

Extraordinary Council Meeting

Tuesday 30 August 2022

Seating Plan for Council meetings



Statement of ethical obligations

Obligations	
Oath [Affirmation] of Office by Councillors	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of councillor in the best interests of the people of Randwick City and the Randwick City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.
Code of Conduct conflict of interests	
Pecuniary interests	<p>A Councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ul style="list-style-type: none">a) at any time during which the matter is being considered or discussed, orb) at any time during which the council is voting on any question in relation to the matter.
Non-pecuniary conflict of interests	A Councillor who has a non-pecuniary conflict of interest in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
Significant non-pecuniary interests	A Councillor who has a significant non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
Non-significant non-pecuniary interests	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.



Notice is hereby given that an Extraordinary Council meeting of Randwick City Council will be held in the Prince Henry Centre, 2 Coast Hospital Road, Little Bay on Tuesday, 30 August 2022 at 6pm

Prayer and Acknowledgement of the local indigenous people

Prayer

"Almighty God,

We humbly beseech you to bestow your blessings upon this Council and to direct and prosper our deliberations to the advancement of your glory and the true welfare of the people of Randwick and Australia. Amen"

Acknowledgement of Country

"I would like to acknowledge that we are meeting on the land of the Bidjigal and the Gadigal peoples who occupied the Sydney Coast, being the traditional owners. On behalf of Randwick City Council, I acknowledge and pay my respects to the Elders past and present, and to Aboriginal people in attendance today."

Apologies/Granting of Leave of Absences

Requests to attend meeting by audio-visual link

Declarations of Pecuniary and Non-Pecuniary Interests

Address of Council by Members of the Public

Privacy warning;

In respect to Privacy & Personal Information Protection Act, members of the public are advised that the proceedings of this meeting will be recorded for the purposes of clause 5.20-5.23 of Council's Code of Meeting Practice.

Audio/video recording of meetings prohibited without permission;

A person may be expelled from a meeting for using, or having used, an audio/video recorder without the express authority of the Council.

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Kerry Kyriacou
ACTING GENERAL MANAGER

Director City Planning Report No. CP44/22

Subject: **Randwick Comprehensive LEP Planning Proposal - Post Exhibition Report - Consultation outcomes**

Executive Summary



- The Comprehensive Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with Council's Local Strategic Planning Statement (LSPS), the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.
- The draft Comprehensive Planning Proposal was exhibited for a 6 week period from 31 May to 12 July 2022 in accordance with requirements of the Gateway Determination, the *Environmental Planning and Assessment Act, 1979* and Council's adopted Community Participation Plan.
- A total of 317 community submissions were received, with 45% of submissions in support of the proposal, 44% opposed, 7% neutral and 4% which did not state a clear position. Consultation was also undertaken with relevant government agencies and key stakeholders.
- Key updates to the LEP contained in the exhibited draft Comprehensive Planning Proposal include:
 - Changes to zoning, height of building and floor space ratio controls in five Housing Investigation Areas
 - Amendments to minimum lot size and dual occupancy controls in the R2 Low Density Residential zone
 - Measures to preserve our built heritage
 - Changes to strengthen and protect open space, parks and playgrounds
 - New provisions to promote environmental resilience
 - Support for a diverse, safe and inclusive night time economy
 - Measures to protect local small-scale retail
 - Changes to existing business and industrial zones to align with the State Governments Employment Zone Reforms,
 - Rezoning requests, and
 - Housekeeping changes.
- This report provides an overview and summary of consultation activities and submissions received. Issues raised in submissions are addressed in separate reports based on key LEP updates, together with a response and/or recommended modification to the draft Comprehensive Planning Proposal. These separate reports cover the following key LEP updates:
 - Housing Investigation Areas
 - Minimum Lot Size for Subdivision and Dual Occupancy Controls

- Heritage Conservation
 - Economic Development
 - Employment Zone Reforms
 - Rezoning Requests, and
 - Other remaining LEP changes comprising Open Space and Recreation, Environmental Resilience and Housekeeping changes.
- Whilst the Comprehensive Planning Proposal was exhibited as one document, as noted above it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. These proposals have been made the subject of separate reports and recommendations. This approach allows Councillors to participate in that part of the meeting where they don't have a pecuniary interest and/or a significant non pecuniary interest.
 - Council's resolutions in respect of the proposals in the separate reports will be forwarded to the Department of Planning and Environment, with the request that the amendments as endorsed by the resolutions be made to Randwick Local Environmental Plan 2012.

Recommendation

This report is provided for information purposes only and no resolution of the Council is required in respect of the report.

Attachment/s:

1. Link to the Post Exhibition Draft Comprehensive LEP Planning Proposal and Attachments webpage
2. Attachment M - Community Consultation Outcomes Report
3.  Table of Community and Stakeholder Submissions and Responses
 - General Housing and Housing Targets

Purpose

This report outlines the outcomes of the community engagement process for the Comprehensive Planning Proposal (CPP) undertaken for a 6 week period between 31 May and 12 July 2022.

This report provides an overview and summary of consultation activities and submissions received only. The specific issues raised in submissions are contained in separate reports based on key LEP categories, together with a response and/or recommended modification to the draft Planning Proposal.

