Incorporate inclusionary zoning provisions within Randwick LEP 2012, based on a staged approach as described above; b) Update Council's existing Affordable Housing Strategy, Policy, Programs and Procedures to address the Kensington and Kingsford town centres Affordable Housing Scheme (once adopted); c) Prepare a new affordable housing plan for the town centres which will outline the operational and management details of the Affordable Housing Contributions Scheme.
5. Encourage the development of family friendly apartments to facilitate social diversity in the community	<ul style="list-style-type: none"> a) Consider new DCP controls to encourage family friendly apartments including specific design requirements that address adequate storage and access to outdoor space where possible

5.0 Business and Economy

This section considers the location and intensity of business-related land uses that make up the town centres of Kensington and Kingsford. It outlines a number of strategies to support the economic prosperity of both centres, capitalising on their existing character and future opportunities. This section also outlines a number of strategies to promote and support the emerging innovation centre at the UNSW and Randwick Hospitals Campus.

5.1 Overview

The future economic prosperity of the Kensington and Kingsford town centres will rely on their ability to attract and retain local businesses, support productivity and innovation, maintain a quality of life for residents and workers and ensure a high level of urban amenity.

Each town centre will benefit from preserving its mixed use character, protecting commercial floor space and leveraging opportunities to stimulate economic growth, such as localised activation around light rail stops along Anzac Parade which will help consolidate sprawl and provide a critical mass of economic activity. Emerging opportunities may include supermarkets, outdoor eateries and bars, local business services, medical facilities and banks.

Ensuring developments activate their street frontages throughout the town centre, and requiring a minimum quantity of commercial floor space around light rail stops will create a long spine with nodes of more intensified activity. These requirements will ensure adequate floor space is provided for future local services for the community.

The town centres should capitalise on their location adjoining the Randwick Education and Health Strategic Centre, and in particular, play a key role in supporting an emerging innovation district centred on the anchor institutions of the University of NSW and Randwick Hospitals Campus.

This emerging innovation district will stimulate economic activity and the creation of jobs through the further clustering of start-ups, business incubators and accelerators in a physically compact, accessible, amenity-rich, mixed use urban environment.

5.2 Objectives

- To promote the economic prosperity of each town centre and the wellbeing of the community
- To ensure that future development enhances the existing character and establishes a distinctive image for each town centre
- To promote convenient access to shops and services for residents and visitors
- To leverage the proximity to the UNSW and Randwick Health Campus and support the emerging innovation centre
- To grow the number of local jobs available to an increasing population

Community Feedback

Feedback received during consultations for the K2K Urban Design Competition shows that people value a vibrant town centre containing local services to provide for the local community. In summary, the community told us:

- Create more jobs in the centre where they are close to transport
- Develop a viable town centre which promotes all types of local businesses and attracts people to visit.
- Create vibrant town centres where people live, work and shop with open spaces to gather, sit down and relax or observe the world.
- Create a sense of community by increasing the mix of businesses, cultural events and workers.
- Activate Anzac Parade with more activities, businesses and late night shops so that the whole street is lively and safe.
- Consider how parking will be accommodated in the town centre.
- Have office spaces which attract a diverse range of workers to who spend and interact with the town centres and which provide employment space close to transport.

'Kensington needs more basic shops, banks and a supermarket that are accessible.'

'Strong local businesses make places for people to connect.'

'Build up businesses so students have access to internships and work experience.'

Create a heart and soul for Kensington: build a place for their community with a supermarket, market place, shops, bank and/or other necessary services.



Figure 23: Union Square mixed use precinct, NYC
Source: (www1.nyc.gov)



Figure 24: Sharedway at Kiaora Place, Double Bay
Source: www.rooksaling.com



Figure 25: Mixed use development in Surry Hills
Source: www.sjb.com.au

5.3 A vibrant centre

5.3.1 A centre with range of uses

Successful cities are active and alive during the day, as well as in the evening and night. They contain a blend of activities which overlap and encourage people to mingle and attractive places where form and function are in balance. Anzac Parade will have more activities, facilities, businesses and late night shops so that the whole street is lively, safe and provides for the needs of the community.

Increased residential development within each town centre will help to drive localised activity within the precinct. This will help support both day and night-time activation for local businesses. A healthy ageing population also offers opportunities for businesses to provide additional activities for the population of the wider area.

The most dominant business activities in Kensington are food services, retail trade and other services. Kensington's services tend towards health and fitness, with two gyms, a sports medicine clinic and two doctors' offices within the town centre¹².

Kingsford town centre accommodates a variety of business and retail uses ranging from restaurants, cafes and takeaway food outlets to smaller office suites, shop top housing, small scale independent supermarkets, pubs and banks. The ground floor vacancy rate is relatively low (at approximately 9% of all properties¹³), mainly clustered along the southern end of the town centre along Gardeners Road. The vibrancy of both centres can be improved by improving their accessibility to UNSW, increasing the local resident population and creating a more pleasant public environment.

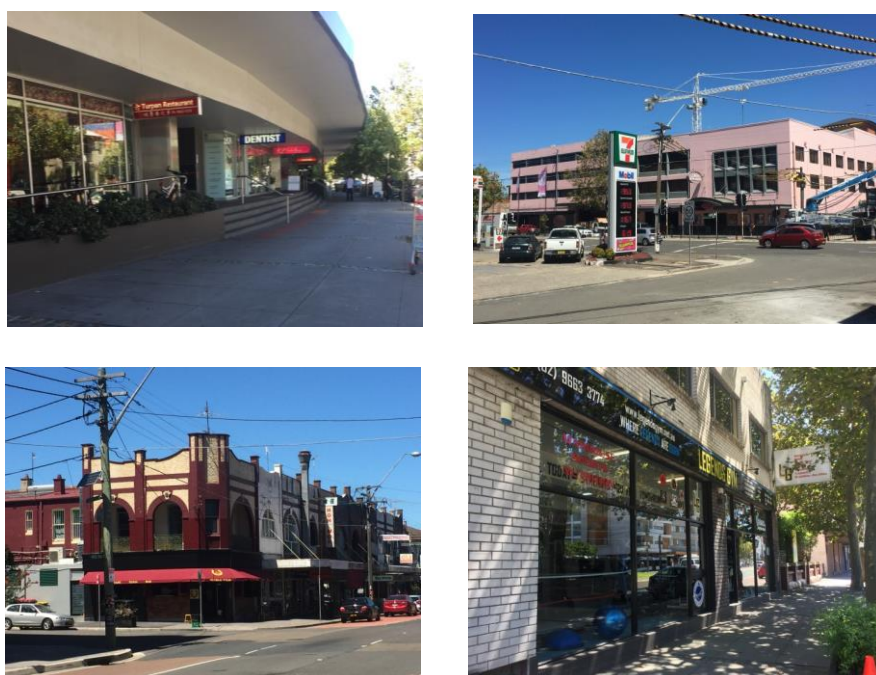


Figure 26: Existing retail in Kensington
Source: Randwick City Council 2016

¹² Randwick City Council Survey 2015

¹³ Randwick City Council Survey 2015

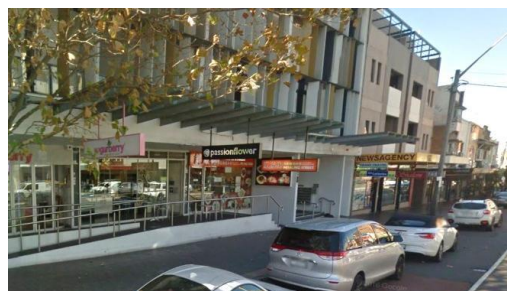
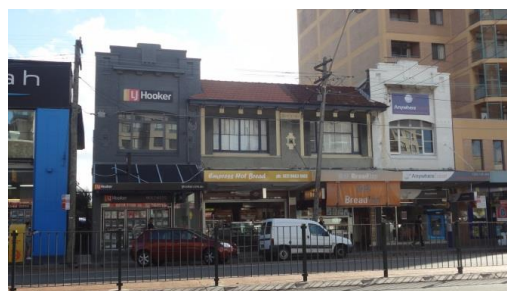
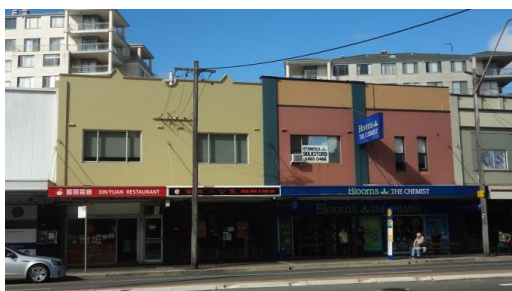


Figure 27: Existing retail in Kingsford
Source: Randwick City Council 2016

5.3.2 Role of the Kensington Centre

Designated as a village centre in the Randwick Economic Development Strategy, Kensington performs a predominantly localised role with local retail and commercial services, with some destination/unique attractors such as Peters of Kensington. As detailed in Council's Draft Issues Paper released in March 2016, accommodation and food services (17%) and retail trade (15%) categories account for around 32% of ground floor space in the centre¹⁴. Almost all of the accommodation and food services category consists of food and beverages premises, with limited accommodation floor space in the centre. There was an estimated 12% ground floor vacancy rate at the time of the Council's survey in 2016, showing there are opportunities to strengthen the existing economy.

Increased residential development will help drive localised activity within the precinct to help support local businesses and drive night-time activation. Other growing uses could include child care, medical services and small commercial or innovation spaces. Larger sites should be investigated for the potential to enable a supermarket or other anchor as part of a mixed use development. Todman Avenue and Carlton Street will be key point of origin stations and ground level retail activation will be encouraged around these nodes to support local resident and business needs.

Improved east-west connections will help to strengthen and expand the role of the centre, such as increased tree planting and landscaping and footpath extensions on side streets and improved cycling infrastructure. There are opportunities to improve access between the Royal Randwick Racecourse and Kensington, which would bring increased people to the centre on race days.

¹⁴ Kingsford & Kensington Town Centre Review Draft Issues Paper 2016

5.3.3 Role of the Kingsford Town Centre

Like Kensington, Kingsford is also designated as a village centre and performs a localised role with local retail and commercial services. The centre is very popular with students from UNSW given the close proximity to the campus. As detailed in the Draft Issues Paper released in March 2016, accommodation and food services (35%) and retail trade (28%) account for around 63% of ground floor space in the centre, which is twice that of Kensington, reinforcing the higher level of patronage in Kingsford¹⁵. Almost all of the accommodation and food services category consists of food and beverages premises, with limited accommodation floor space. There was an estimated 9% ground floor vacancy rate at the time of the Council's survey in 2016¹⁶.

Increased residential development will help drive localised activity within the precinct to help support local businesses and drive night-time activation. The town centre should be investigated to identify opportunities for student housing, co-working and innovation space, and larger sites suitable for a supermarket.



Figure 28: Local services

Sources: (www.centralwest.com ; www.sbs.com.au ; www.centralwest.com)

¹⁵ Ibid

¹⁶ Ibid

5.4 Future Commercial Uses

5.4.1 Supermarkets

Neither the Kensington nor Kingsford town centres contain a full line supermarket to fulfil the roles of the centres in providing for the regular needs of residents. In Kensington, the Foodworks is very small (200 sq.m) and performs as a convenience shop. Kingsford contains only a small IGA supermarket (approx. 400 sq.m) and several small Asian supermarkets. Both town centres would benefit from the development of a neighbourhood supermarket shopping centre, fulfilling local day to day shopping needs with the provision of groceries, fresh food and other convenience items.

The nearest centres with supermarkets are Randwick Junction, Maroubra Junction and East Village. Randwick Junction hosts a Woolworths of 1,400sq.m and a Coles supermarket of 3,080sq.m, along a range of specialty shops. Maroubra Junction, a very strong town centre, has a full-line Coles supermarket of 3,600sq.m an Aldi supermarket of around 1,400sq.m, around a range of specialty shops including a green grocer.

The current planning framework provides for the establishment of a supermarket within each centre. In particular, the Randwick DCP identifies locations where a supermarket would be suitable within the Kensington town centre. There is currently no development containing a supermarket, and this may be due to land constraints, the cost of parking provision and trends in online shopping.

With the increased population within the town centres, and the improved connectivity arising from the light rail and active transport improvements outlined in Section X of this strategy, there will be increased demand for a supermarket to provide for the everyday needs of residents. Subject to suitable site amalgamation, sites in each town centre have the potential for redevelopment as a neighbourhood supermarket shopping centre. A supermarket would act as an anchor to a new development, supporting ancillary retail and commercial tenancies.

The light rail stops will be key nodes of activity, providing an opportunity for increased levels of commercial and retail tenancies. In Kensington, the Todman Avenue light rail stop in particular will be a key node providing an opportunity to provide a supermarket, convenience retail, dining and take-away food facilities. In Kingsford, the Kingsford Terminus or Strachan Street stop will each provide opportunities for a supermarket, along with other convenience retail, dining and take-away food facilities.

If land size provides an obstacle, there is opportunity for a half-size or express size supermarket. Across Sydney, both Woolworths and Coles are establishing local convenience supermarkets close to public transport, and Kensington and Kingsford both have suitable locations for such a development¹⁷.

¹⁷ C&I Convenience and Impulse Retailing (2015) (<http://c-store.com.au>)



Figure 29: East Village shopping centre at Victoria Square
Source: [www. payce.com.au](http://www.payce.com.au)



Figure 29: Pacific Square Maroubra
Source: www.excelbm.com.au



Figure 30: Green grocer at East Village
Source: www.payce.com



Figure31: Chatswood interchange shops and mall
Source: www.coxarchitecture.com.au



Figure 32: Madison Avenue mixed use district, NYC
Source: www1.nyc.gov

5.4.2 Night-time economy

Providing more diverse attractions and more “routine” activities (visiting a supermarket, chemist, hairdresser or gym) into the evening and night attract a broader population onto the streets. Having people on the streets, in shops or in restaurants can establish passive surveillance, increasing the feeling of perceived safety.

The type of business mix determines the people attracted to town centre, and currently neither Kensington nor Kingsford have a strong night-time economy. Providing more diverse attractions and routine activities, such as visiting a supermarket, gym or outdoor plaza in the evening attracts a broader population into the area which promotes social cohesion, vibrancy and deters crime¹⁸. Retail and local services in the town centres are generally only open during business hours. During the evening, food and beverage premises stimulate activity, in Kingsford more than Kensington, but the town centres have little-to-none night time trade once the dinner service ends.

With Australians working longer days, there is likely to be demand for longer trading hours. The diversity of employment opportunities in the town centres and the education and health precinct may lead to a greater mix of businesses open into the evening. Improved and creative lighting, as detailed in Section X Public Realm and Landscape can encourage a sense of safety and security for those moving around the centre at night.



Figure 33: Gym, a potential night-time use

Source: www.visitomaha.com



Figure 34: Active laneway in Melbourne

Source: www.traveller.com 2016

¹⁸ Hadfield, P. (2011) Night-Time Economy Management: International research and Practice. A Review for the City of Sydney.

Strategy	Action
<p>1. Support and strengthen the existing retail and services within the town centres to provide for the regular needs of residents</p>	<ul style="list-style-type: none"> a) Support local precinct shopping programs such as “shop local” by developing an app for K2K that connects people to what’s on and what’s open near them b) Continue work to lift the aesthetic standards of Anzac Parade by investigating grant opportunities for shopfront improvements a) Improve activation by providing more spaces suitable to outdoor dining in appropriate places b) Amend the DCP 2013 to encourage fine grain retail and laneways activation to create opportunities for diverse and interesting shopfronts and premises
<p>2. Support the establishment of a night time economy in Kensington and Kingsford</p>	<ul style="list-style-type: none"> a) Ensure that new development create opportunities for appropriate retail uses at street level that trade into the evening b) Identify opportunities for decorative/feature lighting in outdoor dining areas to support the night time economy

5.5 Innovation Districts

5.5.1 What are Innovation districts?

Innovation districts are dense enclaves that merge the innovation and employment potential of research-oriented anchor institutions, high-growth firms, and tech and creative start-ups in well-designed, amenity-rich residential and commercial environments¹⁹. Economic benefits of innovation districts are described in the Brookings Paper, *The rise of innovation districts: A new geography of innovation*, as facilitating the creation and commercialisation of new ideas and supporting metropolitan economies by growing jobs in ways that leverage their distinct economic attributes. These districts build on and revalue the intrinsic qualities of cities: proximity, density, authenticity, and vibrant places²⁰.

While their form and function varies, all innovation districts contain economic, physical, and networking assets. When these three assets combine with a supportive, risk-taking culture they create an innovation ecosystem—a synergistic relationship between people, firms, and place (the physical geography of the district) that facilitates idea generation and accelerates commercialisation²¹.

Sydney's tech startup ecosystem is in the early stages of development and the needs of tech startups are very different to those of small businesses²². Entrepreneurs and tech startup companies need a local environment that provides support networks, business and entrepreneurship education, infrastructure and financing opportunities²³.

5.5.2 The changing innovation landscape

Innovation is firmly on the Federal Government agenda, with The National Innovation and Science Agenda a \$1.1 billion program over four years aiming to drive smart ideas that create business growth, local jobs and global success. The National Innovation and Science Agenda will focus on four key pillars:

1. Culture and capital
2. Collaboration
3. Talent and skills
4. Government as an exemplar

In particular, the Federal Government will support incubators which play a crucial role in the innovation ecosystem to ensure startups have access to the resources, knowledge and networks necessary to transform their ideas into globally scalable new businesses.

In October 2015, UNSW published its strategy for the next decade. The 2025 Strategy commits UNSW to work with government, industry and the community to translate research advances into social progress and economic prosperity. UNSW aspires to be increasingly known for its focus on innovation, the scale and extent of interactions involving staff, students and alumni with industry, business, government and with community partners. UNSW will build upon an existing track record as one of Australia's leading knowledge exchange universities to achieve a step change in the translation of research into economic and social outcomes.

¹⁹ Brookings (2014) *The rise of innovation districts: A new geography of innovation*

²⁰ Ibid

²¹ Ibid

²² City of Sydney (2013) *OPEN Sydney: Strategy and Action Plan 2013-2030*

²³ Ibid

In 2016, UNSW opened the Michael Crouch Innovation Centre, which provides Students, Alumni, Staff and industry partners with resources to nurture student and academic innovation. In addition, UNSW has partnered with China's 'Torch' innovation system to develop a science and technology precinct in close proximity to the UNSW campus. In phase one of the venture, the Chinese companies will establish outposts in "incubators" already being set up on UNSW's main Kensington campus. In phase two they will shift to the Torch precinct planned for a site in Randwick. This provides Council with a unique opportunity to capitalise on UNSW's growing innovation culture and establish Kensington and Kingsford as a niche innovation precinct.

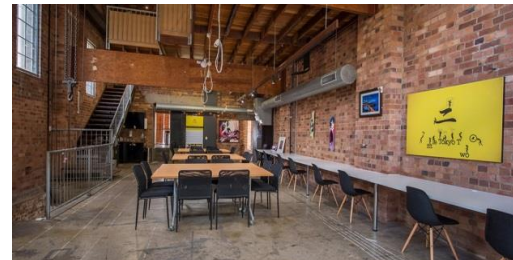
5.5.3 Fostering an innovation district

In order to utilise the potential for innovation districts to growth within the Kensington and Kingsford town centres, the components of an innovation ecosystem must be understood and fostered. Innovation districts uniquely contain three categories of assets: economic assets, physical assets, and networking assets, known together as an innovation ecosystem:

- 1. Economic assets are the firms, institutions and organizations that drive, cultivate or support an innovation-rich environment.*
- 2. Physical assets are the public and privately-owned spaces—buildings, open spaces, streets and other infrastructure—designed and organized to stimulate new and higher levels of connectivity, collaboration, and innovation.*
- 3. Networking assets are the relationships between actors—such as between individuals, firms, and institutions—that have the potential to generate, sharpen, and/or accelerate the advancement of ideas²⁴.*

The Kensington and Kingsford Town Centres have a significant number of characteristics making them attractive to innovation spaces and startups. Both UNSW and the Randwick Hospitals Campus act as anchors, attracting and generating research and innovation uses. The light rail both provides a frequent and reliable public transport link into the CBD and will act as a catalyst for establishing Kensington and Kingsford town centres as vibrant and diverse mixed use centres. The combined actions outlined in this Strategy will increase the walkability, vitality and liveability of the centres, increasing the attractiveness of the centres to startup and innovators.

²⁴ Brookings (2014) The rise of innovation districts: A new geography of innovation



Figures 35: A range of innovation spaces and events

Source: www.fishburners.org; www.littletokyotwo.com; www.startupdaily.net; www.iaccelerate.com.au

Strategy	Action
1. Nurture opportunities to establish small, start-up or creative enterprises both in new developments and in vacant premises	<ul style="list-style-type: none"> a) Use a community infrastructure contributions scheme to obtain Council-owned innovation spaces (such as co-working facilities and affordable office spaces) b) Provide an online guide to applying for planning consent for establishing a co-working space, incubator, accelerator or creative workshop.
2. Use planning regulation to encourage the provision of commercial office space which can be used by co-working operators, incubators and accelerators	<ul style="list-style-type: none"> a) Implement an LEP minimum non-residential FSR at key sites to ensure first floor commercial space is provided in new developments b) Work with innovation organisations to identify the technology infrastructure required to support innovation uses
3. Use public domain improvements to make the centres attractive to innovation industries	<ul style="list-style-type: none"> a) Establish free public Wi-Fi b) See Section C9 Public Realm and Landscape
4. Leverage the close proximity to the UNSW and health campuses to encourage startups and innovation spaces to locate in the Kensington and Kingsford town centres	<ul style="list-style-type: none"> a) Continue partnering with UNSW to provide support for their innovation program b) Utilise partnerships with UNSW and the Hospitals Campus establish UNSW incubators within the centres c) Use branding and advertising to promote Kensington and Kingsford as a place for innovation and creative uses to locate

5.6 Commercial floor space and jobs growth

5.6.1 The Draft Central District Plan

The Draft Central District Plan²⁵ identifies opportunities which should be leveraged to drive economic activity and diversity. Kensington and Kingsford town centres can take advantage of several of these opportunities, including:

- The Randwick health and education super precinct in close proximity
- The City and South East Light Rail which will improve connectivity
- Sydney's growing, young and well-educated population

Notwithstanding these opportunities, the Draft Central District Plan also recognises challenges facing strategic centres, such as pressure on commercial floor space in strategy centres. Pressure on commercial floor space can be seen in the Kensington and Kingsford town centres, as developers prioritise residential floor space over commercial.

5.6.2 Projected employment change

The Kensington, Kingsford and Randwick centres have an important economic role, with around 62% of jobs in Randwick City Council located in these centres and their surrounding catchments (including UNSW)²⁶. The importance of these centres is expected to grow, with almost 70% of future jobs growth to 2036 accommodated within this economic triangle. The projected increase in jobs for Kensington and Kingsford is outlined in Table 1 below, with Kensington expected to accommodate a slightly higher proportion than Kingsford. Kingsford will continue to provide a greater share of jobs overall.

Future Employment Growth				
Town Centres	2016	2036	Change	
			No.	%
Kensington	1520	1920	400	26
Kingsford	2830	3480	650	23

Table 5: Projected increase in employment in Kensington and Kingsford town centres²⁷

5.6.3 Kensington town centre

Projected jobs growth

As identified in Table 1, the Kensington village centre is estimated to grow from 1,540 jobs to around 1,890 jobs by 2036, an increase of 26%. Table 2 below presents a detailed projection of jobs growth, by industry, for the Kensington village centre. As shown, 70% of the future jobs growth is expected to occur in the industries of retail, education and health care.

²⁵ Draft Central District Plan, November 2016

²⁶ Macroplan Dimasi (2016) Kensington, Kingsford & Randwick Junction Economic Impact of Light Rail Stage 2 Report.

²⁷ Ibid

Industry/land use	Jobs			Share in centre (%)	Ratio (sq.m/ job)	Est. floorspace demand		
	2016	2036	16-36			2016	2036	16-36
<u>Based on NSW BTS projections</u>								
Office/commercial	195	233	39	90%	30	5,255	6,296	1,041
Accommodation	50	61	11	95%	100	4,757	5,762	1,004
Retail/F&B	470	558	88	95%	25	11,169	13,260	2,090
Education	270	363	93	10%	30	810	1,088	278
Health/medical	150	207	57	25%	30	1,123	1,551	428
Manufacturing/blue collar	161	202	41	10%	75	1,205	1,515	310
Arts/other services	202	215	12	90%	50	9,111	9,672	560
Other	<u>42</u>	<u>51</u>	<u>9</u>	n.a	n.a	<u>n.a</u>	<u>n.a</u>	<u>n.a</u>
Total	1,540	1,890	349			33,432	39,143	5,712
<u>Potential 'uplift' from light rail</u>								
Uplift factor	10%	on growth		Uplift factor	10%	on growth		
Total jobs	1,540	1,924	384	Total floorspace	33,432	39,714	6,283	
Difference	0	35	35	Difference	0	571	571	

Notes

1. Office/commercial includes industries J, K, L, M, N, O

2. Accommodation includes approx. 25% of Accommodation and food services

3. Retail/F&B includes 75% of Accommodation and food services and 100% Retail trade

4. Education includes Education and Training

5. Health/medical includes Health care and social assistance

6. Manufacturing/blue collar includes industries A, B, C, D, E, F, I

7. Arts/other services includes Arts and recreation and Other services

8. Other is not stated/inadequate data.

Source: NSW Bureau of Transport Statistics (2014); MacroPlan Dimasi

Table 6: Projected increase in employment and floorspace demand for Kensington town centre
Source: Macroplan Dimasi 2016

Projected floorspace growth

Including vacant floorspace, there is currently an estimated 36,000-37,000m² of employment generating floorspace within the Kensington town centre. Taking into account projected employment growth and the potential increase in demand arising from the light rail, employment floorspace demand 'in-centre' is estimated to grow by around 6,000-6,500m² by 2036. Of the projected demand for floorspace, 2,100m² is projected to be retail or food services, 1,050m² is projected to be office or commercial, and 1,000m² is projected to be accommodation.

Analysis by Macroplan Dimasi recommended that around 6,000-6,500m² additional floorspace be allowed for within the Kensington centre, to sufficiently accommodate jobs targets and enable the development of additional convenience-based retail facilities, including a supermarket. This floorspace growth will be enabled through implementing an active frontages clause throughout the town centres and a minimum non-residential FSR at the nodes, as will be detailed later in this chapter.



Figure 36: Kiaora Place retail precinct with public library
Source: rooksalinge.com



Figure 37: East Village mixed use development
Source: payce.com.au

5.6.4 Kingsford town centre

Projected jobs growth

As identified in Table 1, Kingsford town centre is estimated to grow from 2,425 jobs to 3,001 jobs by 2036, an increase of around 23%. Table 3 below presents a detailed projection of jobs growth, by industry, for the Kingsford village centre based on NSW BTS data. As shown, 55% of the future jobs growth is expected to occur in the industries of retail, food services and health care.

Industry/land use	Jobs			Share in centre (%)	Ratio (sq.m/job)	Est. floorspace demand		
	2016	2036	16-36			2016	2036	16-36
<u>Based on NSW BTS projections</u>								
Office/commercial	467	547	80	85%	30	11,909	13,945	2,035
Accommodation/pub	114	138	24	85%	75	7,286	8,824	1,538
Retail/F&B	709	848	139	85%	25	15,072	18,030	2,958
Education	104	140	36	10%	30	313	420	107
Health/medical	326	450	124	30%	30	2,934	4,053	1,119
Manufacturing/blue collar	403	485	83	10%	75	3,019	3,638	619
Arts/other services	225	247	22	85%	50	9,544	10,496	951
Other	<u>77</u>	<u>93</u>	<u>16</u>	n.a	n.a	<u>n.a</u>	<u>n.a</u>	<u>n.a</u>
Total	2,425	2,949	524			50,078	59,407	9,328
<u>Potential 'uplift' from light rail</u>								
Uplift factor	10%	on growth		Uplift factor		10%	on growth	
Total jobs	<u>2,425</u>	<u>3,001</u>	<u>576</u>	Total floorspace		<u>50,078</u>	<u>60,339</u>	<u>10,261</u>
Difference	0	52	52	Difference		0	933	933

Notes

1. Office/commercial includes industries J, K, L, M, N, O

2. Accommodation includes approx. 25% of Accommodation and food services

3. Retail/F&B includes 75% of Accommodation and food services and 100% Retail trade

4. Education includes Education and Training

5. Health/medical includes Health care and social assistance

6. Manufacturing/blue collar includes industries A, B, C, D, E, F, I

7. Arts/other services includes Arts and recreation and Other services

8. Other is not stated/inadequate data.

Source: NSW Bureau of Transport Statistics (2014); MacroPlan Dimasi

Table 7: Projected increase in employment and floorspace demand for Kingsford town centre
Source: Macroplan Dimasi 2016

Projected floorspace growth

Including vacant floorspace, there is currently an estimated 54,000m² employment generating floorspace within the Kingsford town centre. Taking into account projected employment growth and the potential increase in demand arising from the light rail, employment floorspace demand 'in-centre' is estimated to grow by around 10,000-10,500m² by 2036. Of the projected demand for floorspace, 2,000m² is projected to be office/commercial, 3,000m² is projected to be retail or food services, and 1,100m² is projected to be health services.

The report recommended that around 10,000-10,500m² additional floorspace be allowed for within the Kingsford centre, to sufficiently accommodate jobs targets and enable the development of additional convenience-based retail facilities, including a supermarket. This floorspace growth will be enabled through implementing an active frontages clause throughout the town centres and a minimum non-residential FSR at the nodes, as will be detailed later in this chapter.

5.7 Commercial floor space trends

A desktop analysis of approved development applications was conducted to identify the quantity of commercial floor space in mixed-use buildings on Anzac Parade built since 2000.

In recent mixed use developments on Anzac Parade, the ground floor commonly provides for pedestrian access and a lobby for the residential units, vehicular ramps to access the car parking, a loading dock, waste storage and utilities. The proportion of the ground floor used for commercial or retail tenancies varies, with larger sites having the opportunity to provide a greater proportion of the ground floor for commercial premises.

The analysis of floorplans revealed that on average, only 27% of the site, on the ground floor, is used for commercial floor space. In general, this is a significantly lower quantity of commercial floorspace than was on the site prior to redevelopment. This means that over time, as new developments occur, each centre is undergoing a net loss of commercial floor space.

5.7.1 Supply-demand gap

If current trends continue, where only around 27% of the ground floor of developments is used as commercial floor space, when each centre is fully developed, there will be a supply deficit of approximately 18,500m² in Kingsford and 24,000m² in Kensington, or 42,500m² across the two centres. This would be a significant reduction of existing commercial floor space and is inconsistent with the role of the centres, as identified in 'A Plan for Growing Sydney'.

Given the significant sale price differential between residential floor space and commercial floor space, residential floor space is significantly more profitable to developers than commercial. This means that the trend outlined above, of a cumulative net loss of commercial floor space, is unlikely to change. Therefore, action, as proposed as part of this Council strategy, to ensure the continued and growing role of Kensington and Kingsford as local centres.

5.7.2 Supporting commercial floor space growth

An active frontages clause within the LEP applying to the town centre will ensure that every site provides commercial or retail floor space, as identified in figures 40 and 41. This LEP provision, and the associated map, will ensure retail and commercial floorspace is provided throughout the centre, and that streets and plazas have activity to provide vibrancy and passive surveillance. A DCP control will also be provided, to encourage developments to provide active frontages to mid-block links, secondary streets and laneways.

Market intervention is required to ensure adequate floor space is delivered within the town centres to provide local retail and commercial services for residents of the centres. A minimum non-residential FSR in the LEP applying at the key nodes of Todman Square, Kingsford Midtown and Kingsford Junction stops, as identified in figures 38 and 39, are a market intervention to counteract existing market forces favouring residential floor space.

The minimum requirement for non-residential floorspace will ensure floorspace is available for supermarkets, retail, childcare centres, local services, shared working spaces and innovation hubs. This minimum quantity of retail or commercial floorspace will ensure the light rail stops become nodes of commercial and retail activity within the centres.



Figure 38: Active street frontages
Source: www.dlaaust.com



Figure 39: Active street frontages
Source: www.mustdobrisbane.com



Figure 40: Active street frontages map – Kensington town centre
Source: Conybeare Morrison 2016

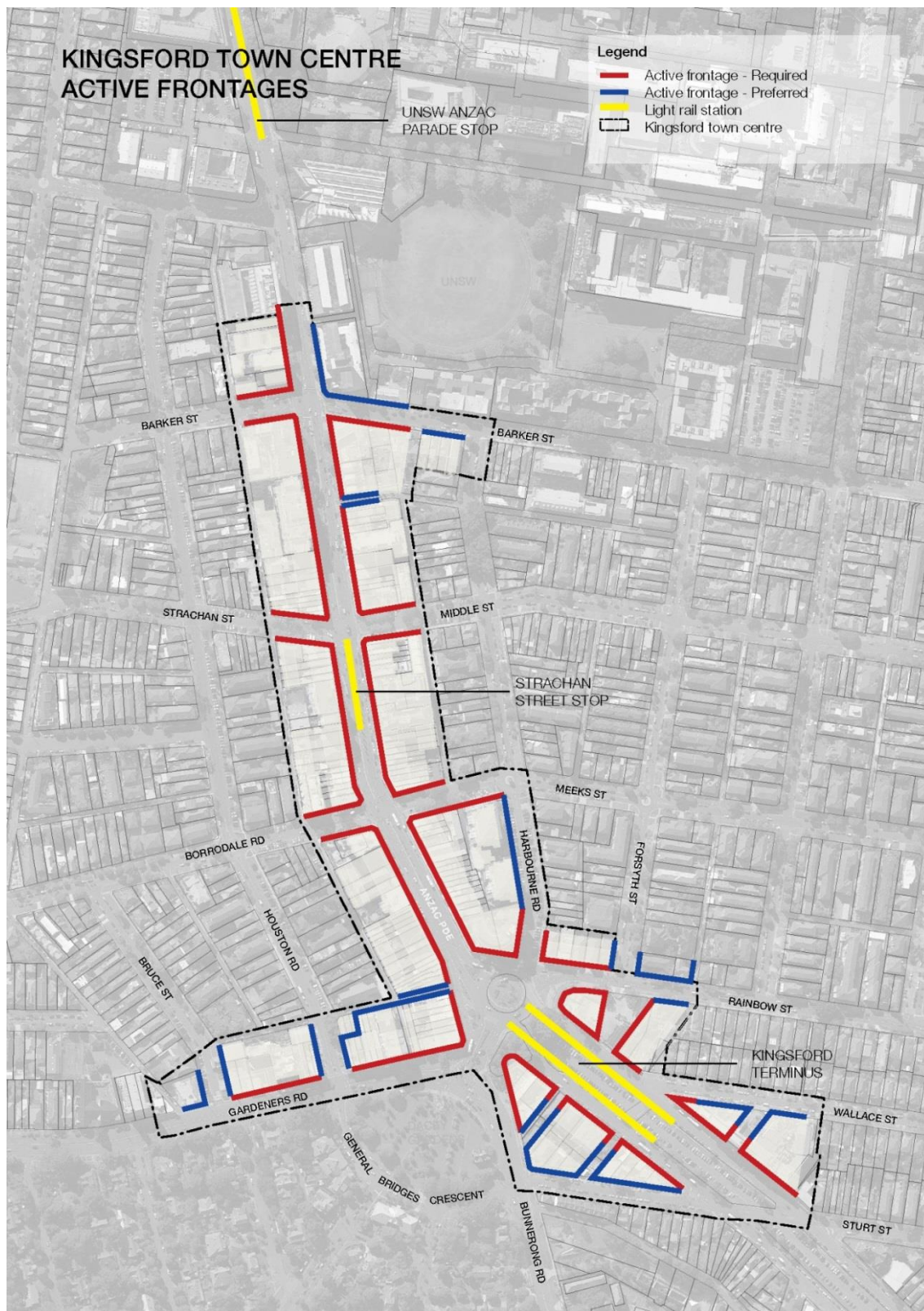


Figure 41: Active street frontages map – Kingsford town centre
Source: Conybeare Morrison 2016



Figure 42: Minimum non-residential floorspace map – Kensington town centre
Source: Conybeare Morrison 2016



Figure 43: Minimum non-residential floorspace map – Kingsford town centre
Source: Conybeare Morrison 2016

Strategy	Action
<p>1. Promote the town centre's retail, commercial and services uses to ensure streets are vibrant and safe</p>	<p>a) Amend the RLEP 2012 to implement an active frontage provision to require active building frontages at street level throughout the centre, as identified on the active frontages map (Figure 40 and 41)</p> <p>b) Amend the DCP 2013 to encourage retail and commercial uses to address laneways and secondary streets, as identified on the active frontages map (Figure 40 and 41)</p>
<p>2. Protect retail and commercial space to ensure future employment needs can be provided for and the town centres can provide retail and other services to residents and visitors</p>	<p>a) Amend the RLEP 2012 to implement a minimum non-residential FSR applying to sites at key nodes, as identified in Figures 42 and 43, to ensure adequate space is available for the provision of local retail and services and for the provision of innovation spaces</p>

6.0 Built Form

This section looks at the 'three dimensional' form of the Kensington and Kingsford town centres. Strategies focus on achieving an appropriate scale for new development, a positive relationship between built form and the public realm, and a high standard of urban design and amenity within the town centres.

6.1 Overview

The character of a town centre is strongly influenced by the design of its urban environment: the street layout and pedestrian linkages, the aesthetic quality, scale, and functionality of individual buildings, the relationship between built form and the public realm, and the condition and extent of public spaces.

Planning and built form controls, including land use zoning, height, floor space ratio and setbacks, play an important role in defining the character of a town centre, controlling the intensity of development and helping to establish a desirable built form.

In the context of Kensington and Kingsford town centres, the interplay between geographical and physical attributes including their inner city location, excellent access to employment hubs, services and recreational opportunities, and new light rail infrastructure lend support to urban consolidation and revitalisation. New built form controls are required to guide the design of future development and to ensure that a reasonable amount of floor space can be accommodated to meet future needs.

For Kensington and Kingsford town centres to evolve as highly attractive, liveable and sustainable places, it is integral that all future development delivers a good urban design outcome with a high level of amenity, while balancing growth and appropriate density.

All new development will be expected to make a positive contribution to the architectural quality of the town centres, be appropriate to their locational context, fit sensitively into the streetscape and help create a sense of place. New areas of increased height should also provide clues to the structure of the town centres highlighting nodes of activity and accessibility.

6.2 Objectives

- To foster an attractive urban environment with a strong sense of place and identity
- To ensure that development is of an appropriate scale and responsive to the surrounding context
- To ensure that buildings are characterised by design excellence and achieve a high level of amenity
- To encourage landmark buildings that define strategic locations, support activation and contribute to an interesting and harmonious skyline
- To support the integration of transport and land use; and
- To conserve and protect heritage items and building facades that reflect the historical development of the town centres.

Community Feedback

Community feedback received acknowledges the town centres as valued places, while highlighting the need to improve urban design and the quality of buildings to establish a sense of place.

In summary the community said:

- Create vibrant town centres where people want to live, work and visit
- Provide a mix of building heights to create an interesting urban form, rather than focusing on high rise development
- Encourage stand out buildings to mark a sense of arrival in the town centres
- Ensure the town centres are creative, green and aesthetically pleasing
- Create a sense of place through building design, making residents proud to live in the town centres
- Line Anzac Parade with trees to create a continuous boulevard into the City
- Set back development to allow trees to grow undisturbed into maturity
- Make the town centres more than just rows of businesses along a busy road
- Unify street level design; have awning levels and colours that complement each other; consider glass structures and futuristic design
- Ensure the light rail does not infringe on available public spaces
- Consider that high rise developments cast shadows on parks and public areas and create a feeling of disconnection
- Modernise the look and feeling of buildings at street level; and
- Create spaces between buildings to facilitate a laneway culture or courtyards.

6.3 Built Form Study

Conybeare Morrison urban design consultants were engaged to assist Council in reviewing the built form controls for Kensington and Kingsford town centres. The aim of the study was to determine how projected growth in residential and employment floor space could be accommodated, while ensuring a good design outcome and high level of amenity in the town centres.

The study included the following components:

- A comprehensive analysis of existing built form and condition assessment of the public domain
- Identification of redevelopment opportunities and constraints within the town centres
- Preparation and testing of options to identify the appropriateness of potential built form scenarios in terms of urban design and amenity
- Development of detailed built form controls having regard to:

- An appropriate bulk, scale and massing
- Relationship and response to surrounding development and public domain including solar access considerations
- Environmental constraints including overshadowing and aircraft noise limitations
- Capacity to accommodate additional floor space to meet future demand.
- Requirements of *State Environmental Planning Policy – 65 and Apartment Design Guide*
- Economic feasibility including development yield and viability.

This section of the Strategy focuses on the preferred development option for the Kensington and Kingsford town centres as identified in the K2K Built Form Study.

The suggested changes to built form controls, if adopted, will result in amendments to the RLEP 2012 and DCP 2013.

Urban Design Principles for the Town Centres

As a basis for preparing new built form controls for the Kensington and Kingsford town centres, the following urban design principles have been established to help define the future character of the town centres and provide guidance for growth and development:

- Reinforce a boulevard character along Anzac Parade by strengthening the built form edge
- Focus on achieving a dominant typology of mid-rise mixed use buildings throughout the town centres
- Permit taller landmark buildings in prominent highly accessible locations in conjunction with the delivery of substantial public benefits established through a design excellence process
- Achieve a sensitive transition in relation to recently constructed development and surrounding established lower scaled residential neighbourhoods
- Create a positive street level environment through built form that allows solar access, permeability and maintains human scale
- Ensure that new infill development respects the fine grained character of contributory buildings
- Establish building setback controls which provide for the creation of wider footpaths and street tree planting
- Achieve urban design and architectural excellence, including best practice environmental design
- Encourage active frontages along Anzac Parade, continuing down side streets.

"Studies of great urban streets, from around the world, tend to exhibit a number of common characteristics:

- *Mixed-use buildings, with tall, transparent, ground-floor commercial spaces*
- *A common setback or build-to line (with occasional interruptions)*
- *An average height of buildings that is approximately as high as the street is wide*
- *Generous tree-lined footpaths*
- *Good public transportation*
- *Buildings that frame the street, without overpowering the space or depriving it of access to natural light"*

Mid-Rise Symposium (2005) - A Great City of Avenues

6.4 Built Form Controls

The following suggested built form controls have been developed following detailed consideration of future planning and growth parameters, individual sites' context, environmental constraints, the relationship with surrounding development and opportunities to enhance the public realm.

6.4.1 Building Heights

As noted earlier, Kensington and Kingsford town centres are expected to accommodate additional housing and employment floor space to meet future needs, requiring a change to the built form controls for development across both centres. Building height is a key determinant of building form.

The town centres have an established maximum height limit of 24m (Kensington) and 25m (Kingsford) delivering buildings of 6 to 7/8 storeys under the RLEP 2012.

Building height is measured from the natural ground level to the top of the roof under the RLEP 2012.

For both town centres there is scope to accommodate moderate increases in permissible building height to meet projected demands in housing/employment floor space.

Built form modelling of each town centre demonstrates that additional housing/employment floor space can be achieved within a mid-scale urban environment with some taller buildings clustered at strategic nodes to facilitate activation and the delivery of improved public domain (such as wider footpaths and plazas).

Notably, a mid-rise built form for the town centres (and surrounding areas) is a key design concept of the K2K Competition winning entry.

Case Study: Toronto Canada

The City of Toronto has identified mid-rise buildings (5-11 storeys) as a means to addressing the future growth of the city.

The mid-rise building typology has been promoted as the desirable form for intensification along the identified routes in the city.

Toronto's *Urbanising Avenues Policy* identifies almost 300km of street frontages that are currently underutilised and which could accommodate mid-height buildings.

The policy notes that if half of the sites along the identified street frontages are developed into mid-rise mixed use developments, around 250,000 new residents could be accommodated while maintaining a high level of liveability in these areas.

Avenues and Mid Rise Building Study 2010

This Strategy recommends an overall mid-rise height limit of 31 metres (equating to 9 storeys) for new development throughout both town centres.

From an urban design perspective, the spreading of density mainly through mid-rise buildings provides a more human scaled built form that supports a comfortable pedestrian environment while also enhancing opportunities for solar access.

The suggested 31m (9 storey) height limit is considered to respond well to the proportions of Anzac Parade and other streets within the study area. It also provides an appropriate scale transition to recently constructed buildings (approved under existing planning controls), while respecting the character of surrounding lower scaled residential neighbourhoods.



Figure 44: Mid-rise Parisian boulevard
Source: www.architectureanddesign.com.au



Figure 45: Mid-rise streetscape, Toronto Canada
Source: www.streetcar.ca



Figure 46: Example of a nine storey building, 8 Parramatta Road, Strathfield
Source: Google Streetview 2016



Figure 47: 'Cloud 9', Barcelona
'World Building of the Year 2011',
World Architecture Festival Awards
Source: www.bustler.net



Figure 48: Example of a nine storey apartment building, Box Hill Melbourne
Source: www.centralgardensboxhill.com.au



Figure 49: 9 storey apartment building, Melbourne
Source: www.one9apartments.com.au



Figure 50: 9 storey apartment building, Berlin
Source: www.sustainablecitiescollective.com

6.4.2 Taller Building Forms

While the future built form character will be primarily mid-rise, development will not remain homogenous throughout the town centres.

