

Rezoning Pathways Team  
Department of Planning, Housing and  
Infrastructure  
Locked Bag 5022  
Parramatta NSW 2124

25 February 2025

**Ref No:** F2024/00638

Dear Sir/Madam,

**Re: Planning Proposal – 47-55 Bunnerong Road, Kingsford**

Thank you for the opportunity to comment on the Planning Proposal for 45-47 Bunnerong Road, Kingsford lodged by Homes NSW under the NSW Social and Affordable Housing Program.

The Planning Proposal seeks an amendment to the *Randwick Local Environmental Plan 2012* (RLEP 2012) to deliver increased housing supply and renewal of social housing on the site. The proposed RLEP 2012 amendments include:

- An increase to the maximum Floor Space Ratio (FSR) from 0.75:1 to 2.7:1;
- An increase to the maximum building height from 12m to 28m (approximately 8 storeys); and
- Introduction of a site-specific provision of a minimum floorspace requirement for the purposes of affordable and social housing.

Redevelopment of the site under the proposed RLEP amendments is anticipated to deliver 185 dwellings, including up to 50% as affordable and social housing, with the remainder as market housing. It is noted that the actual component of affordable/social housing floor space to be delivered on site is not confirmed and is currently subject to negotiations between Housing NSW and the NSW Department of Planning, Housing and Infrastructure.

Randwick City Council is supportive of Homes NSW's efforts to increase and upgrade the supply of social and affordable dwellings within the Randwick Local Government Area (LGA). We also acknowledge the engagement undertaken by the Homes NSW team with Council officers and the community prior to the lodgement of the Planning Proposal. The role of the public sector in meeting the National Housing Accord and the associated focus by the State Government of New South Wales on increasing the supply of social and affordable dwellings is also noted and appreciated.

Council Officers have reviewed the Planning Proposal and supplementary documentation and provide the following comments for consideration.

**1. Strategic Merit**

The Randwick Local Strategic Planning Statement (LSPS) and Housing Strategy (HS) give effect to the Eastern City District Plan (ECDP) by implementing key economic, social and environmental directions, priorities and actions at a local level. These overarching strategic documents have been informed by the community's aspirations expressed during Council's extensive consultation process branded 'Vision 2040 – Shaping Randwick's Future'.

The HS sets a housing target of 4,300 new dwellings by 2026 and identifies housing growth opportunities in the medium to long term to meet projected population growth based on expected demographic changes and housing need. Furthermore, the DPHI have provided an updated housing target for Randwick City of 4000 dwellings to be delivered in the 2024-2029 period.

The LSPS and HS both identify the need to deliver additional housing to meet housing demand in areas that are accessible to public transport, services and employment. In relation to affordable and social housing the HS sets a target of 1,918 social housing dwellings and 1,765 affordable rental dwellings.

When considering the merits of the Planning Proposal in the context of the existing regional and local strategic planning framework, it is agreed that the proposal has strategic merit for the following reasons:

- The proposal would contribute to meeting housing targets outlined in the LSPS, the HS and by the DPHI, by increasing housing delivery and residential density in the Kingsford South HIA;
- The proposal would provide an integrated approach to land use and transport planning by concentrating new housing in an accessible area in proximity to employment, services and public transport; and
- The proposal would help deliver an increase in social and affordable housing in the LGA- two forms of housing that are in great need in the local area.

## **2. Affordable and Social Housing**

As noted earlier, redevelopment of the site is expected to notionally deliver 'up to' 50% of its floor space as affordable and social housing. However, the actual amount of floor space for affordable/social floor space will be determined at a future stage pending negotiations between Homes NSW and the DPHI.

Concerns are raised that the Planning Proposal does not commit to a minimum floor space requirement for affordable/social housing via an LEP provision. Additionally, the split between affordable and rental housing is not specified which has implications as each housing type serves different household needs. The absence of a specified minimum percentage for affordable/ social housing floor space creates considerable uncertainty as to the quantum and proportion of affordable and social housing that would be delivered at the SSSDA stage to address local housing needs effectively.

These issues are pertinent given that the inability of the private rental market to cater for very low, low and medium income households, including key workers, is one of the most critical housing challenges facing Randwick City. This is further illustrated by statistics provided by Homes NSW which has highlighted a significant undersupply of social and affordable housing in the Randwick LGA, with a current 5-10 year waiting list for a 1 or 2 bedroom home.