Discussion

Background

The CPP has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages Councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and, Randwick Local Strategic Planning Statement (LSPS).

The CPP also implements the findings and recommendations of studies and strategies undertaken by Council over recent years including: Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy, Randwick Economic Analysis Report (2019), Night-Time Economy Study (2019), draft Randwick Open Space and Recreation Study and suite of recently adopted Informing Strategies. Rezoning requests received since the commencement of the Randwick LEP 2012 are also considered in the CPP.

At the Extra Ordinary meeting of Council held on 1 June 2021, Councillors endorsed the draft CPP for submission to the Department of Planning seeking a Gateway Determination to enable its public exhibition. The CPP was considered as five separate reports covering various aspects of the Planning Proposal. A Gateway Determination was issued by the Department on 12 September 2021 with conditions.

On 26 October 2021, Council resolved to endorse a Council Officer submission seeking a review of certain conditions on the Gateway Determination.

At the Ordinary Council meeting held on 22 March 2022, Council considered a report that advised of the outcome and implications of the Gateway Review and Alteration that was submitted to the DPE on 7 November 2021. At this meeting Councilors noted the outcome of the Gateway Review that required amendments to the Planning Proposal prior to public exhibition and resolved that *"the amended Planning Proposal be presented at the Ordinary Council Meeting in April for consideration prior to public exhibition."*

On 26 April 2022, the draft CPP was considered by Councillors in accordance with the above resolution. At this meeting Councillors resolved to make changes to the Planning Proposal in relation to the Economic Development section; use of land at 58-64 Carr Street Coogee and to amend the minimum lot size for dual occupancy to 650m².

An Extra Ordinary Council meeting was held on 3 May 2022 to deal with a recission motion to the resolution of 26 April 2022, received from a number of Councillors. At this meeting the following resolution was endorsed by Councillors:

RESOLUTION: (Said/Neilson) that Council:

- a) endorse the exhibition of the Comprehensive Planning Proposal and associated document;
- b) authorise the Director of City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Comprehensive Planning Proposal and associated documents prior to public exhibition;

- c) *that the public exhibition/consultation communications are explicit in outlining Council's objection to the Gateway conditions imposed, the overall housing target imposed on the Randwick LGA which this planning seeks to achieve, and that Randwick City Council is under direction by the NSW Government to prepare an updated LEP document. That the consultation also ask residents as to the suitability of encouraging additional dual occupancy development considering impacts on-street parking impacts, frontages, greenery, and the appropriateness of specified locations concerning transportation for such a style development.*

Volume 1 Objectives and Intended Outcomes 1.2.4 Economic Development (p8) Third bullet - add the words "in Business zones where appropriate" so it reads: "Standardise and extend trading hours for shops and low impact business premises in Business zones where appropriate."

Volume 2 A. Planning Proposal Timeline Attachment B. LEP Clause and Schedule Changes Schedule 1 Additional permitted uses

1. Use of land at 58-64 Carr Street, Coogee (2) add "in conjunction with the site specific DCP." So this item to read "Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP."

The specific amendments outlined in the above resolution were actioned by Council officers in the draft CPP and exhibited material.

On the 31 May 2022, the CPP was placed public exhibition for 6 weeks until the 12 July 2022 as part of an extensive and well publicised community engagement process.

Next Steps in the LEP making process

Under s.3.35 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) Council may vary the exhibited Planning Proposal "...as a consequence of its consideration of any submission or report during community consultation or for any other reason" or not proceed.

Following Council's consideration of submissions outlined in the various topic reports and subject to Council's endorsement, the post exhibition Comprehensive Planning Proposal will be submitted to DPE requesting that the amendments to the Randwick LEP outlined in the Planning Proposal be made. DPE will then arrange legal drafting of LEP to give effect to final proposal. DPE will be consulting with council officers in relation to the wording of the clauses to ensure they are suitably drafted to reflect the intended outcomes/objectives sought by Council.

The anticipated timeframe for the making of the LEP amendments is 2-3 months after the post exhibition Planning proposal is submitted to the Department. A timeline has been included in Attachment A of the Planning Proposal.

Exhibited LEP – key components

The publicly exhibited draft CPP included the following key changes to the RLEP 2012:

- Changes to zoning, height of building and floor space ratio (FSR) controls in five Housing Investigation Areas (HIAs) to create new sustainable, vibrant and walkable neighbourhoods
- Amendments to minimum lot size and dual occupancy controls in the R2 Low Density Residential zone
- Measures to preserve our built heritage
- Changes to strengthen and protect open space, parks and playgrounds
- New provisions to promote environmental resilience

- Support for a diverse, safe and inclusive night time economy
- Measures to protect local small-scale retail
- Changes to existing business and industrial zones to align with the State Governments Employment Zone Reforms,
- Update site specific land zonings including owner initiated rezoning requests, and
- Housekeeping amendments.

Further detail of these changes can be found in the individual reports.

Community consultation

Consultation activities

Council officers prepared a community engagement plan to guide a comprehensive range of activities for the public exhibition of the draft Comprehensive Planning Proposal and to ensure all interested community members were aware of the proposal.