Within both town centres there are a number of prominent sites located at strategic nodes (Precincts) that could accommodate taller, slender buildings. A higher rise building typology in these locations would help create a distinctive urban form within the town centres, while facilitating activation around the light rail infrastructure.

It is important to note that additional uplift afforded to these strategic sites will only be achieved in conjunction with the delivery of public benefits identified in this Strategy, such as larger setbacks to facilitate footpath widening, public plazas, through-site links and/or social infrastructure, together with demonstrated design excellence.

These 'trade-offs' are to be built into planning controls where predetermined public benefits are identified, as discussed throughout this Strategy.

Todman Square Precinct

A height limit of 54 m (equivalent to 16 storeys, or a maximum 18 storeys with demonstrated design excellence) is proposed for the four corner sites adjacent to the Todman Avenue light rail stop in Kensington town centre.

Taller building forms would help define the prominent corners at this strategic location, facilitating a hub of intensive activity around the light rail stop, and creating a much needed heart for Kensington town centre.

The provision of a new plaza and a gallery/creative space have been identified as priorities for this location. See Part D-Precinct Plan for further detail.

Kingsford Mid-Town Precinct

A height limit of 54m (equivalent to 16 storeys, or a maximum of 18 storeys with demonstrated design excellence) is proposed for three corner sites adjacent to the Strachan Street light rail stop. Additional uplift is not proposed for O'Deas Corner (424-436 Anzac Parade) as the site is heritage listed under the RLEP 2012.

The allowance of higher building forms will express the prominence of these corner sites in the old heart of Kingsford town centre.

See Part D- Precinct Plan for further detail.

Kingsford Junction Precinct

Key opportunity sites adjacent to the new light rail terminus in Kingsford town centre include the Rainbow Street site (earmarked as a potential local government civic centre) and the Kingsford Triangle. These sites have the capacity to accommodate taller landmark buildings to define the gateway to the town centre, together with generous public spaces to create a sense of place.

A height limit of 48m (equivalent to 15 storeys, or a maximum of 17 storeys with demonstrated design excellence) is considered appropriate for these sites, stepping down to a transitional height where they adjoin residential areas (see discussion below). The clustering of landmark buildings in this location will create a defining character precinct and intensive hub of activity around this important transit node.

See Part D- Precinct Plan for further detail.



Figure 51: Example of a taller building form, Bondi Junction
Source: www.vuebondi.com.au/

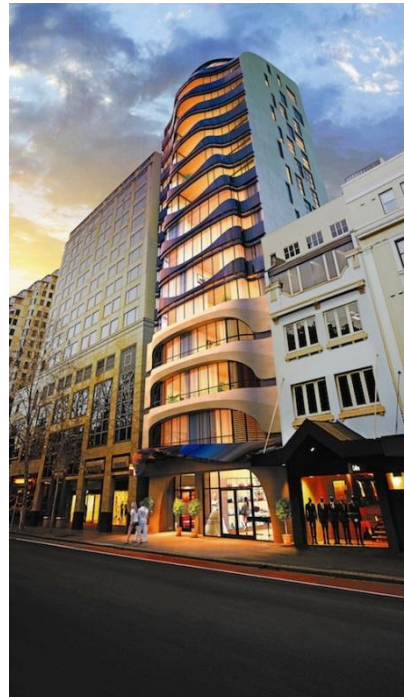


Figure 52: 'Eliza' 17 storey building, Elizabeth Street Sydney
Source: www.theurbandevolver.com



Figure 53: 18 storey concept for hotel, Glasgow
Source: www.eveningtimes.co.uk



Figure 54: BIDV Da Nang Tower 18 storey (plus 2 level basement) building in Da Nang, Vietnam
Source: (www.ardorarch.com)



Figure 55: Axis Tower Manchester
Source: (www.e-architect.co.uk/)

6.4.3 Built Form Transition

Both Kensington and Kingsford town centres adjoin lower scaled residential neighbourhoods, requiring a built form transition to minimise amenity impacts on adjacent residential properties (e.g. adverse overshadowing or excessive building bulk). A transition will also achieve a defined edge to these town centres.

Two built form transition approaches have been identified, taking into account the different urban structure of each town centre, particularly allotment size/configuration and layout.

For Kingsford town centre, where allotments are generally deeper, there is scope to apply a lower building height limit of 19m (5 storeys) to the rear of sites adjoining residential areas (NB: a higher height limit would still apply to the front of the site). This could encourage a 'mews' style development typology, taking advantage of the laneway network running parallel to Anzac Parade which could facilitate shared access in the future. This secondary height limit proposed would be applied as a DCP control, whereas building heights discussed in sections 6.4.1 and 6.4.2 above will apply as an LEP control.

For Kensington town centre, where allotments are generally shallow, a transition could be achieved through the establishment of laneway/shared zones as part of the redevelopment of relevant sites. This would serve the dual purpose of establishing separation between the taller built form of town centre development and the lower scale of adjoining residential areas, while providing opportunities for rear lane access. In those circumstances where allotments are deeper, there is opportunity to encourage mews style developments in conjunction with a laneway/shared zone.

The proposed DCP building height transition strategy for Kensington and Kingsford town centres is illustrated on the following maps (fig 60 and 61).

"Mews are narrow, intimate streets that balance the access and service functions of a lane with active building frontages, accessory uses, and a street space shared by cars and pedestrians".

East Village Redevelopment Plan for Calgary, Alberta,
Canada (2010)



Figure 56: Example of 'mews' development- Kensington Street, Chippendale
Source: www.domain.com.au



Figure 57: Example of 'mews' development- Kiaora lane
Source: www.domain.com.au



Figure 58: Proposed RLEP 2012 building height limits for Kensington town centre
Source: Conybeare Morrison 2016

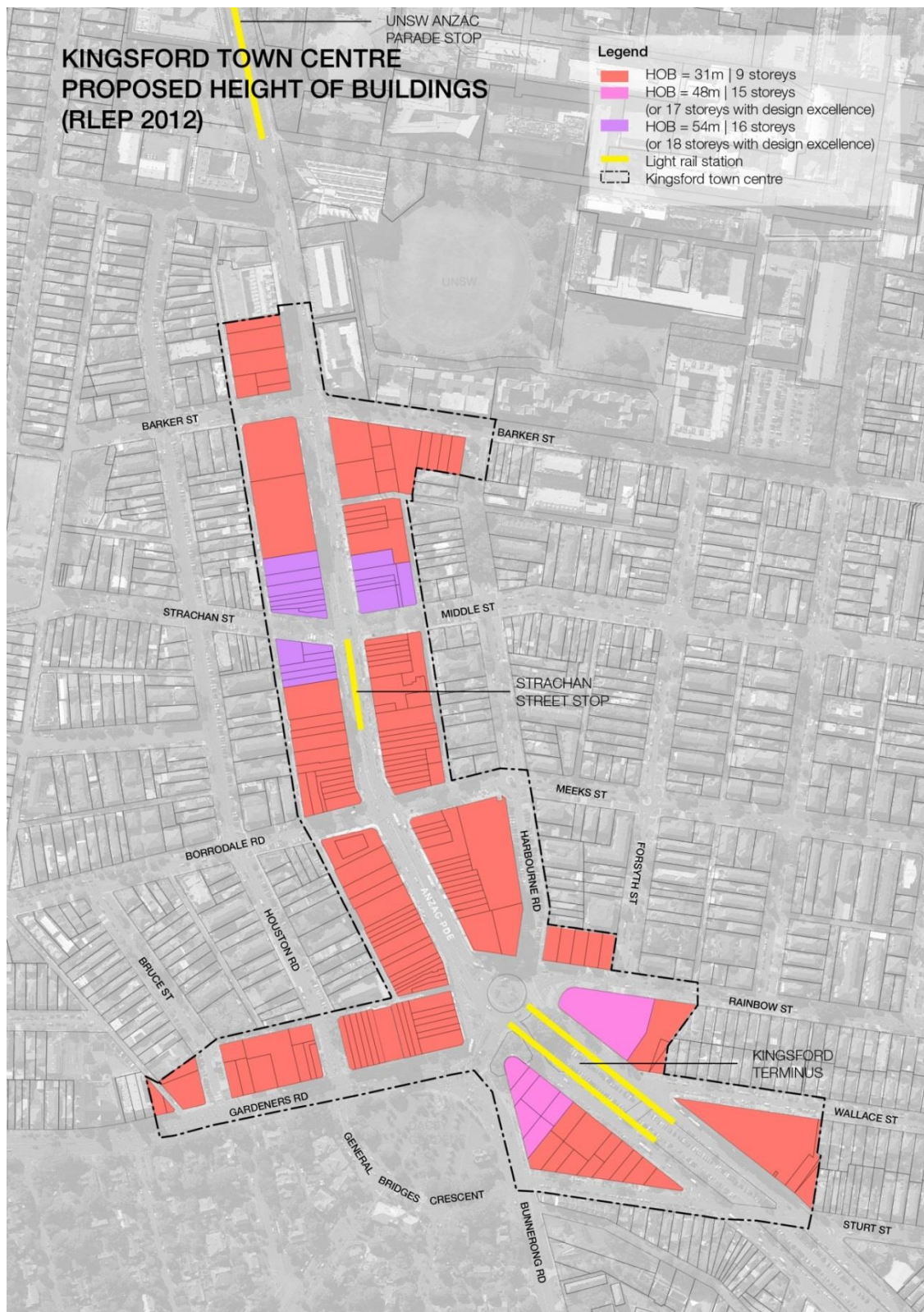


Figure 59: Proposed RLEP 2012 building height limits for Kingsford town centre
Source: Conybeare Morrison 2016



Figure 60: Proposed DCP 2013 built form transition for Kensington town centre
Source: Conybeare Morrison 2016



Figure 61: Proposed DCP 2013 built form transition for Kingsford town centre
Source: Conybeare Morrison 2016

6.5 Street Walls

The 'street wall' refers to the front façade of the building that is built at or close to the street boundary. It is an important urban design element, providing an interface to the street, helping to create a sense of enclosure and defining the public realm.

This Strategy proposes a 4 storey continuous street wall to achieve a cohesive streetscape, reinforce a pedestrian scale and reduce the visual impact of building bulk within both town centres.

A 4 storey street wall will be achieved by stepping back 4 metres at the fourth storey of a building and would be applied as a DCP control.



Figure 62: Example of 4 storey street wall development

Source: Avenues & Mid-Rise Buildings Study. Credit: BMI (Brook McIlroy Planning & Urban Design)



Figure 63: Four storey street wall, Double Bay Sydney

Source: Google Streetview 2016

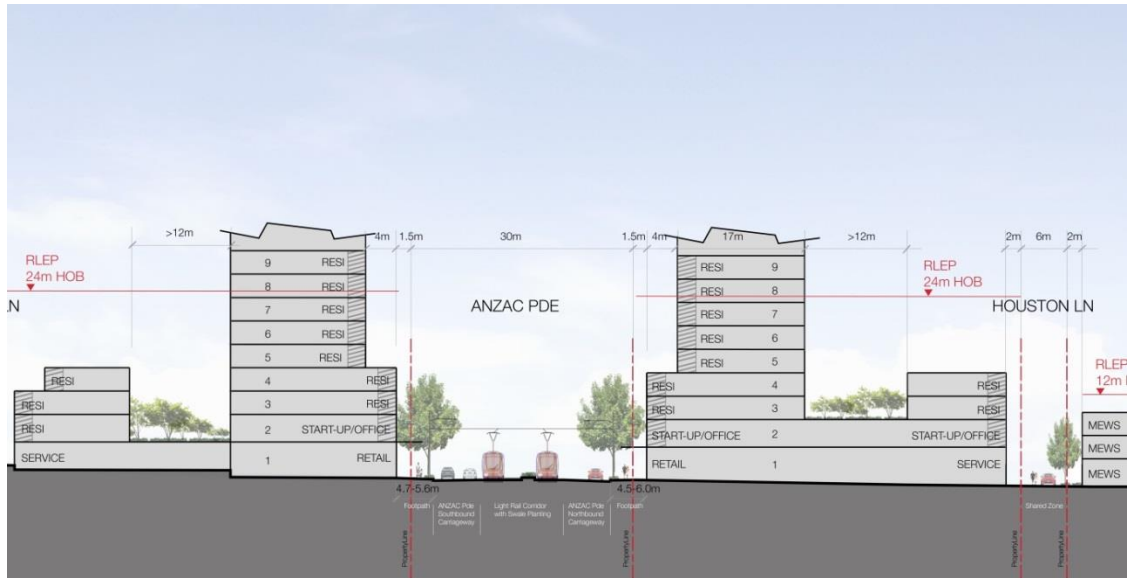


Figure 64: Section showing 9 storey building typology with 4 storey street wall and mews development at the rear.

Source: Conybeare Morrison 2016

SECTION - KINGSFORD JUNCTION

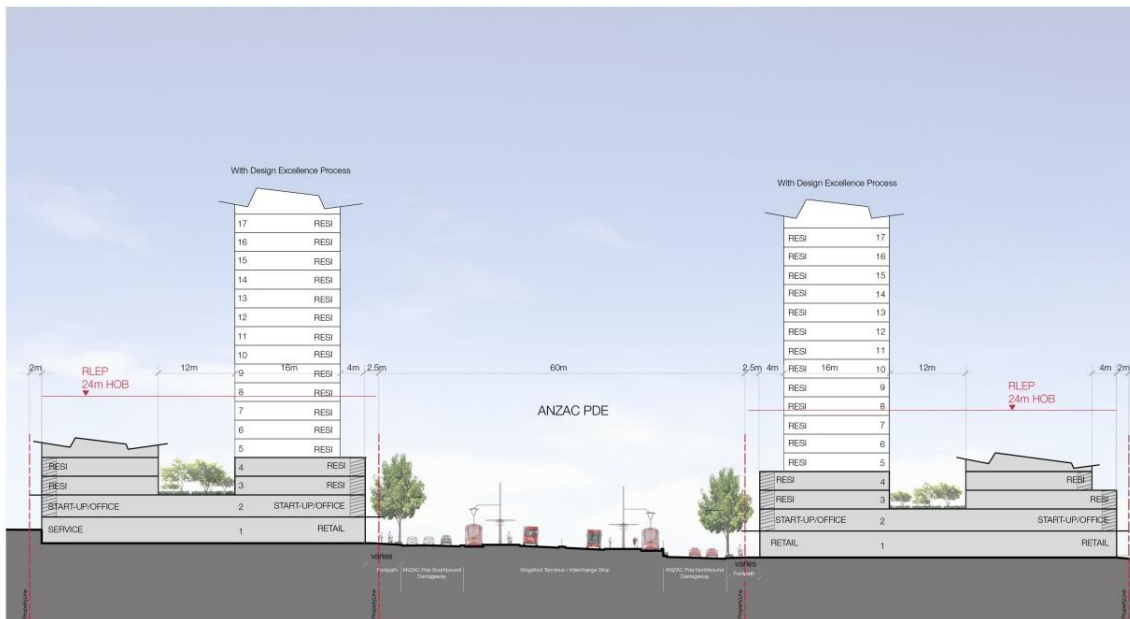


Figure 65: Section of Kingsford Junction showing 17 storey building typology with 4 storey street wall and mews development at the rear.

Source: Conybeare Morrison 2016



Figure 66: Section of Todman Square showing 18 storey building typology with 4 storey street wall and mews development at the rear.

Source: Conybeare Morrison 2016

6.6 Floor Space Ratio

Floor space ratio (FSR) is the ratio of the *gross floor area* (GFA) of a development in relation its site area.

It is commonly used in the calculation of development yield and rentable area and is useful in determining how much floor space is required to meet future needs in an area.

FSR controls work with other controls such as heights, building setbacks, articulation and landscaped area to determine the bulk and scale of a development.

Kingsford town centre currently has an applicable FSR of 3:1 included in the RLEP 2012. Kensington town centre does not have an applicable FSR, with the overall building envelope of development determined by maximum height controls in the RLEP 2012 in conjunction with DCP 2013 controls (e.g. no of storeys, setbacks etc).

The K2K Built Form Study investigated an appropriate FSR that would work in conjunction with the proposed revised building heights and still achieve a good urban design outcome for the town centres.

The RLEP 2012 defines gross floor area as being: "the sum of the floor area of each floor of a building measured from the internal face of external walls and includes:

- the area of a mezzanine*
- habitable rooms in a basement or an attic*
- any shop, auditorium, cinema, and the like, in a basement or attic. but excludes:*
- any area for common vertical circulation, such as lifts and stairs*
- any basement, storage area or voids*
- vehicular access, loading areas, garbage and services*
- car parking to meet any requirements of the consent authority (including access)*
- terraces and balconies with outer walls less than 1.4 metres high"*

Based on the outcomes of built form modelling, the following FSRs are proposed. It should be noted that these FSRs are maximums and the application of other controls (such as building setbacks and design criteria in the *SEPP 65- Apartment Design Guide*) will further refine the building envelope.

A non-residential FSR component is proposed for key sites in the town centres (see Part C-Business and Economy of this Strategy for further detail).

Site	Proposed FSR
Sites accommodating 9 storey buildings	4:1
Precinct sites	5:1

Table 8: Proposed FSRs

Source: Randwick City Council 2016



Figure 67: Proposed FSRs – Kensington Town Centre
Source: Conybeare Morrison 2016



Figure 68: Proposed FSRs- Kingsford town centre
Source: Conybeare Morrison 2016

6.7 Setbacks

Setbacks define the outer extremities of a building in relation to the street and adjoining properties. It is a critical control in defining the building envelope, impacting on bulk and scale of development, as well as overshadowing and amenity of the public domain.

Typically buildings in town centres have little or no setback from the street alignment to establish a well-defined street edge and continuous built form. Accordingly the DCP 2013 setback controls for Kensington and Kingsford town centres generally require a zero ground floor level setback, stepping back after the fourth level (for buildings in Kensington town centre) to create a four storey street wall.

The introduction of light rail along Anzac Parade has required a review of the carrying capacity of the footpaths in the Kensington and Kingsford town centres to ensure adequate footpath space is available to accommodate light rail infrastructure (e.g. smart poles), as well as pedestrian circulation, awnings, street trees and urban furniture. In addition, the removal of kerbside parking has also increased the need for more generous footpaths.

It is considered that the introduction of setbacks to development will considerably improve pedestrian safety and amenity of the public domain by distancing pedestrians from traffic, encouraging the growth of street trees, providing opportunities for outdoor dining (where appropriate), while reducing the perceived bulk and scale of buildings.

This Strategy recommends that a setback of 1.5m be introduced for new 9 storey development.

In Precincts where there is likely to be more intensive activity, such as around the Todman Avenue and Strahan Street light rail stops and the Kingsford terminus, a setback of 2.5m for adjoining sites will help improve the carrying capacity of footpaths and provide opportunities for new plazas and public spaces.

For heritage listed properties and contributory buildings a nil setback should be retained recognising the ground floor of these sites are unlikely to be redeveloped given their historic significance. An additional setback of 6m would still apply where additional levels are proposed to contributory buildings to reduce the visual bulk and scale of development.

Note: A development feasibility analysis undertaken has found that any loss in GFA resulting from proposed setbacks is offset by additional development capacity gained from increased building heights. See section E for further details.

Setbacks of 2m are proposed on the eastern and western edges of the Kingsford town centre to align with existing DCP controls and provide adequate landscaping area to support mews type developments.

The new setbacks proposed will provide for footpath widths of 4.5m to 6m across both town centres.

The proposed setbacks for the town centres will be applied as a DCP control and are illustrated in the following diagrams and maps (fig 72 and 73).

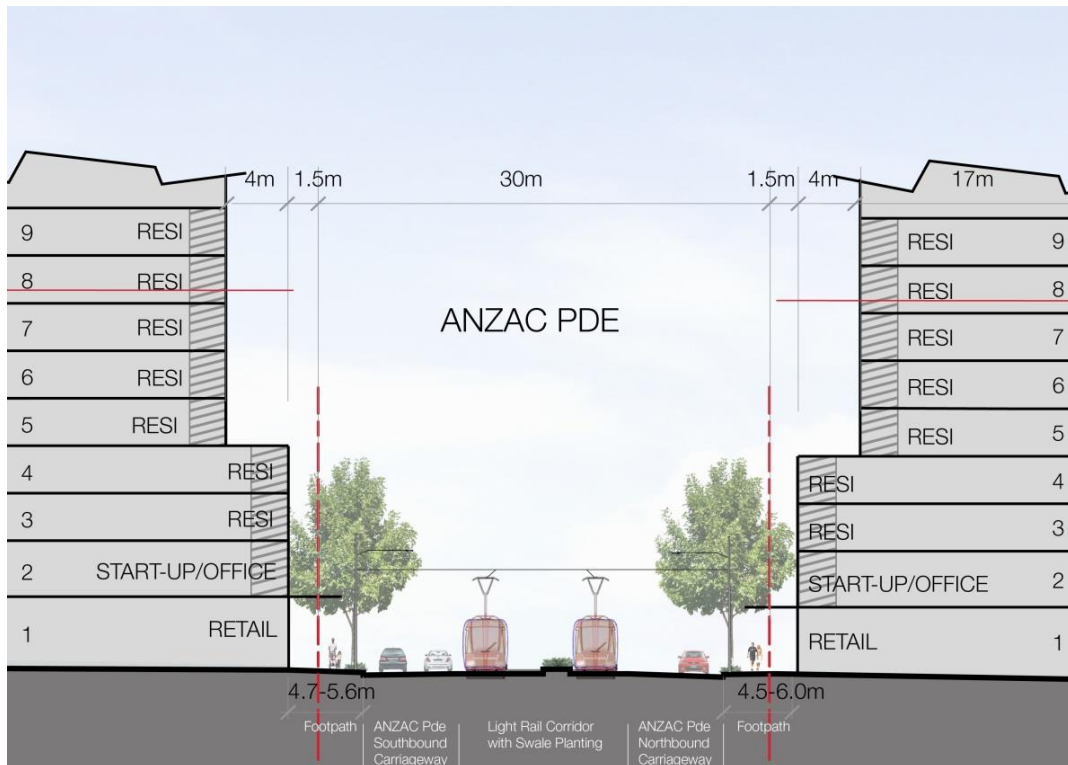


Figure 69: Section showing proposed 1.5m setback adjacent to 9 storey building
Source: Conybeare Morrison 2016

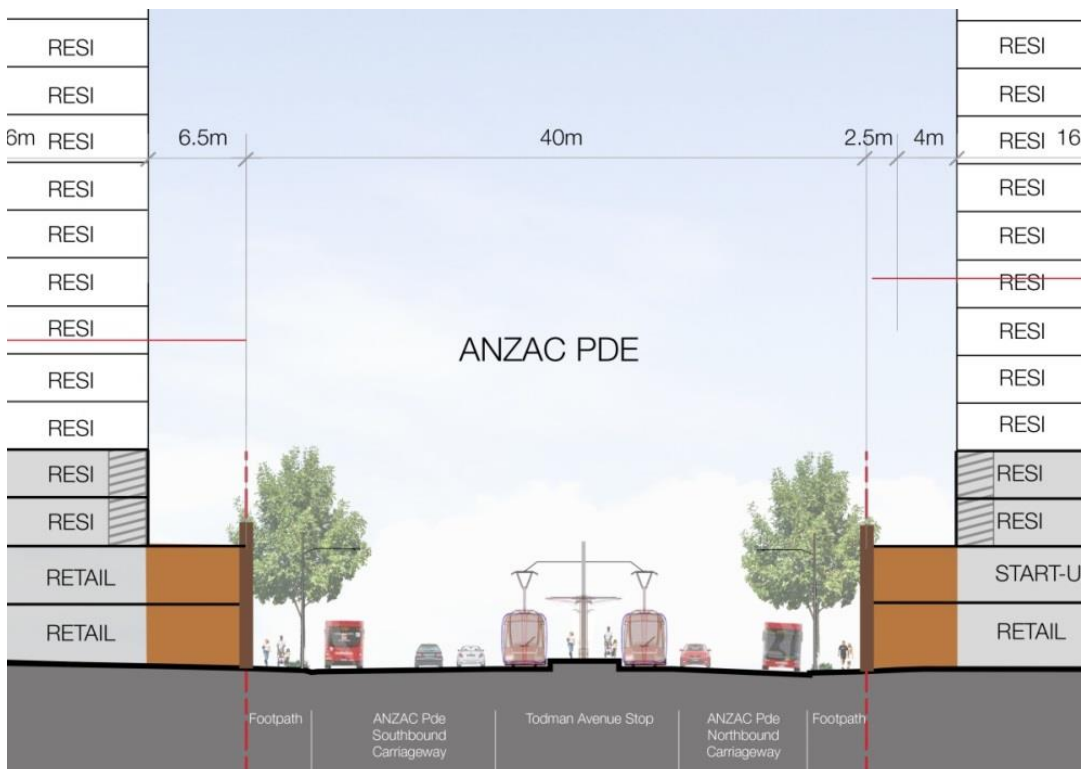


Figure 70: Section showing proposed nil setback adjacent to contributory building.
Source: Conybeare Morrison 2016

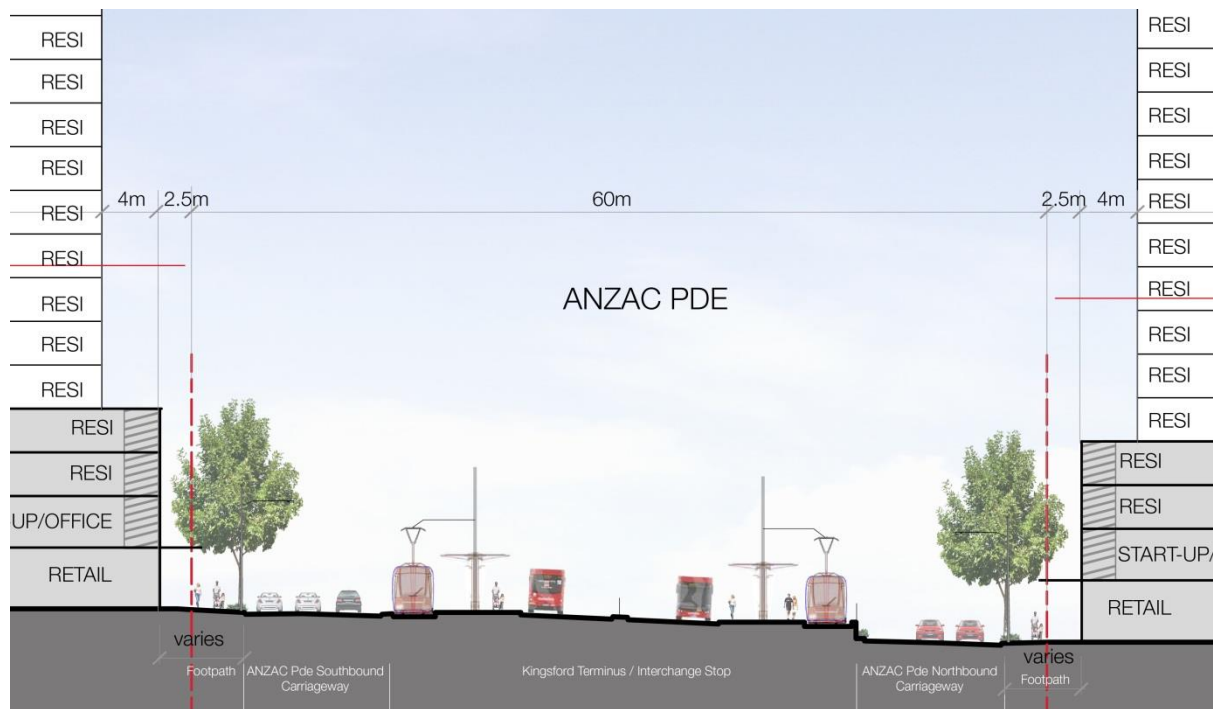


Figure 71: Section showing proposed 2.5m setback at Kingsford Junction
Source: Conybeare Morrison 2016

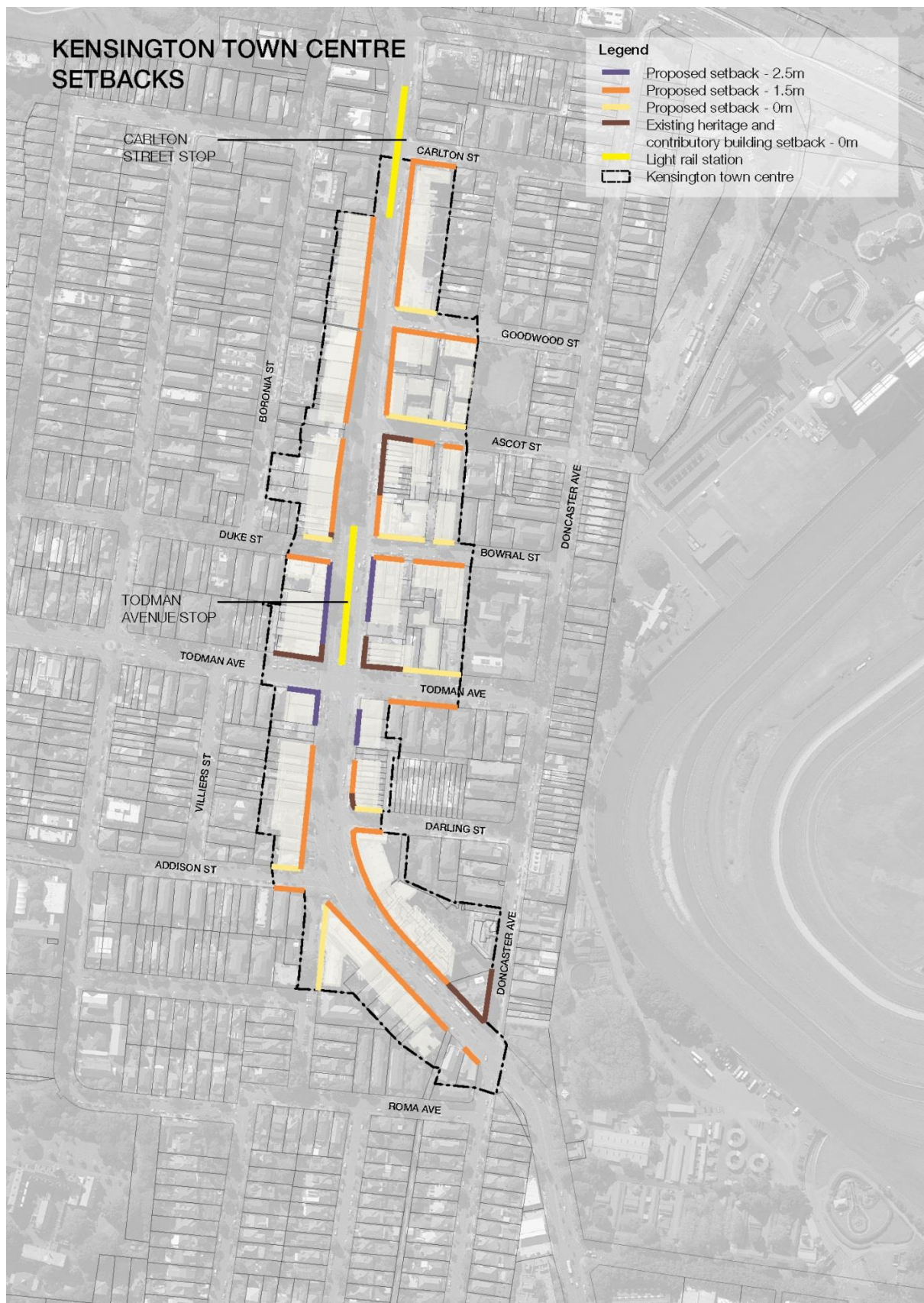


Figure 72: Proposed setbacks – Kensington town centre
Source: Conybeare Morrison 2016

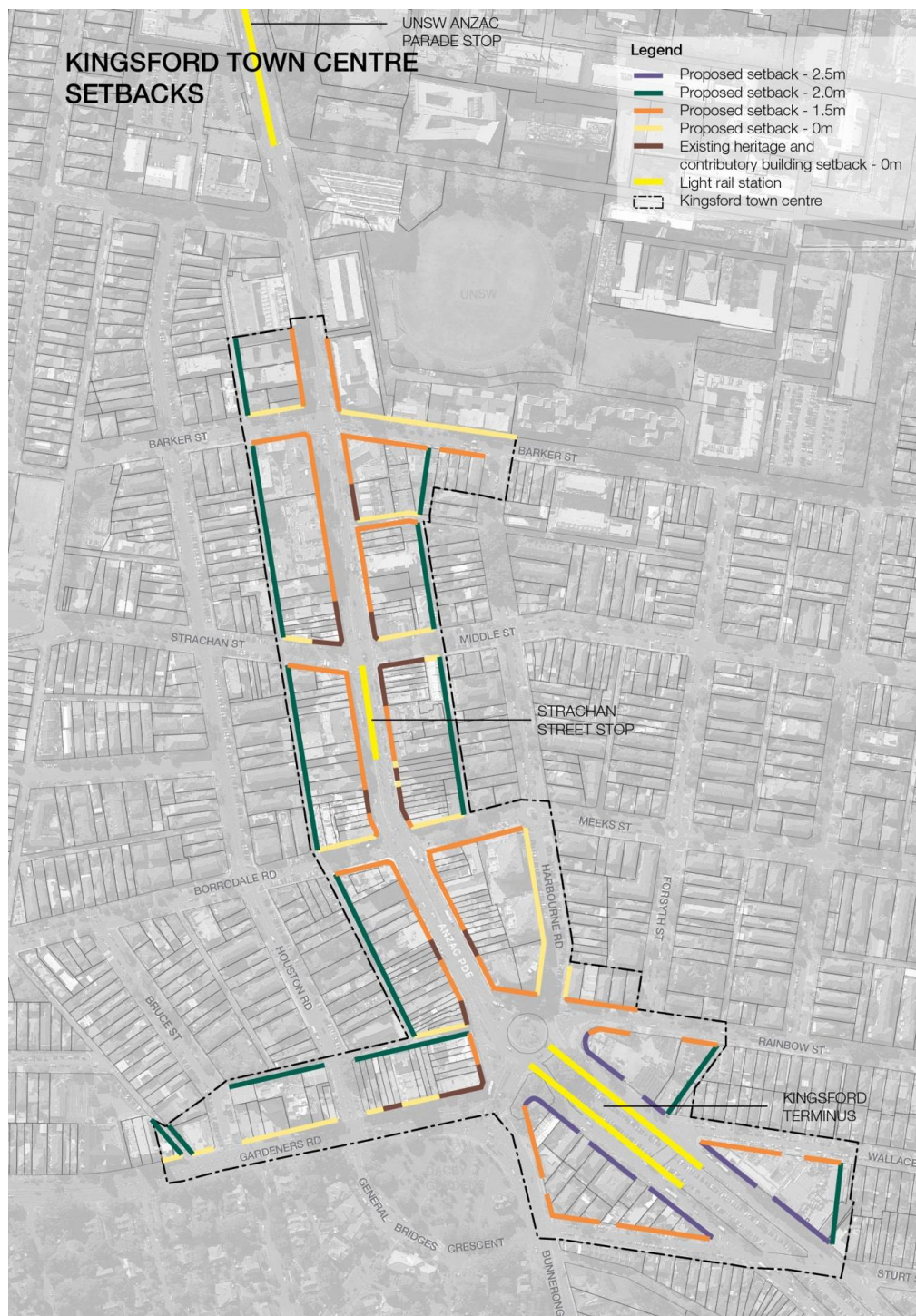


Figure 73: Proposed setbacks – Kingsford town centre
Source: Conybeare Morrison 2016

6.8 Solar Access

Solar access is an important consideration in determining an appropriate level of density in town centres. New buildings should be sited, orientated and configured to receive adequate solar access and natural light, while also ensuring that overshadowing impacts onto neighbouring properties and the public realm is minimised.

A shadow analysis of neighbouring properties, streets and public places was undertaken as part of the K2K Built Form Study to help shape the desired outcome of future potential building envelopes in both centres.

The modelling demonstrates that due to the north-south orientation of the town centres, development will achieve a minimum of 2 hours of solar access to 70% of dwellings during mid-winter, consistent with the NSW *Apartment Design Guide* design criteria for development in dense urban areas. All future development will need to demonstrate that adequate solar access can be achieved as part of the development process.

In relation to public spaces, a key outcome of this Strategy (as discussed in the following public realm section) is the creation of new plazas and an overall net increase in public domain. These public spaces are likely to be more intensively used as the population grows, and are key to the liveability of the town centres.

To ensure that new development does not result in adverse overshadowing of the public realm, new DCP controls are recommended to require that new buildings do not contribute to a significant net loss in solar access to these spaces.

At the mid-winter solstice, significant public places are to be protected by a two tier standard, reflecting the relevant significance of the space and based on a practical assessment of what is a reasonable level of sunshine that should be protected in locations that are sometimes in a built up urban context:

- Major Public Places- Development cannot contribute to any more than a 10% net loss of solar access to these spaces at Winter Solstice, between 12 noon and 2:00pm. e.g. Dacey Gardens, School Playground areas.
- Key Public Places - New development should retain solar access to a minimum of 50% of any given public place for a minimum of 3 hours at Winter Solstice (22 June).

Further detail on the location of key public places to which this proposed DCP sun plane clause would apply are identified in Part C9- Public Realm and Landscape (fig 136 and 137).

6.9 Mid-Block Links

Large sites or the consolidation of smaller sites may have the effect of reducing the permeability within the block structure. The latter issue is particularly pertinent to the Kensington town centre which already has reduced levels of permeability resulting from the lack of laneways and mid-block links.

Mid-block links provide key access routes for pedestrians and should be established in larger key sites and in those parts of the town centres where site consolidation is likely.

This could be addressed via new DCP controls requiring that mid-block links be established on identified sites (e.g. key sites located within the Precincts). Mid-block links should preferably be dedicated as public land so that they can be managed for the benefit of the community.

Indicative locations for mid-block links are shown in the following map (fig 76 and 77).

Pedestrian accessibility, including the provision of mid-block links is also addressed in C9 Public Realm and Landscape (9.7 Pedestrian Network).



Figure 74: Example of mid-block link
Source: Essentials of Urban Design (2015)
Mark Sheppard



Figure 75: Covered mid-block retail lane
Source: Essentials of Urban Design (2015)
Mark Sheppard

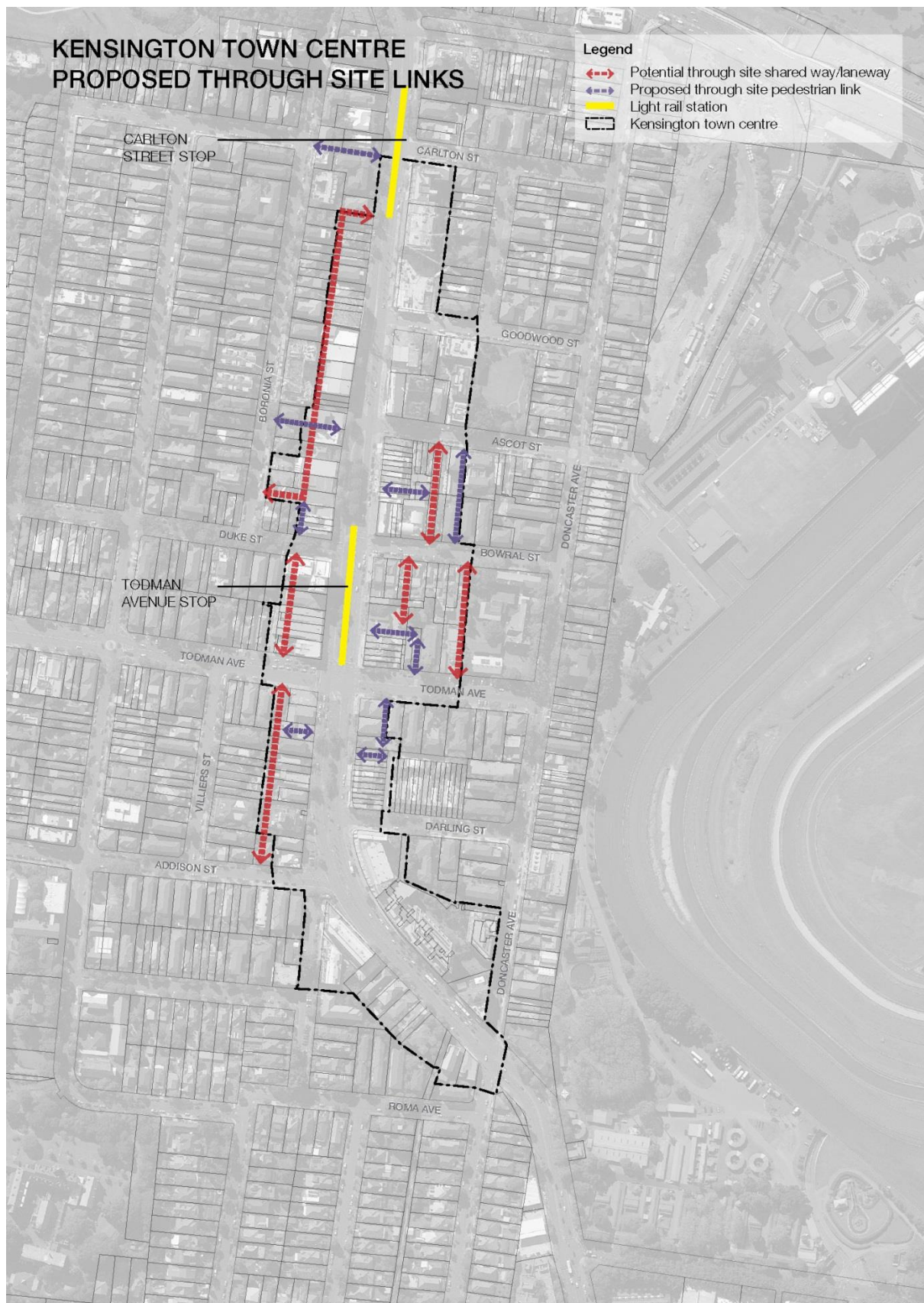


Figure 76: Proposed mid-block links- Kensington town centre
Source: Conybeare Morrison 2016

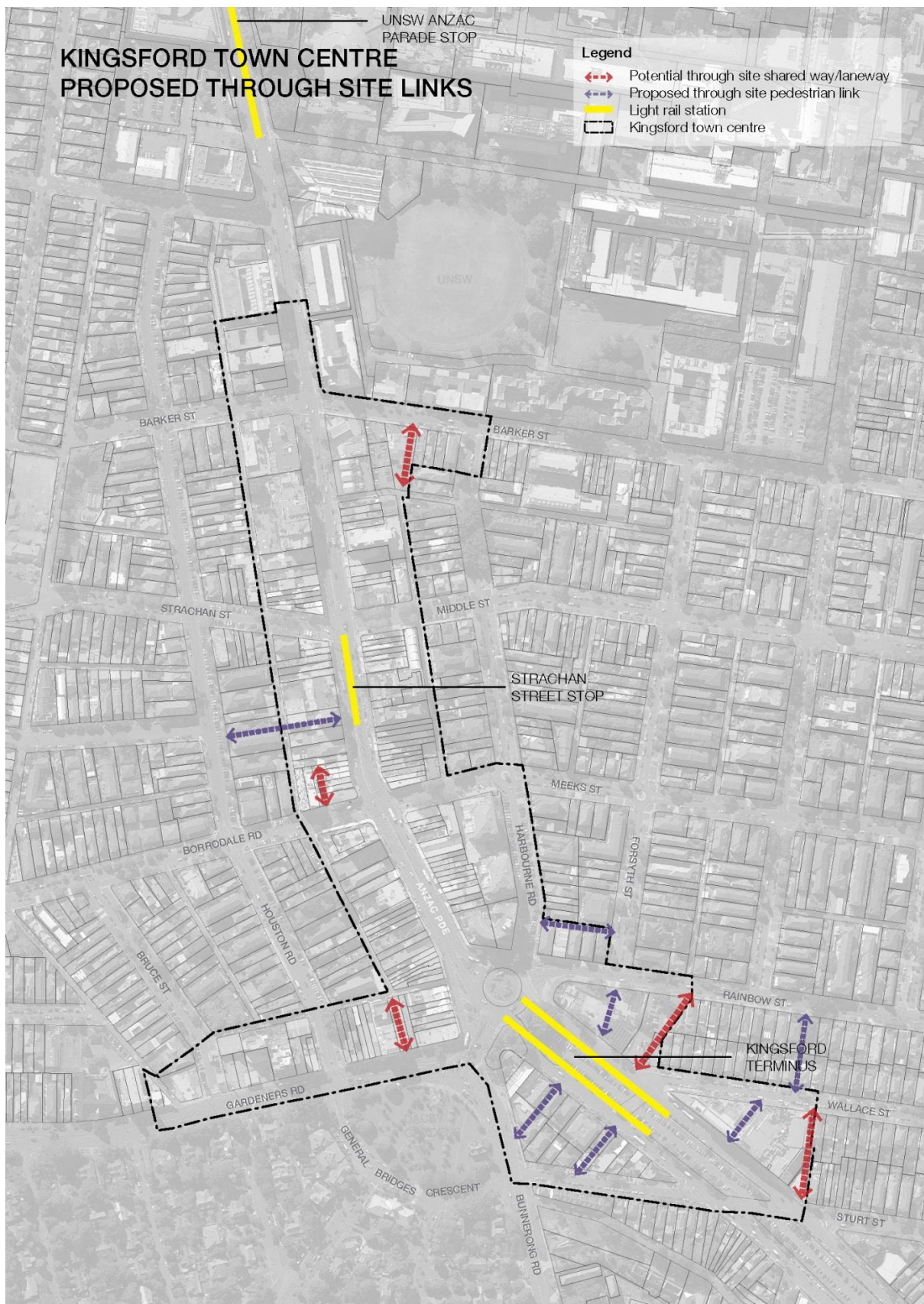


Figure 77: Proposed mid-block links- Kingsford town centre
Source: Conybeare Morrison 2016

6.10 Design Excellence

All new development will be expected to deliver a high standard of architectural design to contribute to an enriched experience of the Kensington and Kingsford town centres. Accordingly, 'design excellence' has been established as a driving urban design principle for future development in these centres.