Access to affordable and social housing is essential for a diverse, cohesive, and economically successful city, and offers substantial benefits such as retaining key workers, allowing people to age in place within their communities and fostering inclusivity and resilience. The subject site offers a rare and unique opportunity to significantly contribute to the amount of affordable and social housing locally, given its strategic location near employment, services, and transport. Potential funding via the Federal Government's Housing Australia Future Fund Facility (HAFFF) may further support the ability of the site to deliver higher levels of affordable and social housing.

Given the scarcity and high cost of inner-city land and critical shortage of social and affordable housing provision in Randwick City, delivery of additional social and affordable housing is paramount and *must* be the primary driver of the site's redevelopment. Council accordingly seeks assurance regarding the amount and proportion of affordable housing and social housing units to be delivered on the site and this should be through a legislative mechanism via the local planning framework.

Given its strategic and locational attributes, the potential of Government's funding available under the HAFFF, and examples of funded developments dedicating 100% of floor space as social/affordable housing in the local area (e.g. 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra by Homes NSW), we consider that the site offers a unique opportunity to provide up to 100% of its total floor space as affordable/social housing.

Further, a LEP clause mandating a minimum dedication of affordable and social housing is highly desirable to provide increased design certainty against the potential in-fill affordable housing density bonuses available via the Housing SEPP. As specified by the In-fill affordable housing Practice note, any local requirements for affordable housing do not count towards the minimum required affordable housing component under the Housing SEPP in-fill affordable housing provisions. Therefore, if the LEP does not contain any minimum dedication clause, the notional 50% affordable and social housing provision expressed in the Planning Proposal that is used as strategic justification for the PP could also be utilised to access the in-fill affordable housing provisions.

### **3. Urban Design**

As a broad comment, the overall design concept is commendable, particularly the well-considered site layout incorporating a central shared open space and reduced five-storey streetscape presentation to Anderson Street. The general building envelope indicated in the design concept reflects Council staff feedback, and would result in reduced visual bulk. Further commentary is provided below.

### **4. Building Height**

The Planning Proposal requests a 28m height limit which is a significant increase from the originally proposed 16.5m height limit for the site under the Kingsford South HIA (now deferred). The requested height exceeds the height limits of the surrounding Kingsford South HIA, which are 16.5m to the east and north, and 9.5m for the low-density residential area south of Anderson Street. Notwithstanding this, the visual impact is somewhat mitigated through overall and upper-level building setbacks proposed in the design concept, along with a 16.65m landscape setback to Bunnerong Road and a step down to five storeys along Anderson Street, the most sensitive interface of the development.

The eight storey height is only appropriate with generous setbacks from the two primary street frontages. If the eight storey part of the building is well setback, then the proposed height would provide a suitable transition from the taller Kingsford Town Centre buildings to the north (ranging from nineteen storey node sites down to nine and seven storeys), to the Kingsford South HIA to the north and east (five storeys), and the low-density residential area south of Anderson Street (one to four storeys).

The building height and massing are also mitigated through upper-level setbacks of 2m and 6m for the top two levels, articulating the building's top and reducing its apparent scale when viewed from Anderson Street.

### **5. Density**

The Planning Proposal proposes to increase the permitted density from the current FSR 0.75:1 to FSR 2.7:1. For context, the FSR for the Kingsford South HIA is 1.6:1 to the east and north of the site, and 0.5:1 for the low-density residential area to the south. The concept design increases the number of apartments from the current 60 social housing dwellings to 185 apartments (mix of affordable/social and market housing). If the full 50% affordable/social housing component is delivered, it would equate to 92 affordable/social housing apartments on the site (i.e. a net increase of 32 social/affordable apartments).

The proposed density increase is considered reasonable given the site's size and context, including its proximity to public transport, Kingsford Town Centre, schools, and recreational green space, and the limited impact on residents in the low-density area south of Anderson Street and the two frontage

streetscapes. The remaining urban design concerns centre around the eight storey building height and the streetscape frontage scale, particularly the eight storey frontage to Bunnerong Road.

## **6. Built Form**

The proposed built form includes two eight-storey wings with a five-storey step down along the Anderson Street frontage and a partial 16.65m setback along Bunnerong Road to retain three mature trees. These setbacks, combined with upper-level setbacks, help mitigate the overall bulk and scale of the building when viewed from Anderson Street and the Dacey Gardens Heritage Conservation Area (HCA) to the west of Bunnerong Road in the adjoining Bayside Council LGA.