From 31 May to 12 July 2022, digital versions of the CPP were hosted on the Randwick City Council website, the Your Say Randwick website www.yoursay.randwick.nsw.gov.au/lep2022 and printed copies were on public exhibition at Council Customer Service Centre and libraries. Digital display screens at these locations also included information about the LEP exhibition locations and drop-in sessions.

Three printed advertisements were run on the following publications:

- Sydney Morning Herald – 30 May 2022
- Eastern Suburbs Life – June 2022 edition
- The Beast – July 2022 edition

Council issued a media release about the proposed LEP changes on 31 May 2022 and sent it broadly to local and metropolitan Sydney media.

A city-wide mailout was undertaken comprising the following:

- 49,011 letters and information sheets sent to every Randwick City property owner.
- 425 letters and information sheets sent to owners of proposed heritage items and owners of properties within the proposed Heritage Conservation Area.
- 1,678 letters and information sheets sent to owners of properties within the five proposed Housing Investigation Areas.
- 163 letters and information sheets sent to Bayside Council property owners adjacent to the Kingsford South HIA and Business zones to which proposed exempt development provisions apply.

Council's Your Say Randwick website hosted the following information:

- Nine separate Information Sheets based on the key LEP changes
- Two explainer videos, one providing an overview summarising key components of the draft CP and the other providing a detailed explanation of the HIAs
- An Interactive Map or 'property checker' which enabled residents and interested community members to search for properties to find out if they were impacted by proposed changes.

- A comprehensive list of Frequently Asked Questions based on the key components of the draft LEP.

Eight drop-in sessions at convenient locations across the City provided the opportunity for residents, ratepayers and interested community members to speak directly with Council planners to better understand the LEP and how it might impact them.

Council staff provided five briefings to local Precinct Committee meetings.

- Randwick Precinct meeting – 1 June 2022
- Clovelly Precinct meeting – 6 June 2022
- Maroubra Precinct meeting – 6 June 2022
- Precinct Coordination Committee meeting – 15 June 2022
- Coogee Precinct meeting – 20 June 2022

Social media posts shared across multiple platforms, detailed stories in Council's news section and targeted emails to Council's Your Say subscribers.

A dedicated phone number was established for interested community members to call to get further information or to speak directly with a planner.

Council engaged an independent specialist research company to conduct a representative telephone survey of the Randwick City community. This research was designed to better understand community attitudes towards the proposed changes in the draft LEP. 701 residents were contacted via landline and mobile phone and invited to take part in the survey. They were then posted or emailed an information pack about the proposed changes and recontacted via telephone or email to answer a survey. In total 406 people took part in the survey and their responses were weighted to demographically represent the Randwick LGA.

Council also engaged an independent specialist research company to conduct face to face interviews within each of the five HIAs. The intercepts were conducted across the five HIAs in 5-hour blocks ranging from 8am to 5pm, 22 June to 1 July 2022. In total, 867 people were interviewed at the following locations, and asked their views on the HIA proposed for that area.

Further details of the consultation activities, as well as the outcomes of the consultation can be found in the Community Consultation Report at **Attachment 2** to this report.

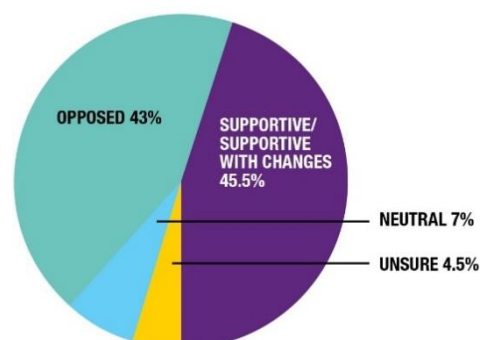
Overview of submissions

Written submissions

A total of 317 written submissions were received from the community during the public exhibition period, with 35% received from Council's Your Say page, 50% through email and 15% via posted letter. A petition in support with 305 signatures was also received by post.

The response rate from written submissions was less than 1% of the 49,011 letters mailed out. The table and graph below show the outcome of the responses:

Written submissions	Response
Supportive/supportive with changes	45.5% (144)*
Opposed	43% (137)
Neutral	7% (22)



Written submissions	Response
Unsure	4.5% (14)

** Total includes one petition in support with 305 signatures. For the purposes of the totals in the above data, the petition has been counted as one submission (and is separately addressed in the relevant key category reports).*

A review of submissions per key theme within the Comprehensive Planning Proposal has been undertaken. The table below shows how many times the key LEP themes were raised in the written submissions:

CPP key theme	No of times key theme was raised in submissions*
General Housing and Housing Targets	55
Housing Investigation Areas (including Affordable Housing Contribution Scheme)	127
Minimum Lot Size for Dual Occupancy and Subdivision	96
Heritage Conservation	68
Open Space and Recreation	15
Environmental Resilience	10
Economic Development	10
Employment Zone Reforms	18
Rezoning Requests (existing requests exhibited in the draft CPP)	3
Rezoning Requests (new requests received via submissions)	19

** Total number in this column exceed the total number of submissions received as many submissions provided comments on more than one key theme*

A summary of community submissions received per key category, including a breakdown of the number of submissions in support, opposed, neutral or unclear is provided in the relevant key category report. The key category reports also provide a summary of the primary comments and issues raised by the community (both via submissions and telephone/intercept surveys) and stakeholders and provides responses to the primary issues of concern. Detailed responses to comments and issues can be found in the Table of Submissions and Responses attached to each key category report.