The consideration of 'design excellence' is currently a requirement under RLEP 2012 (clause 6.11) for proposals involving buildings over 15m in height, or for sites that are over 10,000m² in size or for land where a site specific development control plan is required (e.g. Kingsford Triangle site). Development consent cannot be granted under the RLEP design excellence provisions, unless the consent authority is satisfied that the proposal exhibits design excellence.

Key matters for consideration include a high standard of architectural design, response to site context and surrounding development, sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency, and any potential impacts on view corridors and landmarks.

While the RLEP 2012 design excellence provisions will apply to most sites within the town centres, it is considered that the key sites located within the identified Precincts should achieve a performance benchmark in design innovation and sustainability beyond what is presently required. These sites will accommodate taller building forms that have a greater degree of visibility being located at key transit nodes as well as additional floor space. Future development on these key sites should therefore be required to demonstrate a high level of design excellence.

It is proposed that future proposals on these sites be informed by an 'architectural design alternatives competition' undertaken by the proponent prior to the lodgement of a formal development application. A similar approach has been adopted by the City of Sydney which has resulted in a number of successful design outcomes.

As part of this process, architectural firms with demonstrated experience in the design of high quality buildings would be invited by the proponent to submit design solutions that:

- Demonstrate a high level of design excellence in accordance with criteria established in the RLEP 2012
- Achieve a minimum green star certification rating of 5
- Deliver public benefits consistent with site specific DCP requirements (e.g. public plazas, through-site links, social infrastructure and/or innovation centre floor space requirements)
- Provide high quality materials and finishes; and
- Ensure development feasibility.

The proponent will determine the final outcome of the selection process by selecting the proposal that best meet the considerations above as well as a Council endorsed Design Excellence Strategy. At least one independent expert will be appointed by Council to act as an observer to ensure that the procedural requirements have been adhered to appropriately.

For proposals that successfully demonstrate design excellence, the following design based trade-offs may result:

- An additional building height to a maximum of 2 storeys (to achieve maximum height in controls); and
- Exclusion of identified social infrastructure/innovation centre floor space requirements from the total gross floor area calculation.

The benefits of a design excellence competition approach is that it will help optimise design outcomes for identified key sites, stimulating creativity, driving innovation and improving design quality.

Importantly such an approach will ensure that any uplift afforded under the planning controls will only be granted where design excellence is clearly demonstrated, in conjunction with the delivery of substantial public benefits to the community.

Strategies	Actions
1) Ensure the form and scale of development is appropriate to its location and contributes to a positive urban design outcome in the town centres	<p>a) Amend RLEP 2012 to establish building heights appropriate to each part of the town centres as shown in the building heights map (fig 58 and 9):</p> <ul style="list-style-type: none"> - Establish a mid-scale 31m (9 storey) maximum height limit - Allow higher scale in Key Precincts as follows: - Todman Square- 54m (16 storeys, or 18 storeys with demonstrated design excellence) - Kingsford Mid-Town - 54m (16 storeys, or 18 storeys with demonstrated design excellence). - Kingsford Junction (Rainbow Street and Kingsford Triangle sites)-48m (15 storeys, or 17 storeys with demonstrated design excellence). <p><i>NB: increased height will be in conjunction with the provision of increased setbacks, through site links and/or plazas identified in this Strategy.</i></p>
	b) Amend the DCP 2013 to introduce a secondary height limit to facilitate mews style developments for the sites indicated on the DCP 2013 Built Form Transition Map (fig 60 and 61)
	c) Amend the DCP 2013 introduce a shared zone/laneway in locations identified on the DCP 2013 Built Form Transition Map (fig 60 and 61)
	d) Amend the RLEP 2012 to establish

	<p>maximum FSRs appropriate to each part of the town centres as shown on the FSR map (fig 72 and 73):</p> <ul style="list-style-type: none"> • Sites accommodating 9 storeys: FSR 4:1 • Precinct sites: FSR 5:1
	<p>e) Amend the DCP 2013 to establish building setbacks in each part of the town centres as shown on the Building Setback Map (Fig 72 and 73):</p> <ul style="list-style-type: none"> - Require a 1.5m setback of the street wall for 9 storey buildings - Require a 2m setback of the streetwall at the rear of identified sites in Kingsford town centre. - Require a 2.5m setback of the street wall for identified sites at Todman Square, Kingsford Midtown and Kingsford Junction Precincts. <p>Heritage and Contributory Buildings</p> <ul style="list-style-type: none"> - Require a zero setback of the street wall for heritage items and contributory buildings and a 6m upper level setback where additional levels are proposed to these buildings
	<p>f) Amend the DCP 2013 requiring that development establish a 4 storey street wall by stepping back at the fourth storey to a minimum depth of 4m to achieve a visual separation between the lower and upper levels of a building</p>
2) Ensure that reasonable solar access is maintained to neighbouring properties and streets and public space	<p>a) See Section C9 Public Realm and Landscape, Action 7(e)</p>
3) Achieve a high level of accessibility and permeability within the town centres	<p>a) Amend the DCP 2013 to require that development on identified sites provide mid-block links to facilitate permeability in the block structure (see map 76 and 77)</p>
4) Encourage a high standard of architectural design to make a positive contribution to the aesthetic quality, functionality and amenity of the urban environment	<p>a) Continue to require that all new development involving the construction of a new building or external alterations to an existing building meet the requirements of RLEP 2012 (clause 6.11) relating to</p>

	design excellence
	<p>b) Amend RLEP 2012 to require that all new development involving the construction of a new building in the following Precincts be subject to an architectural design alternatives competition process:</p> <ul style="list-style-type: none"> - Todman Square Precinct - Kingsford Midtown Precinct - Kingsford Junction Precinct
5) Recognise building roofs as a strong visual landmark element in built form design and the town centres' skyline.	<p>a) Amend RLEP 2012 to include the Standard LEP Instrument model provision on 'architectural roof features'*. <i>*this model LEP clause allows flexibility in building height to accommodate architectural roof features. The architectural roof feature must not comprise an advertising structure or include floor space or be capable of modification to include floor space.</i></p>

Summary of Preferred Development Option

Preferred Option - Kensington (3D View)



Figure 78: Aerial view looking north-east over Kensington town centre.
Source: Conybeare Morrison 2016



Figure 79: Artist's impression looking south from Anzac Parade towards Todman Avenue, Kensington town centre.
Source: Conybeare Morrison 2016



Figure 80: Artist's impression looking south from Anzac Parade near Ascot Street, Kensington town centre.

Source: Conybeare Morrison 2016

Preferred Option - Kingsford (3D View)

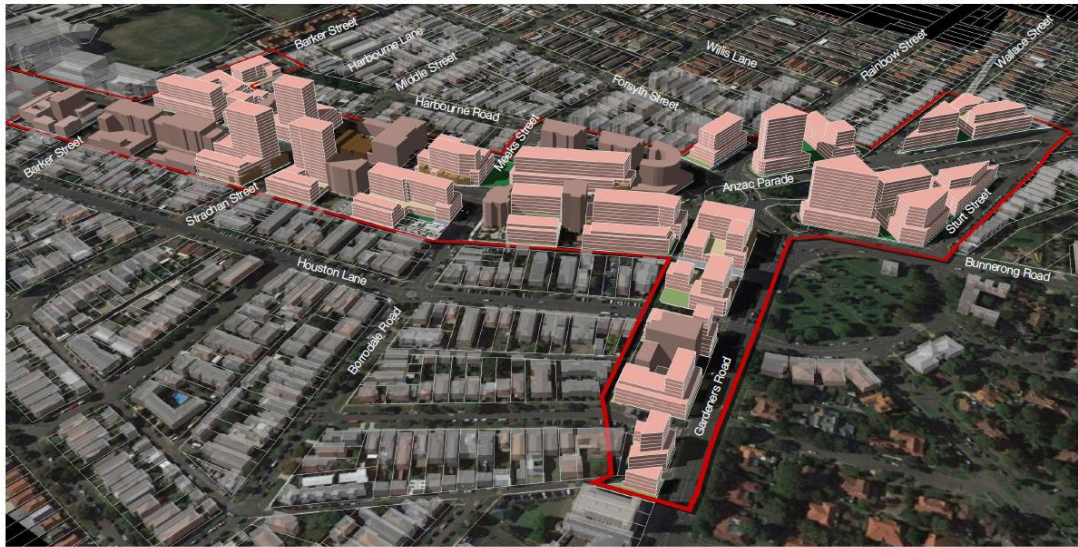


Figure 81: Aerial view looking north-east over Kingsford town centre.
Source: Conybeare Morrison 2016



Figure 82: Artist's impression looking north along Anzac Parade, near Meeks Street Plaza in Kingsford town centre
Source: Conybeare Morrison 2016



Figure 83: Artists' impression Looking south on Anzac Parade, towards nine-ways (Kingsford Junction), Kingsford town centre
Source: Conybeare Morrison 2016

6.11 Floorspace Capacity

The K2K Built Form Study investigated floor space yields that could be delivered as a result of proposed changes to built form controls and in response to the need to deliver floor space capacity to support future employment and population growth. The strategic justification on planning for growth is discussed in Part C4- Housing Growth and Diversity.

The indicative development yield and break down of dwelling typologies for both centres is provided in the following table. It shows that under the revised built form controls a net residential dwelling yield of between 1,150 to 1,480²⁸ additional new dwellings could be achieved. But most importantly, the revised built form controls unlocks the existing development capacity to support the delivery of approximately between 4,100 to 5,280 new dwellings and 54,486 sqm of commercial floor space across both town centres.

Independent land economic advice sought as part of this Strategy, suggested that to encourage redevelopment along the Corridor, there is a need to increase FSRs and building heights within the study area.

The floor space yields demonstrates that both Kensington and Kingsford town centres are capable of accommodating sufficient dwelling and employment floor space required to meet projected needs, while also providing for a liveable and vibrant environment.

Table 9: Floorspace Capacity for Kensington and Kingsford town centres

Kensington and Kingsford - Total

	Current @ 3.0:1	@4.0:1 & 5.0:1	Residential Uplift	Commercial Uplift
Total K+K	296,139m² 251,718m²	424,658m² 374,723m²		
Commercial Space @ 30%	29,614m ²			
Commercial Space @ 30% site and 1:1 @ nodes		54,486m ²		24,872m ²
Residential GFA			103,675m ²	
Residential (average dwelling GFA 70m ²)	3,808 dwellings	5,288 dwellings	1,481 dwellings	
Residential (average dwelling GFA 80m ²)	3,332 dwellings	4,627 dwellings	1,296 dwellings	
Residential (average dwelling GFA 90m ²)	2,961 dwellings	4,113 dwellings	1,152 dwellings	

Note 1) the underlined sites are at nodes where taller buildings are proposed
2) the calculation method results in a slightly higher dwelling capacity when compared to the Issues Paper

²⁸ Note these figures provides a range based on the lowest (70sqm) and highest (90sqm) GFA and have been rounded for ease of application

7.0 Heritage Conservation

7.1 Overview

The Kensington and Kingsford town centres have evolved since the early 20th Century as traditional retail/commercial centres, with their linear urban form highly influenced by the extension of the original tram line along Anzac Parade. Early development comprised fine grain retail/commercial shopfronts generally focused on Anzac Parade with some housing attached at the rear and upper levels.

The town centres have seen considerable change to their historic fabric over time, such as demolition of older shopfronts and irreversible alterations to building facades. Nevertheless, the historical development of the town centres is still evidenced through a small number of buildings listed as Heritage Items in the RLEP 2012.

A number contributory buildings are also retained, which, through their largely intact architectural style, scale, form and detailing attest to the early history of the town centres. While these buildings do not demonstrate a level of heritage significance that would warrant heritage listing under the RLEP 2012, the DCP 2013 requires that they be retained to ensure a sense of historical continuity and to enhance streetscape character so the town centres remain recognisable over time.






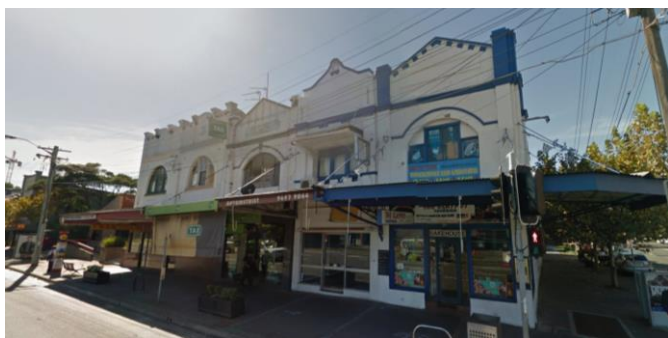

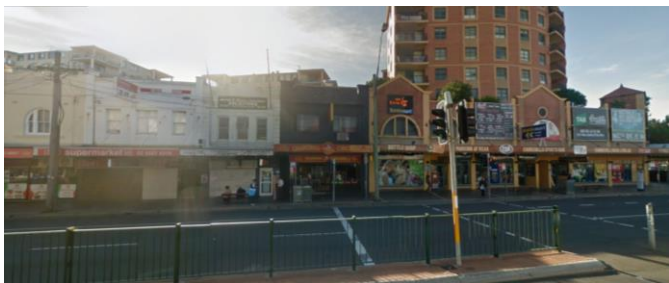
Figure 84: Development on the eastern side of Anzac Parade 1946

Source: www.trove.nla.gov.au



Figure 85: Buildings to the western side of Anzac Parade erected during the Inter War years 1946

Source: www.trove.nla.gov.au

Heritage Items	Examples of Contributory Buildings
	
<p>Doncaster Hotel, Kensington</p> <p>268-270 Anzac Parade, Kensington</p>	<p>126 - 146 Anzac Parade, Kensington</p>
	
<p>Masonic Temple, Kensington</p> <p>199-201 Anzac Parade Kensington</p>	<p>172-180 Anzac Parade, Kensington</p>
	
<p>O'Deas Corner, Kingsford</p> <p>424-436 Anzac Parade Kingsford</p>	<p>522 -532 Anzac Parade, Kingsford</p>

7.2 Infill Development and Contributory Buildings

The draft Issues Paper identifies that in Kensington town centre, new infill development has largely been sympathetic to the streetscape values of existing contributory buildings.

In the context of Kingsford town centre, however, there are frequent examples of later buildings that are unsympathetic to the historic fabric of surrounding contributory buildings. These include multi-storey buildings without a base element relating to the predominant 2 to 3 storey fine grain scale of the town centre, or where podiums are provided that are lower than the traditional facades and do not effectively define the Anzac Parade street walls.

In respect to Kensington and Kingsford town centres, the different outcomes pertaining to infill development (and its relationship to existing contributory buildings) can be attributed in part to the DCP controls which differ for each centre. Unlike heritage listing in the RLEP 2012 (which provides strong statutory protection against demolition), contributory façade listing is not based on defined heritage significance criteria and established conservation standards such as the Burra Charter. Consequently, the retention of contributory buildings and their historic fabric depends entirely on the strength of the DCP controls.

The existing DCP 2013 controls for Kensington town centre are more stringent than Kingsford town centre, requiring the conservation, retention and sensitive adaptation of contributory buildings (for example through mews style development) and the avoidance of 'facadism' (the retention of only the outer skin of a building). The DCP controls specifically require the involvement of a heritage/conservation specialist and the submission of a Heritage Impact Statement addressing impacts on heritage significance/fabric as part of the development process.

In contrast, the DCP controls for Kingsford town centre require that contributory facades be retained as much as practicable, or reinterpreted as guiding examples in the design of new development. There is therefore somewhat of an inconsistency between the controls for contributory buildings and infill development in the town centres.

7.3 Heritage Review of Kingsford Town Centre

Colin Brady Heritage Consultant was engaged in early 2016 to undertake a heritage review of the Kingsford town centre to evaluate the status and condition of the existing Heritage Item (O'Deas Corner at Nos. 424-436 Anzac Parade), contributory facades (and any other buildings not previously identified) and to make recommendations relating to DCP 2013 controls.

This is the first heritage review of Kingsford town centre undertaken since the original Randwick Heritage Study was carried out over 25 years ago. A peer review of the Kensington town centre heritage controls was undertaken in 2002, hence a further study was not warranted as part of this process.

Review findings confirm that Kingsford town centre is culturally significant as a setting of early 20th Century retail and commercial street front buildings, with many constructed as shop/residences in the years immediate to the First World War and retaining detailing, form and groupings representative of later Federation and Inter- War architecture.

A condition assessment of the heritage listed building group at O'Deas corner (424-436 Anzac Parade) reaffirms its heritage significance as a well detailed example of Federation shop/residence development and for its associations with Frank O'Dea – bookmaker, real

estate developer and promoter of cultural activities in the foundation years of South Kensington, later renamed Kingsford.

The Review identifies opportunities to strengthen DCP controls for infill development to minimise adverse impacts on the historic built fabric and curtilage of existing contributory buildings.

The review also identifies four buildings that may have contributory value based on their form and detailing: 279-187, 357, 394 and 528 Anzac Parade, Kingsford. These have been carefully considered in terms of future economic objectives, urban design and public domain outcomes for the Kingsford town centre (particularly in terms of increased setbacks needed to facilitate wider footpaths). Accordingly, 279-278 Anzac Parade, Kingsford is proposed to be included on the schedule of contributory buildings in the DCP 2013 (NB: 528 Anzac Parade is already listed in the Schedule).

The following strategies reflect review findings and aim to strengthen DCP 2013 controls to ensure that new infill development is sympathetic to existing contributory buildings and respects the historical development of the town centres.

Strategies	Actions
1) Protect the heritage character and fabric of buildings that reflect the historical development of the town centres	<p>a) Continue to protect the heritage significance of heritage items and contributory buildings through the consistent and rigorous application of relevant RLEP 2012 heritage provisions and DCP 2013 guidelines for heritage conservation</p> <p>b) Update the heritage inventory sheet for O'Deas Corner (424-436 Anzac Parade) with key findings from the heritage condition assessment</p> <p>c) Amend the DCP 2013 to add the following to the list of contributory buildings to be conserved and retained in Kingsford town centre:</p> <ul style="list-style-type: none"> • 279-287 Anzac Parade, Kingsford <p>d) Amend the DCP 2013 to introduce a 6.5m upper level setback for contributory buildings</p> <p>e) Amend the DCP 2013 for Kingsford town centre to incorporate additional controls for contributory buildings (currently applicable to Kensington town centre) including the requirement for the submission of a Heritage Impact Statement</p>
2) Integrate heritage and contributory buildings into redevelopment	<p>a) Require the retention and adaptive reuse of historic shopfronts.</p> <p>b) Strengthen DCP 2013 controls for contributory buildings in Kingsford town centre by requiring that new works:</p> <ul style="list-style-type: none"> • Avoid 'facadism' and retain the form and articulation of historic street frontages (such as the first structural bay/or first room to preserve inset verandas) • Involve the commensurate reinstatement/restoration of historic fabric to balance the impact of larger works set back from the original fabric • Retain original fabric/features including original lighting and historic signage • Incorporate sympathetic colour schemes
3) Ensure that new infill	a) Amend the DCP 2013 for Kingsford

Strategies	Actions
<p>development respects the height, scale, siting, character and proportions of contributory buildings</p>	<p>town centre to require that new infill development/works:</p> <ul style="list-style-type: none"> • Have regard to the scale, character and proportions of heritage and contributory buildings • Reflect segmented frontages of historic building groups through facades that are broken into smaller vertical sections and articulation • Provide consistent heights and alignment of street awnings with existing contributory forms • Retain the profile and massing of exposed side elevations • Provide podiums that reference the principle influence line of historic streetscapes and are cohesive with the established street frontage

8.0 Sustainability and Transport

This section considers the environmental sustainability of the town centres, including at both a buildings and precinct level. It contains strategies and actions to reduce water consumption, energy use and greenhouse gas emissions, improve stormwater quality, reduce traffic congestion and improve walking and cycling access.

8.1 Overview

A vibrant and visitor-friendly town centre is also a sustainable town centre. A centre that is easy to walk or cycle around, that provides for a strong mix of retail, residential and commercial experiences, connects to its surrounding green spaces and public transport, and manages excessive car use and parking. All of this contributes to a high quality and long lasting urban fabric, a centre that can thrive and continue into the future. Both the research and practice confirms the sustainability of a town centre provides for the physical, mental and social well-being of its inhabitants.

Sustainability is highlighted as one of the Draft NSW Architecture and Urban Design Policy²⁹'s seven key principles at both a building and precinct level. It features as a key component of ensuring Kensington and Kingsford become resilient, best-practice environmentally sustainable town centres. Sustainability is no longer an optional extra, but a fundamental aspect of functional, liveable design.

This strategy outlines a sustainability framework for Kensington and Kingsford to inform the design of individual buildings, and the integration of precinct-wide innovative systems. Council is committed to strive for best practice architectural and environmentally sensitive design, with a focus on energy efficiency, water conservation, waste and resource minimisation. These principles and their related actions are outlined in Council's 20 year Randwick City Plan, including encouraging design excellence and sustainability across all development³⁰. This strategy also commits to the principles of travel demand management, reducing reliance on private vehicles and providing for enhanced public transport, pedestrian and cycle networks to facilitate user-friendly access to the town centres and surrounding destinations.

8.2 Objectives

- To establish Kensington and Kingsford as a best-practice environmentally sustainable district that provides for the physical, mental and social wellbeing of its residents and visitors
- To provide a safe, integrated and accessible network of pedestrian and cycling access
- To enhance amenity by reducing pollution and congestion arising from private vehicle use and encourage active transport and public transport
- To adopt sustainable design techniques in the lighting, stormwater collection, and landscaping of the public realm
- To improve the quality of stormwater prior to its release into iconic waterways such as Botany wetlands and Botany Bay
- To provide innovative waste solutions capable of reducing litter and increasing re-use, recycling and recovery of waste.

²⁹ Draft Architecture and Design Policy 2016

³⁰ The Randwick City Plan: A 20 year Plan 2006

8.3 Sustainability and buildings

The international and national commitment to reducing carbon emissions

In December 2015, 195 countries, including Australia, agreed on the United Nations Paris Agreement on climate change. The key objectives of the Paris Agreement include:

- A goal to limit the increase in global temperatures to well below 2 degrees and pursue efforts to limit the rise to 1.5 degrees
- A commitment to achieve net-zero emissions, globally, by the second half of the century
- A five year review and ratchet process which is likely to lead to more ambitious commitments from countries in the future.

The Commonwealth Government has now signed and ratified the Paris Agreement.

The current interim targets are:

- Carbon emissions to be 5 per cent below 2000 levels by 2020
- Carbon emissions to be 26 to 28 per cent below 2005 levels by 2030.

The 2030 target is equivalent to a 50 per cent reduction in per capita emissions and a 65 per cent reduction in the emissions intensity of the economy ([NSW Climate Change Policy framework](#)). The agreement's review and ratchet mechanism means that Australia's interim emissions reduction targets are likely to become more ambitious over time, with the first review due in 2017.

8.3.1 Climate change and buildings

The built environment is a major contributor to greenhouse gas emissions and energy consumption in Australia, accounting for approximately 22% of the nation's total greenhouse emissions³¹. Much of this is attributed to the resources and materials used in building construction, as well as pollution and waste resulting from development activity. The actual operation of a building can also contribute significantly to energy and water consumption.

New buildings have a crucial role to play in reducing cities' carbon emissions and ensuring a sustainable future³². Business-as-usual design results in emissions-intensive buildings, whereas smart and efficient design can deliver net zero emissions buildings³³.

8.3.2 Current development standards - Residential buildings

Since 2004, all new residential dwellings in NSW must be designed in line with the Building Sustainability Index (BASIX), a NSW Government environmental planning

³¹ COAG (2009) National Strategy on Energy Efficiency

³² UN-Habitat (2011) Hot Cities: battle-ground for climate change Report

³³ Climate Change Authority (2012) Australia's emission outlook

instrument. BASIX mandates sustainability standards in residential developments by assessing the consumption of mains-supplied water, energy and thermal performance³⁴.

Design Principle 2 - Sustainable, efficient and durable:

Design excellence must incorporate environmental sustainability and responsiveness in its construction and usage, meeting the highest performance standards for living and working. Sustainability is no longer an optional extra, but a fundamental aspect of functional, liveable design.

Ref: Draft NSW Architecture and Urban Design Policy 2016

BASIX currently requires detached and semi-detached houses to emit 40 per cent less greenhouse gases *than* the NSW per capita benchmark, whereas high-rise apartment buildings are only required to emit 20 per cent less greenhouse gases³⁵.

BASIX, which establishes energy and water requirements for new residential dwellings, is recognised as in need of updating to achieve best practice design outcomes. Furthermore, under the NSW Government legislation, Council's local plans cannot require energy or water efficiency, greenhouse gas emissions or thermal comfort different or beyond the BASIX standard.

8.3.3 Non-residential buildings

There are state government standards, such as BASIX, applying to non-residential development. The Randwick DCP 2013 requires that new commercial premises and hotel and motel accommodation with a floor area of 1,000m² or more must achieve a minimum 4 star National Australian Built Environment Rating System (NABERS) rating and undertake a Commitment Agreement. Development Applications must include an Ecological Sustainable Development Statement prepared by an accredited professional demonstrating that the required NABERS rating can be achieved.

In addition to the Randwick DCP, The National Construction Code (NCC) is a standard for all non-residential development in NSW which requires buildings meet minimum energy efficiency requirements under its Section J Energy Efficiency provisions³⁶. The requirements of Section J of the NCC is equivalent to approximately NABERS Energy 4-star and NABERS Water 3-star. Current requirements address the following:

- Building Fabric (thermal design) and glazing
- Air-conditioning and Ventilation Systems
- Lighting
- Heated Water Supply
- Energy Monitoring
- Additional energy demands, such as plug-in appliance loads are not addressed.

³⁴ NSW Building Sustainability Index 2016 (www.basix.nsw.gov.au)

³⁵ City of Sydney Residential Apartments Sustainability Plan (2015)

³⁶ Kinesis (2016) Eastern Suburbs Low Carbon Future Plan - High Performance Building Study

8.3.4 Environmental performance of existing buildings

A review of NSW Department of Planning and Environment BASIX data for the Eastern Suburbs region highlights the following:

In 2013/14, approximately 25% of apartments and nearly 40% of single dwellings exceeded BASIX Energy compliance by 4 or more points³⁷.

This indicates that there are opportunities for improvements to apartment design as a new high rise apartment block built only to the required BASIX Energy target of 20 performs worse than the average existing housing stock.

8.3.5 Benchmarks for sustainable buildings

In the Randwick DCP 2013, a sustainable building is one that is “environmentally responsible and resource efficient throughout its life cycle, while reducing the overall impact on the environment and human health”³⁸. Buildings that are sustainable use environmentally friendly construction materials and fittings, are energy and water smart, have healthy and comfortable indoor environments, and yield considerable cost savings to property owners and tenancies. The Green Star - Multi Unit Residential Business Case Report showed green buildings, built for high energy and water efficiency, consume 26 per cent less energy than the average building.

New major developments could include capacity to generate a minimum 15% of their total energy onsite using renewable energy sources. This would offset common area electricity use and subsequently result in a reduction of building strata fees.

8.3.6 The Green Star rating system

The Green Star rating system, managed by the Green Building Council of Australia, is a voluntary environmental rating system that evaluates the environmental design and construction of buildings. Figure 1 outlines the rating system, where a 4-star rating signifies ‘Best Practice’ in environmentally sustainable design and/or construction, a 5-star rating indicates Australian excellence and 6-star demonstrates World Leadership³⁹.

³⁷ Ibid

³⁸ Randwick City Council Development Control Plan 2013 Part B

³⁹ Green Building Council of Australia (www.gbca.org.au)



Figure 86: Green Star rating system

Source: www.gbca.org.au

The Green Building Council of Australia administers the rating system to evaluate the environmental impact of the design, construction and operation of buildings and building-related communities. There are a number of rating tools developed for particular building types, including office buildings, shopping centres and multi-unit residential buildings. The rating tool covers [9 performance categories](#), as identified in Figure 2.

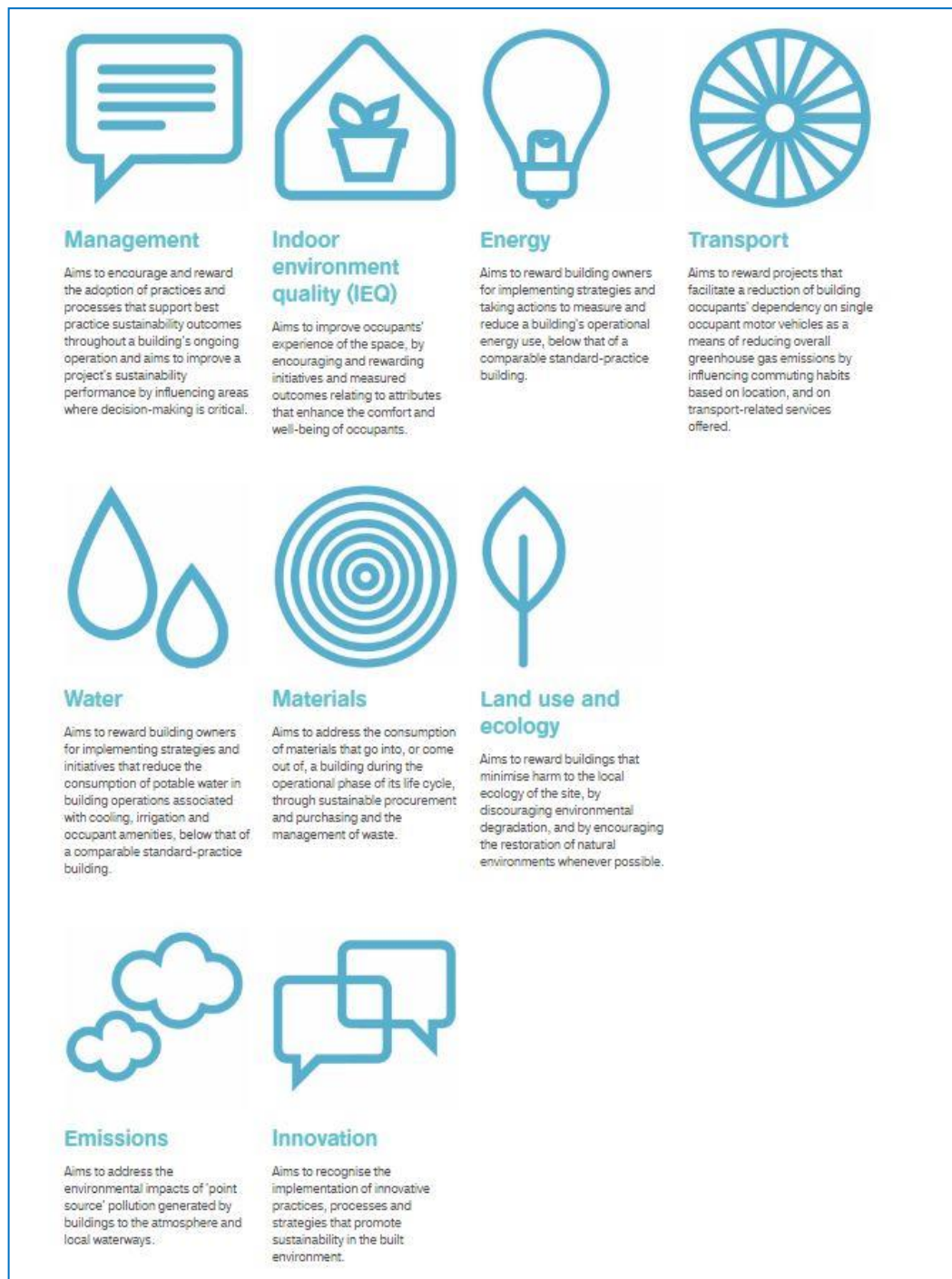


Figure 87: Green star performance categories
Source: www.new.gbca.org.au

A study of the environmental benefits and cost-savings of building to Green Star estimated that the annual savings on energy and water bills for a 12-storey building are as follows:

- For a 4 star building, an annual saving of \$ 9,078
- For a 5 or 6 star building, an annual saving of \$ 14,691.

This is equivalent to a \$95-155 saving per person per year⁴⁰.

Green Star for Apartments

Green Star 4 star Rating

10% improvement on BASIX energy requirements through:

- Upgraded façade to high performing single glazed or double glazed units
- Improved energy efficiency rating for air-conditioning units
- Environmentally considerate management practices, including commissioning, metering and monitoring requirements
- Improved ventilation and increased acoustic performance between tenancies
- Facilities that promote sustainable transport options, including cyclist parking/amenities and reduced car parking
- Efficient water fixtures and fittings, reuse of fire test water and systems that minimise potable demand for irrigation purposes
- Considered material selection for products such as concrete, steel and timber.

Green Star 5 star Rating

20% improvement on BASIX energy requirements through:

- Installation of renewables such as solar thermal for domestic hot water heating and photovoltaics to offset electrical demand
- Installation of high energy star rated appliances such as fridges, clothes washers and dryers
- Implementing a Climate Adaptation Plan
- Maximising daylight within units and upgrading lighting systems to improve surface illumination in rooms
- Specifying products with high sustainability credentials, including Environmental Product Declarations, Third-party certified and with Stewardship programs in place
- Site layouts that include high areas of landscaping or green roofs.

Green Star 6 star

- Highest reduction targets for stormwater pollution
- Onsite innovations during construction including a High Performance Site Office and Contractor Education.

⁴⁰ ARUP (2016) Waverley Council Sustainable Building Incentives Business Case

8.3.7 National Australian Built Environment Rating System (NABERS)

For commercial development, NABERS can be used to measure the environmental performance of the construction and ongoing operation. The Eastern Suburbs Low Carbon Futures Plan, prepared for Randwick City Council in partnership with Waverley and Woollahra Councils, outlines best practice performance for commercial buildings and shopping centres is approximately equivalent to NABERS 5-star Energy and NABERS 4-star Water (where recycled water is not available) or 5-star with a recycled water system⁴¹.

Based on analysis completed to date, best practice performance for commercial buildings and shopping centres, as outlined above, could be met at a marginal capital cost of approximately \$15 to \$35 per square metre. This would result in a 15-20% reduction in greenhouse gas emissions compared to the current controls. In addition, NABERS 4-star construction can lead to a 10-20% reduction in water consumption, and if there is a local recycled water system, water consumption can be reduced by up to 60%. A local water recycling scheme will be investigated, as detailed later in this strategy.

8.3.8 Implementation costs

The July 2016 Green Star Financial Transparency Paper prepared by the Green Building Council of Australia reported that building costs for the average multi-unit residential development were an extra \$150 per m² or an extra 4% of overall project cost⁴². This includes cost of materials and installation required to meet the green star credits and the associated costs for documenting the materials used and certification, which is on average 0.7% of overall project cost.

A separate study commissioned by Waverley Council found that for a 12-storey (ground floor retail and multi-floor residential) building it is estimated that there would be approximately a 4-6% cost premium on standard building practices to a Green Star rated building⁴³.

Green Star tends to become more affordable with a greater scale of development as the Green Star costs represent a smaller percentage of the overall building project contract value compared to low rise and single dwellings⁴⁴.

8.3.9 Ensuring sustainable buildings

While Randwick City Council cannot require through its planning controls environmental performance above that required by BASIX, Council can encourage and/or offer incentives for the voluntary adoption of sustainability measures. All developments are encouraged to use the Green Star tools to improve the environmental attributes of their proposed building. This would result in an increase in 'green' buildings through better application of sustainable building techniques, materials and technologies which reduce the ongoing environmental impact of buildings.

On key sites within the Kensington and Kingsford town centres where they receive the highest planning uplift, 5-star green star performance will be established within the LEP as criteria for achieving design excellence. These key sites will become iconic buildings, not just for their design, but also for demonstrating best practice in sustainable construction and operation.

⁴¹ Kinesis (2016) Eastern Suburbs Low Carbon Future Plan - High Performance Building Study

⁴² Green Building Council Australia (2016) Green Star Financial Transparency Research Paper

⁴³ ARUP (2016) Waverley Council Sustainable Building Incentives Business Case

⁴⁴ Ibid

In addition to new buildings, Randwick City Council has partnered with Woollahra and Waverley Councils on various sustainability research and initiatives. For sustainability of existing apartments, the 3-Council project is designing a program for apartments which will address electricity and water consumption issues. Initiatives may include funding for audits of common areas to identify opportunities for energy reduction through changes to lighting. Existing developments within the Kensington and Kingsford town centres will be encouraged to participate in any future program identifying opportunities for energy and water efficiencies.

Strategies	Actions
1. Encourage higher performance ratings for residential development through Green Star accreditation	a) Include 5-star green star performance in the LEP as a criteria for achieving design excellence on key sites b) Amend the DCP to encourage all other sites within Kensington and Kingsford town centres to achieve green star accreditation
2. Ensure commercial development is built to best-practice sustainability standards	a) Amend the DCP to require that new commercial premises and hotel and motel accommodation with a floor area of 1,000m ² or more must achieve a minimum NABERS 5-star Energy and NABERS 4-star or 5-star Water rating
3. Encourage existing buildings to improve their energy and water consumption performance	a) Continue participating in 3-Council project to improve the environmental performance of existing residential flat buildings and shop top housing

The aquifer is recharged by rainwater percolating through sand and sandstone strata which act as natural filters to remove solid litter, silt and harmful nutrients. The water-holding capacity of the sand aquifer is enormous and has been estimated to contain up to 300 litres of water per cubic metre of sand⁴⁵. The Australian National Water Commission estimates that the aquifer can sustainably supply 22,500ML/yr. of groundwater. Currently only approximately 6,000ML/yr. is allocated for use⁴⁶.

The level of the aquifer can vary with seasonal conditions, and in some areas is quite close to the surface. As a consequence developments in locations within the Botany Sands Aquifer area need to consider groundwater flows during the design and construction process.

Development and groundwater procedures

Groundwater is the water contained within rocks and sediments below the ground's surface in the saturated zone⁴⁷. In NSW, groundwater is managed under the Water Management Act 2000.

When proposed developments are likely to experience seepage water issues or extend into the ground water table, Council places stringent conditions in the development consent to ensure impacts are appropriately managed. All development applications received by Council that are likely to interfere with the aquifer either through dewatering activities or through the construction of a basement carpark are referred to Water NSW as Integrated Development, as required under Part 4 of the Environmental Planning and Assessment Act 1979.

The long term cumulative impacts of basements are assessed by the Water NSW when referred to them as Integrated Development. Side setbacks for basements and deep soil planting areas, as required under Council's DCP, in addition to roads and footpaths provide breaks between basements built on private land.

Water NSW manages over 3000 monitoring bores and uses computer-based groundwater modelling to better understand groundwater flow systems and make decisions on development applications. Water NSW reviews each development application against the latest aquifer information and issues development-specific general terms of approval that must be applied to the development as conditions of consent. In addition to these requirements, Council also has standard development conditions that can be applied to the development consent to minimise impacts on the aquifer movement and directional flows.

Comprehensive and robust conditions are applied to development to ensure developments are not adversely impacted by groundwater flows and that groundwater flows are not adversely impacted by development. Specifically, conditions are applied to ensure:

- The quantity and method of groundwater extraction during the construction process is appropriate and executed with authorisation from Water NSW
- The basement is designed and constructed to be waterproof
- Sufficient permanent drainage is provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded.

⁴⁵ Australian Government National Water Commission Botany Sands Aquifer Case Study (www.wetrocks.com.au)

⁴⁶ Ibid

⁴⁷ NSW Department of Primary Industries Water (<http://www.water.nsw.gov.au/water-management/groundwater>)

In addition, conditions are applied to ensure documentation and reports are provided from the applicant of a development with information including measurements of groundwater levels, a map of the site including the water table, details of the present and potential groundwater flow paths and hydraulic gradients in and around the site. Monitoring and data is required by Water NSW at several stages throughout the construction process both to monitor potential adverse impacts and to inform their understanding of the groundwater flows.

History of the Millstream

Centennial Parklands ponds in the north of Randwick form the upper catchment of the Botany Wetlands, an interconnected chain of ponds and dams which lie approximately six kilometres downstream, where they eventually empty into Botany Bay.

The Millstream was once Sydney's main water source after the Tank Stream and The Tunnel (Busby's Bore)⁴⁸. Between 1856 and 1886, a steam-powered Botany Water Pumping Station was used to pump water from the Botany/Lachlan Swamps up to the Paddington Reservoir and Crown Street Reservoir, which is still in use today.

As the Millstream once ran through Kensington and Kingsford, following the contours of the land, parts of Kensington and Kingsford are now flood-affected to varying degrees.

As part of the Kensington Centennial Park Floodplain Risk Management Study and Plan, Council is investigating potential improvements throughout Kensington and Kingsford to alleviate flooding impacts. There are also additional opportunities through using water sensitive urban design throughout the town centres and surrounding areas.

Water Sensitive Urban Design

Randwick's water infrastructure has coped well with population and development growth since the time they were laid. Most drainage infrastructure has a capacity ranging between the 1 year and 10 year storm event but a significant number of pipes exceed capacity in events as small as the 1 year storm⁴⁹.

Water sensitive urban design offers an alternative to the traditional conveyance approach to stormwater management by acting to capture water at the source, and thereby reducing the required size of the structural stormwater system. It seeks to minimise impervious surfaces and thus enable infiltration, reuse water on site, incorporate retention basins to reduce peak flows, and incorporate treatment systems to remove pollutants.

The social and environmental benefits of water sensitive urban design systems are widely recognised and include:

- improved water quality of stormwater
- greener open spaces and enhanced urban landscapes
- reduced localised flooding
- increased infiltration to refill the aquifer
- improved amenity in our local communities
- alternative water supply option⁵⁰.

⁴⁸ NSW Office of Environment and Heritage - Heritage Places and items, Botany Water reserves (www.environment.nsw.gov.au)

⁴⁹ Randwick City Council (2016) Kensington Centennial Floodplain Risk Management Study and Plan

⁵⁰ Water sensitive urban design life cycle costing, Melbourne Water 2013.

There are opportunities to implement raingardens, swales, tree pits and other water sensitive urban design measures within the Kensington and Kingsford town centres to achieve a range of benefits, particularly improving water quality, localised flooding improvements and greening of the town centres.



Figure 90: Water sensitive urban design at Victoria Park

Source: www.landcom.com.au

Case Study - Bio Swale at Prince Henry

The Prince Henry development at Little Bay is a residential development in the eastern suburbs of Sydney. The total site area is approximately 84 hectares of which 34 hectares is being redeveloped into a mix of residential and community use.

The WSUD objectives for the site developed during the master planning process in 2003 are:

- Promotion of stormwater reuse to reduce the demand on potable water supply
- Ensure that no existing stormwater reuse is disadvantaged because of the development
- Restoration of the riparian zones and creek lines of two waterways on site, identified as the Central and Southern Watercourses.
- Use less water for landscaping through careful design and selection of plants and irrigation methods suitable to the soil type and location



Figures 91: Bio swales integrated into public open space at Prince Henry

Source: www.landcom.com.au

Levels of water consumption

Randwick City Council, with Waverley and Woollahra Councils have initiated the Eastern Suburbs Regional Water Reduction Plan to complement Council's Low Carbon Future Plan and develop strategies that respond to water consumption issues in light of the specific climate, geomorphology and built form of the region.

In December 2015, Stage 1 of the Eastern Suburbs Regional Water Reduction Plan, prepared by Kinesis outlined water consumption and urban form for the region. The analysis identified residential use was the highest consumer of water in the region as irrigation of open space and industrial water use utilise a variety of groundwater and treated stormwater sources (see Figure 9).

Not all water consumption requires potable (drinkable) water as toilet flushing and irrigation can use a lower grade of water than that required for drinking. A breakdown of

water consumption by water grade estimates that that 44% of residential water use can be provided by non-potable water standard⁵¹ (see Figure 10). This means there is an opportunity for a residential recycled water scheme and alternate forms of water re-use in the Kensington and Kingsford town centres.