The 'U' shaped building massing effectively defines the two street frontages and creates a communal open space (COS) at the heart of the development. This design component is commendable as it provides a landscaped social meeting place for future residents with a northern aspect and a visual connection to the adjoining open space to the north. The landscaped COS offers an attractive green outlook for future apartments and is also strongly supported.

The design concept indicates a series of building parts at different heights, incorporating steps and recesses, which would assist in modulating and articulating the building envelope, reducing the visual bulk and scale. The proposed apartment/lift core planning, with four cores serving 6-7 apartments each, fosters small group socializing and a sense of ownership within the building which is a positive approach.

## **7. Building Setbacks**

The substation (to the north and east) and the Bunnerong Road corridor (to the west) provide a setback buffer from the site to nearby residential properties and the Dacey Gardens HCA. The design concept proposes setbacks of 5m and 16.65m from the Bunnerong Road property boundary. The R2 Low Density Residential area south of Anderson Street is the most sensitive interface, with an overall 5m building setback proposed from this property boundary and a 2m and 6m upper setback for the top two levels. There is a 3m building setback to the northeast (substation and green space) and a 6m setback to the east (substation) boundary.

The north part of the Bunnerong Road frontage, that has no landscape setback, presents an eight storey building to this streetscape. It is requested to introduce a step down in height to five storeys along this frontage to mitigate the impacts of the scale and bulk of the building on the Bunnerong Road streetscape and the Dacey Gardens HCA.

The 5m and 6m ground level setbacks to the two street frontages introduce the opportunity for ground floor apartments to incorporate private court gardens, enhancing amenity for ground floor residents (particularly families) and improving passive surveillance for the streets. Clarity is requested on whether this design opportunity has been incorporated.

## **8. Landscaping and Tree Management**

The Urban Design Report indicates the retention of four High Retention Value trees on the site:

- 3 x Eucalyptus botryoides (Bangalay along Bunnerong Road)
- 1 x Jacaranda mimosifolia (Jacaranda in the NE corner)

Council strongly supports the retention of significant trees to improve environmental amenity and soften the built form. The proposed replacement ratio of 2:1 for existing trees removed is also supported. It is further noted that an adequate setback from the root ball/drip zone of the retained trees to the proposed building structures would require detailed arboreal advice and consideration in the design development.

The following matters regarding landscape provision in terms of the RDCP 2013 requirements (HIA Section 18) and ADG requirements are noted:

- **Communal open space:** The ADG requires 25% of the site to be set aside for COS. The proposal exceeds this requirement with 32.6% COS, which is supported by Council for increased amenity for future residents.
- **Deep Soil Permeable Area:** The ADG requires 7% deep soil area, and the HIA DCP requires 35%. The proposal achieves 16.3%, exceeding the ADG but approximately half of the DCP requirement. The Deep Soil plan and calculation should be updated to include all deep soil areas for accurate assessment.
- **Gross Landscape Area (GLA):** The HIA DCP requires 60% GLA, including planting on structure and paved areas. The proposal does not include this measurement. The GLA calculation should be submitted for further consideration and review.
- **Tree Canopy Cover:** The HIA DCP requires 25% Canopy Cover. The Landscape Report indicates 41.4% canopy cover, but no map has been provided. Council requests the tree canopy cover calculation according to the HIA DCP methodology for review.

#### *Senior Landscape Development Officer's Comments*

The following targeted outcomes of the proposal are generally supported:

- 41.4% of the site covered by tree canopy (map and calculation to be provided at SSSA stage).
- 33 new trees to be planted throughout the precinct.
- 110m<sup>2</sup> of community gardens.
- 1853m<sup>2</sup> of communal open space on deep soil.

#### Trees

Of the 49 existing trees, 36 are nominated for removal (73%), including five High Retention Value trees conflicting with the new Basement Level footprint. Many other trees indicated for removal are exempt from the DCP due to being weed species or small size. The majority of High Retention Value trees will be retained. An AQF Level 5 Consulting Arborist should be engaged for the project duration to supervise relevant stages and ensure implementation of the Recommendations at Section 6 of the report. Certification of compliance with the Recommendations/TPP is required from the Project Arborist before, during, and upon completion of works.