Telephone Survey

Targeted telephone surveys were designed to better understand community attitudes towards the proposed changes in the draft CPP. Results were weighted by age and gender to reflect the profile of Randwick City residents, therefore providing a good representation of the views of the broader community and level of support for the Proposal. Of the 701 residents initially contacted, 406 people took part in the survey, representing a 58% response rate. By comparison, the response rate from written submissions was less than 1% of the 49,011 letters mailed out. The level of information provided to the responders helped ensure the telephone survey respondents were informed about the draft LEP and were able to give a considered view.

The survey found general support for the proposed heritage changes and economic development initiatives.

49% of respondents agreed that Council's plans provided a reasonable balance between growth and protecting amenity (compared with 19% who disagreed) and 46% thought Council generally does a good job of planning for the future (compared with 19% who disagreed).

Feedback on the HIAs was mixed with 62% agreeing they provided future housing and 55% said they were generally well located, but the respondents were split on whether they would improve the general amenity of these areas.

Feedback on dual occupancy changes found 67% respondents thought they provide important housing options for families, 42% thought increasing opportunities for dual occupancies is important and 65% agreed with the premise that if people are permitted to build dual occupancies they should also be permitted to subdivide them. When asked directly if people supported the 275m2 lot size, 40% agreed and 34% disagreed.

Intercept Surveys

Council's intercept surveys were conducted within the HIA areas of directly affected people. The surveys found general support for the proposed Housing Investigation Areas (HIAs) with varying levels from 66% to 87% respondents at least somewhat supportive depending on the particular HIA.

Further detail on the telephone and intercept surveys can be found in **Attachment B** to this report.

Consultation with Government Agencies, Public Authorities and Key Stakeholders

Consultation was undertaken with key government agencies, public authorities and stakeholders as per Condition 5 of the Gateway Determination, or as per Council's Community Participation Plan. Comments were received from the below agencies and stakeholders. Key issues and comments raised are discussed in the relevant key category report.

- Environment, Energy and Science Group of the Department of Planning
- and Environment
- Environment Protection Authority
- Australian Turf Club as operator of the Royal Randwick Racecourse
- Transport for NSW
- Land and Housing Corporation
- Sydney Water Corporation
- Sydney Airport, Civil Aviation Safety Authority (CASA) and Airservices Australia
- Bayside Council
- Heritage NSW
- UNSW
- NSW Department of Education / School Infrastructure
- NSW State Emergency Service
- Health Infrastructure NSW / South Eastern Sydney Local Health District
- Ports NSW
- Sydney Trains/Transport Asset Holding Entity
- Community Housing Industry Association NSW
- Clovelly Precinct
- Matraville Precinct

Submissions relating to Housing Targets

A review of the submissions found that approximately 16% of all submissions did not relate to any of the specific LEP changes. Rather, these submissions broadly referenced the NSW Government mandated housing targets. The following section provides an overview of these general housing targets submissions.

Background and context

In February 2020, Council endorsed both the Randwick City Local Strategic Planning Statement (LSPS) and Housing Strategy as required under the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the Eastern City District Plan (ECDP). These documents provide the framework for land use planning and decision-making in Randwick City over the next 20 years.

The ECDP is the Greater Sydney Commission's (now Greater Cities Commission) 20-year plan to manage growth and change in the Eastern City District of Sydney to achieve the 40-year vision for Greater Sydney. It contains the planning priorities and actions for implementing *A Metropolis of Three Cities* at a district level and aims to be a bridge between regional and local planning. The Plan sets 0-5 year (2016-2021) housing targets for LGAs within the District and requires councils to prepare a Housing Strategy to demonstrate capacity to meet its 6-10 year (2021-2026) housing targets. Housing targets are based on State Government population and household projections.

A comprehensive community consultation program undertaken by Council in March and April 2019 branded *Vision 2040: Shaping Randwick's Future* provided significant community input to shape the LSPS and Housing Strategy.

Council is required to review the Randwick Local Environmental Plan 2012 to give effect to the principles and actions of the LSPS and Housing Strategy. This CPP seeks to implement a number of proposed housing related changes identified in the LSPS and Housing Strategy.

Summary of exhibited amendments

The proposed housing related LEP amendments seek to implement the planning priorities and actions of the LSPS and Housing Strategy and provide additional housing capacity to meet Council's 6-10 year housing target of approximately 4,300 new dwellings.

Council's estimated housing yield to meet this target factors in likely market take-up rates to ensure sufficient capacity is available in the local planning framework to meet the identified housing demand of our growing and changing community. Any supply that isn't realised in the 6-10 year timeframe may contribute to Council's longer term dwelling targets.

The Planning Proposal includes two key components that will contribute to Council's housing targets, namely, the introduction of five new HIAs and changes to minimum lot size/dual occupancy developments in the R2 Low Density Residential zone.