WATER USE BY SUB-SECTOR

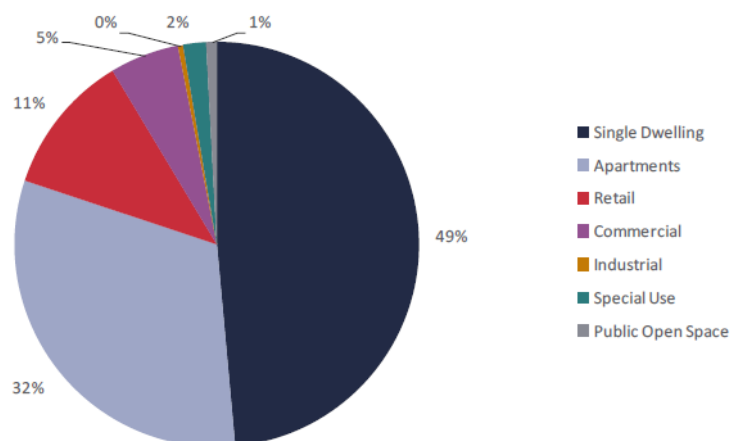


Figure 92: Water use by land use type in the Eastern Suburbs

Source: Eastern Suburbs Regional Water Reduction Plan Stage 1 Report

WATER CONSUMPTION BY REQUIRED WATER GRADE (ESTIMATED)

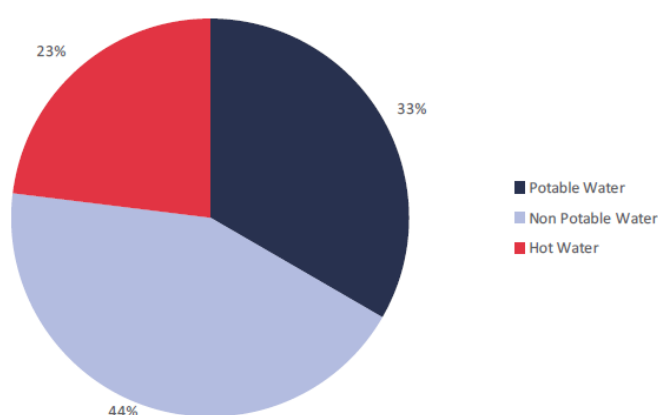


Figure 93: Residential water consumption by water grade

Source: Eastern Suburbs Regional Water Reduction Plan Stage 1 Report

Recycled water networks in urban renewal developments

Recycled water and water reuse, including greywater, blackwater, stormwater and rainwater reuse, provides an alternative to traditional infrastructure. A building connected to recycled water for both internal and external uses can reduce its potable water by up to 50% and reduces demands on sewer outfall into our oceans by treating and reusing sewage.

⁵¹ Kinesis 2016, The Eastern Suburbs Regional Water Reduction Plan

The Eastern Suburbs Regional Water Reduction Plan notes that recycled trunk water infrastructure is delivered as part of any major corridor renewal and proposes that the South East Light Rail provides the 3 Councils with the single biggest opportunity to facilitate recycled water in the region.

There are a range of opportunities to implement water recycling within the Kensington and Kingsford town centres. For example, water sensitive urban design interventions can be combined with a harvest stormwater for re-use in the public domain.

Case Study: Green Square recycled water network

Green Square Water harvests stormwater passing through the Green Square precinct. Green Square Water has a network of decentralised water pipes which capture the water and take it back to the local recycled water centre in the heart of Green Square. Once there, water undergoes five purification processes to remove impurities and clean the water.

This water recycling system is owned and run by Green Square Water, a private local sustainable water utility. The system harvests and purifies 900kL of stormwater every day at full capacity - the equivalent of 150 Olympic swimming pools of stormwater every year²⁴.

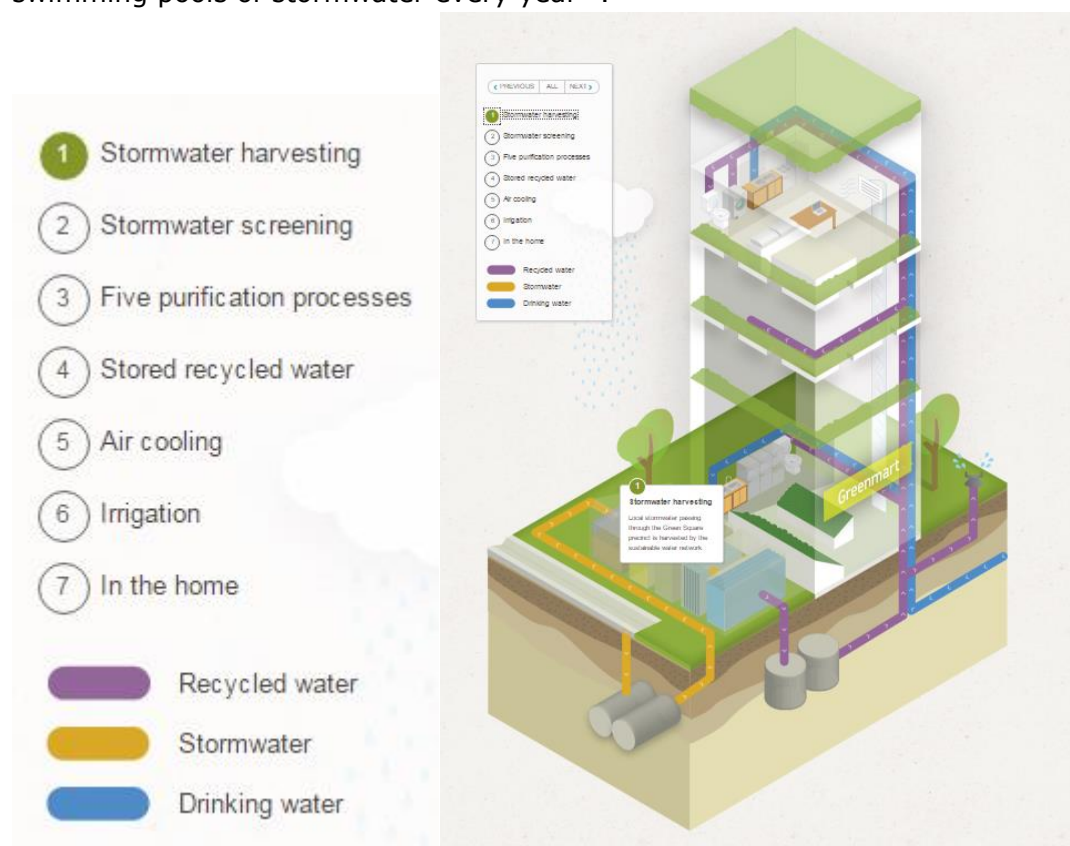


Figure 94: Diagram demonstrating the water recycling system at Green Square

Source: Green Square Water

⁵² Flow Systems (2016) (<http://flowsystems.com.au/communities/green-square-water/>)

8.5 Waste Collection

8.5.1 Benefits of an automated waste collection system

There are major opportunities to better improve the waste collection process and increase the rate of recycling, particularly in commercial and public spaces⁵³. The Environmental Panel Position Paper, which informed the Draft Central District Plan identified a need for best practice infrastructure and programs at individual building and regional planning levels to cater for the reduction, re-using, recycling or proper safe disposal of waste (Environmental Panel Position Paper 2016).

The 2016 Southern Sydney Regional Organisation of Councils report, *Our Places Recreation and Retail, A Litter Prevention Plan for the southern Sydney Region*, identified town centres and sports and recreation areas as regional litter hotspots. The lack of appropriate infrastructure was identified as a significant contributor to litter hotspots in public areas.

Automated waste collection systems provide an opportunity for a more sustainable, efficient, convenient and hygienic method of collecting and removing waste in mixed land use areas such as the Kensington and Kingsford town centres. Such a system, as demonstrated in Figure 11, connects buildings and public street bins to a collection point via underground suction pipes, removing the need for trucks to collect waste from individual buildings. Automated waste collection systems are in use across Europe and Asia and in Australia a system is being implemented by Sunshine Coast Council for a section of Maroochydore's central business district, SunCentral, at a cost of \$21 million⁵⁴.

The benefits of such a system include:

- Improved aesthetics by removing the need for bins to line streets awaiting collection
- Reduced truck movements, resulting in reduced greenhouse gas emissions and improved air quality and traffic congestion
- Reduced collection operational costs
- Better hygiene - no odour and no pests
- No waste storage rooms needed within developments – more efficient use of space.

An automated waste collection system offers many opportunities, and it is suggested that Council further investigate the feasibility and suitability of such a system for the Kensington and Kingsford town centres. Funding has been allocated within the Infrastructure Schedule for a concept design, feasibility study and implementation of such a system.

⁵³ Environmental Panel Advisory Paper for the Greater Sydney Commission 2016

⁵⁴ Sunshine Coast Council 2016 (<https://www.sunshinecoast.qld.gov.au/Council/News-Centre/Maroochydore-City-Centre-leads-waste-revolution-210916>)

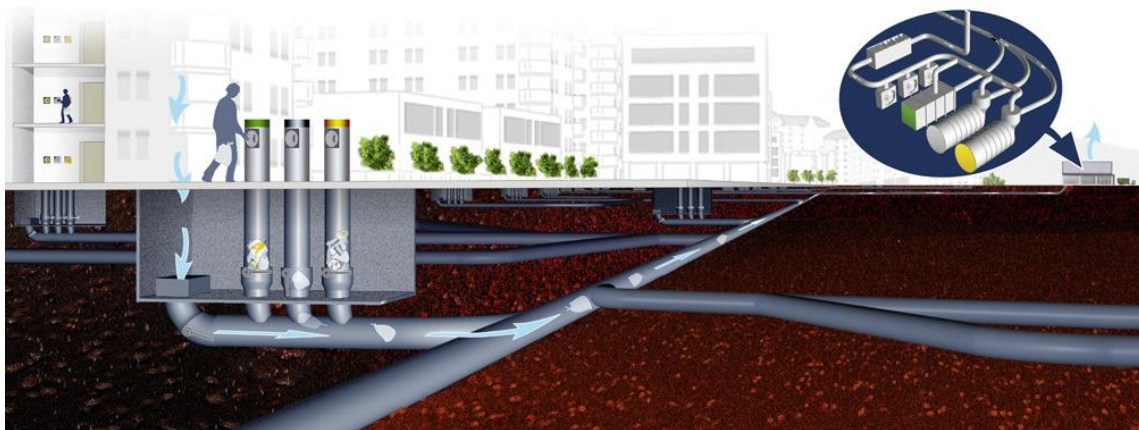


Figure 95: Diagram of an automated waste collection system
Source: www.envacgroup.com



Figure 96: An automated waste collection point in a public open space
Source: www.envacgroup.com



Figure 97: An underground waste storage system installed in Darlinghurst, Sydney
Source: www.smartbin.com

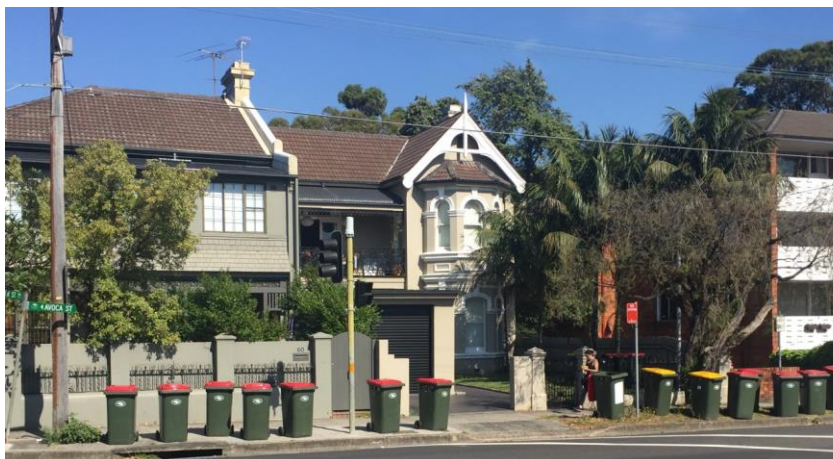


Figure 98: Visual clutter of garbage bins on streets in Randwick LGA
Source: Randwick City Council 2016

8.5.2 Renewable energy sources

Decentralised energy sources

Renewable and decentralised energy is a rapidly evolving technology sector which can offer a multitude of benefits for the Kensington and Kingsford town centres. The benefits include:

- **Efficiency and Cost Savings:** Local or decentralised renewable electricity generation avoids the high costs of transporting electricity from the country to the city. These transport costs currently make up more than half of the average electricity bill⁵⁵
- **Reducing Greenhouse Gas emissions:** Renewable energy can play a large role in reducing the need to burn coal and increasing our energy independence in addition to health benefits from reduced air pollutants within urban communities⁵⁶
- **Resilient cities:** Centralised systems can be disrupted by natural disasters and other extreme events, while because of their geographic dispersal, decentralised systems are less likely to be affected⁵⁷.

⁵⁵ City of Sydney (2013) Decentralised Energy Master Plan

⁵⁶ Ibid

⁵⁷ Ibid

As detailed The City of Sydney Decentralised Energy Master Plan estimated that costs for decentralised energy solutions such as integrated and precinct-scale renewable electricity technologies are cheaper than most renewable electricity technologies through utility companies. This is primarily due to the rising costs of transmission and distribution network charges which can be reduced or avoided where renewable electricity is generated within the city⁵⁸.

Art and renewable energy opportunities

As detailed earlier in this chapter, buildings required to achieve five star Green Star will integrate renewable energy sources into the design of the building. Recent advances in renewable energy production within urban areas demonstrate opportunities to enhance public spaces whilst incorporating best practice green and environmental sustainability technologies.

For example, the “wind trees” installed in Paris and the wind turbines installed above a residential flat building in New York, as outlined in the case studies below, both demonstrate pilot programs which combine aesthetics and practicality to harness wind power. The cycleway outlined in the case study below demonstrates an opportunity to sustainably light cycle ways or other public spaces within the Kensington and Kingsford town centres without the need for external lighting and the associated energy consumption. The small-scale aesthetically pleasing sustainability initiatives can be designed to fulfil artistic requirements as well as providing a renewable energy source within the Kensington and Kingsford town centres.

Case study: Wind Trees

In December 2015, two “wind trees” were installed in a plaza in Paris, where they operate silently to capture wind and generate up to 2,400 kilowatts of energy annually. Developed by a French company, New Wind, the “trees” have plastic green “leaves” that soundlessly harness the wind³⁰.

New Wind estimates this would meet half of the average French household’s annual energy needs, run a small, low-consumption office for 12 months, or charge an electric car for 10,000 miles each year.



Figure 99: Wind turbines which have taken inspiration from nature

Source: qz.com

⁵⁸ Ibid

⁵⁹ Quartz 2016 (<http://qz.com/763715/wind-trees-mini-turbines-that-can-power-homes/>)

Case Study: Urban Wind Turbines

In 2014, three wind turbines were installed above a new apartment building in Queens, New York by UGE. The turbines capture 3,500 kilowatts of energy annually, which offsets the common areas in the building, including the lobby, hallways, gym, and roof lounge.



Figures 100: Urban Wind Turbines

Source: www.ugei.com

Case Study: Luminescent bicycle lane

Created by designer Daan Roosegaarde and Heijmans Infrastructure, the Van Gogh-Roosegaarde bicycle path is made of thousands small stones inspired by 'Starry Night'. The path combines innovation with cultural heritage in the town of Nuenen Netherlands, the place where Van Gogh lived in 1883. The stones, called 'luminophores' charge at day-time, and glow at night for eight hours, sustainably lighting the bicycle path.



Figure 101: Luminescent bicycle lane

Source: www.studioroosegaarde.net

Strategies	Actions
1. Integrate more vegetation into the town centres to slow down and filter pollutants from stormwater, improve localised flooding impacts and protect the waterways by implementing water sensitive urban design	<ul style="list-style-type: none"> a) Prepare a strategy for water sensitive urban design throughout the town centres in conjunction with a landscape concept plan b) Implement two pilot water sensitive urban design projects in the town centres
2. Reduce mains water demand by recycled or alternative non-potable water generated from local water resources within the public domain of Kensington and Kingsford town centres	<ul style="list-style-type: none"> a) Investigate a recycled water system for maintenance of landscaping in public spaces where possible b) Where possible, in the landscape concept plan, choose low water species for landscaping
3. Incorporate renewable energy and energy-efficient technologies in the public realm to further cultivate the image of the town centres as best practice environmentally sustainable precinct	<ul style="list-style-type: none"> a) Implement energy-efficient LED lighting on Anzac Parade and throughout the town centres b) Investigate commissioning public art which can also demonstrate environmental sustainability innovation
4. Investigate and if feasible, implement an automated underground waste collection system to reduce the visual clutter caused by garbage bins on streets and reduce litter within the town centres	<ul style="list-style-type: none"> a) Undertake a concept design and feasibility study for an automated underground waste collection system within the town centres b) Amend the DCP to require developments within the town centres to be capable of connecting to an automated underground waste collection system c) Allocate funding for the relevant studies and implementation of an automated underground waste collection system

8.6 Sustainability and Transport

The location, layout and density of development cities should maximise accessibility and support sustainable transport modes including walking, cycling and access to public transport (p.30, Draft N Architecture and Urban Design Policy 2016). There are many opportunities to reduce congestion and carbon emissions in Kensington and Kingsford by promoting active transport.

Reducing private car usage will be an important measure in containing congestion in Kensington and Kingsford as the population grows. Research has indicated that neighbourhoods with higher population densities, good land use mix, high connectivity and good provision of walking and cycling facilities are more likely to encourage walking and cycling transportation⁶⁰.

Residents within Kensington and Kingsford are high users of public transport and adopt walking and cycling activities⁶¹. Given the proximity to a range of business, recreation and employment destinations, there are opportunities to leverage the accessibility and limit undesirable economic, social and environmental costs of motor vehicle use.

Key stats 2012/13



Figure 102: Travel trends of Sydney residents and workers

Source: Transport for NSW

8.6.1 Trends in car usage

Recent data on travel behaviour indicates that Sydney residents are relying less on private motor vehicles to commute to work than in the past. In 2012/13, over four and a half million Sydney residents each spent an average of 81 minutes travelling every weekday⁶² (Figure 1). Over the decade to 2012/13, population growth increased by 13% while weekday trips grew by only 7% and weekend trips grew by only 10%, showing total trips grew at a slower rate than population⁶³.

Over the same decade to 2012/13, total Vehicle Kilometres Travelled (VKT), which is the total distance travelled by all vehicles, grew by 10.2% while per capita VKT decreased 2.1% in the same period⁶⁴. The reduction in per-capita vehicle kilometres travelled can be linked to the growth in public transport usage, which increased 21% (350,000 trips) in the same time period⁶⁵. Such trends are positive for the long term sustainable growth of Sydney and have implications for transport planning.

⁶⁰ Healthy Places and Spaces, A National guide to designing places for healthy living 2009

⁶¹ Transport for NSW (2014) 2012/13 Key Transport Indicators for Sydney

⁶² Ibid

⁶³ Ibid

⁶⁴ Ibid

⁶⁵ Ibid

8.6.2 Kingsford and Kensington

As shown in Figures 103 and 104, Kingsford and Kensington have lower car ownership levels than both the Randwick LGA area and Greater Sydney. In Kingsford there is on average 0.97 cars per household, with 26% of households having no car in 2011⁶⁶. Kensington has on average 1.04 cars per household and 19% of households have no car⁶⁷. Based on 2011 census data, on average 38% of high density unit dwellers don't own a car in Kingsford, compared to 31% in Kensington and 25.7% overall for the Randwick LGA⁶⁸.

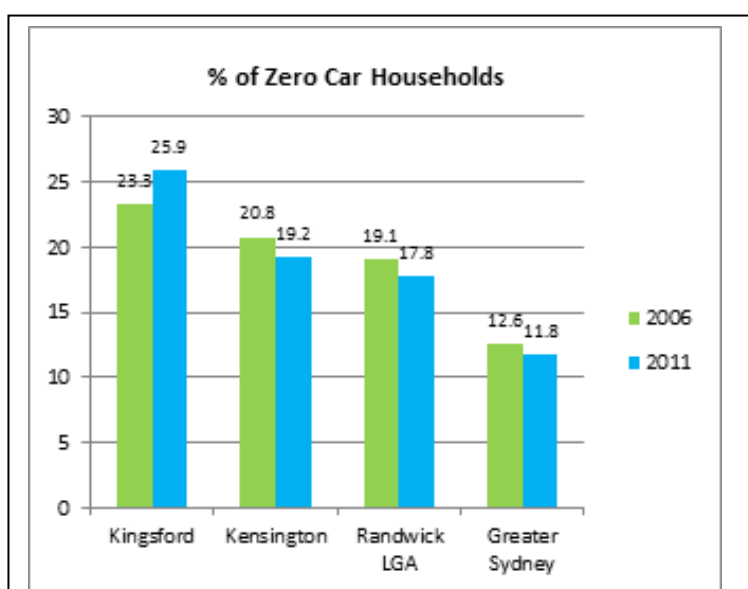


Figure 103: Percentage of households which don't own a car, 2006 and 2011 compared
Data source: Australian Bureau of Statistics 2016, 2006 and 2011 Census

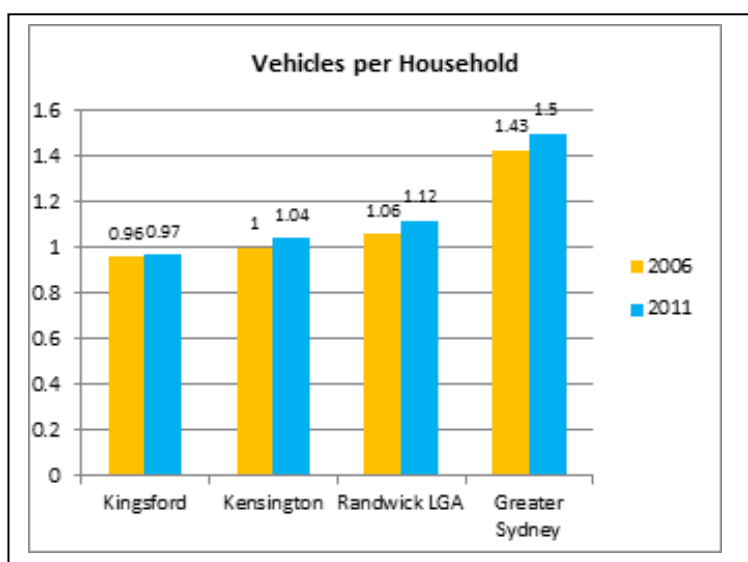


Figure 104: Number of vehicles per household, 2006 and 2011 compared
Data source: Australian Bureau of Statistics 2016, 2006 and 2011 Census

⁶⁶ Australian Bureau of Statistics, 2006 Census and 2011 Census

⁶⁷ Transport for NSW (2014) 2012/13 Key Transport Indicators for Sydney

⁶⁸ Ibid

The low levels of car ownership in Kensington and particularly Kingsford, is likely linked to the high proportion of students and young people. Statistics show that in NSW, along with many other cities in Australia and around the world, people in their 20s and early 30s are less likely to have a drivers licence than people in their mid-30s to late-60s⁶⁹. In addition, younger age groups (below 40 years) are increasingly walking and using public transport, while the over 60 age groups are relying more on car use⁷⁰.

Both Kensington and Kingsford have a decreasing proportion of residents driving to work, which is particularly noteworthy given the greater Sydney trend of an increasing proportion of people driving to work (Figure 4). The trend in Kensington and Kingsford is accompanied by an increasing percentage of residents using buses, walking or cycling to work which has increased for both these town centres between 2006 and 2011 by 2.9% and 4.8% respectively. This correlates with the low vehicle ownership rates in Kensington and Kingsford.

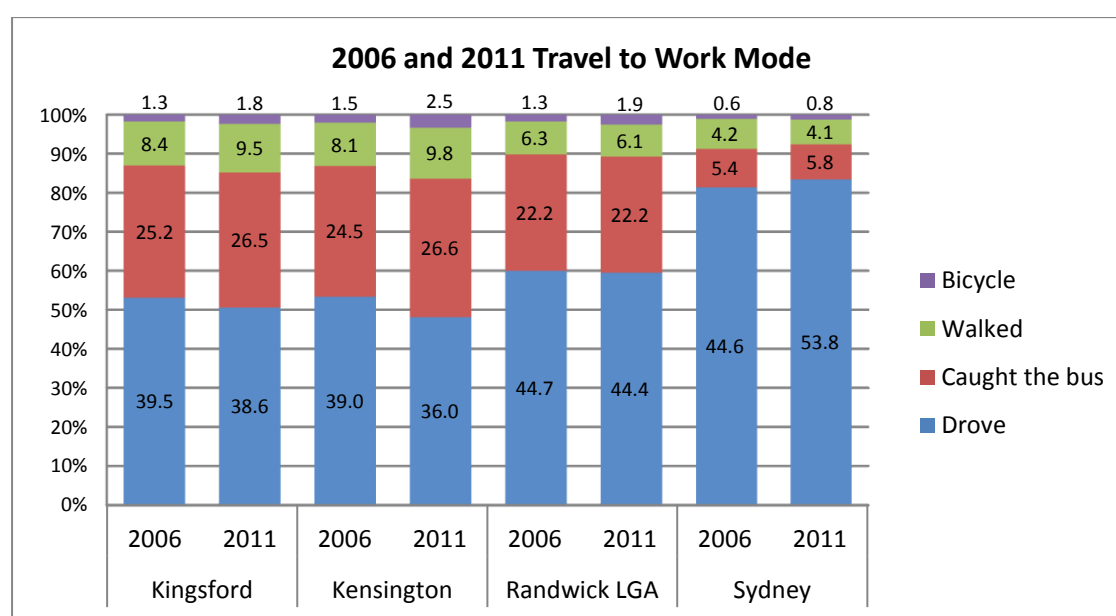


Figure 105: Mode of commute to work, comparison between Kingsford, Kensington, the Randwick LGA and the wider Sydney average

Data source: Australian Bureau of Statistics 2016, 2006 and 2011 Census

8.6.3 Transport technologies and innovations

Electric Vehicles

While currently a small portion of the Australian car sales market, electric vehicles hold significant potential to reduce greenhouse gas emissions. The transport sector accounted for 17% of Australia's emissions in 2013-14, with Passenger and Light Commercial vehicles contributing 62% of the sector's total emissions⁷¹. When linked to a cleaner supply of electricity, electric vehicles can provide emission reductions and a broader range of economic and air quality benefits⁷².

⁶⁹ Charting Transport (2015) Trends in driver's license ownership in Australia

⁷⁰ Transport for NSW (2014) 2012/13 Key Transport Indicators for Sydney

⁷¹ Climate Works Australia (2016) The Path Forward for Electric Vehicles in Australia

⁷² Ibid

Electric vehicle sales in Australia in 2014 totalled 94822 representing less than 0.09% of the Australian market⁷³. To identify obstacles to electric vehicle ownership, Randwick, Woollahra and Waverley Councils conducted an online survey of 406 residents and commuters of Sydney's east in early 2016.

As evidenced in Figure 5, this survey revealed that a majority of survey participants would consider buying an electric vehicle.

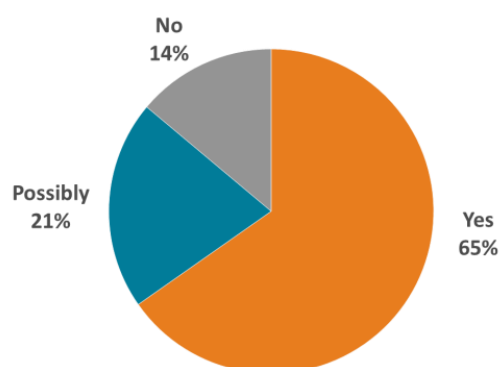


Figure 106: Survey response to Would you consider buying an electric vehicle?

Source: Randwick City, Waverley and Woollahra Councils electric vehicle survey 2016

Electric vehicle charging Infrastructure

In response to the survey, the 3 Councils are now investigating appropriate sites within Council carparks and public spaces to install public charging stations. Given close proximity of the K2K precinct to the light rail stations, locations within the town centres and on the UNSW campus will be investigated for public charging stations for EV vehicles.



Figure 107: Public carpark electric vehicle charging station, Washington

Source: www.greenlight-solar.com



Figure 108: Footpath electric vehicle charging station in Paris

Source: www.france24.com

In the Council survey, lack of charging station availability was raised as the highest barrier in the survey to electric vehicle uptake as shown in Figures 8 and 9. Electric Vehicle charging infrastructure includes basic electrical provisioning, commuter charging

⁷³ Ibid

facilities in workplaces, and publicly-accessible charging facilities of varying charging speeds and capacities. Given the relatively higher cost of retrofitting electric vehicle charging infrastructure, it is more economical to incorporate electric vehicle charging through the design and construction stage, and this will be included in the DCP.

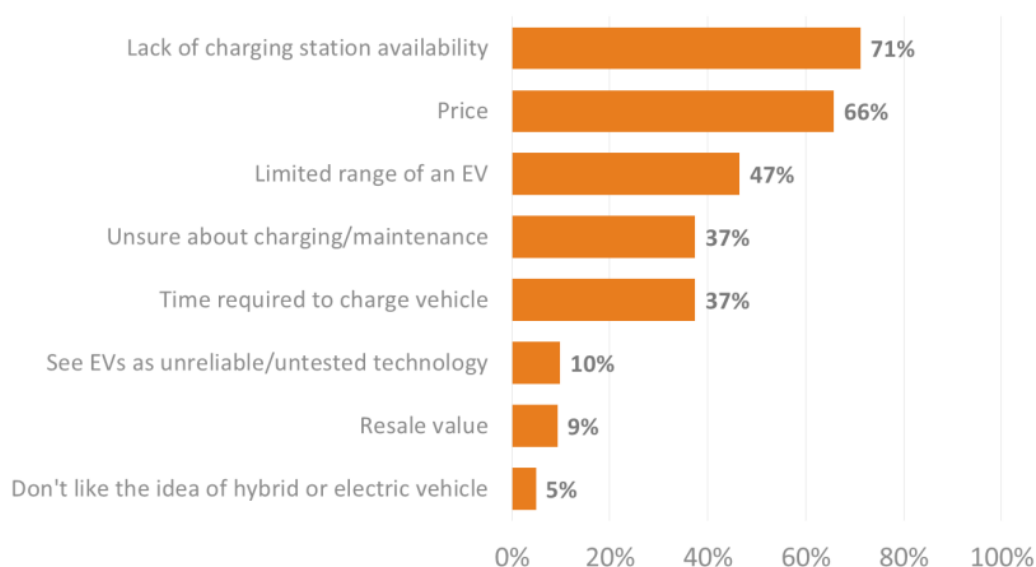


Figure 109: Barriers to EV uptake

Source: Randwick City, Waverley and Woollahra Councils electric vehicle survey 2016

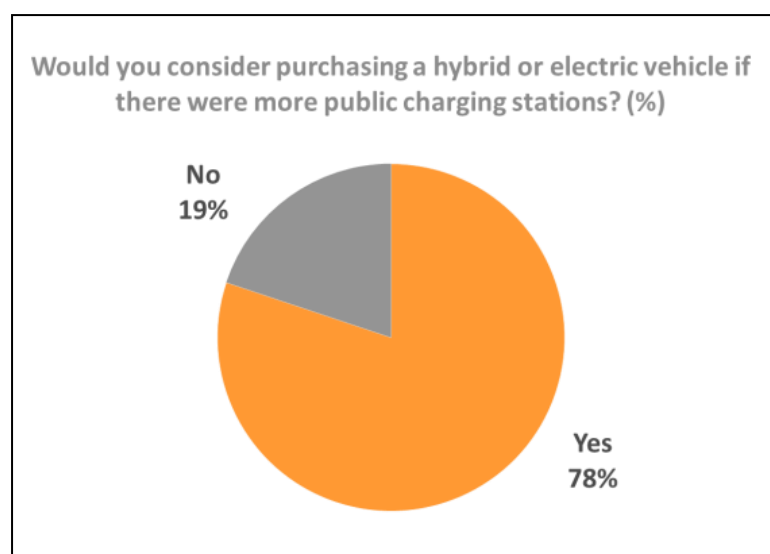


Figure 110: Survey question: Would charging infrastructure make a difference?

Source: Randwick City, Waverley and Woollahra Councils electric vehicle survey 2016

Ride sourcing

Ride sourcing, where an app is used to connect a driver with a paying customer, such as Uber, is a rapidly growing service⁷⁴. It has been suggested that these on-demand services will act as a further disincentive to private car ownership for younger generations. Recent market research found that 22% of people who have used Uber in

⁷⁴ Institute for Sensible Transport (2016) Emerging transport technologies: Assessing the impact and implications for the City of Melbourne

the last six months say Uber's availability meant they delayed their purchase of a new car⁷⁵.

Shared ride sourcing services is an emerging development within the United States, which gives an indication of a future opportunity for Sydney. UberPool and Lyftline have both been running in San Francisco since 2014⁷⁶ where users of each service can indicate they are willing to share their ride. This offers a more economical option which may also reduce greenhouse gas emissions by servicing multiple trips at one time.

While there are unanswered questions regarding the impact of ride-sourcing services on taxi and public transport use, the prevalence of these services is an important tool to limit reliance on private vehicles.

8.7 CBD and South East Light Rail

8.7.1 CBD and South East Light Rail Capacity

The CBD and South East Light Rail (CSELR) through the Kensington and Kingsford town centres will provide a reliable and fast public transport infrastructure aimed to change people's travel behaviour. As identified in Figure 10 below, there will be two stops in each town centre, including a terminus and bus interchange south of the nine ways intersection.

⁷⁵ Ibid

⁷⁶ Ibid

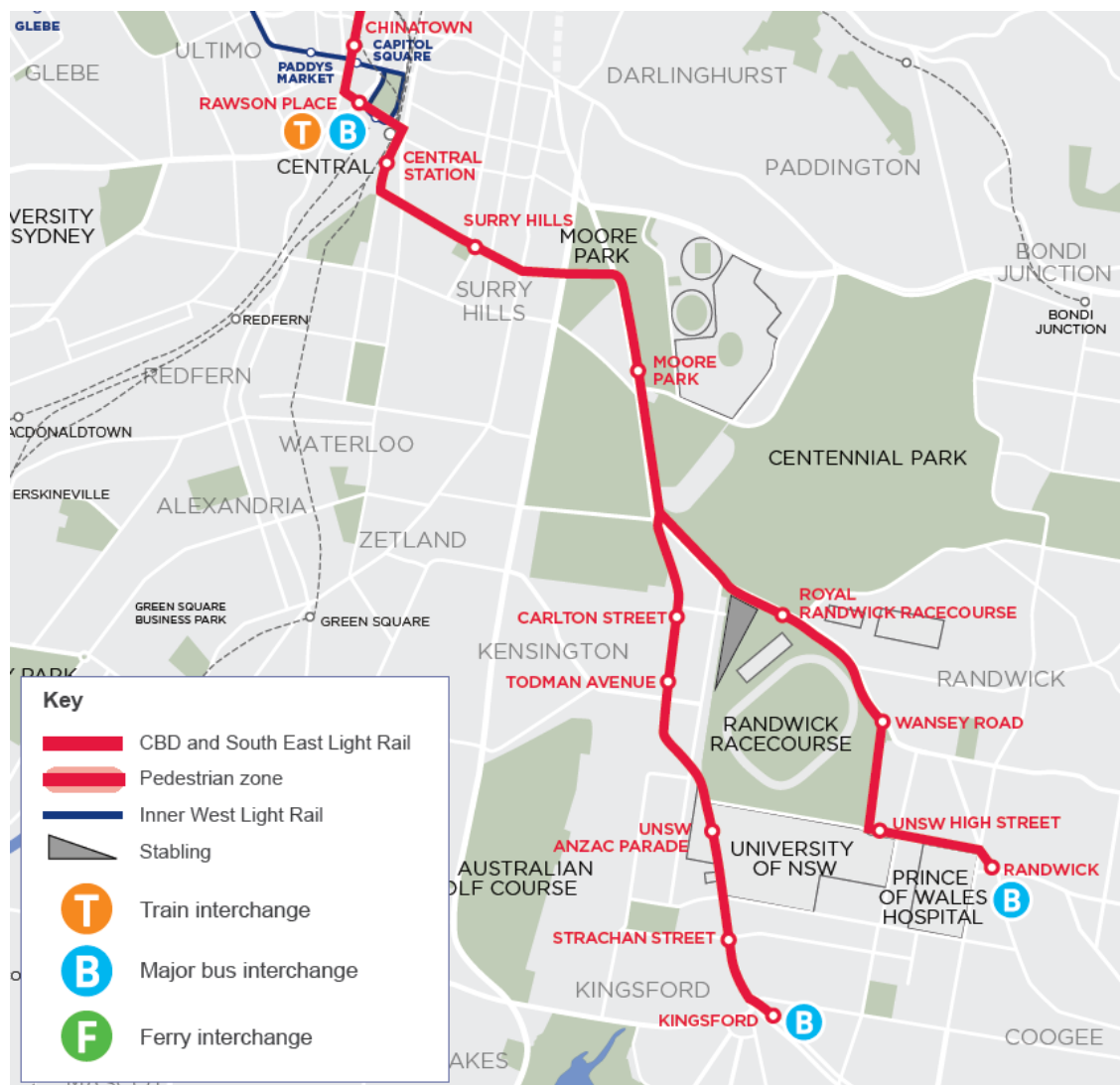


Figure 111: CBD and South East Light Rail route

Source: Transport for NSW

At opening, the Kensington/Kingsford branch will have a capacity of approximately 3,500 passengers per hour in the AM peak, based on a proposed service frequency of every 8 minutes, and vehicle capacity of 466 passengers. The SCEL R is designed to have a maximum frequency of every 6.5 minutes on the Kensington/Kingsford branch, which provides for a maximum capacity of 4,300 passengers per hour in each direction.

8.7.2 Future light rail capacity

A study by EMM consulting analysed the CSEL R system capacity, light rail stop capacity and predicted population growth to identify appropriate levels of future public transport commuter services for the Anzac Parade corridor.

Analysis for the year 2020, which is the proposed first full year of operation of the Light Rail system in the corridor, assumes the future Light Rail system is operating at its proposed initial frequency for the corridor which is one tram every 8 minutes in each direction. This provides an interim peak hour directional capacity for the Light Rail system of 3,495 passengers per hour based on the stated design capacity of 466 persons per tram.

The longer term analysis for the year 2031, which takes into consideration population in the corridor, assumes the future Light Rail system is operating at its proposed maximum frequency for the Anzac Parade corridor which is one tram every 6.5 minutes in each direction. This provides a future maximum peak hour directional capacity for the Light Rail system of 4,300 passengers per hour based on the stated design capacity of 466 persons per tram.

The combined future transport capacity for the Anzac parade corridor public transport system linking to the CBD will be the combination of the SCELRL capacity and the proportion of the existing bus services (primarily express buses) which are to be retained.

8.7.3 Current level of public transport service

Currently, in the one hour morning peak period, Anzac Parade between Kingsford and Kensington carries a total of 81 city-bound buses per hour, of which thirty were denoted as X (express) or L (limited stop) services. According to the EMM model calculations, in 2011, which is the latest available data, the corridor bus services had a morning peak hour crowding level of less than 71.4%.

The Randwick LGA has historically had a relatively high proportion of public transport journey to work travel, for an area without direct access to the heavy rail network. The Anzac Parade corridor has as high if not higher public transport proportional usage (between 30% and 40%) than many areas of Sydney which do have direct access to heavy rail services.

Maintaining reasonable levels of public transport crowding at peak is essential to ensure public transport is maintained as an attractive choice of mode for commuters and reducing the traffic congestion impacts of private car ownership. It is recommended that the average one hour morning peak passenger crowding level should be maintained at an upper limit of 80%, to ensure existing levels of passenger comfort are maintained.

8.7.3 Future public transport corridor capacity requirements

Table 1 below outlines the future morning peak hour travel demand to the Sydney CBD.

Year of future system operations analysis	Future one hour peak average crowding level	Required corridor hourly capacity	Light Rail system capacity	Residual bus system capacity	Number of buses per hour
2020	80%	5,056	3,495	1,561	26
2031	80%	6,426	4,300	2,126	35

Table 10: Future bus system capacity requirements

Source: EMM Consulting, 2016

In 2020, with the future Randwick LGA dwelling growth expectation over the four year period from 2016 to 2020, approximately 26 of the existing 80 morning peak hour peak direction bus services will need to be maintained to provide an acceptable level of service.

In 2031, with the future Randwick LGA dwelling growth expectation of 15,150 dwellings to be accommodated over a fifteen year period to 2031, just under half of the existing morning peak hour peak direction bus services (35 hourly bus services compared to 81 currently) will need to be maintained.

If adequate bus services are not provided with the future Light Rail services, the future peak hour passenger crowding levels on the public transport system will significantly worsen in comparison to the current levels. This will potentially cause a decline in the future use of public transport by new residents moving to the area, which would be contrary to the objectives of the improved public transport system and the objectives of this Strategy. Inadequate provision of public transport will also limit the capacity of the area to accommodate population and employment growth.

The analysis concluded the currently proposed dwelling targets for the LGA and the K2K corridor are achievable subject to the provision that significant proportions of the existing corridor bus based public transport system are retained for the existing corridor average morning peak hour passenger crowding levels to be generally maintained.

8.7.4 Light rail stop access and crowding

For the Kingsford Terminus, Todman Avenue and Carlton Street, the predicted passenger crowding levels for the proposed platform areas at the two stations and the signalised pedestrian crossing areas are assessed. The assessment was done according to the level of service capacity standards for 'movement' and 'waiting' areas which were defined by Fruin (Table 11).

Level of Service	Speed for walking movement	Crowd Density for Movement (walking areas) (metres squared per person)	Crowd Density for Standing (waiting areas where passengers are generally not moving) (metres squared per person)
A = Free Flowing	over 1.3 m/sec	over 3.25	over 1.21
B = Minor Conflicts	1.27 to 1.3 m/sec	2.32 to 3.25	0.93 to 1.21
C = Some Restriction to flow	1.18 to 1.27 m/sec	1.39 to 2.32	0.65 to 0.93
D = Restricted Movement for most	1.0 to 1.18 m/sec	0.93 to 1.39	0.28 to 0.65
E = Restricted Movement for all	0.5 to 1.0 m/sec	0.46 to 0.93	0.19 to 0.28
F = Shuffling Movement	Less than 0.5 m/sec	Less than 0.46	Less than 0.19

Table 11: Crowd Density for Levels of Service (Fruin)
Source Fruin J. J. Pedestrian Planning and Design, 1973.

For the Randwick Anzac Parade corridor Light Rail system, the maximum recommended level of crowding for the design of the station platforms and pedestrian crossing areas is Level of Service C. The analysis in the EMM report concluded the future proposed Light Rail station design and passenger capacity for pedestrian crossings at stations will be adequate to meet the proposed demand.

8.8 Future Mass Transit

The intention of the CSELR was to reduce the number of buses entering the Sydney CBD and thus congestion during peak hour. As detailed above, by 2031, up to 40 buses travelling northbound during the morning peak hour will be required to supplement the CSELR capacity. That is almost half the existing 80 buses currently travelling along the Anzac Parade corridor during the morning peak hour.

Analysis by EMM states predicted increased bus congestion on Elizabeth Street in the City will make it desirable to limit the future number of peak hour bus services from Randwick LGA. Ultimately, mass transit is recommended to increase the public transport access capacity for the Randwick LGA.

The Draft Central District Plan 2016 included an action to investigate into a mass transit corridor between the Sydney CMD and Randwick LGA. Mass transit, such as a metro line, could stop at Kingsford, and then continue further south towards Maroubra, Little Bay, and all the way to La Perouse. This would alleviate localised congestion and congestion in the CBD arising from a significant number of buses operating in conjunction with the CSELR.

There is potential for access to a mass transit stop at the proposed Town Square plaza in Kingsford, which would further activate the Kingsford Junction Precinct and provide convenient interchange between the metro line, the light rail, and local buses.

8.9 Congestion and parking impacts

A high-level parking and traffic assessment was conducted for Council by ARUP to analyse the impact of the proposed changes to planning controls, road closures and footpath widenings within the Kensington and Kingsford town centres on traffic movements and capacity. The assessment was based on the projected quantity of residents and employees, including their predicted distribution across the town centres.

The traffic assessment determined the anticipated level of traffic should be able to be accommodated both from traffic capacity and environmental capacity viewpoints⁷⁷. This analysis is based on the modest increase in dwelling capacity and predicted increase in employment within the Kensington and Kingsford town centres and the typical traffic generation rates outlined by the RMS Guide to Traffic Generating Development. The existing mode of travel was adjusted for development in the Kensington and Kingsford corridor, recognising the transit oriented development with transfer of mode from both car and bus expected to light rail. The expectation is that residents moving into this highly accessible corridor and employees working in the mixed use developments will reduce their car mode to around 35%. This rate is consistent with RMS traffic generation rates.

Additional transport modelling will be undertaken to assess the impacts of all proposed public domain upgrades, including footpath extensions and plazas. The traffic modelling and on-street parking impacts will be taken into consideration in assessing whether all proposed public domain improvements are to proceed.

8.10 Encouraging Active Transport

The design of a place can influence a person's motivation and opportunity to use active transport such as walking or cycling. Places designed around private car use can limit a person's opportunities and desire to be physically active⁷⁸. Our sedentary, car-dependent lifestyles are significant contributing factors to the prevalence of preventable health issues and Building habitual active transport into daily routines has been identified as a means to increase physical activity⁷⁹.

8.10.1 Improved walking connectivity

Improved walking connectivity and people-friendly spaces, which improve access to public transport and walking and cycling opportunities can help to promote health. Part C Public Domain has outlined proposed improvements to pedestrian connectivity and the public domain which will make Kensington and Kingsford safer and easier places to walk to and around.

8.11 Bicycle infrastructure

8.11.1 Cycle way works

As determined by Randwick City Council's Works Committee in February 2015, the priority bicycle infrastructure for the LGA are cycle paths connecting to the light rail stops.

As shown in Figure 11, the following cycleway works are proposed for the Kensington and Kingsford areas over the next twelve months:

⁷⁷ ARUP (2016) Kensington and Kingsford Planning Strategy Traffic Assessment

⁷⁸ Healthy Places and Spaces, A National guide to designing places for healthy living 2009

⁷⁹ Giles-Corti, B et. al. 2012 Increasing density in Australia: maximising the health benefits and minimising harm

- Todman Ave and Lenthall Street
- Doncaster Ave, Day Ave and Houston Road
- Sturt Street.

8.11.2 Bicycle storage facility

As part of the construction of the light rail, there will be a bicycle storage rack at each light rail stop. At the Kingsford Terminus, there will be approximately secure storage cages with capacity for approximately 30 bicycles.