#### Landscaping

The primary Design Objectives are:

- Re-designing the Communal Open Space to face outwards, improving interaction with the adjoining public reserve
- Embellishments of the adjoining reserve to offset tree loss (requiring further discussions with Council)
- Buffer planting of street trees along Bunnerong Road and Anderson Street (at the applicant's cost)
- Provision of generous deep soil areas for medium-large deciduous trees.
- Community/edible gardens; and
- Flexible lawn areas for active and passive recreation, and communal facilities such as BBQs, pavilions, and play equipment.

These objectives are supported for improved environmental amenity for future residents.

The following information is requested at the SSSA stage for comprehensive assessment:

- Clearly identify areas of Deep Soil and 'on podium' for accurate assessment.
- Ensure nature play/play equipment areas comply with relevant Australian Standards.

- Submit a Plant Schedule identifying quantities, densities, mature dimensions, pot size, and other standard inclusions.
- Select species suitable for the prevailing soil type, aspect, wind exposure, solar access requirements, screening/privacy, and dimensions similar to future buildings.

## **9. Vehicular Access**

Council supports the vehicular entry from Anderson Street, which is set back from the intersection with Bunnerong Road, and the provision of basement parking. According to the development yield tables provided, 181 car parking spaces are proposed, including visitor parking. During the design development stage, a full breakdown of car spaces, motorcycle, and bicycle parking spaces is to be provided.

The HIA DCP permits reduced parking rates (by one third) for this HIA, given the proximity to public transport, green spaces, and services and amenities. EV charging infrastructure is to be provided, car share is encouraged (with reduced parking provision considered at an agreed rate), and the preparation of a Green Travel Plan is required. Reference should be made to section 19 of the Randwick DCP E7 HIAs.

## **10. Shadow Analysis**

The shadow diagrams provided indicate that the proposed height of eight storeys will overshadow the northern gardens of residences along Anderson Street during the winter solstice (12 noon-2 pm). Further upper-level building setbacks to the top level of the eight-storey west wing along this frontage are recommended to reduce the extent of overshadowing and the resultant impact on residents along the south side of Anderson Street.

## **11. Materials and Finishes**

The ground level photomontages and finishes palette provide useful information on the proposed streetscape appearance and architectural finishes for the building. Council supports the use of face brickwork and the articulation of the building forms, defining the base, middle, and top of the building, in alignment with the DCP E7 HIA objectives and controls. The proposed landscape palette of finishes is also supported by Council.

## **12. Draft Development Control Plan**

The Planning Proposal is supplemented by a draft DCP containing detailed design controls for the site addressing planning principals, site specific building controls, building design, landscaping and open space, and parking and access. This draft DCP has been reviewed as it would provide the detailed design guidance for future redevelopment of the site. The following comments are accordingly made on the proposed draft DCP provisions:

### ***Planning Principles and Objectives***

The draft DCP contains a range of planning principles and objectives which provide the overarching framework for the desired future character and re-development of the site. These principles and objectives address building design, residential amenity, landscaped character and carparking.

Although the principles and objectives are a step in the right direction, they appear to be overly focused on built form with no reference to social and environmental considerations which are also necessary to improve quality of life and ensure the development is comfortable for occupants and functional for its intended use. It is therefore recommended that additional principles, objectives and controls be included addressing the following matters:

- **Affordable and social housing:** to emphasise that the main driver for redevelopment of the site is delivery of affordable and social housing needs of key workers and very low to low and medium income households in the locality
- **Sustainable design:** to encourage best practice in sustainability and resilience, focusing on climatic climate responsive design, energy efficiency and sustainable building materials
- **Housing mix:** to provide a mix of housing sizes and types to promote social inclusion and diversity within the community
- **Prioritisation of walking, cycling and using public transport:** to help facilitate a 20 minute walking city precinct for sustainability reasons and as a measure for improved accessibility and connectivity for residents
- **Safe and Inclusive design:** to ensure the development incorporates CPTED principles to enhance visibility and foster a greater sense of ownership and safety
- **Contribute to the Green Grid:** to highlight the importance of canopy cover and its contribution to the local network of green spaces, streets, plazas and laneways
- **High amenity and liveability:** to provide a living environment that exceeds the minimum standards of the Apartment Design Guide. It is recommended to include a requirement to incorporate courtyards to ground floor apartments.
- **Protection of trees on site:** including engagement of an arborist, and the replacement of removed trees at a minimum ratio of 2:1 with new trees.

To ensure that future development on the site is consistent with the proposed planning principles and objectives (including those suggested above), it is recommended that the draft DCP include a provision requiring the submission of a statement demonstrating consistency with the planning principles and objectives as part of the SSDA documentation.