HIAs and minimum lots size controls are not the only way Council intends to meet its housing targets. New housing will also be provided under existing development controls (general infill), the already approved changes to the Kensington and Kingsford planning controls (K2K) and other major development sites within the Randwick LGA. Council intends to meet its 6-10 housing target of 4,300 as follows:

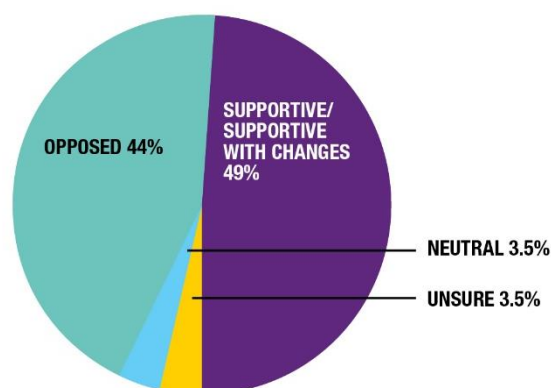
	Estimated Housing Yield (6-10 year target)
General infill (already permissible under current planning controls)	~ 800
5 x Housing Investigation Areas	~ 574* (subject to the CPP)
Minimum Lots Size Provisions in the R2 Zone	~ 474 (subject to the CPP)
Kensington to Kingsford (already permissible within the K2 Corridor)	~ 2,070
Major Sites (already permissible at Newmarket and Little Bay sites)	~ 546
Total	~4,464*

**NOTE: Due to a number of post exhibition amendments, the estimated housing yield from the HIAs has been slightly reduced. See the HIA Report for further details.*

Summary of submissions

The following table and graph provides a summary of the community submissions received in response to general housing issues and the mandated housing targets according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position, or it was unclear.

General and housing targets submissions	Response
Supportive/supportive with changes	49% (27)
Opposed	44% (24)
Neutral	3.5% (2)
Unsure	3.5% (2)
TOTAL	100% (55)



Note: these responses relate only to general housing comments and/or housing targets, and do not include comments raised specifically in relation to housing investigate areas or minimum lot size/dual occupancy controls. These key changes are discussed in separate reports.

Key issues and responses

Key issues and comments raised in submissions from the community in response to the housing targets are summarised below and in **Attachment 3**.

- General support for housing targets as a means of addressing affordable housing, housing diversity, increased housing stock, walkable neighbourhoods, support for local businesses and job creation.

Response – Support noted. Housing related amendments seek to provide housing capacity to meet the 6-10 year housing targets, increase the provision of affordable housing to meet the housing demands of very low, low and medium income households and increase housing diversity and choice to support our growing population in areas with good access to public transport, services and town centres.

- General objection to housing targets and increased densities (no specifics provided).

Response – While Council acknowledges that some submissions oppose NSW Government mandated housing targets it is important to continue planning for expected future growth in our local government area. A key part of Council's responsibility is to manage the local planning framework to plan for housing growth and promote better housing outcomes. As such, all councils across NSW are required to plan for additional housing capacity within their LEPs to meet growth targets set by the Government. Such targets (based on natural growth and migration patterns) are integral in meeting the housing needs of population growth and changing demography.

Having Council take the lead in strategic planning is a preferable outcome to other alternatives which include either the Minister determining where housing growth should occur, or housing growth being driven by ad hoc proponent lead planning proposals which focus on the private interest as opposed to the public benefit. It is noted that the EPA Act allows for the Minister for Planning to direct the Planning Secretary to make a proposed LEP in the event that a council has not complied with its obligations with respect to the

making of the proposed LEP or has not carried out those obligations in a satisfactory manner.

Randwick Council's vision for growth has been outlined in Council's endorsed LSPS and Housing Strategy, and seeks to strike a balance between achieving mandated housing targets, delivering benefits to the community and minimising potential impacts of increased development. Both documents underwent extensive community consultation, and they outline priorities for achieving coordinated planning, infrastructure delivery and a sustainable and liveable environment.

The outcomes of the LSPS and Housing Strategy are two housing related amendments to the Randwick LEP that would achieve the City's vision – housing investigation areas and reducing the minimum lot size for dual occupancy subdivisions in the R2 Low Density Residential Zone. Through these targeted increases in density, Council can achieve the priorities of its Housing Strategy, including to: ensure a balanced approach to growth across Randwick City, provide diverse housing to meet the needs of our community, focus growth in and around town and strategic centres close to transport, jobs and services, increase affordable rental housing across Randwick City and ensure future redevelopment sites are aligned with future transport investment.

It is further noted that conditions were attached to the approved Housing Strategy from DPE and are relevant in consideration of the current Planning Proposals. The DPE letter to Council in June 2021 noted that the Randwick Housing Strategy is generally consistent with the Eastern City District Plan and the Randwick Local Strategic Planning Statement (LSPS), states that it:

2. demonstrates Council's commitment to implementing appropriate and timely actions to deliver the housing-related priorities in the Eastern City District Plan and LSPS, and its intent to prepare such planning proposals necessary to give effect to the District Plan.

A further comment included in the DPE letter stated:

Council is to complete the preparation of the planning proposal for the Comprehensive LEP update identified in the LHS, and proceed subject to any Gateway Conditions, identifying sufficient additional housing supply in the Housing Investigation Areas, Low Rise Medium Density areas, and the R2 minimum lot size amendments. The Proposal is to demonstrate that the approach to housing diversity is the most effective application of planning provisions to achieve "HS Priority 2: Diverse housing to meet the needs of our community".