Investigation will be undertaken to assess demand for bicycle storage, to determine whether additional bicycle storage is required. If additional bicycle storage is required at the Kingsford terminus, an underground bicycle storage system, such as the one pictured at Figure 12, will be investigated. An underground bicycle storage system is advantageous due to its capacity for a large number of bicycles, while having a small above-ground footprint for the bicycle access booth. Funding will be allocated for investigations and construction of an additional bicycle storage facility, if required.

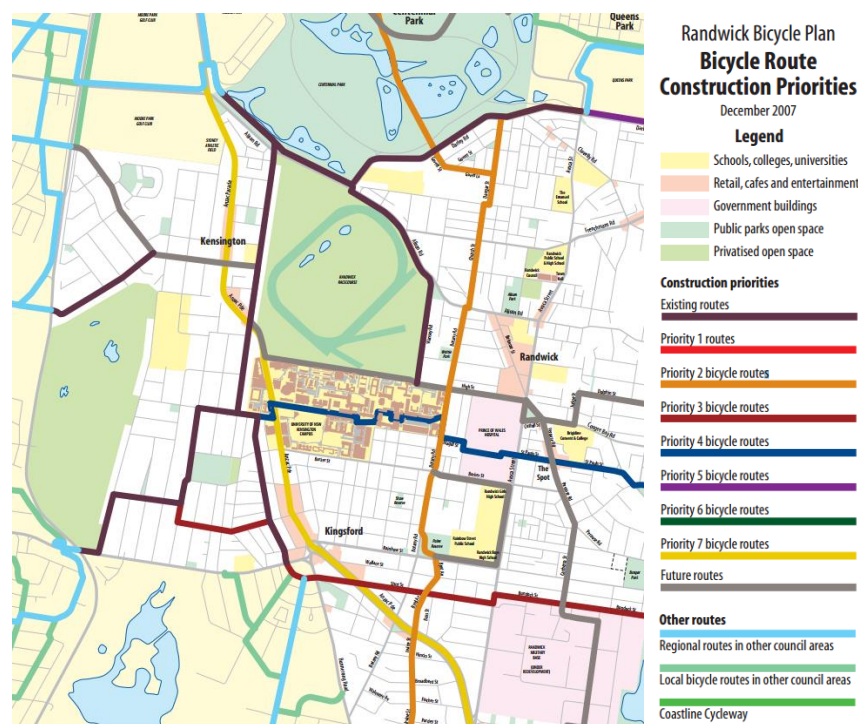


Figure 112: Proposed cycle way network
Source: Randwick City Council 2007



Figure 113: Underground bicycle storage system
Source: www.giken.com

8.11.3 Bike Share Scheme

City of Sydney, Inner west council and Randwick are currently working on a feasibility study for a bike share scheme in Sydney. This feasibility study is to consider and make recommendations on a range of operational issues. With the assumption that these recommendations will be largely fulfilled, the study will estimate potential usage for the system.

The study area includes City of Sydney, Leichhardt, Marrickville, Waverly and Randwick Local Government Areas, including land not controlled by the councils such as University of NSW, University of Sydney, University of Technology Sydney, Royal Prince Alfred Hospital, and the Bays Precinct. This feasibility study is expected to be completed by the end of 2016.

Funding will be allocated for bike share hubs within the Kensington and Kingsford town centres, to provide for the potential bike share scheme.



Figure 114: Bike share scheme in Melbourne
Source: www.melbournebikeshare.com.au



Figure 115: Bike share users in Philadelphia, USA
Source: betterbikeshare.org

8.12 Encouraging reduced private car ownership

The transport sector is one of the fastest growing sources of emissions within Australia, increasing by 47.5% since 1990, however it also represents the most financially attractive emission reduction opportunity across the Australian economy. The transport sector accounts for 17% or 92 MtCO₂e of Australia's emissions in 2013-14, with Passenger and Light Commercial vehicles contributing 62% of the sector's total emissions. These emissions have been projected to rise by a further 6% to 2020, to reach 97 MtCO₂e. (The Path Forward for Electric Vehicles in Australia Climate Works 2016)

8.12.1 Car Share

Many cities have recognised the opportunity to integrate car sharing with public transport, public bicycle schemes, walkable neighbourhoods and other transport sustainability programs. Car sharing is a key element which complements sustainable travel modes, and allows residents to reduce their reliance on private vehicles (NSW Apartment Design Guide). There are several car share companies operating in Sydney, including GoGet which operates within the Randwick LGA, as outlined in the case study below.

In order to support reduced private car ownership, car share will be supported within the town centres by the provision of on-street parking spaces and by requiring new developments to provide parking for car share. The DCP will be amended so all developments with 60 or more units will be required to provide a car space for every 60 units, and enter into an agreement with a car share company. Council will investigate the provision of additional on-street car share parking spaces within and adjoining the town centres.

Case Study: GoGet Car Share in Randwick LGA

The GoGet car share scheme has been operating in the Randwick LGA since 2007 and now has 3920 members (as of March this year). Within the Randwick LGA there are 80 pods, of which 3 are located off-street and 82 vehicles. Figure 4 identifies the existing GoGet pod locations within the Kingsford and Kensington area. With increased population levels within the town centres, there will be opportunity for additional car share parking spaces in the area.

Based on current membership levels, there are 1,641 fewer vehicles owned by Randwick residents and 787 fewer vehicles parked on Randwick streets. A member survey in August 2014 showed 68% of member Randwick LGA residents did not own a vehicle and 52% would purchase a vehicle if they could not use GoGet.

Drivers using GoGet car share or hybrid vehicles can also access specially designated parking bays at five locations across the City. Painted green, the parking spots are clearly visible at Council managed parking facilities at Coogee, Clovelly and Maroubra beaches, Maroubra Junction and Belmore Road, Randwick.

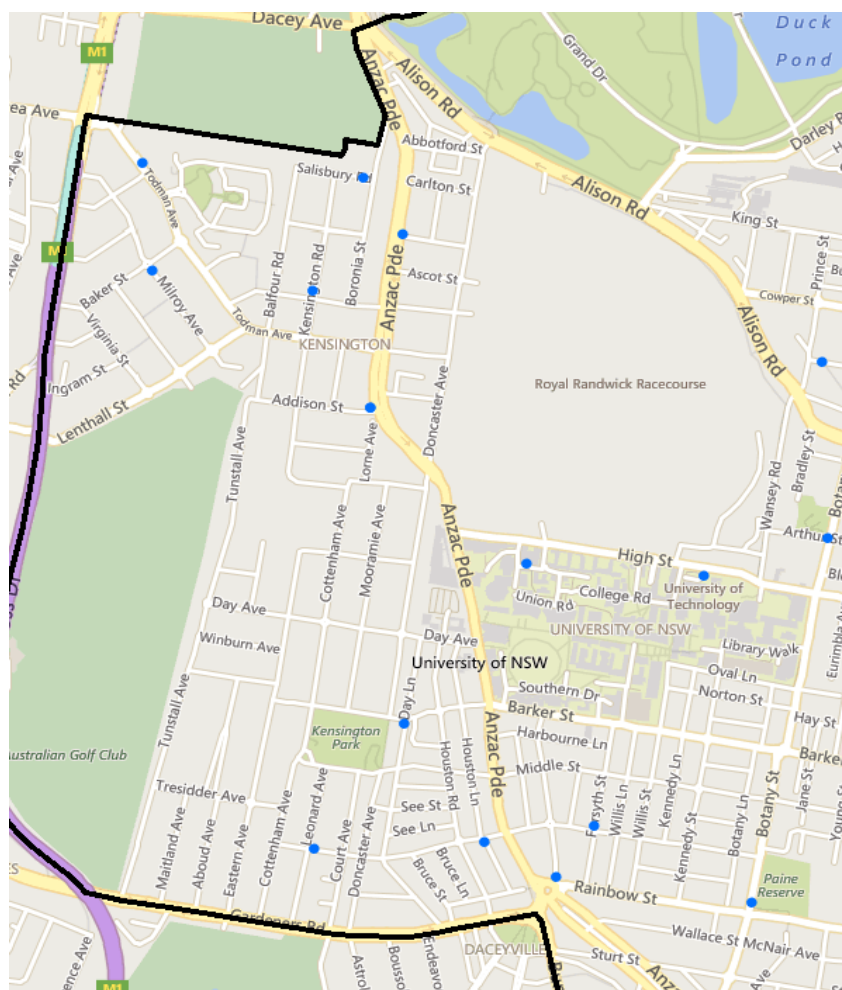


Figure 116: GoGet car locations around Kensington and Kingsford
Source: Randwick City Council 2016

8.12.2 Parking requirements

Parking requirements should be determined in relation to the availability, frequency and convenience of public transport or proximity to a centre in regional areas⁸⁰. Reduced parking requirements promote a reduction in car dependency and encourage walking, cycling and use of public transport (NSW Apartment Design Guide). The requirement to provide an appropriate number of parking spaces to accommodate users (and ensure there are no adverse on-street parking impacts) must be considered in the context of reducing traffic generation resulting from a higher quantum of on-site car parking⁸¹.

Provision of parking for alternative forms of transport such as car share vehicles, motorcycles and bicycles should also be provided for, as part of a strategy to reduce reliance of private car ownership (NSW Apartment Design Guide).

8.12.3 Existing controls

Currently, for developments within the Kensington and Kingsford town centres, the Randwick DCP has a parking rate for the required number of parking, bicycle and motorcycle spaces to be provided for both residential and commercial development. For the residential component of developments, as per the NSW Apartment Design Guide, the car parking rates of the RMS Guide to Traffic Generating Development apply, overriding Council's car parking rate.

8.12.4 Proposed controls

As detailed above, ARUP has conducted a traffic and transport analysis of Kensington and Kingsford town centres, and prepared recommendations for the provision of car, bicycle and motorcycle parking rates. ARUP's analysis considered public transport provision, availability and cost of parking nearby parking, mixed use and complementary nature of various land use components and peak traffic generation hours⁸².

A minimum and maximum rate applying to the Kensington and Kingsford town centres was deemed appropriate, where each development can respond with appropriate rates for its location, its size and its context with surrounding development⁸³. Increased bicycle and motorcycle or scooter parking rates were also recommended, to encourage their use and recognise their utility as a viable, energy efficient transport option.

⁸⁰ NSW Planning and Environment (2015) Apartment Design Guide

⁸¹ ARUP (2016) Kensington and Kingsford Planning Strategy Traffic Assessment

⁸² Ibid

⁸³ Ibid

The following car parking requirements are proposed:

Table 12: Parking Requirements - Vehicles

Kensington and Kingsford Town Centres - Car Parking Requirements		
Shop top housing / residential flat buildings		
	Minimum	Maximum
Studio	0.0 max	0 min
1-bed	0.4 max	0.6 min
2-bed	0.8 max	0.9 min
3-bed+	1.1 max	1.4 min
Visitor	0 min	0.2
Car Share	0 < 60 units 1 per 60 units thereafter	0 min
Service and Delivery	0 < 50 units 1 > 50 units	1 is recommended
Commercial		
Required rate		
Business Premises	1 per 125m ²	
Restaurants and Cafes	1 per 100m ²	
Take Away Food and Drink	1 per 100m ²	
Medical Centre	1 per 25m ²	
Car Share	Encouraged, but none required	
Service and Delivery	1 per 4,000m ² (comm) 1 per 400m ² (retail)	

The following bicycle and motorcycle/scooter rates are proposed:

Table 13: Parking Requirements – Bicycle and Motorcycles

Kensington and Kingsford Town Centres - Car Parking Requirements		
	Rates required	
	Bicycle	Motorcycle
Shop top housing / residential flat buildings		
Residents	1 per unit	1 per 12 car parking spaces
Visitor	0.1 per unit	
Commercial		
Business Premises	1 per 100m ²	1 per 12 car parking spaces
Restaurants and Cafes		
Take Away Food and Drink		
Medical Centre		

The reduced car parking requirements, increased parking for bicycles and motorcycles, combined with increased car share vehicles, improved connectivity and improved public transport will reduce reliance on private car ownership and help to mitigate congestion within the Kensington and Kingsford town centres.

Strategies	Actions
1. Advocate for mass transit to increase the public transport corridor capacity and provide for population growth	<ul style="list-style-type: none"> a) Advocate to the State Government for additional mass transit to Kingsford town centre and the more southern parts of the LGA b) In the absence of additional mass transit, advocate to the State Government for adequate bus services to maintain a maximum morning peak hour level of crowding of 80%
2. Encourage bicycle usage by planning for and delivering an improved cycle network and additional bicycle infrastructure	<ul style="list-style-type: none"> a) Continue to progress Council's cycle ways plan... b) Investigate a new off-road cycleway through the Randwick Racecourse (as per competition winner) c) Allocate funding to provide for bicycle share hubs within the town centres d) Allocate funding to construct an underground bicycle parking station at Kingsford Junction
3. Reduce barriers to electronic vehicle ownership	<ul style="list-style-type: none"> a) Investigate opportunities for electric vehicle charging spaces within public car parks b) Amend the DCP to encourage the installation of appropriate power supplies and electric vehicle charging points within new residential and commercial developments
4. Encourage use of car share by residents in an around the town centre	<ul style="list-style-type: none"> a) Investigate opportunities for additional on-street car share parking spaces b) Amend the DCP to require the provision of a car share parking spaces for developments with more than 60 dwellings
5. Reduce the car parking requirements and encourage alternative forms of transport to reduce local traffic congestion	<ul style="list-style-type: none"> a) Amend the DCP to reduce the car parking requirements to reflect the area's close proximity to the light rail which provides fast and reliable public transport b) Allow a minimum and maximum car parking requirement to allow developments to respond to market demand and proximity to the light rail c) Increase requirements for bicycle and motorcycle parking to provide for alternatives to private car ownership

9.0 Public Realm and Landscape

This section focuses on the public spaces, urban elements, and landscape qualities that define the public realm of the Kensington and Kingsford town centres. Strategies and actions are centred on physical interventions to improve the visual amenity, safety and comfort of the urban environment.

9.1 Overview

A high quality and attractive public realm is an integral component of an economically prosperous and socially vibrant town centre. The 'public realm' includes streets and laneways, footpaths, street verges, car parks and other urban spaces. It also includes urban elements such as street trees and landscaping, paving, lighting, street furniture and public art.

Council is committed to improving the public realm of the Kensington and Kingsford town centres to address existing deficiencies and to meet the needs of a changing environment and the growing population.

A high quality public realm will contribute to the economic value of the town centres by drawing in customers to local businesses and making them more attractive to visit. Well-designed streets and public spaces will also enhance the liveability of the town centres by humanising the urban environment and promoting life outside buildings, fostering social interaction and a sense of place.

The quality of the public realm will become even more paramount as the town centres evolve towards more urbanised living. Safe, green and pedestrian friendly streets and lanes and an integrated network of public spaces will contribute to a high level of amenity and quality of life for residents, workers and visitors.

9.1.1 CBD to South East Light Rail

A high quality public realm is of particular importance to the Kensington and Kingsford town centres with the roll out of the CBD to South East Light Rail network along Anzac Parade. The light rail infrastructure will be a catalyst for increased pedestrian movements within the town centres, focusing activity around the light rail stops and the new terminus at Kingsford town centre.

Key light rail infrastructure elements and changes to be introduced in the town centres include:

- Light rail stops on Anzac Parade, adjacent to Carlton Street and Todman Avenue in Kensington town centre, and Strachan Street in Kingsford town centre
- A major lightrail/bus terminus south of the nine-ways intersection in Kingsford town centre, which includes an above ground substation and bicycle parking to the south
- New poles and wires along Anzac Parade
- Kerb realignments along Anzac Parade
- Removal of a number street trees*
- Replacement of the nine ways intersection by a signalised intersection with a design to create new urban spaces and movement patterns; and
- Removal of most of the on-street parking on Anzac Parade, offset by parking reconfiguration in surrounding streets.

**to be offset with additional planting identified in the Lightrail Vegetation Offset Guide*

The new light rail infrastructure will have a major physical and visual impact on the existing urban fabric of the town centres, including the streets, public spaces, landscape and commercial areas. It also provides a unique opportunity to rethink the public environment of both town centres, to improve its attractiveness and functionality and to ensure a seamless integration with the new infrastructure.

The *Randwick Light Rail Urban Design Guidelines* (Randwick City Council 2014) and the *Urban Design and Landscape Plan Kingsford* (Transport NSW 2016) provide a number of principles, strategies and design concepts to integrate light rail infrastructure with the surrounding public domain, while providing for improved amenity and safety of pedestrians and transport users.

This Strategy builds upon the design approaches outlined in these documents, addressing the challenges and issues identified in the draft Issues Paper and identifying additional locations within both town centres that would benefit from public realm improvements.

9.2 Objectives

- To stimulate the economic and social vibrancy of the town centres through a high quality public realm
- To create attractive and welcoming streets and public spaces
- To facilitate the 'greening' of the town centres to improve visual and environmental amenity
- To improve pedestrian connectivity and safety within the public realm; and
- To support greater social use of public spaces and street life through high quality urban elements, public art and cultural activities.

Community Feedback

Community feedback shows that people value a well-designed public realm with inviting public spaces, trees and landscape treatments considered a high priority. Specifically the community told us:

- Provide more street trees along Anzac Parade to create a boulevard identity
- Provide more landscaping and greenery throughout the public domain
- Create more public/civic spaces for people to gather, meet and interact
- Have more outdoor public seating, lighting and public art
- Rejuvenate side streets with greenery and activities
- Create safe places for children and young people to play and interact
- Improve access to public places for people with disabilities
- Have outdoor spaces available for festivals and markets
- Consider drawcard events focusing on art, music and other creative activities to foster vibrancy.
- Unify street-level design; have awning levels and colours that complement each other and reduce visual clutter from business signage
- Modernise the appearance of shopfronts.

Existing Challenges

The draft Issues Paper provides a comprehensive analysis of the issues and challenges affecting the streetscape and public spaces within the Kensington and Kingsford Town Centres.

Key issues identified include:

- Need for meaningful gathering spaces to facilitate social interaction
- Limited street tree canopy and landscape treatments in public spaces
- Narrow, congested footpaths, particularly in Kingsford town centre which inconsistent paving materials and differences in cross fall levels
- High levels of visual clutter from excessive number of poles and a proliferation of signage (e.g. towards the southern end of Kingsford Town Centre along Anzac Parade)
- Limited pedestrian connectivity and permeability
- Rundown shopfronts with poor active street frontages (e.g. Gardeners Road in Kingsford town centre and along Anzac Parade in Kensington)
- Lack of continuous awnings
- Limited outdoor dining opportunities on Anzac Parade (largely due to narrow footpaths in Kingsford town centre which makes meeting the 2.5m RMS clearance limit difficult to achieve)
- Excessive signage in a number of locations

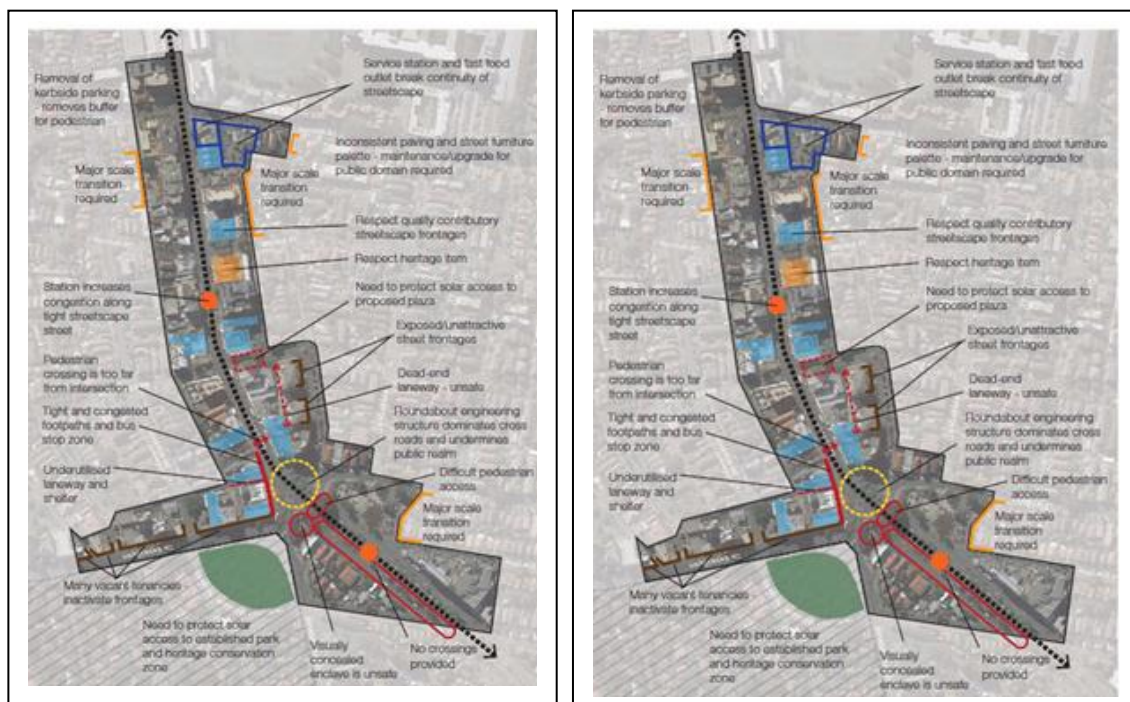


Figure 117: Urban Design and Public Domain Issues Affecting the Town Centres

Source: Conybeare Morrison 2016

9.3 Open Space Network

Open space provision is integral to the liveability of town centres, to support increased physical activity, facilitate social interaction and provide a sense of place in an urbanised environment.

Access to open space will be in greater demand as the population grows and urban living intensifies. The challenge is to ensure maximum benefits are derived from existing open space assets and to identify new public open space opportunities to compensate for reduced private open space and to support more intensive use resulting from densification.

A public open space audit undertaken as part of the district planning process⁸⁴, identifies that Randwick City has a high proportion of regional open space such as Centennial parklands, beaches and foreshore areas, which cater for a wider population catchment beyond the LGA's boundaries.

Conversely, there is a deficiency in smaller open spaces, such as local parks, particularly in the northern suburbs such as Kensington (based on a 400m walking catchment). The intensity of use of regional open space assets means that incidental open spaces catering to a smaller local catchment becomes more important.

⁸⁴ Central District Audit (2016) NSW Government Architects Office



Figure 118 Existing open space provision near Kensington and Kingsford town centres
Source: Conybeare Morrison 2016

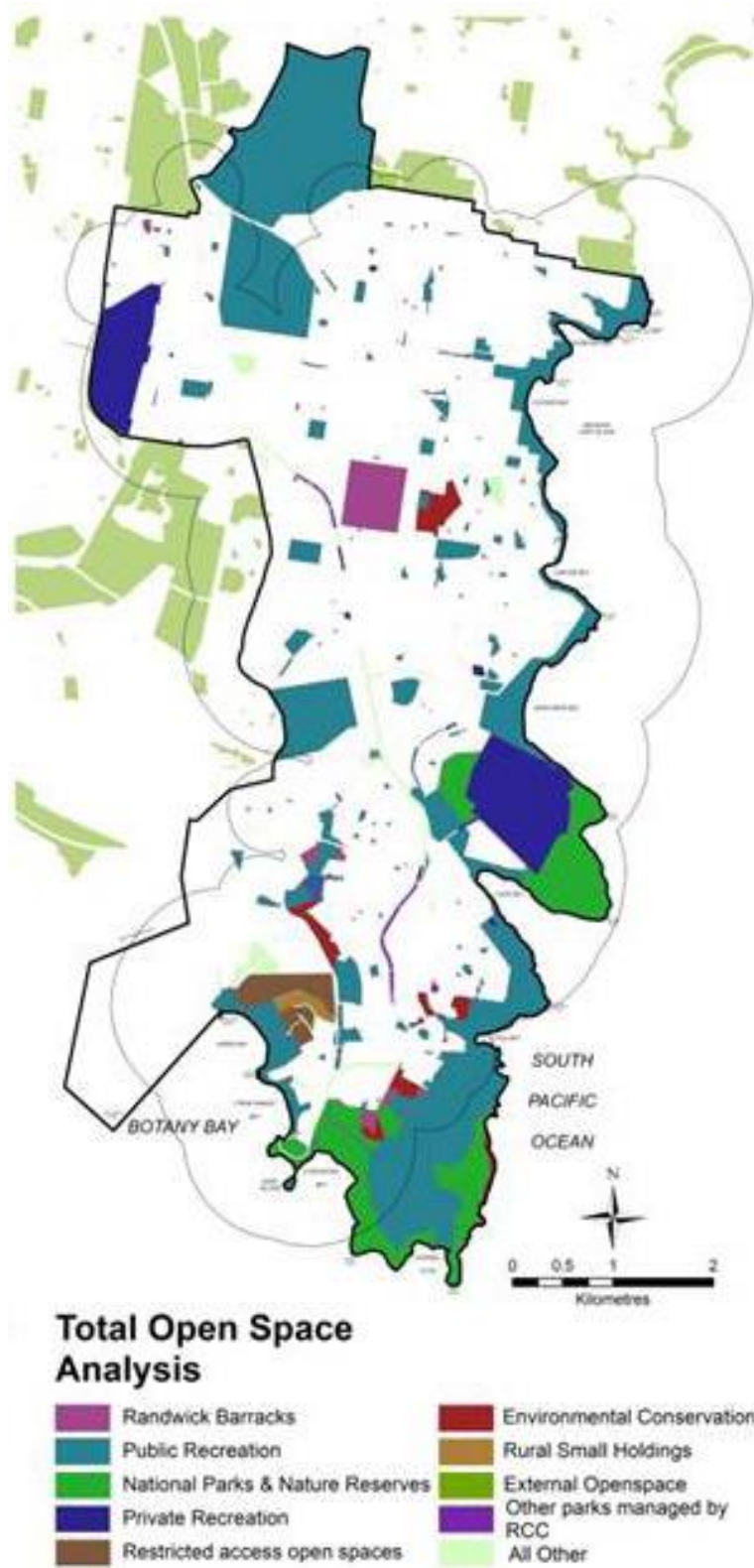


Figure 119 Existing open space provision across Randwick City
Source: Randwick City Council 2016

In the context of built up and urbanised inner city locations such as Kensington and Kingsford town centres, opportunities to increase the quantum of public open space is constrained by existing private ownership patterns, and the high costs and lengthy timeframes associated with land acquisition.

Notwithstanding these challenges, the open space needs of the community can be addressed by increasing the diversity, quality and accessibility of what already exists.

For instance, there are opportunities to incrementally increase the amount of open space within the town centre boundaries by converting existing redundant road reserves into informal open spaces, and by creating plazas with landscaping and feature trees in strategic locations.

There is also opportunity to improve the quality, capacity and usability of existing open space assets which will support increased and diversified use by a broader demography. To this end, a number of upgrade/embellishment works have been identified in the *Plan of Management for Kensington Park (2016)* which will support increased intensity of use by town centre residents/workers in the future.

There is also scope to look beyond the town centres and improve access to existing local parks via the establishment of high quality green linear links along connector streets. Open space assets to where green connections could be established to include Kokoda and Kensington Parks.

A potential open space asset that is presently underutilised is a portion of land on the south-western corner of Randwick Racecourse which features a grassed area and large established canopy trees (of which a number are listed on Council's Significant Tree Register). The site is classified as crown land and zoned RE1 Public Recreation under the RLEP 2012, however is presently fenced off and inaccessible to the public.

Given its strategic location between the two town centres, adjacent to the University and in proximity to the light rail, the site has the potential to provide a significant open space resource to the community through improved access and innovative landscape design. It is worth noting that this portion of land has been identified as a potential 'urban forest' in the K2K Competition winning entry. Any such investigations may consider the provision of additional built form on the corner of High Street and Anzac Parade.

Future investigations could also consider the potential to expand Kokoda Memorial Park in Kensington to increase its footprint and capacity. Similarly to the racecourse site, this would significantly add to the amount of public open space in the vicinity of the town centre.

The investigation of public open space opportunities at the Racecourse and Kokoda Park have been incorporated into the K2K Structure Plan which identifies future opportunities outside the town centre boundaries to achieve the economic, social and environmental objectives for the study area (see Part E).

The following strategies aim to increase the quantity of open space within and around the town centres, and establish a green open space network by linking the town centres to public open space assets in surrounding residential areas. Strategies addressing the provision of urban spaces and plazas are addressed subsequently in this section.

Strategies	Actions
1) Increase the amount of open space within and around the town centres.	<p>a) Advocate for new public open space to be provided on the south-western corner of the Randwick Racecourse site (as indicated on the K2K Structure Plan). This would include opening up the frontage to Anzac Parade, provision of recreational facilities, establishing public access with possible green links to Doncaster Avenue and Kensington town centre.</p> <p>b) Investigate future opportunities to expand the footprint of Kokoda Park eastwards and to increase its capacity (as indicated on the K2K Structure Plan). This may require a feasibility study to identify land acquisition options.</p> <p>c) Identify opportunities to convert redundant road space and other underutilised spaces to informal open space (e.g. large road reserve near the corner of Rainbow Street and Anzac Parade near the nine ways intersection, Kingsford town centre).</p>
2) Establish an integrated open space network connecting the town centres with local parks and open spaces.	<p>a) Establish a green grid through avenue tree planting and landscaping to create connections to the following existing public open spaces:</p> <ul style="list-style-type: none"> - Barker Street and Strachan Street to Kensington Park - Barker Street and High Street to UNSW and Randwick Racecourse - Goodwood Street and Ascot Street to Kokoda Park.



Figure 121: Greening connector Streets.
Source: K2K Competition Entry – Aspect 2016



Figure 122:: Proposed urban forest,
Randwick Racecourse
Source: Randwick Council 2016



Figure 120: Avenue planting, Baptist Street Redfern
Source: City of Sydney Urban Forest Strategy 2013

9.4 Landscape Character

Kensington and Kingsford town centres will greatly benefit from a cohesive street tree and landscape network to help create a visually appealing public domain and foster a sense of place and identity.

The greening of the town centres through additional trees and landscaping will contribute to the urban canopy, making the streets more pleasant for pedestrians. It will also enhance environmental performance in terms of thermal comfort, microclimate and storm water infiltration.

The light rail will result in additional street trees being planted along Anzac Parade as identified in the *Light Rail Vegetation Offset Guide*. Furthermore, the *Urban Design Landscape Plan Kingsford* identifies a number of locations across both town centres for new infill trees and planting. Key locations for new planting include along both sides of Anzac Parade, on road verges and medians, as well as islands adjacent to light rail stops and the light rail terminus in Kingsford town centre.

Building up on these initiatives, this Strategy identifies additional opportunities for new infill street trees and landscaping to further enhance the town centres' environmental quality. Strategies focus on transforming Anzac Parade into a grand green boulevard and softening the 'hard edge' of the town centres to provide for a pleasant pedestrian experience.

Tree selection and species will reinforce the proposed street hierarchy and desired street character of the town centres. The *Randwick Urban Design Guidelines 2014* outlines recommended species for the light rail corridor and should be read in conjunction with this document.

Strategies	Actions
1. Establish a strong green 'boulevard' landscape character along Anzac Parade.	<p>a) Undertake a street tree planting program in accordance with the <i>Light Rail Vegetation Offset Guide</i> and <i>Urban Design and Landscape Plan Kingsford</i>, focusing on a hierarchy of scale along Anzac Parade. Tree selection will establish Anzac Parade as a grand, green boulevard linking the Kensington and Kingsford town centres and creating a sense of place and identity.</p> <p>b) Review the <i>Randwick Street Tree Masterplan</i> to ensure suitable species to cater for light rail infrastructure.</p>
2. Maximise the 'greening' of the public domain by applying a coordinated street tree and landscaping treatment.	<p>a) Apply the recommended suite of landscape treatments in accordance with the <i>Light Rail and Urban Design Plan</i>.</p> <p>b) Provide supplementary infill trees and landscaping throughout each town centre incorporating species that are appropriate to the site and location:</p> <ul style="list-style-type: none"> • Introduce canopy trees and/or landscaping on redundant road spaces, including large road reserve located at the corner of Rainbow Street and Anzac Parade near the nine ways intersection, Kingsford town centre. • Undertake infill street tree planting on east west connector streets to establish green corridors to surrounding residential areas. • Provide landscaping on available verges and proposed footpath blisters/ footpath widening locations to define smaller localised spaces wherever possible. • Introduce feature trees and landscaping to provide seasonal colour and variation in identified plazas, micro plazas and 'pause spots' including: <ul style="list-style-type: none"> - Meeks Street Plaza - Duke Street Plaza (new proposed) - Bowral Street Plaza (new proposed) - Addison Street triangle Plaza (new proposed) - Todman Avenue Plaza (new proposed) • Establish a 'planting edge' (e.g. low hedge) in high movement zones to create a buffer between pedestrians and traffic. Key locations include: <ul style="list-style-type: none"> - Anzac Parade (both town centres)

	<ul style="list-style-type: none"> - Gardeners Road, Kingsford town centre <p><i>Planting and landscape schemes are to be based on the indicative planting palette for the town centres (see Appendix).</i></p>
	<p>c) Retain large canopy trees throughout the town centres including large canopy tree located on the corner of Southern Cross Close and Houston Road, Kingsford.</p>



Figure 123: Green boulevard - Las Ramblas, Barcelona
Source: www.expedia.com



Figure 124: Boulevard Malesherbes, Paris
Source: www.mllongworth.com



Fig: 125 Plant hedging, Cleveland Street Surry Hills
Source: Randwick City Council



Figure 126: Hedging creates separation between public domain and traffic, Cleveland Street Surry Hills
Source: Randwick City Council 2016

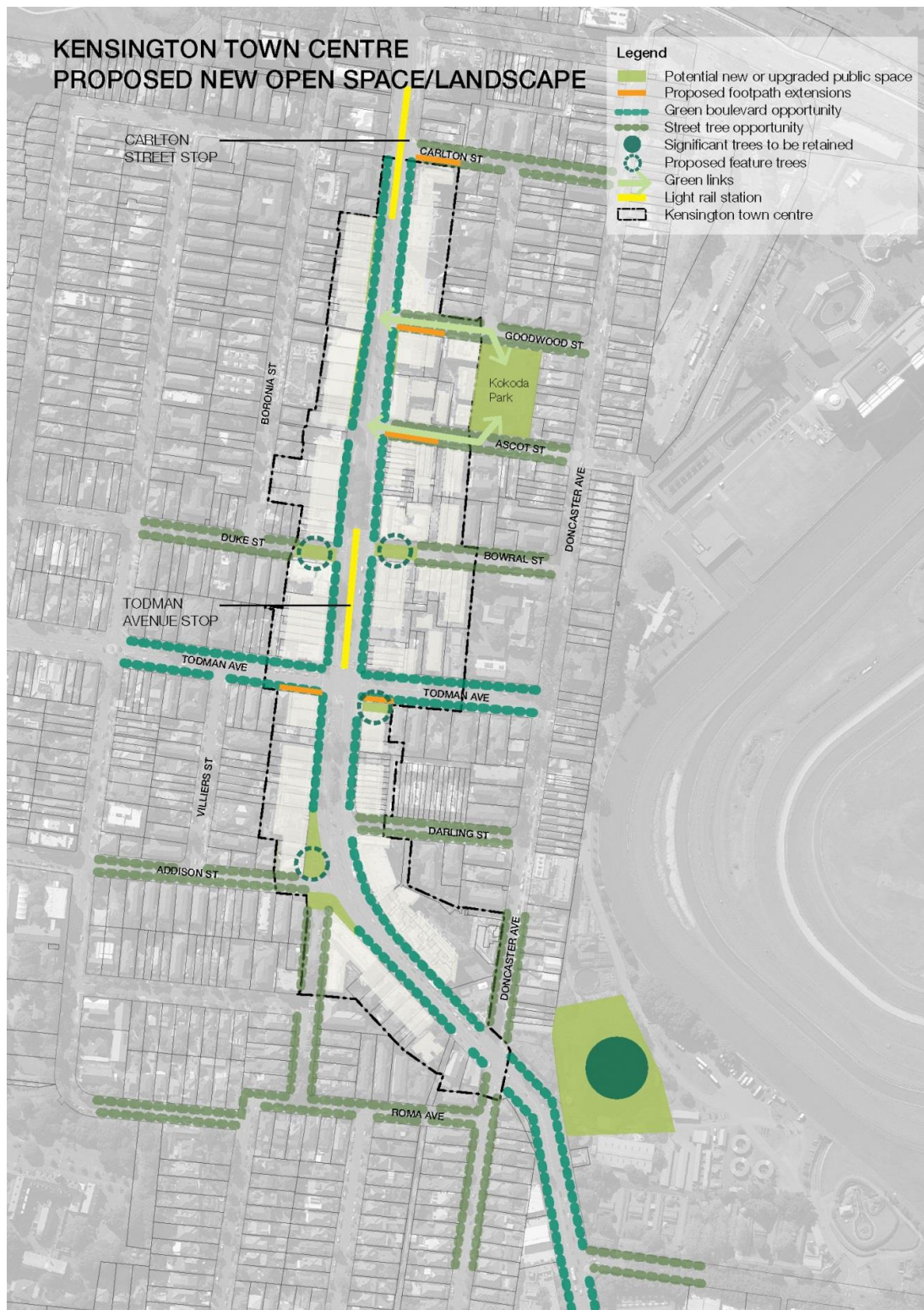


Figure 127: : Proposed open space linkages and landscape plan – Kensington town centre
Source: Conybeare Morrison 2016

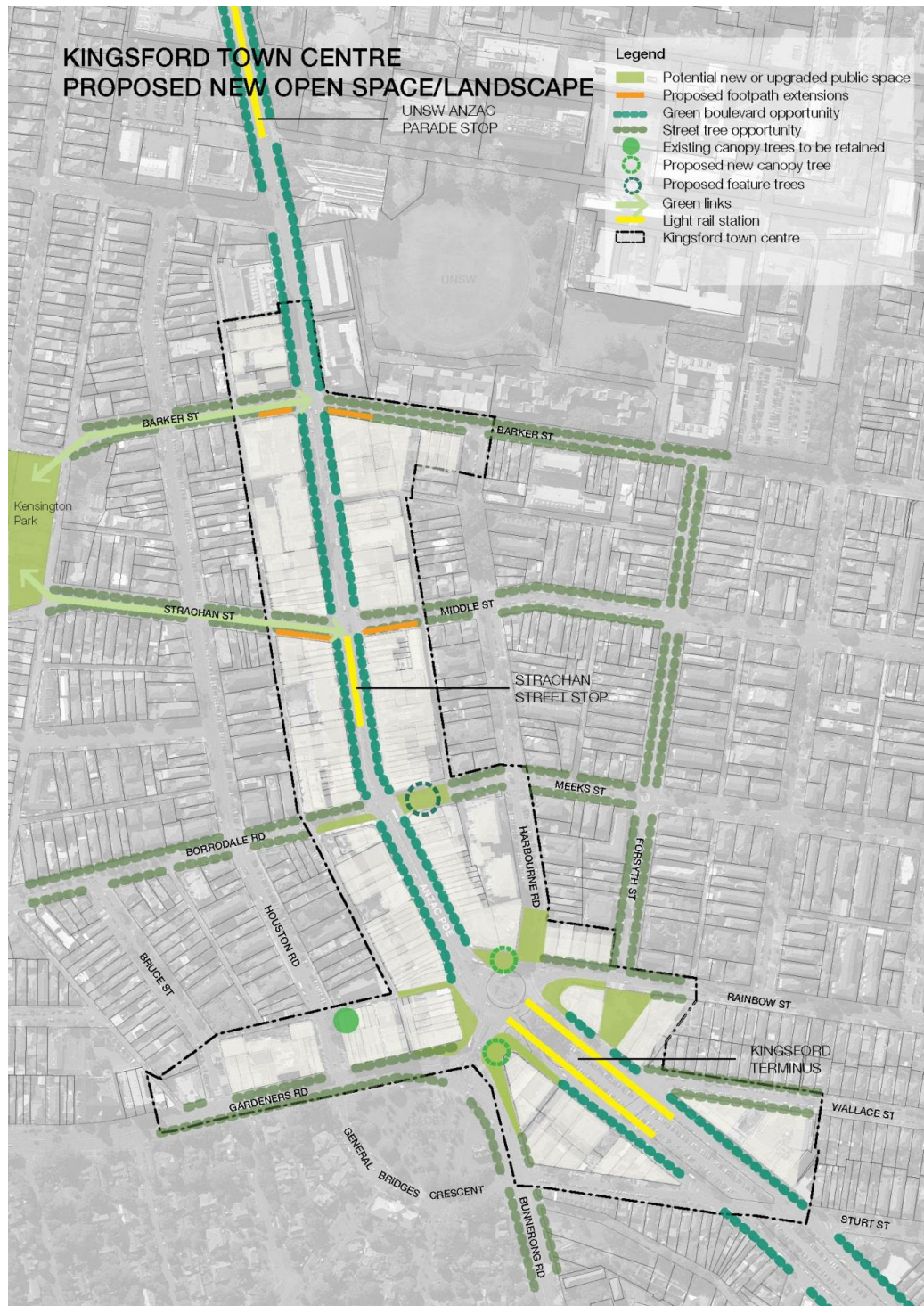


Figure 128: : Proposed open space linkages and landscape plan – Kingsford town centre
Source: Conybeare Morrison 2016

9.5 Public Realm

To enhance and create a sense of place, the Kensington and Kingsford town centres must have a well-designed public realm that is attractive, free from clutter and welcoming.

A revitalised public realm will encourage people into the streets to interact and relax, contributing to the vitality of the town centres and enhancing urban living. It will also boost economic performance by attracting businesses and investment in the Kensington and Kingsford town centres.

There are a number of opportunities to improve the public realm within Kensington and Kingsford town centres such as creating new plazas and public areas through road closures and footpath widening.

Supporting the provision of outdoor dining in areas of high amenity such as the side streets away from traffic intensity will contribute to vibrancy and safety within the public domain. Active, people orientated street frontages can be achieved by encouraging businesses and retail to open directly to the footpath and other public areas. The provision of continuous awnings would further enhance the pedestrian experience.

The *Urban Design Landscape Plan Kingsford* identifies a number of design approaches to improve the amenity and safety of the public realm including footpath widening, new urban furniture, and kerb readjustments to accommodate light rail movement and infrastructure elements.

These approaches are supplemented by the following strategies which identify additional opportunities to revitalise the public realm and create a high quality pedestrian experience for all users.

The *Urban Elements Design Manual* provides the technical guidelines for paving and urban furniture, and should be read in conjunction with this section.



Figure 129:: Proposed Meeks Street Plaza Concept Image

Source: *Spackman Mossop Michaels* 2016

Strategies	Actions
1. Minimise visual clutter and create legible coherent streetscapes.	a) Maximise the co-location of signage, lighting, banners and power poles onto multifunctional smart poles along Anzac Parade.
	b) Collaborate with the business chambers to develop a signage strategy that reflects the unique character of the town centres. This may include an Asian themed signage strategy for Kingsford town centre.
	c) Strengthen DCP 2013 controls relating to signage within the town centres by requiring that: <ul style="list-style-type: none"> - New works involve the removal of unsympathetic signage where possible. - All new signage be set below the street awning or awning fascia - a signage plan is submitted as part of the redevelopment of key sites.
2. Provide for the undergrounding of overhead powerlines along Anzac Parade.	a) Continue to advocate Transport NSW to underground overhead powerlines along both sides of Anzac Parade in addition to the cross lines.
	b) Coordinate the undergrounding of powerlines in Kingsford town centre in line with the light rail roll out as provided for in the Randwick s94A Plan.
	c) Extend the undergrounding program to Kensington town centre by ensuring adequate allocation in the Kensington and Kingsford s94A development contributions plan



Figure 130: Proposed 'smart poles' along Anzac Parade

Source: Spackman Mossop Michaels 2016

Strategies	Actions
<p>3. Create a network of safe, attractive and vibrant urban public spaces.</p>	<p>a) Achieve wider footpaths through the application of increased setbacks in key locations in accordance with the Public Realm Map.</p> <p><i>This would be in conjunction with new built form controls (see Part C Built Form Section 6.7- Setbacks for further detail).</i></p>
	<p>b) Develop Meeks Street plaza as a key community focal point through specific design treatments, urban furniture, landscaping, decorative lighting and public art.</p>
	<p>c) Provide opportunities for new micro plazas/ pause spots and improved amenity in the following locations:</p> <p>Kensington Town Centre:</p> <ul style="list-style-type: none"> - Southern side of Carlton, Goodwood, and Ascot Streets: Potential for footpath widening. - Corner of Duke Street and Anzac Parade: Potential for new plaza with seating and landscaping. - Corner of Bowral Street and Anzac Parade: Potential for new plaza with seating, landscaping and public art.