### ***Design Excellence***

Design excellence should be a fundamental objective underpinning the site's future redevelopment to provide a high level of amenity for existing and new residents and elevate the standard of building design quality and sustainability.

Clause 6.11 of the RLEP 2012 requires the consideration of design excellence as part of the DA process for buildings over 15m in height or for sites that are over 10,000m<sup>2</sup>, or for land where a site-specific development control plan is required. Once developed under the requested planning controls, the site would need to satisfy the RLEP 2012 design excellence requirement.

To supplement the RLEP 2012 design excellence provision and to ensure a high level of design quality, it is recommended that the HIA South Kingsford design excellence provision under the DCP be adopted for the site. This would include requiring a minimum 4-Star Building Standard certification rating (GBCA) performance and a review of the proposed design by the Randwick Design Excellence Panel (or similar for feedback) and their report be taken into consideration as part of the SSDA assessment.

## **13. Heritage**

### *Council's Senior Heritage Officer Comments*

The future desired character of the HIA is for new development to be consistent with the aims of the R3 Medium Density Residential zone and the Randwick DCP E7 Housing Investigation Areas, Kingsford South HIA vision, objectives and controls. The site is directly across from the Dacey Gardens HCA.

A mid-rise typology (generally 5 or 6 storey) can enhance the character of the neighbourhood and the setting for the Dacey Gardens HCA, presenting a gradual transition to the low scale residential buildings in the neighbourhood to the south and to the HCA to the west.



The new built form proposes an 8 storey presentation to Bunnerong Road which appears to be inappropriate within its context particularly at its north-west corner as illustrated in Urban Design Report p.52 and p.55. Along Anderson Street the proposed development illustrates a more appropriate built form transitioning to lower scale residential buildings with a 5 storey street presentation.

To not to detract from the visual characteristics of the HCA, it is recommended that an upper level setback is introduced to provide a reasonable pedestrian scaled street wall when viewed from Bunnerong Road (as illustrated in Urban Design Report p.38 or similar to Anderson Street proposed built form). This would align better with the character of the area and mitigate visual impacts on the Dacey Gardens HCA.

#### **14. Environmental Sustainability**

##### *Senior Sustainability Officer Comments*

The Planning Proposal provides minimal details and commitments to ESD. From reviewing the ESD Report it is noted that ESD initiatives would be developed during the detailed design stage of the project. It is requested that the following matters be considered and committed to at the design/SSDA stage:

- Address the requirements of Randwick DCP E7 HIAs, section 20. Sustainability.
- Climate-resilient housing to ensure dwellings are adaptable to withstand extreme weather and environmental challenges
- Opportunities to mitigate the urban heat island effect and provision of infrastructure for a dual reticulation system for potable and non-potable water use;
- Net Zero and beyond– details of how this developed can be transitioned to be climate positive in the future i.e. infrastructure configuration and capacity, and ensuring PV inverter suitable for battery system
- Commitments to minimising refrigerant Global Warming Potential limits in air conditioning systems and hot water system heat pumps with a GWP of less than 5; and
- Commitments to minimal 4-star Green Star Buildings certification.

#### **15. Community and social considerations**

##### ***Tenant selection***

Although outside the scope of the Planning Proposal, it is submitted that as part of a future SSDA for the site, an agreement be made between Homes NSW and the managing CHP to reserve a portion of the social and/or affordable portfolio specifically for Domestic and Family Violence survivors. This being an area of high priority for Council, and one where Council currently has limited dwelling stock of our own.

##### ***Ownership***

Regarding ownership considerations, further detail is sought on whether the social housing dwellings are to be retained in Homes NSW (LAHC) ownership in perpetuity. Similarly further information is sought on the ownership arrangement for the affordable dwelling component, and how long they would be retained as affordable housing dwellings. Notwithstanding project feasibilities, it is strongly recommended that the affordable housing component be retained in government ownership and provided indefinitely. This would ensure continuous community benefit, transparency of government ownership of the entire site and secure tenure for residents.

We wish to reiterate Council's appreciation for Homes NSW's extensive engagement throughout the preparation of this Planning Proposal. Further, Council welcomes the opportunity to continue working collaboratively with DPHI and Homes NSW on their redevelopment of landholdings within the Randwick LGA.



Yours Sincerely,

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**Meryl Bishop**

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