- Increased population density and associated impacts on local character and infrastructure.

Response – Changes to planning controls in the form of increased heights and densities will change the existing character of an area. However, it is the role of strategic planning to plan for future change in a suitable and sustainable way. While key housing amendments will contribute to housing targets, they will also provide for increased housing choice, diversity and affordability, which are key priorities outlined within the LSPS (Vision 2040) and Housing Strategy. When planning for new growth, best practice is to take a place-based approach, hence existing character of an area and the desired future character have been relevant considerations in Council's work which seeks to achieve vibrant, high quality public spaces and design excellence.

The HIAs have been located and designed to accommodate sustainable growth in a balanced way to deliver liveable and walkable neighbourhoods. The HIAs were identified based on their proximity to frequent public transport and significant employment and infrastructure services within the Randwick Strategic Centre. The reduction in minimum lot size in the R2 Low Density Residential zone was pursued to create consistency in Council's planning approach by aligning LEP controls for the construction and subdivision of attached dual occupancies. This change will increase housing diversity, affordability and choice for a range of household types such as families and couples to support

Randwick's growing population, whilst allowing for a moderate increase that will protect the character of the R2 Low Density Residential zone.

- Impact of population increases on the environment and climate change.

Response – In December 2020 Council adopted a Randwick Environment Strategy. The Environment Strategy outlines the key outcomes that will contribute to a sustainable and resilient Randwick. It is a key informing strategy under Council's Integrated Planning and Reporting Framework and is aligned to the Randwick City Plan. The Planning Proposal identifies amendments to the provisions of the Randwick Local Environment Plan 2012 to address and encourage sustainable and resilient development in Randwick City. The proposed changes address the key outcomes identified in the Environment Strategy and include the following five key planning categories: water security and the management, biodiversity, urban heat, energy security and natural hazards and extreme weather. These proposed controls along with those currently in place in Randwick and across NSW along with strategic approaches can help minimise the environmental impacts of the population increase contained within the Comprehensive Planning Proposal.

- Concerns relating to overpopulation, overcrowding and loss of amenity.

Response – The housing amendments put forward in the Planning Proposal have been designed to accommodate sustainable future growth, and Council has taken measures to focus growth in areas where it can be accommodated without causing unacceptable impacts on the local and surrounding areas. The HIAs were identified based on their proximity to frequent public transport and significant employment and infrastructure services. The dual occupancy changes were developed allow for a moderate increase that will protect the character of the R2 Low Density Residential zone and allow Randwick to meet its housing targets. Planning controls such as the Randwick Comprehensive Development Control Plan 2013 and the NSW Apartment Design Guide will ensure future development delivers an adequate level of amenity to residents and does not cause unacceptable impacts on the surrounding neighbourhood.

- Suggestion that other areas of the Sydney Metropolitan Area / State should take on more growth.

Response – The housing targets were set by the NSW Government based on population growth and migration statistics. Council is not able to influence Randwick's targets or those in other areas of the State. It is noted however, that councils within the Central and Western Districts of Sydney have housing targets that exceed those of Randwick. For instance, Parramatta City Council's LSPS contains a 6-10 year housing target of 23,660 dwellings. Further, the recent renaming of the Greater Sydney Commission to the Greater Cities Commission acknowledges the importance of managing growth at a regional level. The Greater Cities Commission brings together the cities of the Lower Hunter and Greater Newcastle, Central Coast, Greater Sydney and Illawarra-Shoalhaven. City Plans, which will likely include housing targets will be developed for these regional areas as they have been for the Districts of Sydney.

- Request that Council push back on the State Government over mandated housing targets.

Response – Randwick City Council has been vocal in objecting to the mandated housing targets however Council is under direction from the NSW Government to meet the housing target of 4,464 new dwellings in the next 6-10 years. To ensure new housing is developed in a sustainable and manageable way, the Comprehensive Planning Proposal proposes that additional housing is located in areas close to public transport, jobs and shops.

- Concern over the plan making process and plans not being informed by the community.

Response – The housing related amendments within the Comprehensive Planning Proposal changes were informed by the Randwick LSPS and the Randwick Housing

Strategy, both of which were the subject to extensive consultation periods to inform their creation. For this Planning Proposal, Council undertook a comprehensive communication and engagement program designed to ensure all interested community members were aware of the proposal and were able to provide general, informed comments about the changes which affect them and the LGA as a whole.

Recommendation

Recommendations relating to housing amendments, being the housing investigation areas and minimum lot size controls in the R2 zones are discussed in further detail in the relevant reports.