Strategies	Actions
	<p><u>Todman Square Precinct</u></p> <ul style="list-style-type: none"> - Corner of Todman Avenue and Anzac Parade: Potential for new plaza and widened footpaths, upgrade paving and seating on southern corners of the intersection. This would improve the carrying capacity of the public domain in an area of high pedestrian activity in proximity to the Todman Avenue Light Rail Stop. However any improvements to this intersection would need to be considered in the context of larger setbacks and increased heights to adjoining sites (see C6: Built Form-6.7 Setbacks). - North western corner of Addison Street and Anzac Parade (existing carpark): Potential to create small public plaza with footpath widening, paving upgrades, landscaping, seating and public art. - South western corner of Addison Street and Anzac Parade: Potential to create small public plaza by retaining existing road closure and providing new seating, landscaping and public art. <p><i>Kingsford Town Centre</i></p> <ul style="list-style-type: none"> - Southern side of Barker: potential for footpath widening. <p><u>Kingsford Mid-Town Precinct</u></p> <ul style="list-style-type: none"> - Southern side of Middle, and Strachan Streets: potential for footpath widening. - Southern side of Borrodale Road between Anzac Parade and Houston Lane: Potential for footpath extensions, kerb buildouts/ blisters, landscaping, lighting, bike racks and seating. - Corner of Harbourne Road and Rainbow Street: Potential to complete existing road closure. <p><u>Kingsford Junction Precinct</u></p> <ul style="list-style-type: none"> - Kingsford Triangle Site: North-eastern corner and eastern street edge. Potential for footpath extensions/kerb buildouts, and plaza with seating and public art. However this is contingent

Strategies	Actions
	<p>on increased setbacks for the site (see Built Form section - setbacks).</p> <ul style="list-style-type: none"> - North eastern corner of the Rainbow Street site: Potential for footpath extensions and kerb buildouts with public art. <p>Mid-block: Potential for new town square with seating, landscaping and public art. This is contingent on increased setbacks and public dedication of mid-block link (see C6 Built Form 6.7 Setbacks and 6.10 Mid-Block Links)</p>
	<p>d) Amend the RLEP 2012 to rezone the following plazas/micro plazas from B2 Local Centre to public open space:</p> <p>Kensington town centre</p> <ul style="list-style-type: none"> - Duke Street plaza (proposed) (corner of Duke Street and Anzac Parade) - Bowral Street plaza (proposed) (corner of Duke Street and Anzac Parade) - Addison Street Triangle Plaza (proposed) (corner of Addison Street and Anzac Parade) - Uni Lodge Plaza (existing) (corner of Addison Road and Anzac Parade) <p>Kingsford town centre</p> <ul style="list-style-type: none"> - Meeks Street Plaza <p>e) Include DCP 2013 controls to encourage overlooking/ passive surveillance (e.g. balconies and habitable space) for sites adjoining key plazas/public open space.</p> <p>f) Amend the DCP 2013 to include a sun access provision to protect solar access to key proposed public spaces as discussed in C6 Built Form 6.8 Solar Access and shown on the Public Realm Map (fig 136 and 137)</p>
<p>4. Introduce new urban furniture to provide rest areas throughout the public domain.</p>	<p>a) Review existing and provide new seating, bins and cycle racks focusing on the plazas identified in this Strategy, and other locations devoid of these elements (e.g. along Gardeners Road in Kingsford town centre).</p>

Strategies	Actions
	b) Urban furniture is to be consistent with Council's <i>Urban Elements Design Manual 2006</i> .
5. Promote outdoor dining to encourage more street activity.	<p>a) Encourage outdoor dining in side streets where footpath widening/ kerb build outs are proposed. <i>Refer to Public Realm Map (fig 136 and 137).</i></p> <p>b) Require high quality outdoor furniture for outdoor dining that reflects the character of the town centre, has an open appearance and minimises clutter.</p> <p>c) Consider financial incentives to encourage outdoor dining in the Kensington town centre, such as a 12 month reduction in DA and footpath licensing fees.*</p>
7. Ensure continuous weather protection along core retail strips and pedestrian routes.	a) Strengthen existing DCP controls requiring awnings to be integrated into building design and constructed at a consistent height above the street
8. Improve existing footpath surfaces by applying cohesive and high quality paving treatments.	a) Provide RCC City Civic Paving (PA01) in line with Council's <i>Urban Elements Design Manual 2006</i> .
	<p>b) Extend paving material in the following locations to visually integrate light rail infrastructure with the town centres:</p> <ul style="list-style-type: none"> - from Kingsford town centre south of the intersection to Stuart Street adjacent to the light rail terminus - to Carlton Street in Kensington town centre adjacent to the Carlton Street light rail stop.
9. Lighting	<p>a) Provide street lighting on Anzac Parade using multi-functional poles in accordance with the <i>Randwick City Light Rail Urban Design Guidelines</i>.</p> <p>b) Ensure public spaces, primary pedestrian streets and light rail stops are well lit to enhance public safety and provide a night time ambience in the town centres.</p> <p>c) Consider lighting themes for key heritage/ contributory and/or future</p>

Strategies	Actions
	<p>landmark buildings.</p> <p><i>Additional strategies on lighting is contained in 9.8 Safety of Streets and Public Space</i></p>

* A 12 month DA/licensing fee waiving program has already been undertaken for Kingsford and Matraville town centres.



Figure 132: Outdoor dining, Marrickville Sydney

Source: www.smh.com.au



Figure 133: Outdoor dining, Lygon Street Melbourne

Source: www.thatsmelbourne.com.au



Figure 134: Active street frontages, San Jose California

Source: (www.spur.org)



Figure 135: Piazza Mazzini, Jesolo Italy

Source: (www.contemporist.com)



Figure 136: Public realm map – Kensington town centre
Source: Conybeare Morrison 2016

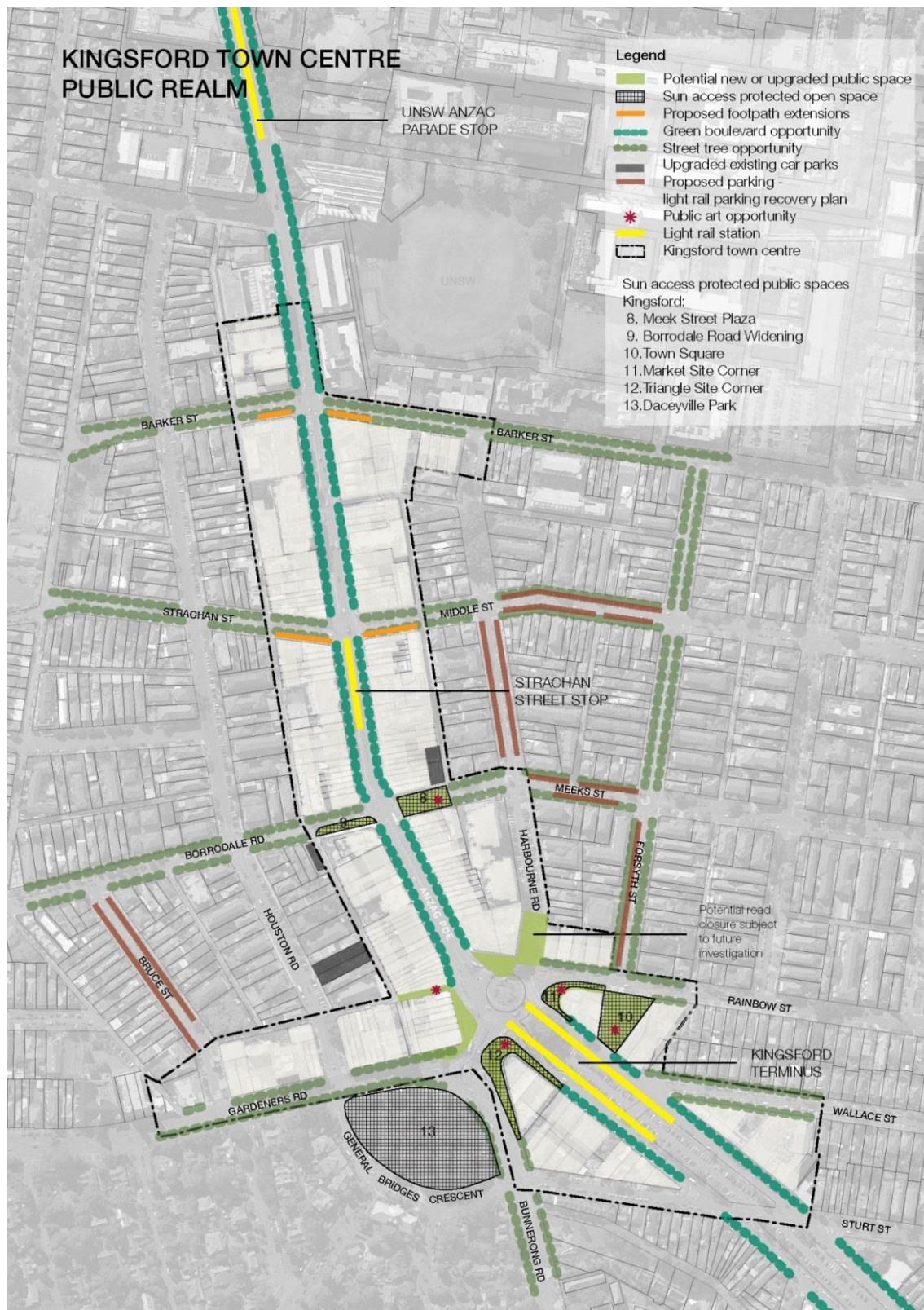


Figure 137: Public realm map – Kingsford town centre
Source: Conybeare Morrison 2016

9.6 Public Art and Cultural Activities

Public art and cultural events can help transform the public domain, acting as a means to engaging the community, fostering social interaction and helping to create a sense of place and identity.

The draft Issues Paper identifies the need to foster more public art to recognise and celebrate the history of the town centres, reflect their character and contribute to pedestrian vibrancy. It also identifies the need to provide and support cultural events in both centres such as festivals and markets.

During 2016 Transport NSW initiated a temporary public art program in key locations to increase visitation and foster activation of these sites during construction of the light rail. The following strategies aim to build up on this program by identifying locations to accommodate temporary and permanent public artwork, together with opportunities within the planning framework to encourage the provision of public art via private development.

A number of strategies also aim to encourage more cultural activities within the town centres as a means of bringing the community together and activating the urban environment.

Strategies	Actions
1) Facilitate public art and artistic expression in the public domain to enhance visual amenity, contribute to cultural identity and foster a sense of community.	a) Incorporate a range of permanent public artworks in the following locations: Kensington Town Centre <ul style="list-style-type: none"> - Proposed Addison Road Plaza - Proposed Todman Avenue Plaza - Proposed Bowral Street Plaza Kingsford Town Centre <ul style="list-style-type: none"> - Meeks Street Plaza - Proposed Rainbow Street site plaza - Proposed Kingsford Triangle site plaza
	b) Coordinate public art with other public domain elements such as lighting, paving insets and specialised street furniture.
	c) Consider new DCP controls requiring the provision of public art for major development/ key opportunity sites including: <ul style="list-style-type: none"> - Kingsford Triangle site - Rainbow Street site - Todman Square
	d) Consider increasing the allocation of s94A funding towards public art in the town centres as part of the next new s94A Plan.

<p>2) Initiate programs and events to bring creativity and cultural activity into the experience of the town centres.</p>	<p>a) Collaborate with Council's Events Team and the town centre business chambers to identify opportunities to activate the public domain day and night through a rotation of seasonal cultural events and activities.</p> <p>This may include pop ups, festivals, cultural activities and temporary urban elements in public spaces (e.g. deckchairs, table tennis etc).</p>
	<p>b) Develop long term strategic partnerships with UNSW and NIDA to bring formal and informal cultural and creative events into the town centres.</p>



Figure 138: Public art, Chicago

Source: www.chicago-outdoor-sculptures.blogspot.com.au



Figure 139: Public art, New York
Source: www.news.artnet.com



Figure 140: Public art, Taipei
Source: (www.contemporist.com)



Figure 141: Kingsford Noodle Market
Source: Randwick City Council 2015



Figure 142: Kingsford Noodle Market
Source: Randwick City Council 2015

9.7 Pedestrian Network

A safe, accessible and permeable pedestrian network is an integral aspect of a well-functioning and liveable town centre and must be key objective to achieve in the Kensington and Kingsford town centres.

Enhancing the town centres' pedestrian experience will encourage people to use the public domain, providing increased opportunities for interaction and connectedness. An accessible and permeable pedestrian network can also help ease congestion by shifting a greater share of travel to walking, or combining walking with public transport.

The urban/block structure of each town centre has an impact on existing pedestrian accessibility and permeability, with the majority of pedestrian activity concentrated on Anzac Parade.

Kingsford town centre has a more permeable urban structure, with laneways running parallel to the east and west of Anzac Parade, cross roads running east to west and pedestrian walk throughs in a number of locations. In Kensington pedestrian permeability is more limited due to the lack of laneways and pedestrian through site links.

Notwithstanding the limitations of the urban structure, the development process can be utilised to improve pedestrian accessibility and permeability within both town centres. A fine grain pedestrian network which reduces the length of walking trips can be achieved by requiring mid-block links on key opportunity sites, improving existing linkages through lighting and signage, and facilitating shared zones in a number of laneway locations.

The following strategies are aimed at improving pedestrian access and safety in the Kensington and Kingsford town centres and should be read in conjunction with the *Landscape and Urban Design Plan*.

Strategies	Actions
1. Prioritise pedestrian access and safety throughout the public domain and street network.	a) Implement pedestrian access, crossings and other safety measures identified in the <i>Landscape and Urban Design Plan</i>
	b) Advocate Transport NSW to close slip lanes adjacent to refuge islands at the Rainbow Street and Gardeners Road crossings to maximise pedestrian safety.
	c) Advocate Transport NSW for provision of access to the southern end of Carlton Street light rail stop.
	d) Amend the DCP 2013 to introduce a shared zone/laneway in locations identified on the Accessibility Map (Figs 146 and 147)
	e) Advocate for a reduced 40-50km/hour speed limit on Anzac Parade in both town centres
	f) Advocate for the relocation of the Anzac Parade pedestrian crossing closer to the intersection in Kingsford town centre to improve pedestrian accessibility as shown on the Accessibility Map (Figs 146 and 147).
2. Enhance pedestrian permeability and connectivity throughout the public domain.	a) Establish new pedestrian mid-block links as part of the redevelopment of sites as shown on the Accessibility Map (Figs 146 and 147). <i>See also C6 Built Form 6.9 Mid-Block Links.</i>
	b) Improve existing pedestrian links/walk throughs in the following locations so that they are safer, more direct and inviting: Kingsford town centre <ul style="list-style-type: none"> - Southern Cross Close Pedestrian Link: Remove existing seating and provide additional lighting and coordinated way finding signage. Kensington town centre <ul style="list-style-type: none"> - Pedestrian link adjacent to the northern elevation of Peters of Kensington : Provide lighting, coordinated way finding signage

Strategies	Actions
	<p>and consider public art installation to activate walkway and provide a sense of ownership</p> <ul style="list-style-type: none"> - Pedestrian link adjacent to the northern elevation of the Masonic Temple: Provide lighting and coordinated way finding signage.
3. Improve the appearance, safety and sanitation of service lanes to provide improved amenity for pedestrians.	<p>a) Work with Business Chambers to encourage property owners to improve the appearance, safety and sanitation of the rear of shops fronting service lanes.</p>



Figure 143: Shared Laneway, Sydney City

Source: www.sourcable.net



Figure 144: Pedestrian link, Wentworthville Centre Revitalisation
Source: (www.holroyd.nsw.gov.au)



Figure 145: Pedestrian link, Adelaide
Source: www.adelaidedesignmanual.com.au

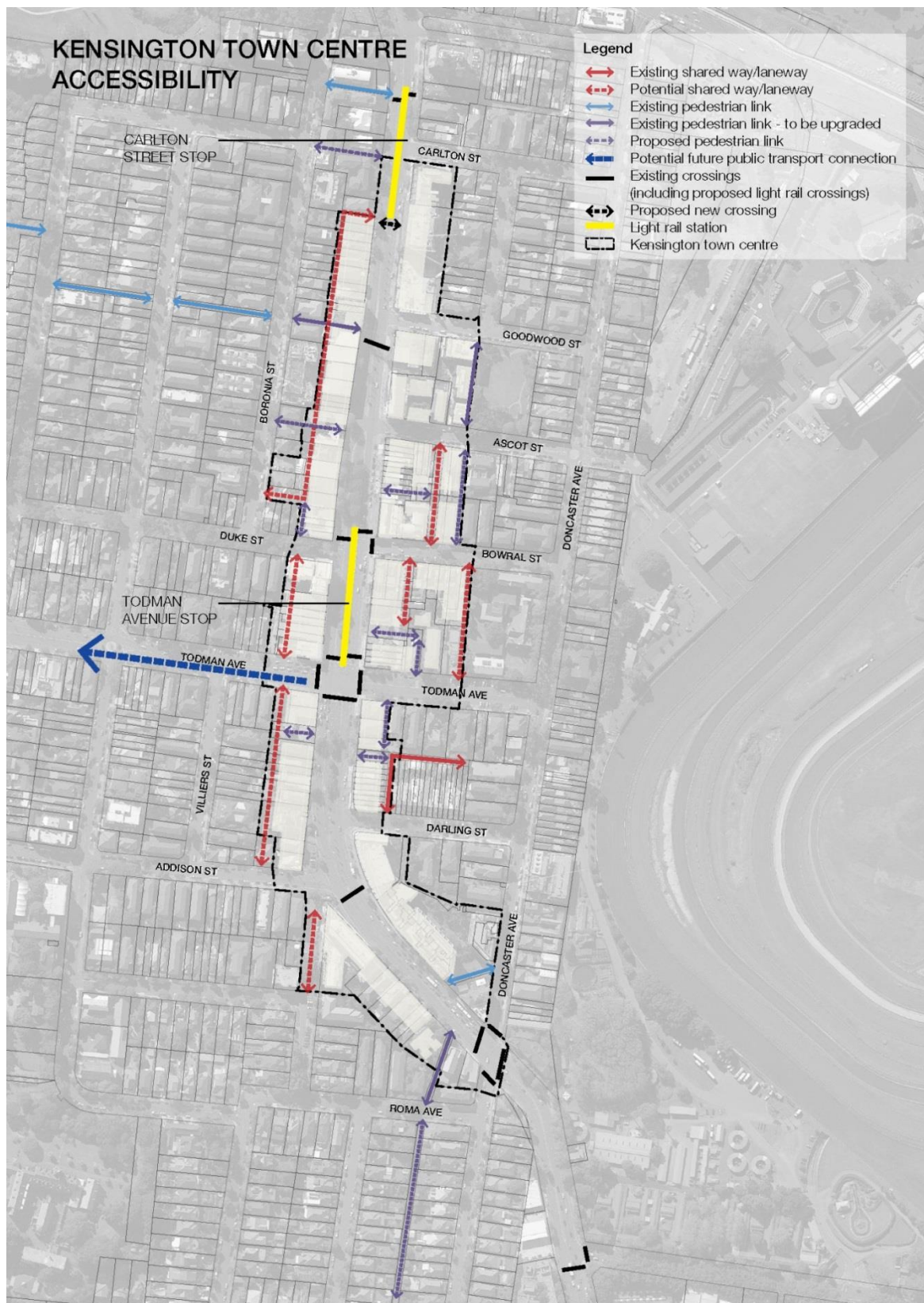


Figure 146: Proposed accessibility improvements – Kensington town centre
Source: Conybeare Morrison 2016

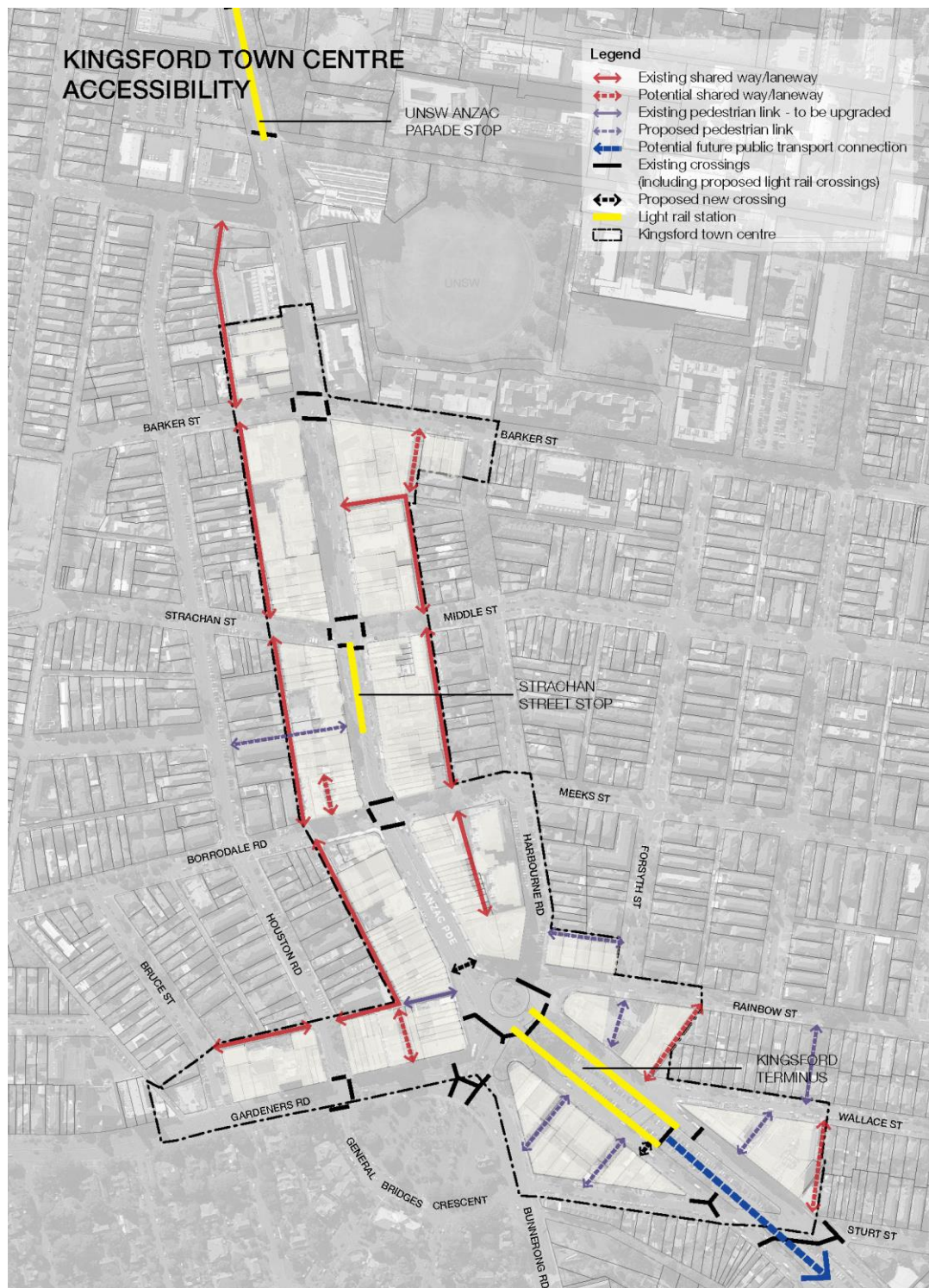


Figure 147: Proposed accessibility improvements – Kensington town centre
Source: Conybeare Morrison 2016

9.8 Safety of Streets and Public Space

The perception of safety within the public domain is critical to the success of a town centre, attracting housing and businesses, which in turn adds to vibrancy and diversity of uses.

Lighting, landscape design, building design (such as windows overlooking public spaces), appropriate signage and on-street activity can maximise social interaction, fostering natural surveillance and reducing the perception and incidence of crime and anti-social behaviour in the town centres.

The following strategies aim to minimise the perception of, and limit opportunities for crime and anti-social behaviour through environmental design, and to improve the overall amenity of the public domain in both town centres.

Strategies	Actions
1. Design streets and public spaces to increase natural surveillance and foster a sense of safety.	a) Apply <i>Crime Prevention Through Environmental Design</i> (CPTED) principles to all public domain and streetscape design*.
	b) Review DCP controls to ensure that all new development provides active frontages and clear glazing on street and upper levels to encourage surveillance of streets and public spaces.
	c) Conduct a review of public lighting and upgrade as required, focusing on: <ul style="list-style-type: none"> - Under awning lighting on Anzac Parade - lighting in side/backstreets - access ways, public spaces, pedestrian walk throughs and other urban spaces that are used at night time.
	d) Install way finding signage throughout each town centre in accordance with the <i>Randwick City Civic Signage Manual</i> . Key locations include: <ul style="list-style-type: none"> - Gateway locations at the northern end of Kensington town centre and southern end of Kingsford town centre - light rail stops and terminus - pedestrian links
	e) Upgrade open air carparks to enhance surveillance, safety and attractiveness through:

Strategies	Actions
	<ul style="list-style-type: none"> - additional planting of ground covers to soften expanses of concrete/ashfault - maintaining clear views - improving pedestrian access and legibility - additional lighting and signage. <p>Key locations include:</p> <ul style="list-style-type: none"> - On street parking on Houston Road, Houston Lane and Borrodale Road

**Crime Prevention Through Environmental Design (CPTED) is a multidisciplinary approach to reducing the incidence and perception of criminal behaviour through environmental design, with principles focusing on natural surveillance, legibility and territorial enforcement.*



Figure 148: Public carpark with landscape intervention, Dandenong Melbourne

Source: www.citygreen.com



Figure 149: Lighting in public carpark

Source: www.usask.com
<https://www.usask.ca/protectiveservices/services/cpted.php>

9.9 Quantifying Public Space

Kensington and Kingsford town centres will gain a substantial amount of public space as a direct result of planning interventions and strategies outlined in this document.

The quantum of public space to be gained comprises wider footpaths, urban plazas, pedestrian links and shared access ways across both town centres.

The following graphic quantifies the amount of new public space in both town centres.

It demonstrates that both town centres will gain over **27,000m²** in new public spaces, which is a **significant** delivery of public benefits to the community.

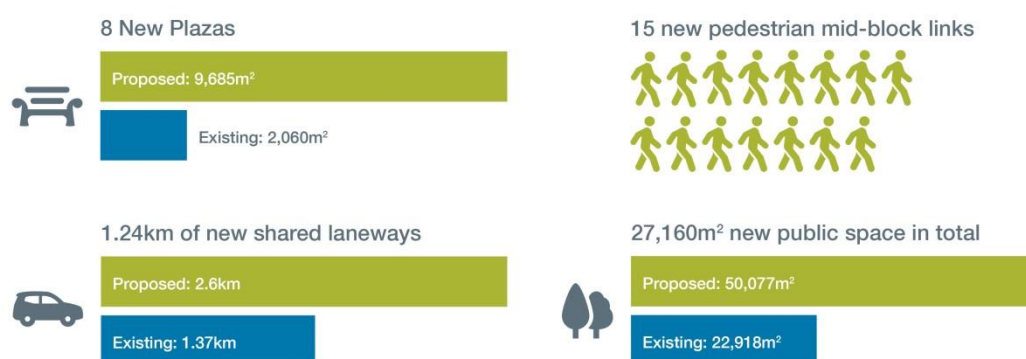


Figure 150: New Public Space
Source: Randwick City Council 2016

10. Social Infrastructure

This section considers the social infrastructure needs of existing and future residents of the Kensington and Kingsford town centres and wider area. It outlines a number of strategies and actions to ensure that residents and workers have access to new and upgraded community and cultural facilities and services.

10.1 Overview

Social infrastructure refers to the broad range of facilities, places, services, networks and programs that are essential to meeting the social and welfare needs of the community.

It includes the physical buildings, spaces and facilities that accommodate health, education, childcare, recreation, arts and cultural activities, as well as the programs, resources and social services that support community and cultural development.

Social infrastructure is an important consideration when planning the future growth of Kensington and Kingsford town centres, to support and enhance the community's social and cultural life. Local and international studies consistently demonstrate how the provision of social infrastructure contributes to the 'liveability' of town centres, fostering diversity, social cohesion and community well-being.

In the case of Kensington and Kingsford, future social infrastructure provision requires collaboration between the public and private sectors to meet the needs of the growing population. The development industry can play a key role through a 'value uplift' mechanism given that more intensive residential/commercial development opportunities will be created resulting from proposed changes to planning controls.

This Strategy includes a number of actions to support the provision of childcare, arts and cultural facilities and social services; key priorities identified by Council's Community Development Department for the Kensington and Kingsford town centres.

Other social infrastructure considerations such as affordable housing and recreational facilities have been addressed in other sections of this Strategy.

10.2 Objectives

- To identify social infrastructure priorities to meet the needs of a diverse community
- To identify appropriate locations for community facilities that maximise access, effectiveness and amenity.
- To support the delivery of social services and community development initiatives
- To identify opportunities to support art and cultural development.

Community Feedback

Feedback received during consultation shows that people want infrastructure services to keep pace with population increases and to have community spaces which can be used for youth, cultural events and short-term festivals or markets. In summary, the community told us:

- Consider child care, services for the elderly and other community services like information services, counselling and non-government agencies
- Infrastructure and amenities need to be provided as density increases
- Create a sense of community by increasing the mix of businesses, cultural events and workers
- Have indoor and outdoor spaces available for food festivals, market days or short term rented spaces for artists and reading spaces
- Build on existing artistic culture: include places for street theatre, photography exhibition, art and sculpture lessons
- Have a community centre for young people to socialise and 'hang out', which could also prevent anti-social behaviour.

10.3 Existing Levels of Provision

There is a diverse complement of social infrastructure within and around the Kensington and Kingsford town centres. Operated or managed by the public, community or private sectors, these facilities and services make an important contribution to the community's quality of life.

Most sites within the Kensington and Kingsford town centres have access to a range of local and regional facilities. Recent research undertaken by the UNSW City Futures Department identifies that the community has good access to⁸⁵:

- A diverse range of medical services and facilities at the Randwick Hospitals Campus which comprises four major hospitals providing state wide, metropolitan and local community healthcare
- Extensive regional parks, foreshore areas and beaches including Centennial and Moore Parklands, and the eastern beaches of Clovelly, Coogee and Maroubra
- Recreational and sporting facilities such as swimming pools, gyms and sports courts served at both Des Renford Centre in Maroubra as well as at the UNSW
- Educational facilities ranging from primary, secondary and the university, NIDA and Randwick TAFE
- A variety of places of worship; and
- Emergency services including police, fire and ambulance.

Additionally, the local community will soon benefit from a new community centre facility currently being constructed at the (former) Kensington Bowling Club site. Delivering around 300m² of floor space available for community activities and a half basketball court, this centre will cater to a wide demography, including seniors and youth, and help fill a gap in community facility provision in the immediate area.

⁸⁵ K2K Liveability Indicators (2006) UNSW City Futures Dpt

Based on an assessment of current levels of provision, Council's Community Development Department has identified the following social infrastructure priorities for Kensington and Kingsford town centres:

- Additional childcare facilities
- Flexible office and meeting spaces for social service providers and community groups including seniors and youth
- Addressing the capacity of the primary school in Kensington
- A new art/cultural facility accommodating studios and gallery space.

This Strategy outlines a number of actions to encourage the provision of these identified priorities, noting that other community facility requirements such as library space, dedicated seniors and youth facilities need to be considered on an LGA wide basis as part of a comprehensive community facilities study.

10.4 Childcare Centres

Randwick City has an extensive range of community and privately operated childcare centres including an estimated 49 long day care centres, contributing to approximately 2,230 licensed places in the LGA⁸⁶. Notwithstanding this existing level of provision, demand for childcare services continues to remain high.

Council's Community Development Department has identified a substantial shortage of childcare spaces for the 0-2 year old age group, with only 16% of spaces in existing centres catering for this age group⁸⁷. The higher ratio of staff to children required under legislation is a key factor for this shortfall, as it is less economically feasible to increase the intake of 0-2 year olds due to the disproportionate costs involved.

In terms of the study area, the provision of childcare is an important consideration, with demographic trends indicating a likely increase in the number of children residing in the area in the years to come. For instance, between 2006-2011, there was a 17% increase in the number of children in the 0-4 age group living within Kensington (comprising the town centre and surrounding residential area)⁸⁸.

The town centres' location adjacent to the Randwick Education and Health Strategic Centre, comprising the main employment hub in the LGA, will further fuel demand for childcare services. In fact, the UNSW has determined that there is an existing shortage of at least 200-300 childcare places for the tertiary institution alone, establishing a latent demand for child care in close proximity to the UNSW campus⁸⁹.

Given the projected population growth in the two centres, it is highly likely there will be additional child care demand above and beyond the unmet demand already established by UNSW. If such trends continue without a commensurate increase in quality childcare, there will not only be a substantial shortage in provision, but also flow on effects of reduced workforce participation, particularly by skilled up women.

The provision of childcare is generally a market led process. While Council cannot intervene in the macroeconomic parameters that shape the provision of this service, there is scope to utilise the planning framework to encourage the development of childcare centres within the town centres.

⁸⁶ Productivity Commission's Inquiry into Childcare and Early Childhood Learning (RCC Submission 2014)

⁸⁷ Ibid

⁸⁸ Demographic trends for Kingsford indicate a decrease in the number of children in the 0-4 age group. This is likely due to a higher number of students and lower number of families residing in the area.

⁸⁹ Analysis of on campus childcare centre waiting lists (2016) Childcare Division, Campus Services, UNSW

Council's DCP 2013 contains a number of planning controls to guide the location and design of child care centres, focusing on the safety and well-being of children and achieving high standard of amenity for the site and surrounding locality. Preferred locations include sites in proximity to employment and public transport; co-located with existing education/open space and community uses; or in buildings where there are end of trip facilities for employees. The DCP allows childcare centres in multi storey developments, however limits their provision to the ground floor, effectively discouraging centres in other parts of the building such as rooftops or podiums.

Kensington and Kingsford town centres reflect many desirable locational attributes for childcare centres, such as proximity to employment hubs, education and excellent access to public transport. From a planning perspective, however, the DCP 2013 requirements may be discouraging the provision of childcare centres within the town centres, as due to the nature of built form and density, it may not always be possible to locate childcare centres on the ground floor of multi-storey buildings.

There are many examples of childcare centres operating successfully above the ground floor of multi storey developments in higher density centres such as the Sydney, North Sydney and Melbourne CBDs. If designed well, with particular consideration to fire and open space safety requirements, podiums and rooftops can provide a sound opportunity to accommodate childcare centre facilities in multi-storey buildings.

The *City of Sydney DCP 2012* recognises that in certain circumstances, it may be necessary to accommodate childcare centres above the ground floor within higher density developments to cater to the needs of residents and workers. Accordingly the Sydney DCP 2012 permits childcare centres above the ground floor in conjunction with additional requirements such as the provision of emergency access points and specific design and safety measures for outdoor play areas.

Similar provisions could be incorporated into the DCP 2013 to encourage above ground childcare centres, on podiums and rooftops of developments within the town centres. Additional DCP controls will be required to ensure that safety and fire access is not compromised in such circumstances.



Figure 150: Childcare centre situated on three storey atrium in North Sydney CBD
Source: www.michaelbellarchitects.com



Figure 151: Example of childcare centre with open space on podium Bentleigh East, Melbourne.

Source: www.botanicaltraditions.com.au

10.4.1 Proposed Changes to the Delivery of Childcare

In November 2016 the State Government announced a raft of proposed changes to the planning system to streamline planning approvals and support the provision of additional childcare services across NSW. Key changes proposed include:

- Permitting school based childcare as exempt or complying development (which provides a faster approval process than a conventional development application)
- Ensuring childcare centre proposals are assessed under a single set of planning controls and guidelines
- Providing guidance upfront to assist developers and service providers to deliver high quality and safe childcare facilities
- Aligning the National Quality Framework for early childhood education for planning and building centres with NSW planning controls; and
- Allowing temporary use of land provisions to apply for the temporary relocation of childcare services in emergencies such as floods or fires.

The State Government will undertake further discussions with Councils, industry and the community during an upcoming consultation period. If adopted, the changes proposed are likely to increase the availability of childcare services across Randwick City, particularly with respect to school based childcare.

10.5 Education Facilities

The Kingsford and Kensington town centres are serviced by 3 primary public schools, being Kensington Public School, Daceyville Public School, Rainbow Street Public School, and two high schools, being Randwick Boys High School and Randwick Girls High School. Walkability indicators prepared by the UNSW City Futures Research Centre indicates that 92% of dwellings within the Kensington and Kingsford suburbs are within walking distance (15 minutes) to a local primary school and 40% of dwellings are located within walking distance to a secondary school. All dwellings within the suburb are within a 30min walking distance to local primary schools and 74% of dwellings are within walking distance to the secondary schools.

Kensington Public School is currently at full capacity and cannot accommodate increased enrolments. The School is on a site of 0.7ha and the entire site is identified as a Heritage Item under the Randwick LEP 2012, therefore any future proposals will need to have regard to impacts on the heritage significance of buildings and spaces. There are limited

expansion opportunities at Kensington Public School given its heritage significance and relatively small site area. Therefore in its current form, any increase in population and the corresponding increase in public school students in the corridor cannot be accommodated at Kensington Public School which is currently at capacity with 450 students. Daceyville Public School with a current enrolment of 284 students and larger site area of 2.9 ha however has capacity and the opportunity to absorb future student growth arising from the dwellings forecasts. The Department of Education will need to consider options to accommodate the forecast growth in primary school enrolments within the precinct. Rainbow Street Public School with 435 students is currently being redeveloped to accommodate up to 1,000 students, expected to be completed in 2019 and will have capacity to accommodate growth.

One of the four shortlisted entries in the Ideas Competition included multi-use of Kensington Public School facilities including the sharing of open spaces beyond the school boundaries and co-locating working hubs and other education uses in taller building forms outside of school hours. The Draft Central District Plan (November 2016) Liveability Priority 10 supports innovative school planning and delivery by:

- Reducing car use for school commuting
- Enabling flexible spaces of school facilities during construction to meet changing needs; and
- Incorporating planning incentives for the development of new schools and shared school facilities including playing fields and indoor facilities to meet wider community recreation needs

The draft Central District Plan estimates that school enrolments are expected to increase by 42% based on current enrolments in both government and non-government schools to 2036. Generally, schools within the Central District have high utilisation rates. It notes the Department of Education's preparation of a joint venture template that will include the shared use of playgrounds and other spaces. The Draft Plan also notes the Government's commitment to ongoing investment to upgrade schools and the establishment of a new Inner City High School in the Sydney CBD.

An audit of all LGA schools as part of the Council's Recreation Needs Study, found that there is generally poor provision of sporting facilities at school sites. Those schools that do have sports fields are currently utilising them at a high rate for student sporting activities and play. As a result, there appears little opportunity to increase the provision of sporting and recreation facilities for external groups through shared use of Randwick school facilities.

Randwick Boys and Randwick Girls High School with enrolments of 663 and 946 students respectively both have existing capacity to service forecasts student growth from in the town centres.

Council will liaise closely with the Department of Education during the public consultation period on these issues.

10.6 Support Services

There is a critical need to maintain and attract more social service providers which specialise in health and community support including mental health, aged care, disability, youth and family services. Social services are presently discouraged from establishing offices in the LGA, due to the high costs of renting office space, and this has

an adverse flow on effect on the well-being of some of the most marginalised and socially isolated members of the community⁹⁰.

Council's Social Inclusion Plan (2010) identifies key community groups who are vulnerable to disadvantage and exclusion (and who would benefit from improved access to social services). These include people with poor or no English language skills; the unemployed; recent immigrants; people with limited access to computers and the internet, people with disabilities; and those who are isolated at home.

Notably, a portion of international students are included in this cohort who are experiencing hardships stemming from income and accommodation pressure and social exclusion, and who would benefit from improved access to social services. It is likely that some of these students are residing in or close to the town centres given the location of the UNSW nearby.

Council has adopted a social inclusionary approach to encourage the participation of disadvantaged groups and individuals in community life. Social inclusion is an important facet of combating social disadvantage with recent studies demonstrating that participation in a locality or neighbourhood can have positive outcomes for the community.

To ensure that all people are afforded the ability to participate and be actively involved in community life, it is integral that opportunities be provided to attract social service providers into the LGA. One way is to provide for flexible office and meeting spaces at reduced rates and encouraging their joint use/co-location with compatible services within a single site to provide efficiencies and improved access to services to the general community.

10.7 Youth Facilities and Services

The provision of adequately funded facilities and services to meet the needs of youth is a critical issue for Randwick City. *A Safer Randwick Plan* (2003) identifies the need to provide a facility where young that engage safely in various activities. It notes the complexities in identifying a suitable location that is accessible, well buffered from noise and compatible with surrounding land uses. More work is needed to identify a suitable location, and a whole of a LGA approach is required for this purpose.

As identified above, Council's Social Inclusion Plan identifies a need for affordable office space for a range of service providers to run regular outreach programs and activities catering for youth. This again highlights the need for additional flexible office/meeting room space to meet social needs of the community.

⁹⁰ Randwick City Social Inclusion Plan 2010

10.8 Community Services Hub

As noted earlier, the Rainbow Street site in Kingsford town centre is earmarked for a future potential Council Administration building, consolidating Council's administrative and civic functions into the single location. Once developed, this site is proposed to be Council's primary interface with the community where people come to undertake business such as paying rates, general enquiries, and holding formal and informal meetings.

What is a community hub?

'A conveniently located public place that is recognised and valued in the local community as a gathering place for people and an access point for a wide range of community activities, programs, services and events'
(Rossiter 2007 p2; Bond 2010 p1).

The Rainbow Street site has the potential to be developed as a 'community services hub', combining the aforementioned civic and administrative services with sufficient floor space to accommodate flexible office/meeting spaces to meet social services needs. Community hubs are gaining traction as an efficient means of delivering community services, with shared use generating economies of scale, and allowing for the integration of infrastructure.

The Rainbow Street site's accessible location adjacent to the light rail terminus makes this an ideal site to accommodate a community services hub model. The community will benefit from having a 'one stop shop' where a number of services can be accessed in the one location.

The allocation of floor space towards flexible office/meeting spaces could be explored as part of the development of options for the site. Allocation of funding towards the provision of flexible office/meeting space has been incorporated into the K2K Community Infrastructure Plan.

10.9 Gallery/Contemporary Arts Space

Studies into place making and urban renewal often highlight the important role of creative spaces (such as small galleries and performance spaces) in fostering vibrancy, liveability and a sense of place⁹¹. Such spaces are incubators for creative life, help activate centres, and provide an important opportunity for people to produce and engage with art and culture⁹². Improving public access to arts and cultural facilities can also support local economies, by attracting arts and non-arts businesses, as well as tourism and cultural energy into a precinct.

Randwick City currently lacks adequate facilities and exhibition spaces to support emerging creative industries, local artists and designers. While a variety of multipurpose community centres and facilities exist across the LGA, there are limited opportunities for artistic pursuits at the community level⁹³.

A cultural audit undertaken over 2004-2005 identified a number of desirable cultural resources that would contribute to the community's cultural life⁹⁴. The audit highlighted the provision of a gallery/contemporary arts space as a key priority for the LGA, to provide a focus for specialist groups involved in the creation of, support for and appreciation of creativity and arts practice.

⁹¹ Project for Public Places (<http://www.pps.org/>)

⁹² City of Sydney (March 2016) 'New Ideas for Old Buildings' Discussion Paper

⁹³ A Cultural Randwick City Plan 2010

⁹⁴ Ibid

The future urban renewal of Kensington and Kingsford town centres provides an opportune time to consider the cultural needs of the community, and in particular identify ways to improve public access to art and culture. It is considered that the Todman Square Precinct, located at the heart of Kensington town centre, is well placed to accommodate a gallery/contemporary art space. Such a facility could act as a cultural anchor within the precinct, facilitate clustering and synergies between businesses that benefit from a centralised location, while contributing to the activation of the town centre.

The dedication of floor space to Council for the provision of gallery/art space could be considered as part of the redevelopment of a site/s located within the Todman Square Precinct.

This floor space dedication would not count towards the calculation of total gross floor area on the site, which will act as an incentive for the provision of this space. Allocation of funds towards a fit out of an art gallery/creative space has been incorporated into the K2K Community Infrastructure Plan.



Figure 152: Creative space for artists/designers
Source: www.cityofsydney.nsw.gov.au



Figure 153: Boyd Studio Space, South Bank
Source: www.creativespaces.net.au

Strategy	Action
1. Encourage child care centres to locate within Kensington and Kingsford town centres	a) Amend the DCP 2013 to encourage child care centres on podiums and rooftops within the town centres, in conjunction with stringent controls on emergency access and safety.
2. Support innovative approaches to shared use of school facilities	a) Continue discussion with NSW Department of Education on options for optimising use of local school facilities in the precinct including innovative approaches to shared use of buildings and spaces with the community.
3. Attract and expand social services and programs to meet the needs of a diverse community.	<p>a) Incorporate flexible office/meeting room space within Kingsford for social services, youth outreach programs and services and other community services within the community infrastructure contributions scheme.</p> <p>b) Undertake detailed planning for the delivery of a community hub at the Rainbow Street site in Kingsford town centre which promotes the co-location of Council administration/civic services and social/community facilities.</p>
4. Improve public access to art and cultural facilities within Kensington town centre	a) Incorporate a gallery/creative space for Kensington within the community infrastructure contributions scheme.

11.0 Zoning and Landuse

11.1 Town Centre Zoning

Under the RLEP 2012 the Kensington and Kingsford town centres are zoned B2 Local Centre which allows flexibility for a range of retail, commercial, civic, cultural and residential uses. The objectives of the B2 Local Centre zone focus on maximising public transport patronage, achieving a high standard of urban design and amenity, and enabling residential development that is well integrated with and supports the primary business function of the zone.

New residential uses in the town centres generally occur in the form of mixed use development (with a retail component on the ground floor and apartments on upper levels).

A review of business zoned land was undertaken as part of Comprehensive LEP 2012 preparation process over 2010-2012. Council has endorsed the conclusion that the B2 Local Centre zone objectives are well aligned with the role, function and character of the Kensington and Kingsford town centres.

It has always been Council's intention to concentrate higher density developments in the town centres, while retaining the character of surrounding lower density residential suburbs. This position has not changed and densities will continue to be concentrated within the town centres to capitalise on excellent access to transport and facilities.