Development Control Plan

Council is currently drafting provisions to be included in the Randwick DCP 2013 in relation to the housing investigation areas and dual occupancy development. New controls will complement the updated LEP provisions and development standards and will provide more detailed guidance for the assessment of development applications. The draft DCP will be reported to Council in October/November and subject to its endorsement will be placed on public exhibition. It is intended that the timing of the exhibition of draft DCP will be aligned with the finalisation of the LEP controls and affordable housing plan so that development applications for the housing areas and dual occupancy development can be assessed within the new planning framework consistent with the urban design analysis.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Housing
Outcome	A city with diverse and affordable housing that responds to local needs
Objective	Increase the percentage of all households that are either social or dedicated affordable housing to a minimum of 10% by 2040
Delivery program commitment	Identify appropriate areas to apply an affordable housing contributions scheme requiring a proportion of all development to be dedicated as affordable housing and amend LEP 2012 to give effect to this by 2025.
Delivery program commitment	Provide additional housing opportunities for low income and key workers to support the Randwick Collaboration Area by 2031.
Objective	Increase the proportion of medium density housing supply by 3% by 2028 from a 2016 baseline of 27.9%
Delivery program commitment	Implement planning controls by end 2024 that will increase the proportion of new housing that is suitable for families.
Delivery program commitment	Review LEP 2012 to amend subdivision provisions in the R2 Low Density Residential Zone by end 2023.
Delivery program commitment	Investigate opportunities to increase provision of affordable rental accommodation by 2031.
Delivery program commitment	Investigate opportunities to increase the supply of housing for single person households by 2025.
Outcome	A city with sustainable housing growth
Objective	Provide 4,300 new dwellings in 2021-2026, with 40% located in and around town centres

Delivery program commitment	Review the LEP 2012 to provide for additional capacity to meet the target of providing 4,300 new dwellings between 2021 and 2026.
Delivery program commitment	Ensure future redevelopment sites are aligned with future transport investment as identified in the transport strategy.
Outcome	A city with excellent built form that recognises local character
Objective	100% of development applications approved from 2025 onwards are consistent with the desired future character of the local area and consider design excellence
Delivery program commitment	Undertake a heritage review of Randwick City to identify additional heritage items and HCAs including boundary adjustments where necessary, by 2023.
Strategy	Economic Development
Outcome	A city with a 24-hour economy including diverse night time activities and experiences
Objective	Increase night time spending by 7% by 2032 Note: night time is defined as 6pm - 6am
Delivery program commitment	Continue to implement changes to the planning framework, as identified in the Night Time Economy Study, to encourage organisations to host cultural/creative experiences in retail or commercial spaces such as a shop hosting a performance, art exhibition or public talk.
Delivery program commitment	Continue to implement changes to the planning framework as identified in the Night Time Economy Study to focus on encouraging a diverse mix of business and cultural activities including trading hours for small, low impact businesses, and business zonings while ensuring the impact on residential amenity is minimised particularly in both residential and business zones.

Resourcing Strategy implications

The costs associated with the community consultation is in accordance with the 2021/22 budget and allocations.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- Randwick Housing Strategy
- Randwick Environment Strategy
- Randwick Economic Strategy.

Conclusion

The CPP has been prepared to update the Randwick LEP 2012 in accordance with Council's LSPS and Housing Strategy and the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.

The CPP implements the findings and recommendations of studies and strategies undertaken by Council over recent years to deliver housing growth areas, sustainable and vibrant neighbourhoods, housing choice and diversity, measures to preserve our built heritage, changes to strengthen and protect open space, parks and playgrounds, provisions to promote environmental resilience, support for a diverse, safe and inclusive night time economy and measures to protect local small-scale retail.

The draft CPP was exhibited for a 6 week period from 31 May to 12 July 2022. This extensive consultation process was coupled with targeted telephone and intercept surveys.

Issues raised in submissions are addressed in separate reports based on key LEP changes, together with a response. In considering views expressed, a number of amendments to the draft Planning Proposal are recommended in these reports.

Whilst the CPP was exhibited as one document, as noted above it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. These proposals have been made the subject of separate reports and recommendations. This may enable Councillors who have a pecuniary or other conflict of interest in some but not all of the proposals to be present during the part of the Council meeting where the proposals for amendments in respect of which they do not have a pecuniary or other conflict of interest are being considered, discussed and voted upon.

Council's resolutions in respect of the proposals in the separate reports will be forwarded to the Department of Planning and Environment, with the request that the amendments as endorsed by the resolutions be made to Randwick Local Environmental Plan 2012.

Responsible officer: Natasha Ridler, Coordinator Strategic Planning; Stella Agagiotis, Manager Strategic Planning

File Reference: F2021/00188

CP44/22

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses General Housing & Housing Targets

30 August 2022

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CP44/22

Overview

This document includes a summary of all general housing and housing target related issues that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to general housing and housing targets. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on heritage conservation are commented on in the heritage conservation report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
<p>General support for housing targets and proposed LEP measures as a means of addressing one or more of the following:</p> <ul style="list-style-type: none"> • affordable housing • housing diversity • increased housing stock • walkable neighbourhoods • support for local businesses • job creation. 	<p>Support noted. Housing related amendments seek to provide housing capacity to meet the 6-10 year housing targets, increase the provision of affordable housing to meet the housing demands of very low, low and medium income households and increase housing diversity and choice to support our growing population in areas with good access to public transport, services and town centres.</p>