This draft Strategy recommends that the B2 Local Centre zoning be retained for the Kensington and Kingsford town centres in conjunction with land use permissibility presently afforded under the RLEP 2012. The B2 Local Centre zone is considered to be the best fit, reflecting the role, function, existing and future desired character, intensity and mix of land uses within these town centres.

Strategies to protect and enhance the business and retail nature of the town centres are further explored in Part C- Business and Economy.

11.2 Zone Boundary Extensions

The existing zone boundary of the Kensington and Kingsford town centres was investigated under the draft Issues Paper to identify a suitable alignment with existing uses and the future desired character of these centres.

Three key opportunity sites were identified on the edge of Kingsford town centre that are currently zoned residential, however comprise a number of retail/commercial uses, or, are part of a block that is predominantly business in nature. These sites would provide a logical extension to the Kingsford town centre given their strategic location.

It is proposed that the B2 Local Centre zone be applied to these sites to reflect existing business uses, and ensure a cohesive zoning application across the entire block. The subject sites are listed in the table below and detailed further in the Appendix.

Site	Current Zone	Proposed Zone	Current RLEP 2012 Controls	Proposed RLEP 2012 Controls
16- 20 Barker Street, Kingsford	R3 Medium Density Residential	B2 Local Centre zone	Height: 9.5m FSR: 0.75:1	Height: 31m (9 storeys) FSR: 4:1
582-584 and 586-592 Anzac Parade, Kingsford	R2 Low Density Residential	B2 Local Centre zone	Height: 9.5m FSR:0.5:1	Height: 31m (9 storeys) FSR: 4:1
63 Harbourne Road and 12-18 Rainbow Street, Kingsford	R3 Medium Density Residential	B2 Local Centre zone	Height: 12m FSR: 0.9:1	Height: 31m (9 storeys) FSR: 4:1

Table 14: Proposed Zone Boundary Extensions
Source: Randwick City Council 2016

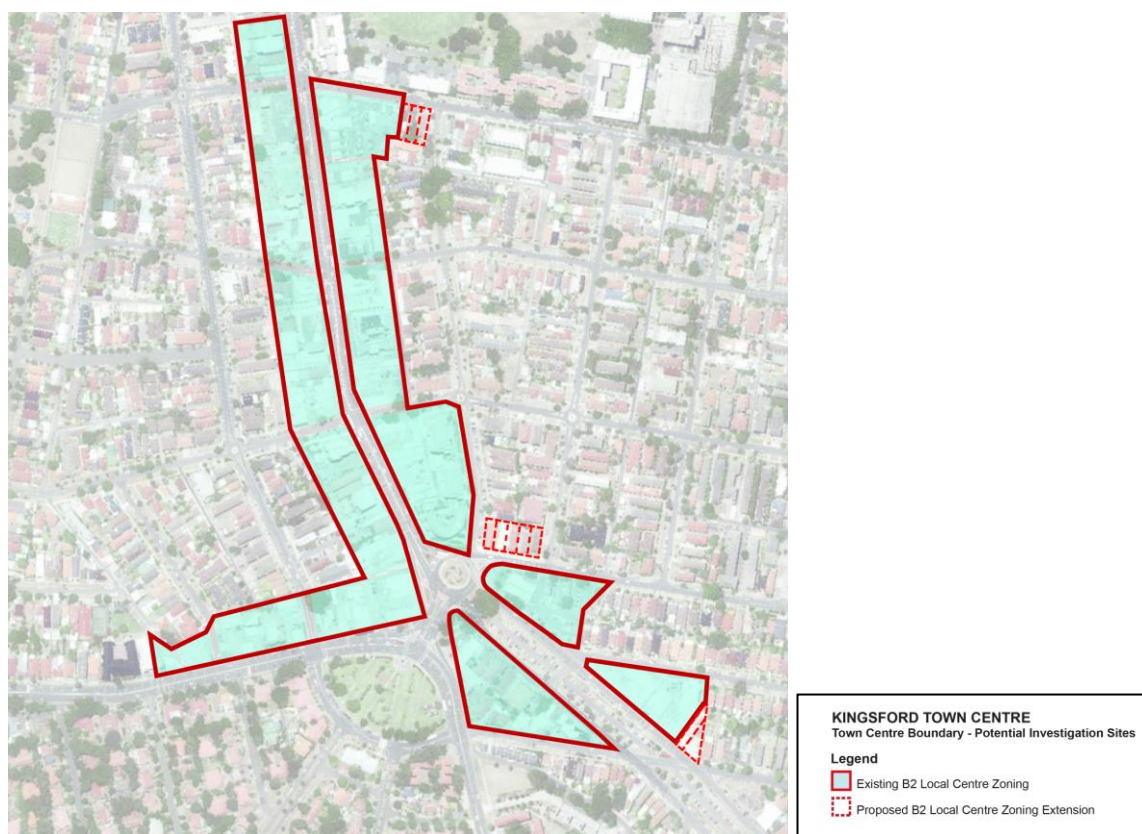


Figure 154: Proposed B2 Zone boundary extension
Source: Randwick City Council 2016

11.3 Residential Interface Areas

Kensington and Kingsford town centres are bounded on all sides by residential zoned land. The majority of these residential interface areas are zoned R3 Medium Density Residential under the RLEP 2012, and feature residential flat buildings, dual occupancies and stand-alone dwelling houses. There are also pockets of R2 Low Density Residential zoned land to the south-east and south-west of Kingsford town centre, containing mostly single dwelling houses and some dual occupancy development. These interface areas benefit from their proximity to the town centres, jobs and transport opportunities.

This draft Strategy does not propose changes to the zoning or planning controls of these residential interface areas. However, these areas play an important role in supporting the town centres and provide an important built form transition between the town centres and surrounding lower density residential neighbourhoods.

Strategies	Actions
1) Consolidate the town centres' boundary to create a well-defined and compact urban form.	a) Retain the existing RLEP 2012 B2 Local Centre zoning for Kensington and Kingsford town centres b) Amend RLEP 2012 to rezone the following sites from residential to B2 Local Centre zone (figure 154): <ul style="list-style-type: none"> • 16- 20 Barker St, Kingsford • 582-584 and 586-592 Anzac Parade, Kingsford; and • 63 Harbourne Road and 12-18 Rainbow Street, Kingsford <i>NB: New built form controls are proposed to provide a suitable transition to surrounding residential zoned areas (see Part C- Built Form for further information).</i>
2) Promote a land use mix within the town centres	a) Maintain existing permissible uses for the B2 Local Centre zone under the RLEP 2012.

Part D – Structure Plan for the town centres

1.0 Precinct Plans

1.1 Overview

As highlighted throughout this Strategy, three Precincts have been identified which are focused around strategic light rail infrastructure nodes and for which common strategic directions have been identified.

These Precincts share similar land use characteristics or built form, and have a reasonable amount of development potential.

Redevelopment within these precincts has the potential to create outstanding urban places for residents, workers and visitors to enjoy. The following section outlines the future vision for the identified Precincts, consolidating relevant Strategies identified in this document.

1.2 Kingsford Junction Civic Precinct

Vision

The Kingsford Junction Precinct will be the civic hub of Randwick City Council and the gateway to Kingsford town centre.

Focused around the light rail terminus in the south of Kingsford town centre, this dynamic Precinct will be highly accessible, well connected and activated.

The Precinct will feature a variety of compatible residential, retail/commercial and civic land uses, clustered around the light rail terminus, making greater use of the public transport network.

All development will be designed to the highest quality. Large key sites adjacent to the terminus will accommodate taller slender landmark buildings reflecting architectural design excellence and best practice in sustainability.

A human scaled and highly permeable environment will be created through podiums integrated into built form, together with wider footpaths, and mid-block links throughout the Precinct.

The streetscape will be attractive and welcoming, encouraging social interaction through the provision of public plazas, large canopy trees, landscaping, seating, and interactive public art.

A community hub at the Rainbow Street site will consolidate government and civic services together with flexible office and meeting spaces to facilitate a one-stop shop of integrated and efficient community service delivery.

A new town square at the Rainbow Street site will provide a focal point for civic pride and community expression, encouraging people to linger, interact and connect.



Figure 155: Precinct Plan – Kingsford Junction
Source: Conybeare Morrison 2016

1.3 Kingsford Mid-Town Precinct

Vision

The Kingsford Mid-Town Precinct is located in the old heart of Kingsford town centre with buildings reflecting the historical development of the town centre, juxtaposing old and new.

Based around the Strachan Street light rail stop, Kingsford Mid-Town will be highly accessible and active, with strong links to the University of NSW, Kensington Park and surrounding residential areas.

The Precinct will be a focus for innovation, leading edge design and sustainability, with incubators and co-working hubs fostering start-ups and creative industries with strong synergies with the University nearby.

The Precinct will continue to maintain its strong convenience retail and dining role, reflected by a diverse range of shops, cafes and restaurants. It will be a lively Precinct, both day and night, building up on its distinct Asian dining character with active shop fronts and lively safe streets that will encourage people to mingle and meet.

Three taller buildings at corner sites will exhibit design excellence and emphasise the mid-town role of this Precinct. The historic fabric of the area, including O'Deas corner and contributory buildings will be respected and celebrated, with new buildings sympathetic to their scale, form and detailing.

The greening of this Precinct with boulevard trees, landscaping and linear links to Kensington Park will contribute to the liveability of this Precinct, making it a place where people want to live, work and visit.

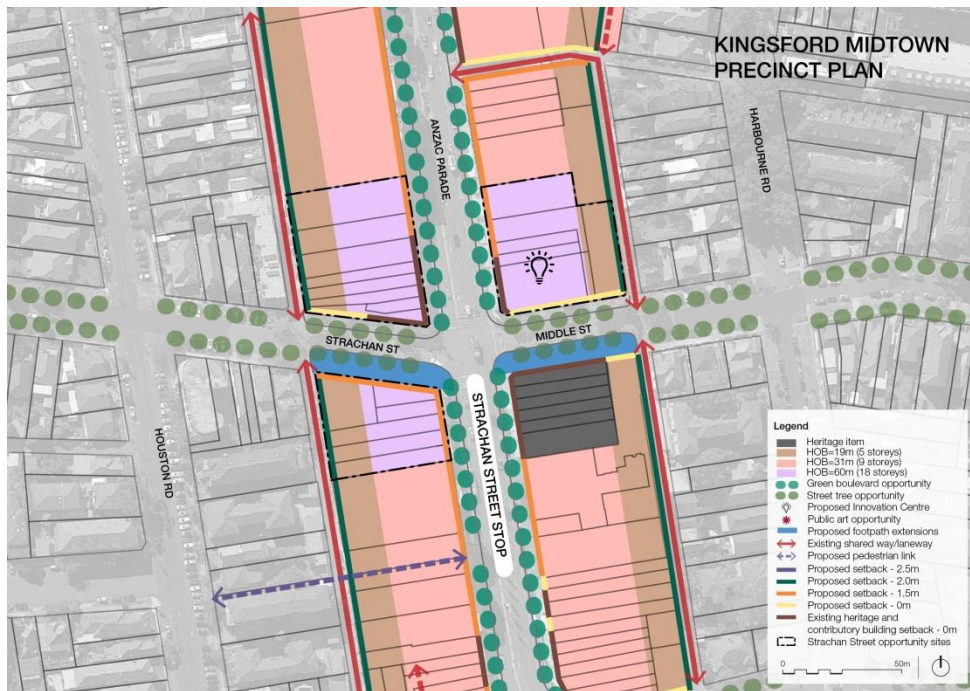


Figure 156: Precinct Plan – Kingsford Mid-Town
Source: Conybeare Morrison 2016

1.4 Todman Square Precinct

Vision

Todman Square will be a vibrant, eclectic Precinct and the new heart for Kensington town centre.

It will be the main shopping and cultural area in Kensington town centre, providing a diverse range of shops, dining and convenience retail, meeting the daily needs of residents, workers and visitors.

Todman Square will be highly activated with residential, retail, cultural and civic land uses clustered around the Todman Avenue Light Rail Stop. It will have excellent accessibility with strong connections to employment hubs including the Sydney CBD and Randwick Specialised Centre Precinct and east-west linkages to surrounding residential areas.

Todman Square will have a lively arts and innovation focused environment. A new community gallery/creative arts space will encourage artistic endeavour, stimulate creative energy and improve public accessibility to art and culture. This creative hub will be supported by arts and non-arts related businesses such as cafes and restaurants, and start-ups clustered around this cultural anchor.

Todman Square will achieve high quality urban design and amenity, with taller buildings at corner sites reflecting architectural design excellence and emphasising this new landmark location.

The Precinct will have integrated public domain spaces with their use and activation encouraged through new development. It will have a pedestrian focus with wider

footpaths, outdoor dining and high level of permeability throughout with mid-block links allowing people to navigate the centre with ease.

A new plaza with public art, landscaping and furniture will encourage people to interact and connect.

Green linear links to an expanded Kokoda Park and the Randwick Racecourse Urban Forest will further foster the liveability of this Precinct.

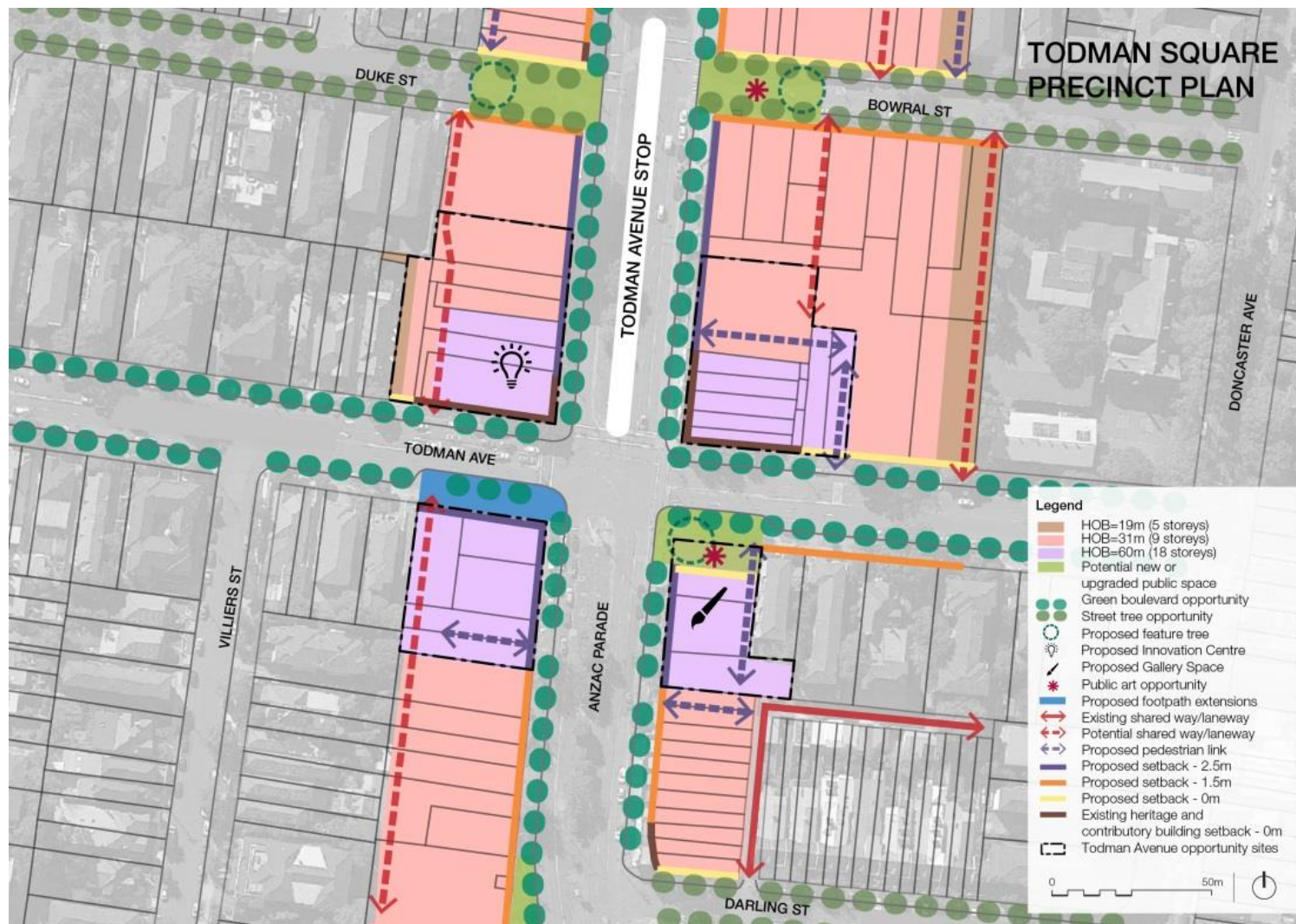


Figure 157: Precinct Plan – Todman Square
Source: Conybeare Morrison 2016

1.5 Structure Plan for the Town Centres

1.5.1 Overview

The following two Structure Plans illustrate how the town centres sit within their surrounding context. They also illustrate how the town centres relate to their broader area and show opportunities that exist outside the town centre boundaries that may be investigated in future studies.

The vision for the town centres is contained in Part C of the Planning Strategy and this section should be read in conjunction with this vision.

The boundaries of the Planning Strategy area relate primarily to the business zone areas of each town centre with some additional properties abutting the boundary included (see Part A – Overview). However, it is difficult to consider these areas in isolation and when assessing how they relate to surrounding areas, many opportunities arise. Some have already been identified in the draft Planning Strategy such as public improvements to Todman Avenue.

These Structure Plans go further and illustrate important relationships to surrounding land uses such as the Royal Randwick Racecourse and the University of New South Wales. They also illustrate emerging opportunities that may arise from the rejuvenation of the town centres and improvements to site permeability.

The Structure Plans are not statutory documents in the way that Local Environmental Plans are; they are more an illustration of key opportunities, relationships and emerging possibilities in this vibrant urban context. Each of the Structure Plans are discussed in turn below. The Structure Plans also highlight the importance of the Anzac Parade corridor and the need to consider this important boulevard in the broader context.

Key terms that are used in the structure plans are defined below:

Green Links

These streets present opportunities to use street tree planting and associated ground level plantings and possibly water sensitive urban design structures such as rain gardens to draw together and link adjoining parks are green spaces with the town centre.

Transport Corridors

Distinct from your typical street, the streets identified as transport corridors will cater for a range of transport functions, from traditional car transport to accommodating cycle facilities and also play a key role in linking the centres to their surrounding context.

Urban Interface

The areas directly adjoining the town centres is referred to as the urban interface and this highlights the importance of these areas on a number of levels. As the planning strategy has articulated, these areas have been carefully considered in the design and formulation of controls for the town centres to ensure solar access and good setbacks for example are achieved. These areas also have excellent accessibility to the emerging opportunities of the town centres. These areas play an important role in supporting the town centres and provide transition to surrounding low scale development.

1.6 Kensington Urban Structure Plan

The Kensington town centre's proximity to the Royal Randwick Racecourse presents many opportunities for the future. These are difficult to visualise at this stage as the racecourse generally faces inwards and presents fences and gates to the areas that could potentially connect with the Kensington and the town centre.

The Royal Randwick Racecourse has a number of opportunities for future improved connections have been identified, such as Bowral Street and Ascot Street providing pedestrian links for race goers and the general public, the potential for a north south cycle link through the racecourse, allowing cyclists to travel from High Street to Alison Road and on to the Centennial Parklands.

Where the racecourse connects with Anzac Parade, there is a timber fence and behind it at the northern end is a majestic stand of Plane trees which has been identified as a potential 'urban forest' in the structure plan. This could be utilised by the public and provide a valuable area of open space near to UNSW and strategically located between the two town centres. In this location the potential for a new built form on the corner of Anzac Parade and High Street has been identified which could define this important intersection and further frame the vista to the Sacred Heart Monastery. These potentials are subject to further discussions and investigations between the Australian Turf Club and Council. These examples highlight the hidden potential at this location.

A significant amount of new public domain has been identified as part of the Planning Strategy, and as the 'urban forest' shows, there are new areas waiting to be unlocked.

One such area identified in this structure plan is the potential expansion of Kokoda Park through to Doncaster Avenue. This would vastly improve this important park and provide it with 3 street frontages instead of 2 and increase its accessibility and useability. This has been identified as potential only at this stage and requires further investigation.

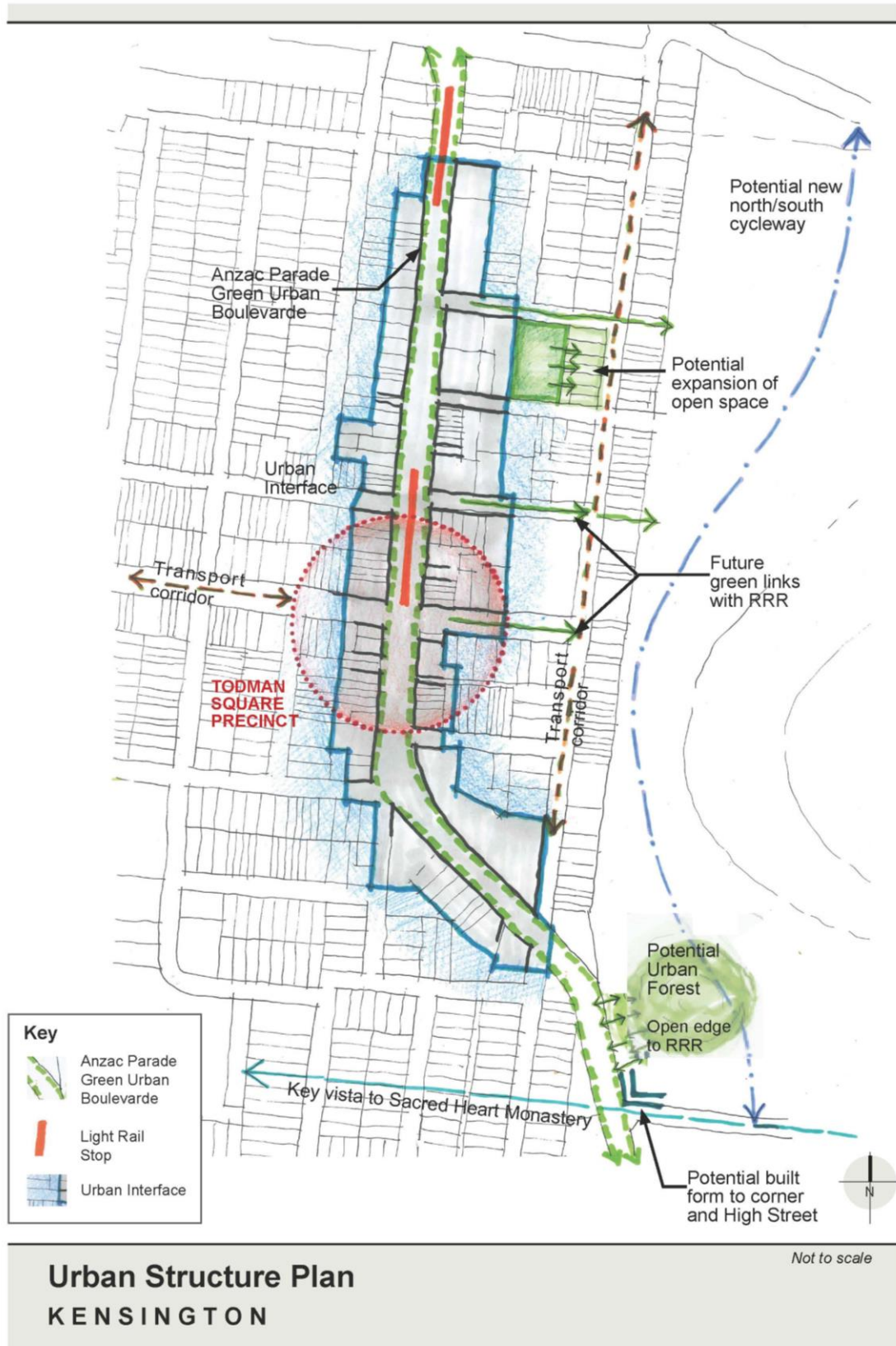


Figure 158: Structure Plan – Kensington Town Centre
Source: Randwick City 2016

1.7 Kingsford Urban Structure Plan

The Kingsford town centre adjoins the UNSW which is an important component of the Randwick Health and Education Strategic Centre. The town centre benefits greatly from this proximity and the planning strategy has built upon this important relationship. This Structure Plan has identified additional potential benefits such as a north south cycle way through the campus linking to the potential racecourse link. This could then be further extended down Forsyth Street and then link to Council's new civic plaza and the Kingsford Light Rail Terminus. This would provide university students with a new link to the light rail and the new southern end of the Kingsford town centre, identified by the new name of 'Kingsford Junction'. Forsyth Street has also been identified as a new potential view corridor, opening up new views down the street to the new civic plaza and then through to the Kingsford Terminus and the buildings adjacent. This potential link requires further investigations and discussions with UNSW.

Mass transit has been discussed in the public arena as a future means of transit for metropolitan Sydney. The metro is underground, high capacity and is a fast means of mass transit. The possible extension of the Parramatta to the CBD metro has been flagged as a long term option to go through to Maroubra. This would be crucial in unlocking much of the development potential of the south east which is currently constrained due to the capacity of bus network and the CBD and south east light rail which is under construction and has limited remaining capacity (refer to Sustainability and Transport section). This Structure Plan has identified Council's new civic plaza at the corner of Rainbow Street and Anzac Parade as a future potential location for a metro stop on the way to Maroubra. This location adjacent to the Kingsford Terminus of the light rail and at this important future civic and commercial hub would be a strategic location for a new Metro stop.

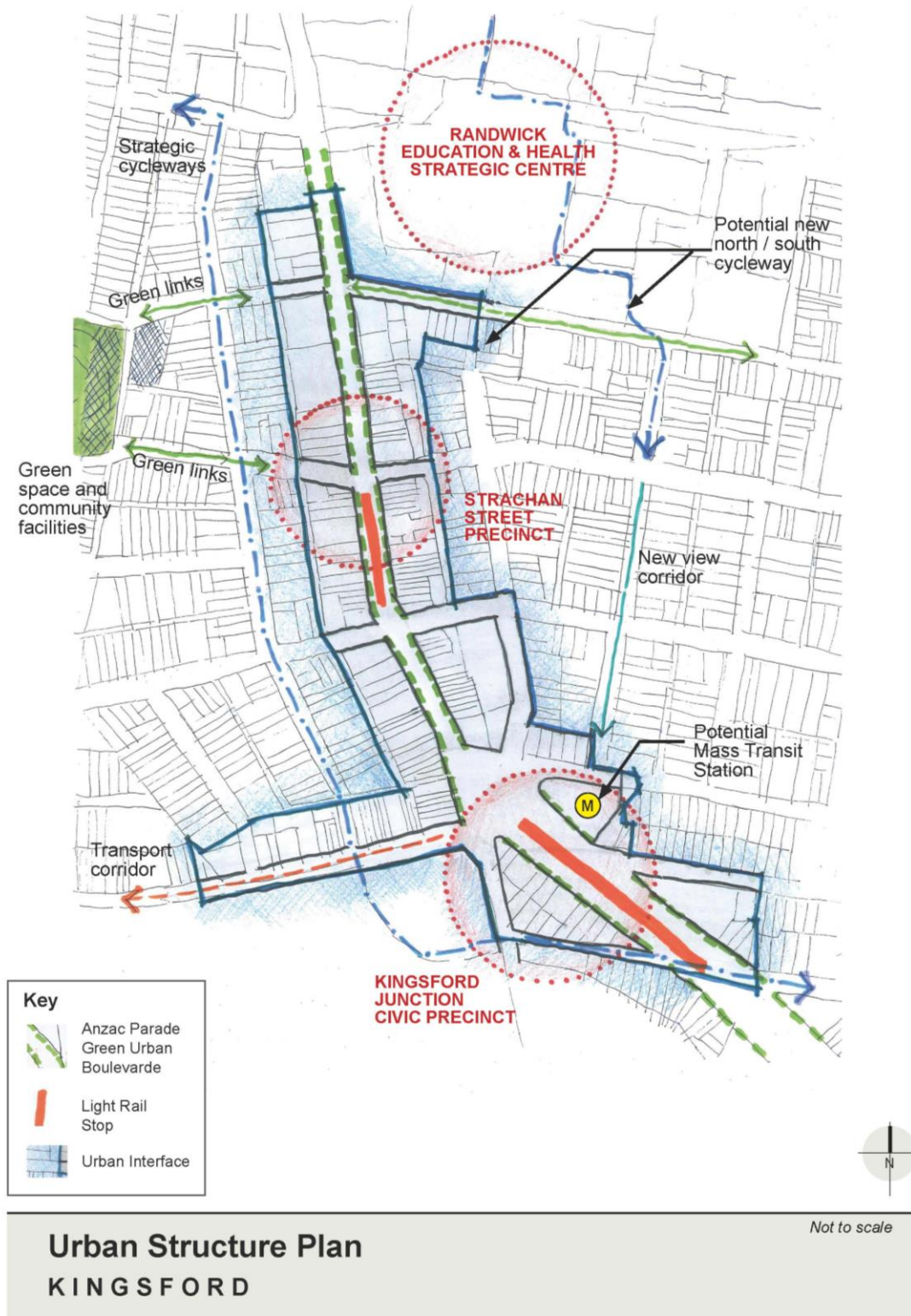


Figure 159: Structure Plan – Kensington Town Centre
Source: Randwick City 2016

Part E – Funding Infrastructure

1.0 Overview

The draft Strategy identifies new infrastructure needed to support growth in the town centres and to ensure the long term vision for these centres are realised. The success of these town centres requires a combination of infrastructure and public domain improvements that are essential to accommodate growth and make the town centres vibrant and liveable places. A schedule of infrastructure works needed to support growth in the town centres over the next 15 years is listed in the Appendix. Some of the items identified are directly from the international design competition and community feedback including a new bicycle network, innovation centre and an automated waste collection system. Other items identified through this draft strategy include essential public domain works, footpath widening and community facilities.

The estimated total cost of this infrastructure, community facilities and public domain improvements is approximately \$85 million. Funding this infrastructure will be based on the existing local development contributions framework (i.e. through s94A development contributions) and the economic uplift gained from a change in planning controls applying to this corridor through a new community infrastructure contribution. In addition to these contribution schemes, an inclusionary zoning based approach for affordable housing is proposed, which will require a proportion of units to be dedicated as affordable rental housing to be incorporated within the development. A summary of the contribution schemes proposed to apply is shown in the table below.

Table 15: Proposed Contribution Schemes

Contribution scheme to apply to K2K	Description
1. Local infrastructure contributions (s94A)	An increase of the maximum levy payable under s94A from 1% to 3% of the total construction costs.
2. Community infrastructure contribution (CIC)	A contribution charge of \$475/sqm towards community infrastructure on the additional planning capacity (GFA) made permissible under the proposed built form controls proposed in this strategy. The charge would only apply to the additional capacity above the existing base height and would apply to all developments seeking to achieve the maximum building heights as proposed in this draft strategy.
3. Affordable housing levy	A levy, commencing at 3% then increasing to 5% (from July 2019) of the total residential yield to be dedicated as affordable rental housing, incorporated within the development.

The aim of these three contribution schemes is to provide more certainty of what is required and possible to both landowners and developers and importantly, to help realise the overall vision for these town centres, as a vibrant and liveable place. These schemes are supported by a comprehensive planning process, a strong evidence base, financial feasibility assessment and is aligned with community expectations for these centres and are described below.

2.0 Kensington and Kingsford town centres infrastructure contributions scheme

The three proposed contribution schemes are outlined as follows:

2.1 Development contributions – local infrastructure contributions

Section 94 of the *Environmental Planning and Assessment Act* (EP&A Act) enables the consent authority to levy contributions from developers by condition of development consent. Development contributions (monetary or in-kind) can be used to help provide for parks, local road improvements, town centre improvements and community facilities. The Randwick City Section 94A (s94A) development contributions plan applies a 0.5% (for development with a development cost of \$100,000-\$200,000) to a maximum 1% levy to all development (with a development cost of \$200,001 and more) across the LGA. This is in accordance with the Minister of Planning's direction under s94E of the Environmental Planning and Assessment Act 1979.

This rate can only be varied by the Minister for Planning based on a viable evidence based submission from council and submission to Independent Pricing and Regulatory Tribunal (IPART). Other rates currently applicable beyond the 1% include: Parramatta CBD at 3%, Burwood town centre at 4% and Chatswood CBD at 3%. Similarly, Waverley Council is currently seeking an exemption to the maximum rate payable for Bondi Junction town centre from 1% to 4%.

The Council's existing s94A plan (at a maximum rate of 1%) is not sufficient to fund the total infrastructure necessary to support growth in the town centres as shown in the table below. As such a key action of this strategy is to seek an exemption to the maximum levy imposed to 3% for the centres. This increased rate generates close to 68% of the required funding for infrastructure.

Table 16: Proposed s94A Contributions

Estimated cost of total infrastructure to support growth	\$ 85,563,000 million
Contribution at 1% s94A levy (current)	\$ 19,664,750 million
Contribution at 3% s94A levy (proposed)	\$ 58,994,250 million

2.2 Community infrastructure contribution

While the increased s94A rate can fund the majority of the local infrastructure items, some of the community infrastructure items such as the fit out of an innovation centre, gallery and shared creative space, green links and new bicycle networks (as identified by the design competition) are outside the scope of councils s94A plan, (meaning they are additional community infrastructure items and works which fall outside the scope of what has been traditionally funded through development contributions, in accordance with the Department of Planning's guidelines and practice notes). The infrastructure items and works have been costed and categorised into either local infrastructure (to be funded under s94A) or community infrastructure (to be funded under a CIC) as shown in the table below.

Table 17: Proposed Community Infrastructure Contributions

Estimated community infrastructure	\$40,750,000 million
Estimated local infrastructure (s94A)	\$44,813,000 million
TOTAL	\$85,563,000 million

To fund the community infrastructure, a contribution is proposed on the new additional floor space capacity generated from the proposed new built form controls as outlined in Part C. The community infrastructure contribution is to be required as a financial contribution made as part of the development application process. Community infrastructure in the Kensington to Kingsford precinct refers to new innovation centres, exhibition space, bicycle sharing facilities and water sensitive urban design which have been directly identified by this strategy to help realise the overall vision.

The developer can only achieve the maximum height proposed in this strategy if a contribution is made towards community infrastructure. The principle of this approach is that the cost of the community infrastructure charge is factored into the economic value uplift gained from the changes to built form controls and enables the council and the community to share the benefits of density increases. Similar schemes in existence include Green Square within the City of Sydney and Macquarie Park within Ryde Council.

The following table summarises the total estimated cost of both community and local infrastructure needs attributable to the additional growth anticipated within the town centres and funding implications of the existing s94A at 1% with a CIC compared to a new increased levy at 3% with the CIC.

Table 18: Comparison of total contributions and infrastructure needed

	Section 94a at 1% Construction Costs +\$475/sqm CIC				Section 94a at 3 % Construction Costs +\$475/sqm CIC			
Study Area	K2K Contributions Required	Total Contribution	Difference	Surplus %	K2K Contributions Required	Total Contribution	Difference	Surplus %
Section 94A	\$45,963,000	\$19,664,750	-\$26,298,250	-57.22%	\$45,963,000	\$58,994,250	\$13,031,250	28.35%
Total CIC	\$39,600,000	\$41,858,781	\$2,258,781	5.70%	\$39,600,000	\$41,858,781	\$2,258,781	5.70%
Total	\$85,563,000	\$61,523,531	-\$24,039,469		\$85,563,000	\$100,853,031	\$15,290,031	

Source: Kensington to Kingsford Infrastructure Contribution Financial Feasibility Assessment (November 2016) Prepared for Randwick City Council by Hill Pda

The results demonstrate that in order for the total infrastructure requirements to be provided (\$85m) that Council needs to implement both a 3% Section 94A contribution and a \$475/ sqm community infrastructure contribution on additional residential floor space, while also providing for a reasonable contingency (i.e. surplus).

2.3 Affordable housing Levy

Part C of the strategy provided an overview of the legal mechanisms available to Council to facilitate affordable housing through the NSW planning framework. This part also established the critical need to provide affordable rental housing within the town centres for essential workers, in line with the Council's affordable housing program; and importantly, the need for a local planning mechanism to ensure affordable housing is delivered as part of the total supply of new housing within the area.

An affordable housing levy is proposed to apply to the Kensington and Kingsford town centres, pending enabling legislation under s94F of the *Environmental Planning and Assessment Act 1979*, as authorised under the State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes). The Department of Environment and Planning supports Council's inclusion in SEPP 70 and hence enabling the Council to use the contribution capabilities under s94F towards affordable housing.

The affordable housing levy proposed is to be introduced via a two stepped staged approach, commencing at 3% (up to June 2019) and increasing to a maximum of 5% (from July 2019 onwards), to apply to development applications for residential development in the Kensington to Kingsford town centres. The intent of this staged approach is to provide the market with a lead in time to factor in the contribution. Details relating to the contribution scheme including operational and management of the affordable housing dwellings will be outlined in an Affordable Housing Plan for the town centres to be submitted to the Department following endorsement of this strategy and confirmation that the Council will be authorised to levy under SEPP 70.

The preferred contribution mechanism is as dedicated (in-kind) affordable housing dwellings, to be incorporated within the new development. However, where this cannot be provided, in the case where the contribution amount is less than a reasonable sized

dwelling to be dedicated, then an equivalent monetary contribution will be sought. The monies that are collected will be spent towards providing new affordable housing dwellings within the LGA.

The introduction of the proposed affordable housing levy can achieve more than 200 affordable rental dwellings for essential key workers in the area.

Table 19: Affordable Housing

Date of DA lodgement	Total residential floor area to be dedicated as affordable housing (as at 2017)	Estimated no. of additional affordable housing
To June 2019	3%	30
1 July 2019 onwards	5%	200

3.0 Planning agreements

The legal instrument that sets out the applicant's offer to deliver the CIC in association with a development application is a voluntary planning agreement. Planning agreements are negotiated between Council and developers in the context of the development application process. The developer needs to voluntarily agree to the CIC monetary contribution to Council in order to gain the floorspace uplift proposed in the draft Planning Strategy. Randwick City Council's Planning Agreements Policy (adopted 2007) establishes a framework to guide the preparation of planning agreements in a fair, efficient and transparent manner.

Planning agreements are legislated by section 93F of the EP&A Act and provides an alternative mechanism to authorise development contributions for a variety of public purposes, some of which extend beyond the scope of section 94 or section 94A of the EP&A Act. These additional purposes include the capital and recurrent funding of transport, community benefits and public facilities. All planning agreements must also be publicly exhibited for at least 28 days.

The NSW Department of Planning and Environment recently issued draft guidelines (practice note) for the use of planning agreements. Consistent with the Department's draft guidelines the items identified have been developed as the result of a comprehensive planning process for the town centres, community feedback including the outcome of the International Design Competition. Moreover, it is important to note that the contribution schemes proposed has been derived from evidence based strategic investigation for the town centres rather than individual development proposals in isolation. This is in keeping with the recent draft guidelines on planning agreements released by the Department of Planning and Environment.

4.0 Economic viability & development feasibility

Council has commissioned independent feasibility analysis to ensure that the three proposed infrastructure schemes proposed do not render new development economically unviable. The development feasibility of selected sites in the town centres were

analysed. The financial feasibility modelling took into account current market values, land costs, the economic uplift derived from the proposed change in built form controls, development margin and viability. The results demonstrated that for the majority of the selected sites in the modelling, the application of the contribution schemes proposed including affordable housing can be afforded on-site while also providing for a reasonable development margin. It was noted that, land acquisition costs were identified as being the most significant variable which impacted on the overall feasibility, and could not take into account land speculation.

Importantly, the economic modelling also identified that to encourage redevelopment along the corridor there is a need to increase FSRs and building heights within the study area. The revised built form controls as proposed under Part C are likely to facilitate redevelopment and potentially unlock much of the development capacity which has not yet been realised.

Research⁹⁵ has shown that development contributions and similar infrastructure charges, such as those proposed in this strategy, do not negatively impact on the cost of providing new housing and worsen housing affordability. Other costs such as stamp duty (24 per cent) and GST (35 per cent) are identified as having the most impact on total housing costs, while development contributions account for only a marginal (6 per cent) proportion of total costs. And importantly, even if these costs were reduced, there is no guarantee the savings would be passed on to the consumer if the market is willing to pay a higher price.

⁹⁵ Research undertaken by Urbis (2014) in City of Melbourne (2015) *Homes for People: Housing Strategy 2014-18*

Strategies	Actions
1. Seek an exemption to the maximum levy payable under s94A for the Kensington and Kingsford town centres.	a) Request in principle support from the Minister for Planning & Environment for an exemption to the maximum levy payable from 1% to 3%; and b) Amend Council's existing s94A development contributions plan to incorporate a 3% levy for the town centres and associated infrastructure identified to be funded.
2. Review Council's existing VPA policy.	a) Consider recommendations in the state government's recent draft Planning Agreements practice notes and review council's existing VPA policy in relation to the provision of community infrastructure.
3. Introduce a community infrastructure contributions scheme to help fund the required community infrastructure identified by this strategy.	a) Introduce a community infrastructure contributions scheme within Randwick LEP 2012 based on discretionary built form controls (using existing and proposed controls as outlined in the strategy) which can only be surpassed in exchange for contributing towards community infrastructure.
	b) Prepare supporting guidelines which lists the community infrastructure to be funded and operational details.

Part F – Implementation Plan

The following table sets out the implementation timeframe for the actions contained in this Strategy and should be read in conjunction with the relevant themes. Some actions listed below are applicable to more than one theme, due to the interrelationship between the various urban design principles, but for clarity, the actions have been listed under one theme.

Each action has been allocated a timeframe for delivery as follows:

Short term – 1-2 years

Medium term – 3-6 years

Long term - 7 years+

Strategies	Actions	Time frame	Responsibility
Housing Growth and Diversity			
1. Direct housing growth into locations and sites that have the capacity to accommodate change	a) Amend the RLEP 2012 building height and floor space ratio controls for Kensington and Kingsford town centres, as per Built Form section, to provide for forecast dwelling growth	Short term	Council and DPE
	b) Concentrate higher density housing growth within key Precincts and sites in walkable proximity to light rail stops/terminus	Short term	
2. Encourage a diversity and mix of apartment sizes in the town centres having regard to changing demography, housing trends and affordability for a resident population	a) Consider new DCP controls requiring a mix of dwelling types, sizes and forms in all new major residential/mixed use development based on demographic trends and social mix	Short term	Council
3. Encourage adaptable and accessible housing to enable the community to age in place	a) Continue to implement the universal accessible housing principles and controls contained in Part C1 of DCP 2013 for new developments	Short term	Council
4. Provide for affordable housing options for key workers to enhance opportunities to live, work and learn together and to support the economic functions of the Randwick Education and Health Strategic Centre	a) Incorporate inclusionary zoning provisions within Randwick LEP 2012, based on a staged approach as described above;	Short term	Council, DPE, Minister for Planning, IPART
	b) Update Council's existing Affordable Housing Strategy, Policy, Programs and Procedures to address the Kensington and Kingsford town centres Affordable Housing Scheme (once adopted);	Short term	

Strategies	Actions	Time frame	Responsibility
	c) Prepare a new affordable housing plan for the town centres which will outline the operational and management details of the Affordable Housing Contributions Scheme.	Short term	
5. Encourage the development of family friendly apartments to facilitate social diversity in the community	a) Consider new DCP controls to encourage family friendly apartments including specific design requirements that address adequate storage and access to outdoor space where possible	Short term	Council
Business and Economy			
1. Support and strengthen the existing retail and services within the town centres	a) Support local precinct shopping programs such as "shop local" by developing an app for K2K that connects people to what's on and what's open near them b) Continue work to lift the aesthetic standards of Anzac Parade by investigating grant opportunities for shopfront improvements c) Improve activation by providing more spaces suitable to outdoor dining in appropriate places	Medium term Short-medium term Medium term	Council
2. Encourage a diversity of uses within the town centres to provide for the regular needs of residents	a) Amend the DCP to encourage fine grain retail and laneways activation within the town centres b) Continue to investigate opportunities for regular evening events such as the night food markets in Meek Street plaza and other locations within the centres	Short term Short-Medium term	Council
3. Support the establishment of a night time economy in Kensington and Kingsford	a) Ensure that new development create opportunities for appropriate retail uses at street level that trade into the evening b) Identify opportunities for decorative/feature lighting in outdoor dining areas to support the night time economy	Short-Medium term Short term	Council
4. Nurture opportunities to establish small, start-up or creative enterprises both in new developments and in vacant premises	a) Use a community infrastructure contributions scheme to obtain Council-owned innovation spaces (such as co-working facilities and affordable office spaces) b) Provide an online guide to applying for planning consent for establishing a co-working space, incubator, accelerator or creative workshop	Short-medium term Medium term	Council
5. Use planning regulation to encourage the provision of commercial office	a) Implement an LEP minimum non-residential FSR at key sites to ensure first floor commercial space	Short term	Council with operators

Strategies	Actions	Time frame	Responsibility
space which can be used by co-working operators, incubators and accelerators	b) is provided in new developments Work with innovation organisations to identify the technology infrastructure required to support innovation uses	Short term	of innovation hubs and start ups
6. Use public domain improvements to make the centres attractive to innovation industries	a) Establish free public Wi-Fi b) Provide an attractive and walkable public domain, with plazas for informal meeting opportunities, as outlined in Public Realm and Landscape section	Medium term Short- Medium term	Council
7. Leverage the close proximity to the UNSW and health campuses to encourage startups and innovation spaces to locate in the Kensington and Kingsford town centres	a) Continue partnering with UNSW to provide support for their innovation program b) Utilise partnerships with UNSW and the Hospitals Campus establish UNSW incubators within the centres c) Use branding and advertising to promote Kensington and Kingsford as a place for innovation and creative uses to locate	Short-long term Medium term Short-medium term	Council and UNSW
8. Ensure new developments provide for businesses fronting streets to ensure streets are vibrant and safe	a) Amend the LEP to implement an active frontage clause to require active building frontages at street level to encourage pedestrian activity b) Implement a preferred active frontage DCP map to encourage retail and commercial uses to address laneways and boundary areas	Short term Short term	Council and DPE
5. Ensure future employment needs can be provided for and the town centres can provide retail and other services to residents and visitors	a) Amend the LEP to implement a minimum non-residential FSR applying to sites at key nodes to ensure adequate space is available for the provision of local retail and services and for the provision of innovation spaces	Short term	Council
Built Form			
1. Ensure the form and scale of development is appropriate to its location and contributes to a positive urban design outcome in the town centres	a) Amend RLEP 2012 to establish building heights appropriate to each part of the town centres as shown in the building heights map b) Amend the DCP 2013 to introduce a secondary height limit to facilitate mews style developments for the sites indicated on the DCP 2013 Built Form Transition Map c) Amend the DCP 2013 to introduce a shared zone/laneway in locations identified on the DCP 2013 Built Form Transition Map d) Amend the RLEP 2012 to establish maximum	Short term	Council

Strategies	Actions	Time frame	Responsibility
	<p>FSRs appropriate to each part of the town centres as shown on the FSR map</p> <p>e) Amend the DCP 2013 to establish building setbacks in each part of the town centres as shown on the Building Setback Map</p> <p>f) Amend the DCP 2013 requiring that development establish a 4 storey street wall by stepping back at the fourth storey to a minimum depth of 4m to achieve a visual separation between the lower and upper levels of a building</p>		
2. Ensure that reasonable solar access is maintained to neighbouring properties and streets and key public spaces	a) See Section C9 Public Realm and Landscape, Action 7(e)	Short Term	Council
3. Achieve a high level of accessibility and permeability within the town centres.	a) Amend the DCP to require that development on identified sites provide mid-block links to facilitate permeability in the block structure as per the Mid-block Links Map. See section Public Realm Accessibility map for more detail on locations	Short term	Council
4. Encourage a high standard of architectural design to make a positive contribution to the aesthetic quality, functionality and amenity of the urban environment	<p>a) Continue to require that all new development involving the construction of a new building or external alterations to an existing building meet the requirements of RLEP 2012 (clause 6.11) relating to design excellence.</p> <p>b) Amend RLEP 2012 to require that all new development involving the construction of a new building in the following Precincts be subject to an architectural design competition process:</p> <ul style="list-style-type: none"> • Todman Square Precinct • Kingsford Midtown Precinct • Kingsford Junction Precinct 	<p>Short term</p> <p>Short term</p>	Council
5. Recognise building roofs as a strong visual landmark element in built form design and the town centres' skyline	a) Amend RLEP 2012 to include the Standard LEP Instrument model provision on 'architectural roof features'.	Short term	Council
Heritage Conservation			
1. Protect the heritage character and fabric of buildings that reflect the historical development of the town centres	a) Continue to protect the heritage significance of heritage items and contributory buildings through the consistent and rigorous application of relevant RLEP 2012 heritage provisions and DCP 2013 guidelines for heritage conservation.	Short-long term	Council

Strategies	Actions	Time frame	Responsibility
	b) Update the heritage inventory sheet for O'Deas Corner (424-436 Anzac Parade) with key findings from the heritage condition assessment c) Amend the DCP 2013 to add the following to the list of contributory buildings to be conserved and retained in Kingsford town centre: <ul style="list-style-type: none"> • 528 Anzac Parade • 279-287 Anzac Parade d) Introduce a 6.5m upper level setback for contributory buildings e) Amend the DCP 2013 for Kingsford town centre to incorporate additional controls for contributory buildings (currently applicable to Kensington town centre) including the requirement for the submission of a Heritage Impact Statement	Short term Short term Short term Short term	
2. Integrate heritage and contributory buildings into redevelopment	a) Require the retention and adaptive reuse of historic shopfronts b) Strengthen the DCP 2013 controls for contributory buildings in Kingsford town centre	Short term Short term	Council
3. Ensure that new infill development respects the height, scale, siting, character and proportions of contributory buildings	a) Amend the DCP 2013 for Kingsford town centre to require that new infill development/ works: <ul style="list-style-type: none"> • Have regard to the scale, character and proportions of heritage and contributory buildings • Reflect segmented frontages of historic building groups through facades that are broken into smaller vertical sections and articulation • Provide consistent heights and alignment of street awnings with existing contributory forms • Retain the profile and massing of exposed side elevations. • Provide podiums that reference the principle influence line of historic streetscapes and are cohesive with the established street frontage 	Short term	Council

Strategies	Actions	Time frame	Responsibility
Sustainability			
1. Encourage higher performance ratings for residential development through Green Star accreditation	a) Include 5-star green star performance in the LEP as a criteria for achieving design excellence on key sites b) Amend the DCP to encourage all other sites within Kensington and Kingsford town centres to achieve green star accreditation	Short term Short term	Council
2. Ensure commercial development is built to best-practice sustainability standards	a) Amend the DCP to require that new commercial premises and hotel and motel accommodation with a floor area of 1,000m ² or more must achieve a minimum NABERS 5-star Energy and NABERS 4-star or 5-star Water rating	Short term	Council
3. Encourage existing buildings to improve their energy and water consumption performance	a) Continue participating with Woollahra and Waverley Councils in 3-Council sustainability project to improve the environmental performance of existing residential flat buildings and shop top housing	Short-medium term	Waverley Council, Woollahra Council, Randwick Council
4. Integrate more vegetation into the town centres to slow down and filter pollutants from stormwater, improve localised flooding impacts and protect the waterways by implementing water sensitive urban design	a) Prepare a strategy for water sensitive urban design throughout the town centres in conjunction with a landscape concept plan b) Implement two pilot water sensitive urban design projects in the town centres	Short term Short term	Council
5. Reduce mains water demand by recycled or alternative non-potable water generated from local water resources within the public domain of Kensington and Kingsford town centres	a) Investigate a recycled water system for maintenance of landscaping in public spaces where possible b) Where possible, in the landscape concept plan, choose low water species for landscaping	Short-term Short term	Council
6. Incorporate renewable energy and energy-efficient technologies in the public realm to further cultivate the image of the town centres as best practice environmentally sustainable precinct	a) Implement energy-efficient LED lighting on Anzac Parade and throughout the town centres b) Investigate public art which can also demonstrate environmental sustainability innovation	Short-medium term Short term	Council and Ausgrid
7. Investigate and if feasible, implement an automated underground waste collection system to reduce the visual clutter caused by garbage bins on streets and reduce litter within the	a) Undertake a concept design and feasibility study for an automated underground waste collection system within the town centres b) Amend the DCP to require developments within the town centres to be capable of connecting to	Short-term Short term	Council

Strategies	Actions	Time frame	Responsibility
town centres	an automated underground waste collection system c) Allocate funding for the relevant studies and implementation of an automated underground waste collection system	Short term	
Transport			
1. Advocate for additional mass transit to increase the public transport corridor capacity and provide for population growth	a) Advocate to the State Government for additional mass transit to Kingsford town centre and the more southern parts of the LGA b) In the absence of additional mass transit, advocate to the State Government for adequate bus services to maintain a maximum morning peak hour level of crowding of 80%	Short-long term Short-long term	Council and Transport for NSW
2. Encourage bicycle usage by planning for and delivering an improved cycle network and additional bicycle infrastructure	a) Continue to progress Council's cycle ways plan b) Work with Royal Randwick Racecourse to implement a new off-road cycleway through the Racecourse (as per competition winner) c) Incorporate bicycle share hubs for the town centres within the infrastructure contributions scheme d) Incorporate an underground bicycle parking station at Kingsford Junction within the infrastructure contributions scheme	Short-long term Short-medium term Short term Short term	Council and Royal Randwick Racecourse
3. Reduce barriers to electronic vehicle ownership	a) Investigate opportunities for electric vehicle charging spaces within public car parks b) Amend the DCP 2013 to encourage the installation of appropriate power supplies and electric vehicle charging points within new residential and commercial developments	Short term Short term	Council
4. Encourage use of car share by residents in an around the town centre	a) Investigate opportunities for additional on-street car share parking spaces b) Amend the DCP 2013 to require the provision of a car share parking spaces within new developments of more than 60 dwellings	Short term Short term	Council
5. Reduce the car parking requirements and encourage alternative forms of transport to reduce local traffic congestion	a) Amend the DCP 2013 to reduce the car parking requirements to reflect the area's close proximity to the light rail which provides fast and reliable public transport	Short term	Council

Strategies	Actions	Time frame	Responsibility
	b) Allow a minimum and maximum car parking requirement to allow developments to respond to market demand and proximity to the light rail c) Amend the DCP 2013 to increase requirements for bicycle and motorcycle parking to provide for alternatives to private car ownership	Short term Short term	
Public Realm and Landscape			
1. Increase the amount of open space within and around the town centres.	a) Advocate for new public open space to be provided on the south-western corner of the Randwick Racecourse site (as indicated on the Structure Plan). b) Investigate future opportunities to expand the footprint of Kokoda Park eastwards and to increase its capacity (as indicated on the Structure Plan). c) Identify opportunities to convert redundant road space and other underutilised spaces to informal open space	Short-medium term Medium-long term Short term	Council and Royal Randwick Racecourse
2. Establish an integrated open space network connecting the town centres with local parks and open spaces.	a) Establish green links through avenue tree planting and landscaping to create connections to existing public open spaces	Medium-long term	Council
3. Establish a strong green 'boulevard' landscape character along Anzac Parade.	a) Undertake a street tree planting program in accordance with the <i>Light Rail Vegetation Offset Guide</i> and <i>Urban Design and Landscape Plan Kingsford</i> , focusing on a hierarchy of scale along Anzac Parade. b) Review the <i>Randwick Street Tree Masterplan</i> to ensure suitable species to cater for light rail infrastructure.	Medium term Short term	Council
4. Maximise the 'greening' of the public domain by applying a coordinated street tree and landscaping treatment.	a) Apply the recommended suite of landscape treatments in accordance with the Light Rail and Urban Design Plan. b) Provide supplementary infill trees and landscaping throughout each town centre incorporating species that are appropriate to the site and location: <ul style="list-style-type: none"> Introduce canopy trees and/or landscaping on redundant road spaces as identified in the Public Realm Map 	Short term Short term	Council

Strategies	Actions	Time frame	Responsibility
	<ul style="list-style-type: none"> Undertake infill street tree planting on east west connector streets to establish green corridors to surrounding residential areas. Provide landscaping on available verges and proposed footpath blisters/ footpath widening locations to define smaller localised spaces wherever possible. Introduce feature trees and landscaping to provide seasonal colour and variation in identified plazas Establish a 'planting edge' (e.g. low hedge) in high movement zones to create a buffer between pedestrians and traffic <p>c) Retain large canopy trees throughout the town centres</p>		
5. Minimise visual clutter and create legible coherent streetscapes.	<p>a) Maximise the co-location of signage, lighting, banners and power poles onto multifunctional smart poles along Anzac Parade</p> <p>b) Collaborate with the business chambers to develop a signage strategy that reflects the unique character of the town centres. This may include an Asian themed signage strategy for Kingsford town centre</p> <p>c) Strengthen DCP 2013 controls relating to signage within the town centres</p>	<p>Medium term</p> <p>Short term</p> <p>Short term</p>	Council and local Business Chambers
6. Provide for the undergrounding of overhead powerlines along Anzac Parade.	<p>a) Continue to advocate Transport for NSW to underground overhead powerlines along both sides of Anzac Parade in addition to the cross lines</p> <p>b) Coordinate the undergrounding of powerlines in Kingsford town centre in line with the light rail roll out as provided for in the Randwick s94A Plan</p> <p>c) Extend the undergrounding program to Kensington town centre by ensuring adequate allocation in the Kensington and Kingsford s94A development contributions plan</p>	<p>Short-long term</p> <p>Short-medium term</p> <p>Short-medium term</p>	Council and Transport for NSW
7. Create a network of safe, attractive and vibrant urban public spaces.	<p>a) Achieve wider footpaths through the application of increased setbacks in key locations in</p>	Short-long term	Council

Strategies	Actions	Time frame	Responsibility
	<p>accordance with the Public Realm Map</p> <p>b) Develop Meeks Street plaza as a key community focal point through specific design treatments, urban furniture, landscaping, decorative lighting and public art</p> <p>c) Provide opportunities for new micro plazas in accordance with the Public Realm Map</p> <p>d) Include DCP 2013 controls to encourage overlooking/ passive surveillance (e.g. balconies and habitable space) for sites adjoining key plazas/public open space</p> <p>e) Amend the RLEP 2012 to include a sun access provision to protect solar access to key proposed public spaces as discussed in C6 Built Form 6.8 Solar Access and shown on the Public Realm Map</p>	<p>Short-long term</p> <p>Short-long term</p> <p>Short term</p> <p>Short term</p>	
8. Introduce new urban furniture to provide rest areas throughout the public domain.	<p>a) Review existing and provide new seating, bins and cycle racks focusing on the plazas identified in this Strategy, and other locations devoid of these elements (e.g. along Gardeners Road in Kingsford town centre)</p> <p>b) Urban furniture is to be consistent with Council's Urban Elements Design Manual 2006</p>	<p>Short-medium term</p> <p>Short-medium term</p>	Council
9. Promote outdoor dining to encourage more street activity.	<p>a) Encourage outdoor dining in side streets where footpath widening/ kerb build outs are proposed</p> <p>b) Require high quality outdoor furniture for outdoor dining that reflects the character of the town centre, has an open appearance and minimises clutter</p> <p>c) Consider financial incentives to encourage outdoor dining in the Kensington town centre, such as a 12 month reduction in DA and footpath licensing fees</p>	<p>Medium term</p> <p>Medium term</p> <p>Medium term</p>	Council
10. Ensure continuous weather protection along core retail strips and pedestrian	<p>a) Strengthen existing DCP controls requiring awnings to be integrated into building design</p>	<p>Short term</p>	Council

Strategies	Actions	Time frame	Responsibility
routes	and constructed at a consistent height above the street		
11. Improve existing footpath surfaces by applying cohesive and high quality paving treatments	a) Provide RCC City Civic Paving (PA01) in line with Council's Urban Elements Design Manual 2006 b) Extend paving material in identified locations to visually integrate light rail infrastructure with the town centres	Medium term Medium term	Council
12. Lighting	a) Provide street lighting on Anzac Parade using multi-functional poles in accordance with the Randwick City Light Rail Urban Design Guidelines b) Ensure public spaces, primary pedestrian streets and light rail stops are well lit to enhance public safety and provide a night time ambience in the town centres c) Consider lighting themes for key heritage/ contributory and/or future landmark buildings	Medium term Medium-long term Short-medium term	Council
13. Facilitate public art and artistic expression in the public domain to enhance visual amenity, contribute to cultural identity and foster a sense of community	a) Incorporate a range of permanent public artworks, as identified in the Public Realm Map b) Coordinate public art with other public domain elements such as lighting, paving insets and specialised street furniture. c) Consider new DCP controls requiring the provision of public art for major development/ key opportunity sites d) Consider increasing the allocation of s94A funding towards public art in the town centres as part of the next new s94A Plan.	Medium term Medium term Short term Short-medium term	Council
14. Initiate programs and events to bring creativity and cultural activity into the experience of the town centres.	a) Collaborate with Council's Events Team and the town centre business chambers to identify opportunities to activate the public domain at day and night through a rotation of seasonal cultural events and activities.	Short-medium term Medium-long	Council, UNSW, NIDA

Strategies	Actions	Time frame	Responsibility
	b) Develop long term strategic partnerships with UNSW and NIDA to bring formal and informal cultural and creative events into the town centres	term	
15. Prioritise pedestrian access and safety throughout the public domain and street network.	a) Implement pedestrian access, crossings and other safety measures identified in the Landscape and Urban Design Plan b) Advocate Transport NSW to close slip lanes adjacent to refuge islands at the Rainbow Street and Gardeners Road crossings to maximise pedestrian safety c) Advocate Transport NSW for provision of access to the southern end of Carlton Street light rail stop d) Amend the DCP 2013 to introduce a shared zone/laneway in locations identified on the Accessibility Map e) Advocate for a reduced 40-50km/hour speed limit on Anzac Parade in both town centres f) Advocate for the relocation of the Anzac Parade pedestrian crossing closer to the intersection in Kingsford town centre to improve pedestrian accessibility as shown on the Accessibility Map	Medium term Short-medium term Short-medium term Short term Short-medium term Short-medium term	Council, Transport for NSW, RMS
16. Enhance pedestrian permeability and connectivity throughout the public domain.	a) Amend the DCP 2013 to establish new pedestrian mid-block links as part of the redevelopment of sites as shown on the Accessibility Map b) Improve existing pedestrian links/walk throughs so that they are safer, more direct and inviting	Short term Short-medium term	Council
17. Improve the appearance, safety and sanitation of service lanes to provide improved amenity for pedestrians.	a) Work with Business Chambers to encourage property owners to improve the appearance, safety and sanitation of the rear of shops fronting service lanes	Medium term	Council and Business Chambers
18. Design streets and public spaces to increase natural surveillance and foster	a) Apply Crime Prevention Through Environmental Design (CPTED) principles to all public domain	Short-long term	Council

Strategies	Actions	Time frame	Responsibility
a sense of safety	and streetscape design b) Review DCP 2013 controls to ensure that all new development provides active frontages and clear glazing on street and upper levels to encourage surveillance of streets and public spaces c) Conduct a review of public lighting and upgrade as required d) Install way finding signage throughout each town centre in accordance with the Randwick City Civic Signage Manual. e) Upgrade open air carparks to enhance surveillance, safety and attractiveness	Short term Short-long term Medium term Medium-long term	
Social Infrastructure			
1. Encourage child care centres to locate within Kensington and Kingsford town centres.	a) Amend the DCP 2013 to encourage child care centres on podiums and rooftops within the town centres, in conjunction with stringent controls on emergency access and safety	Short term	Council and
2. Support innovative approaches to shared use of school facilities	b) Continue discussion with NSW Department of Education on options for optimising use of local school facilities in the precinct including innovative approaches to shared use of buildings and spaces with the community	Short-long term	Council and NSW Department of Education
3. Attract and expand social services and programs to meet the needs of a diverse community	a) Incorporate a flexible office/meeting room space within Kingsford for social services, youth outreach programs and services and other community services within the community infrastructure contributions scheme b) Undertake detailed planning for the delivery of a community hub at the Rainbow Street site in Kingsford town centre which promotes the co-location of Council administration/civic services and social/community facilities	Short term Medium-long term	Council and NSW Family and Community Services, other local community service providers
4. Improve public access to art and cultural facilities within Kensington town centre	a) Incorporate a gallery/creative space for Kensington within the community infrastructure contributions scheme	Short	Council

Strategies	Actions	Time frame	Responsibility
Zoning and Land use			
1. Consolidate the town centres' boundary to create a well-defined and compact urban form	a) Retain the existing RLEP 2012 B2 Local Centre zoning for Kensington and Kingsford town centres b) Amend RLEP 2012 to rezone the following sites from residential to B2 Local Centre zone : <ul style="list-style-type: none"> • 16- 20 Barker St, Kingsford • 582-584 and 586-592 Anzac Parade, Kingsford; and • 63 Harbourne Road and 12-18 Rainbow Street, Kingsford 	Short term	Council
2. Promote a land use mix within the town centres	a) Maintain existing permissible uses for the B2 Local Centre zone under the RLEP 2012	Short term	Council
Funding Infrastructure			
1. Seek an exemption to the maximum levy payable under s94A for the Kensington and Kingsford town centres	a) Request in principle support from the DPE and Minister for Planning for an exemption to the maximum levy payable from 1% to 3%; and b) Amend Council's existing s94A development contributions plan to incorporate a 3% levy for the Kensington and Kingsford town centres and infrastructure identified to be funded	Short term	Council and DPE, Minister for Planning, IPART
2. Review Council's existing VPA policy	a) Consider recommendations in the state government's recent draft Planning Agreements practice notes and update council's existing housing policy in relation to affordable housing and the provision of community infrastructure	Short-medium term	Council
3. Introduce a community infrastructure charge to help fund the required community infrastructure identified by this strategy and the	a) Introduce a community infrastructure contributions scheme within Randwick LEP 2012 based on discretionary built form controls (using existing and proposed controls) which can only be surpassed in exchange for contributing towards community infrastructure	Short term	Council

Strategies	Actions	Time frame	Responsibility
	b) Prepare supporting guidelines which lists the community infrastructure to be funded and operational.	Short term	

Appendix 1

Impact of Sydney Airport's prescribed airspace on building height

Land at Kingsford Junction (Nine-Ways) is a high frequency aviation corridor for Sydney Airport take-off and landings. The *National Airports Safeguarding Framework* administered by the Commonwealth Department of Infrastructure and Regional Development (DIRD) sets building height controls around Australia's airports to ensure the safety of aircraft and passengers (including the height of cranes operating during building construction stage). Sydney Airport's protected airspace is also known as "prescribed airspace". Prescribed airspace includes seven surfaces outlined on Sydney Airport's web site: <http://www.sydneyairport.com.au/corporate/community-environment-and-planning/planning/airspace-protection.aspx>.

Council has made preliminary enquiries with Sydney Airport and DIRD in relation to height limitations applying to land within Kensington and Kingsford. Advice received in relation to the surfaces known the Obstacle Limitation Surface (OLS) and Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) are particularly relevant for taller building forms proposed at Kingsford Junction (Nine Ways). The proposed maximum building height of 17 storeys is below the PANS-OPS but above the OLS in Kingsford. Kensington is not impacted by either the PAN-OPS or OLS.

Under the Commonwealth Airports Act 1996, any building or other structure that would penetrate prescribed airspace is known as a "controlled activity". The OLS surface (shown on a cart) is used during the visual stages of flight (rather than instrument navigation) and therefore a merit assessment is carried out. DIRD advises that authorities should be aware that intrusions may potentially have an impact on aviation safety, particularly if there are a number of obstacles in one area, which is why a Commonwealth approval for proposals exceeding the OLS is needed. This approval may be subject to conditions (imposed by Air Services Australia and the Civil Aviation Safety Authority). Sub regulation 14(2) of the Airports (Protection of Airspace) Regulations 1996 (the Regulations) states that:

"The Secretary must approve a proposal unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned."

The PAN-OPS surfaces are used in take-off and landing approaches and pilots rely entirely on instrument navigation. They are designed to protect aircraft from colliding with obstacles when flying on instruments. Under Regulation 14(5) of the Airports Regulation, there is no discretion to approve a permanent penetration of the PANS-OPS. Penetrations lasting no more than three months by a structure such as a crane may be approved, but only with the support of Sydney Airport.









Sydney Airport has advised that, given the proximity of certain sites in the Kingsford area to the main flight path leading to Sydney Airport's east-west runway, a proponent should not assume that an application to erect a crane penetrating the PANS-OPS would be necessarily be approved. Therefore the airport height restrictions are an important consideration for future development applications even if they propose height below the PANS-OPS, given the need to erect a crane during construction.






Further consultation will be conducted with Sydney Airport, CASA and DIRD during the public exhibition stage of the draft Strategy on height limitations at Kingsford.


Appendix 2

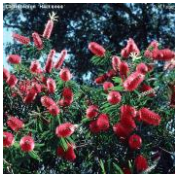





Proposed Planting Palette






(Extracted from the Randwick City Light Rail Urban Design Guidelines 2014)

TREES	BOTANICAL NAME	COMMON NAME	LOCATION
 	Pyrus calleryana	Callery Pear	High Cross Park & High Street
 	Sapium sebiferum	Chinese Tallow	High Cross Park street tree
 	Agathis robusta	Queensland Kauri	Alison Road between Anzac Parade & Doncaster Avenue (Northern side)
 	Magnolia grandiflora	Magnolia 'Little Gem'	High Cross Park

TREES	BOTANICAL NAME	COMMON NAME	LOCATION
 	<i>Pistacia chinensis</i>	Chinese Pistache	High Cross Park
 	<i>Platanus orientalis</i> 'Digitata'	Cut Leaf Plane	Anzac Parade & Alison Road between Darley Road & Wansey Road (Northern side)
	<i>Platanus acerifolia</i>	London Plane	Anzac Parade & Alison Road between Darley Rd & Wansey Road (Northern side)

SHRUBS/ACCENT PLANTS	BOTANICAL NAME	COMMON NAME	LOCATION
	<i>Alternanthera dentate</i>	Ruby Leaf Alternanthera	Verges Anzac Parade

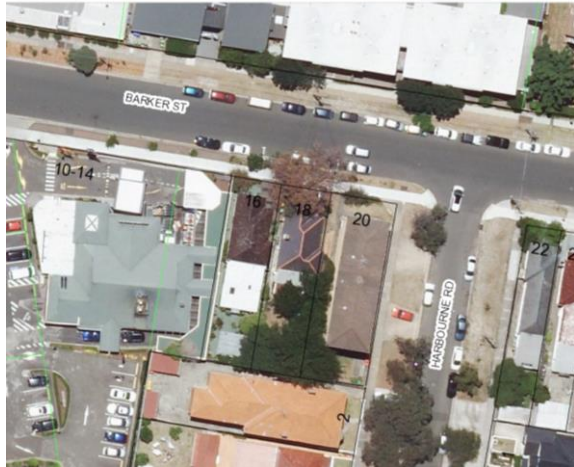
SHRUBS/ACCENT PLANTS	BOTANICAL NAME	COMMON NAME	LOCATION
	Callistemon verinalis	Callistemon Little John	Verges Anzac Parade
 	Carrisa macrocarpa	Natal Plum	Verges Anzac Parade
	Murray paniculata	Orange Jessamine	High Cross Park & verges, Anzac Parade
	Dianella caerulea	Blue Flax Lily	Street verges
	Daniella revolute	Mauve Flax Lily	Street verges

SHRUBS/ACCENT PLANTS	BOTANICAL NAME	COMMON NAME	LOCATION
	<i>Imperata cylindrical</i>	Blady Grass	Street verges
	<i>Microlaena stipoides</i>	Weeping Meadow Grass	Street Verges
	<i>Pennisetum alopecuroides</i>	Swamp Foxtail	Anzac Parade median & verges behind kerb (where appropriate)
	<i>Pennisetum setaceum</i>	Fountain Grass	Anzac Parade median & verges behind kerb (where appropriate)
	<i>Patersonia servicea</i>	Silky Purple Flag	Street verges

Appendix 3

Town Centre boundary investigation

16-20 Barker Street Kingsford



Aerial photograph of location



View of existing buildings on subject sites from Barker Street



View of existing building on 20 Barker Street from Harbourn Road



View of existing building on 20 Barker Street from Barker Street

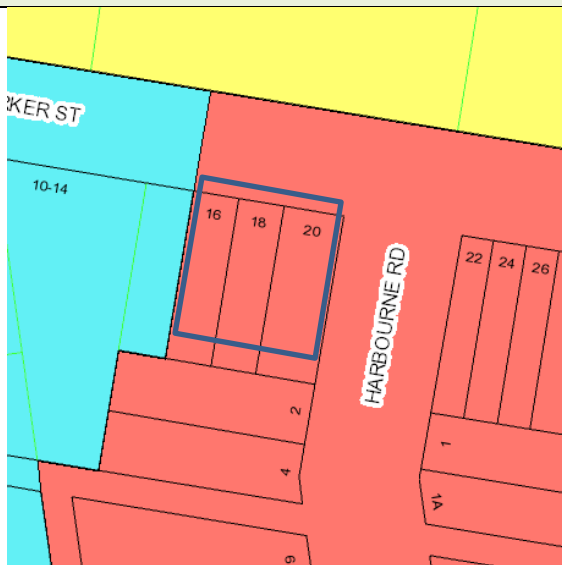


View of existing building on 18 Barker Street from Barker Street



View of existing building on 16 Barker Street from Barker Street

Current planning controls



Existing zoning map

Randwick Local Environmental Plan 2012

Zoning: R3 Medium Density Residential

FSR: 0.75:1 for developments other than for the purpose of a dwelling house

Maximum Height: 9.5m for developments other than for the purpose of a dwelling house.

Analysis

Site Description

The site consists of 3 lots. The lots are described as Lot 1 in DP 950767 No. 16 Barker Street, Lot 1 in DP 954209 18 Barker and Lot 20 DP 1032739 (being Lots 1-6 in SP 65941) 20 Barker Street.

The land area of the 3 lots is approximately 1061.77m².

The sites are regularly shaped with 16 and 18 Barker Street having singular frontages and 20 Barker Street having dual frontages to Barker Street and Harbourne Road.

The sites are presently occupied with two single storey dwellings and a 4 storey residential flat building (6 units).

The site is adjoined by a single storey business premises

	(McDonalds) to the west and a 2 storey residential flat building (6 units) to the south.
Streetscape	<p>Harbourne Road has varied building heights ranging from 1 to 4 storeys, with consistent front setbacks, boundary fences and architecture patterns.</p> <p>Building heights range from 1 to 5 storeys, with varying setbacks on the northern side of Barker Street and consistent setbacks on the southern side of Barker Street. Boundary fences and architectural patterns are also consistent within the streetscape.</p>
Land use and the land use patterns of the surrounding area	<p>The subject urban block is characterised by mixed commercial and residential uses, multi business properties, single dwellings and residential flat buildings. Commercial uses include; a medical and dental centre, a natural medicine practice, a physiotherapist and psychologist practice, a tax accountant, an obstetrician gynaecologist, a Vietnamese roll restaurant, McDonalds, and a service station.</p> <p>A B2 Local Centre Business Zone (McDonalds) adjoins the western boundary of 16 Barker Street and is located within the Kingsford Town Centre.</p> <p>To the north of the site is the educational establishment, the University of New South Wales. The site is zoned in SP2 Infrastructure and is a special purpose zone.</p> <p>A R3 Medium Density Residential zone continues into the surrounding east to south urban blocks and is characterised by single dwellings, semi-detached dwellings, dual occupancies, residential flat buildings, and town houses.</p>
Topography	The site has a flat topography.
Landscape character and open space	The site and the surrounding areas are highly urbanised. A cluster of medium sized trees are found at the rear of 18 Barker Street. Both 16 and 20 Barker Street contain medium sized trees at the front of the lots fronting Barker Street.
Proximity to nearest centre	The site adjoins the Kingsford Town Centre on the western property boundary of 16 Barker Street.
Proximity to strategic bus corridor/ frequent bus routes/ light rail.	<p>The site has convenient access to frequent and regular bus services along Anzac Parade with connections to the CBD and other destinations in the Eastern Suburbs. The closest bus stop is located outside of 243-253 Anzac Parade and is approximately 143m from 16 Barker Street.</p> <p>Once constructed, the site will have access to the south east light rail services along Anzac Parade with the closest light rail stop at Strachan Street. The route will provide access from</p>

	Circular Quay along George Street to Central Station, through Surry Hills to Moore Park, then to Kensington and Kingsford via Anzac Parade and Randwick via Alison Road and High Street.
Access	Both 16 and 18 Barker Street have singular hardstand parking facilities. 20 Barker Street has onsite garage parking facilities with access from Harbourne Road.
Urban design	20 Barker Street occupies a prominent corner location. Collectively the subject sites occupy a strip of Barker Street and are visible from various vantage points. Any future development needs to consider the visual presentation to the streets and the built form relationship with the adjoining and nearby development.
Heritage	N/A
Issues	Rezoning the site to B2 Local Business would allow town centre development such as mixed use buildings. Any increased building mass and dwelling numbers associated with higher density development would need to carefully address potential amenity impacts upon the adjoining properties in terms of solar access, visual and acoustic privacy and vehicular access.
Planning Consideration	The subject sites are located within a strategic location as they adjoin the Kingsford Town Centre and would allow for the logical extension of the Kingsford Town Centre. A B2 Local Centre zone would offer greater flexibility for a broader range of business uses and allow for a consistent zoning application across the block.
Recommendation	<p>Proposed zone: B2 Local Centre</p> <p>Proposed FSR: 4:1</p> <p>Proposed height: 31m (9 storeys)</p> <p>NB: A lower height limit of 5 storeys should be applied at the rear of the sites to create a built form transition to adjoining residential properties. See C6 Built Form Section 6.4.3 Built Form Transition for further details.</p>

582-584 and 586-592 Anzac Parade Kingsford



Aerial photograph of location



View of existing building on 582-584 Anzac Parade from Anzac Parade

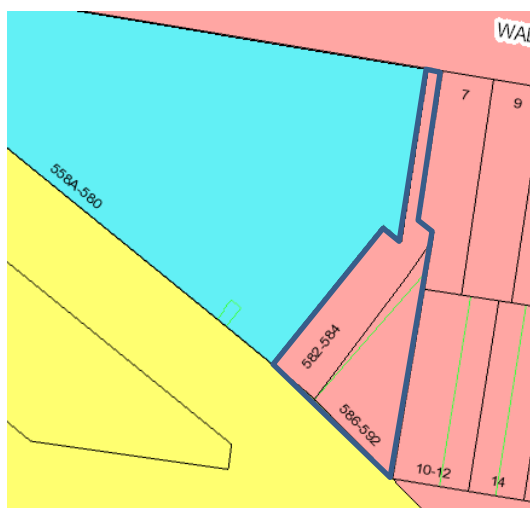


View of 582-584 Anzac Parade access way from Wallace Street



View of existing building on 586-592 Anzac Parade from Anzac Parade

Current planning controls



Existing zoning map

Randwick Local Environmental Plan 2012

Zoning: R2 Low Density Residential

FSR: 0.5: 1 for developments other than for the purpose of a dwelling house

Maximum Height: 9.5m for developments other than for the purpose of a dwelling house

Analysis

Site Description

The site consists of 2 lots. The lots are described as Lot 1 in DP 516025 No. 582-584 Anzac Parade and Lot 1 in DP 94260618 No. 586-592 Anzac Parade.

The sites are irregularly shaped.

The total land area of the two lots is approximately 895.76m².

582-584 Anzac Parade has dual frontages fronting Anzac Parade and Wallace Street. 586-592 Anzac Parade has a singular frontage onto Anzac Parade.

The sites are presently occupied by two 2 storey multi business properties comprising of a pizza shop, ironing service, lawyers and an Indonesian restaurant.

Adjoining the site to the west is the South Sydney Junior Rugby League Club (4 storeys). To the east there is a 2 storey residential flat building (3 units) and a 2 storey residential flat building.

Streetscape

The south-western side of Anzac Parade provides a generally consistent streetscape in terms of building heights, setbacks boundary fences and architectural patterns. Both 421 and 425 Anzac Parade obtain a nil setback onto Anzac Parade.

A nil setback of the subject block is consistent with the neighbouring properties along the north-eastern side of Anzac Parade and the front setback is increased towards the south-east of Anzac Parade. Building heights are predominantly 1 to 2 storeys with the exception of 558A-580 Anzac Parade being 4 storeys. Boundary fences are consistent. However, architectural features vary due to the differing surrounding land uses (South Sydney Junior Rugby League Club, multi business properties (Pizza shop, ironing service, lawyers and an

	<p>Indonesian restaurant), a religious property (Holy Trinity Kingsford Anglican Church) and residential forms.</p> <p>Anzac Parade is a 60 metre wide arterial road. In front of the subject sites, Sturt Street crosses through Anzac Parade creating two intersections with Anzac Parade. Additionally, a section of the Anzac Parade contains public parking in the median strip.</p>
Land use and the land use patterns of the surrounding area	<p>The subject urban block is characterised by single dwellings, semi-detached dwellings, dual occupancies, residential flat buildings, multi business properties (Pizza shop, ironing service, lawyers and an Indonesian restaurant) and the South Sydney Junior Rugby League Club.</p> <p>A B2 Local Centre Business Zone adjoins the north-western property boundary of 582-584 Anzac Parade and is located within the Kingsford Town Centre.</p> <p>R3 Medium Density Residential zoned land, which consists of single dwellings, semi-detached dwellings, residential flat buildings, mixed commercial residential flat buildings and multi business properties is located to the south-west to the subject sites.</p> <p>The R2 Low Density Residential zone extends to the north, east and south-east of the subject sites and comprises mainly of single dwellings, semi-detached dwellings, dual occupancies and residential flat buildings.</p> <p>There are a number of commercial institutional uses within walking distance from the site, including the Holy Trinity Church (594-596 Anzac Parade), Souths Juniors Rugby League Club (558-580 Anzac Parade) and a car wash café (415-417 Anzac Parade).</p>
Topography	<p>The site slopes from south-west to north with an approximate 5.5 metre gradient increase. There is a sharp 1.5 metre (approximate) level increase in the middle of Lot 1 in DP 516025 No. 582-584 Anzac Parade.</p>
Landscape character and open space	<p>The site and the surrounding areas are highly urbanised. The site does not contain any significant vegetation.</p>
Proximity to nearest centre	<p>The site adjoins Kingsford Town Centre on the north-western property boundary of 582-584 Anzac Parade.</p>
Proximity to strategic bus corridor/ frequent bus routes/ light rail.	<p>The site has convenient access to frequent and regular bus services along Anzac Parade with connections to the CBD and other destinations in the Eastern Suburbs. A bus stop is located at the front of 586-592 Anzac Parade.</p> <p>Once constructed, the site will have access to the south east</p>

	light rail services along Anzac Parade with the closest light rail stop being the Kingsford terminus. The route will provide access from Circular Quay along George Street to Central Station, through Surry Hills to Moore Park, then to Kensington and Kingsford via Anzac Parade and Randwick via Alison Road and High Street.
Access	582 Anzac Parade has vehicle access from Wallace Street and 586-592 Anzac Parade has vehicle access from Anzac Parade.
Urban design	The 586-592 Anzac Parade occupies a shared corner location; both sites are visible from numerous points. Any future development needs to consider the visual presentation to the streets and the built form relationship with the adjoining and nearby development.
Heritage	N/A
Issues	Rezoning the site to B2 Local Business would allow the development of business uses such as mixed use buildings. Any increased building mass and dwelling numbers associated with higher density development on the site would need to carefully address potential amenity impacts upon the adjoining properties in terms of solar access, visual and acoustic privacy and vehicular access.
Planning Consideration	The subject sites are located within a strategic location as they adjoin the Kingsford Town Centre and would allow for a logical extension to the town centre. A B2 zone would reflect the existing business uses, offer greater flexibility for a broader range of business uses and result in a consistent zoning application across the block.
Recommendations	<p>Proposed zone: B2 Local Centre</p> <p>Proposed FSR: 4:1</p> <p>Proposed height: 31m (9 storeys)</p> <p>NB: A lower height limit of 7 storeys in conjunction with a shared zone on the east of the site would create a built form transition to adjoining residential properties. See C6 Built Form Section 6.4.3 Built Form Transition for further details.</p>

63 Harbourne Road and 12-18 Rainbow Street Kingsford



Aerial photograph of location



View of existing building at 63 Harbourne Road from Harbourne Road



View of existing building at 63 Harbourne Road from Rainbow Street



View of existing building 12 Rainbow Street from Rainbow Street



View of existing building at 14 Rainbow Street from Rainbow Street



View of existing building at 16 Rainbow Street from Rainbow Street

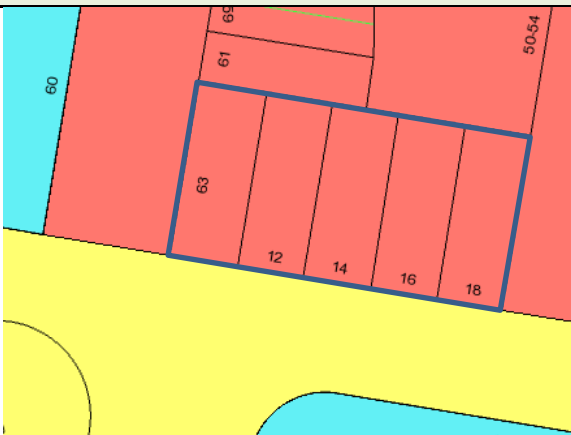


View of existing building at 18 Rainbow Street from Rainbow Street



View of existing building at 18 Rainbow Street from Forsyth Street

Current planning controls



Existing zoning map

Randwick Local Environmental Plan 2012

Zoning: R3 Medium Density Residential

FSR: 0.9: for developments other than for the purpose of a dwelling house

Maximum Height: 12m for developments other than for the purpose of a dwelling house

Analysis	
Site Description	<p>The site consists of 5 lots. The lots are described as Lot 12 in DP 6134 (Being lots 1-12 in SP 39850) No. 63 Harbourne Road Kingsford, Lot 13 in DP 6134 No. 12 Rainbow Street Kingsford, Lot 14 in DP 6134 (being lots 1-4 in SP 45197) No. 14 Rainbow Street Kingsford, Lot 15 in DP 6134 No. 16 Rainbow Street Kingsford and cor lot 16 in DP 6134 No. 18 Rainbow Street Kingsford.</p> <p>The land area of the 5 lots is approximately 2133.4m².</p> <p>The lots are regularly shaped with 12, 14, and 16 Rainbow Street having singular frontages. 63 Harbourne Street has dual frontages fronting Harbourne Road and Rainbow Street and 18 Rainbow Street has dual frontages fronting Rainbow Street and Forsyth Street.</p> <p>The sites are presently occupied with a 3 storey residential flat building (12 units), a 2 storey business property, a 2 storey residential flat building (4 units), a 4 storey residential flat building (6 units), and a 3 storey residential flat building (6 units).</p> <p>To the northern property boundary of the sites 63 Harbourne Road, 12 Rainbow Street and 14 Rainbow Street adjoin a single dwelling (2 storeys) and 14, 16 and 18 Rainbow Street adjoin a 3 storey residential flat building (22 units).</p>
Streetscape	<p>A large roundabout (Nineways intersection) is located directly to the south-west of the sites. The roundabout connects Anzac Parade, Gardeners Road and Rainbow Street.</p> <p>Surrounding setbacks and building heights (ranging from 1 to 10 storeys) are varied, with consistent boundary fences and architectural patterns.</p>
Land use and the land use patterns of the surrounding area	<p>The subject urban block is characterised by single dwellings, residential flat buildings, a boarding house and a business property (Amber indoor and outdoor tiles).</p> <p>A B2 Local Centre Business Zone (Kingsford Town Centre) surrounds the sites from the west through to the south-east.</p> <p>The R3 Medium Density Residential zone continues to the surrounding north and east urban blocks and consists of a mixture of single dwellings, residential flat buildings, a mixed commercial residential flat building and a religious property (Kingsford Legacy Group Widows Club).</p>
Topography	The site has a flat topography.
Landscape character and open space	The site and the surrounding areas are highly urbanised. The site does not contain any significant vegetation.
Proximity to nearest	The sites neighbours Kingsford Town Centre from the south-east

centre	to the west of the sites.
Proximity to strategic bus corridor/ frequent bus routes/ light rail.	<p>The sites are within close proximity to a variety of bus stops with access to various destinations across Sydney including the inner east, inner west and CBD.</p> <p>Once constructed, the site will have access to the south east light rail services from the Kingsford terminus. The route will provide access from Circular Quay along George Street to Central Station, through Surry Hills to Moore Park, then to Kensington and Kingsford via Anzac Parade and Randwick via Alison Road and High Street.</p>
Access	63 Harbourn Road has vehicle access via Harbourn Road. 12 and 16 Rainbow Street have vehicle access to onsite parking facilities via Rainbow Street. 14 Rainbow Street does not have vehicle access, and 18 Rainbow Street has vehicle access to onsite parking facilities from Forsyth Street.
Urban design	63 Harbourn Road and 12 Rainbow Street occupy prominent corner locations. Collectively the subject sites occupy a strip of Rainbow Street and are visible from various vantage points. Any future development needs to consider the visual presentation to the streets and the built form relationship with the adjoining and nearby development.
Heritage	N/A
Issues	<p>Rezoning the site to B2 Local Business would allow higher density forms of development such as mixed use. Any increased building mass and dwelling numbers associate with higher density development on the site would need to carefully address potential amenity impacts upon the adjoining properties in terms of solar access, visual and acoustic privacy and vehicular access.</p> <p>Major changes to strata laws are to commence on 30 November 2016. One of these changes includes the collective sale and renewal of strata properties. Currently, a strata community cannot decide to sell and redevelop their scheme without unanimous consent from all owners. The reforms will allow the majority of owners (at least 75 per cent - based on the number of lots, not on unit entitlement) to agree to end, sell or redevelop their strata scheme. Any scheme existing before the new laws commence will need to 'opt in' to have collective sale and renewal as an option for their scheme, by passing an ordinary resolution at a general meeting. This is of particular concern for 14 Rainbow Street as two of the four single strata units are owned by the same owner.</p>
Planning Consideration	The sites should be rezoned from R3 Medium Density Residential to B2 Local Centre. The subject sites are located within a strategic

	location, adjoin the Kingsford Town Centre and would allow for a logical extension to the Kingsford Town Centre. A B2 Local Centre zone would provide a consistent zoning application and offer greater flexibility for a broader range of business uses.
Recommendation	<p>Proposed zone: B2 Local Centre</p> <p>Proposed FSR: 4:1</p> <p>Proposed height: 31m (9 storeys)</p> <p>NB: A shared zone to the north of the site would create a built form transition to adjoining residential properties. See C6 Built Form Section 6.4.3 Built Form Transition for further details.</p>

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