Key comment/issue	Response
General objection to housing targets and increased densities.	While Council understands the opposition to the mandated housing targets, the reality is, it is still necessary to plan for future growth. To strike a balance between achieving mandated housing targets, delivering benefits to the community and minimising potential impacts of increased development, Council included the 6-10 year housing target in the Randwick Local Strategic Planning Statement (Vision 2040) and the Randwick Housing Strategy. Both documents underwent extensive community consultation and have been adopted by Council. The outcomes of this process were two housing related amendments to the Randwick LEP that would achieve the City's vision – housing investigation areas and reducing the minimum lot size for dual occupancy subdivisions in the R2 Low Density Residential Zone. Through these targeted increases in density, Council can achieve the priorities of its Housing Strategy, including to: ensure a balanced approach to growth across Randwick City, diverse housing to meet the needs of our community, focus growth in and around town and strategic centres close to transport, jobs and services, increase affordable rental housing across Randwick City and ensure future redevelopment sites are aligned with future transport investment.
Concerns about increased population density and associated impacts on local character, infrastructure, schools, transport and parking.	<p>Changes to planning controls in the form of increased heights and densities will change the existing character of an area. However, it is the role of strategic planning to plan for future change in a suitable and sustainable way. While key housing amendments will contribute to housing targets, they will also provide for increased housing choice, diversity and affordability, which are key priorities outlined within the LSPS (Vision 2040) and Housing Strategy. When planning for new growth, Council needs to consider not only the existing character of an area, but the desired future charter so that existing and future residents of the Randwick LGA can be accommodated in vibrant and sustainable communities.</p> <p>The HIAs have been located and designed to accommodate sustainable growth in a balanced way to deliver liveable and walkable neighbourhoods. The HIAs were identified based on their proximity to frequent public transport and significant employment and infrastructure services within the Randwick Strategic Centre. The reduction in minimum lot size in the R2 Low Density Residential zone was pursued create consistency in Council's planning approach by aligning LEP controls for the construction and subdivision of attached dual occupancies. This change will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick's growing population, whilst allowing for a moderate increase that will protect the character of the R2 Low Density Residential zone.</p> <p>Regarding impacts on schools, transport and parking, consultation has been undertaken with appropriate government agencies. Further information can be found in the HIA and dual occupancy reports.</p>
Concerns about population increase and the impact on the environment and climate change.	<p>Council is committed to protecting the environment, stating in the Randwick LSPS that "there is an urgent need to address our changing climate, with Council having publicly acknowledged that we are in a state of climate emergency that requires urgent action by all levels of government".</p> <p>In December 2020 Council adopted a Randwick Environment Strategy. The Environment Strategy outlines the key outcomes that will contribute to a sustainable and resilient Randwick. It is a key informing strategy under Council's Integrated Planning and Reporting Framework and is aligned to the Randwick City Plan. The</p>

Key comment/issue	Response
	<p>Planning Proposal identifies amendments to the provisions of the Randwick Local Environment Plan 2012 to address and encourage sustainable and resilient development in Randwick City. The proposed changes address the key outcomes identified in the Environment Strategy and include the following five key planning categories: water security and the management, biodiversity, urban heat, energy security and natural hazards and extreme weather.</p> <p>These proposed controls along with those currently in place in Randwick and across NSW along with strategic approaches can help minimise the environmental impacts of the population increase contained within the Comprehensive Planning Proposal.</p> <p>Over the last seven years Council has developed six strategic approaches related to reducing our impact on the environment from a renewable energy master plan in 2015 to a 100% Renewable Energy Roadmap in 2020.</p> <p>Currently, the Randwick Development Control Plan 2013 outlines controls for building materials and finishes, energy and water efficiency and environmental education to limit the environmental impacts of new development. This is supported by the NSW Government run Building Sustainability Index (BASIX) assessment process for new residential development which aims to deliver equitable, effective water and greenhouse gas reductions across the state. A comprehensive review of the DCP is currently being undertaken, with specific opportunities being investigated for the inclusion of sustainable and ecological controls where possible.</p>
Concerns that housing targets will lead to overpopulation, overcrowding and loss of amenity.	<p>The housing amendments put forward in the Planning Proposal have been designed to accommodate sustainable future growth, and Council has taken measures to focus growth in areas where it can be accommodated without causing unacceptable impacts on the local and surrounding areas. The HIAs were identified based on their proximity to frequent public transport and significant employment and infrastructure services. The dual occupancy changes were developed allow for a moderate increase that will protect the character of the R2 Low Density Residential zone and allow Randwick to meet its housing targets. At the individual development level, The Randwick Comprehensive Development Control Plan 2013 and the NSW-wide Apartment Design Guide both contain controls to ensure that residential developments deliver an adequate level of amenity to residents and do not cause undue impacts on the surrounding neighbourhood. Additionally, Council levies developer contribution fees for developments which are used to help provide for parks, local road improvements, town centre improvements, community centres and other services, and the proposed affordable housing contributions schemes will see the addition of affordable housing within the LGA</p>
Suggestions that housing targets should be spread evenly across the state and/or that development should be focussed in other areas including the Western Suburbs, Central Coast, Newcastle and Wollongong.	<p>The housing targets were created by the NSW Government based on population growth and migration statistics. Council is not in a position to influence the Randwick 6-10 year housing target or the targets of any other areas in the state. It is noted however, councils within the Central and Western Districts of Sydney have housing targets that greatly exceed those of Randwick. For instance, Parramatta City Council's LSP contains a 6-10 year housing target of 23,660 dwellings. The recent renaming of the Greater Sydney Commission to the Greater Cities Commission acknowledges the importance of managing growth at a regional level. The</p>

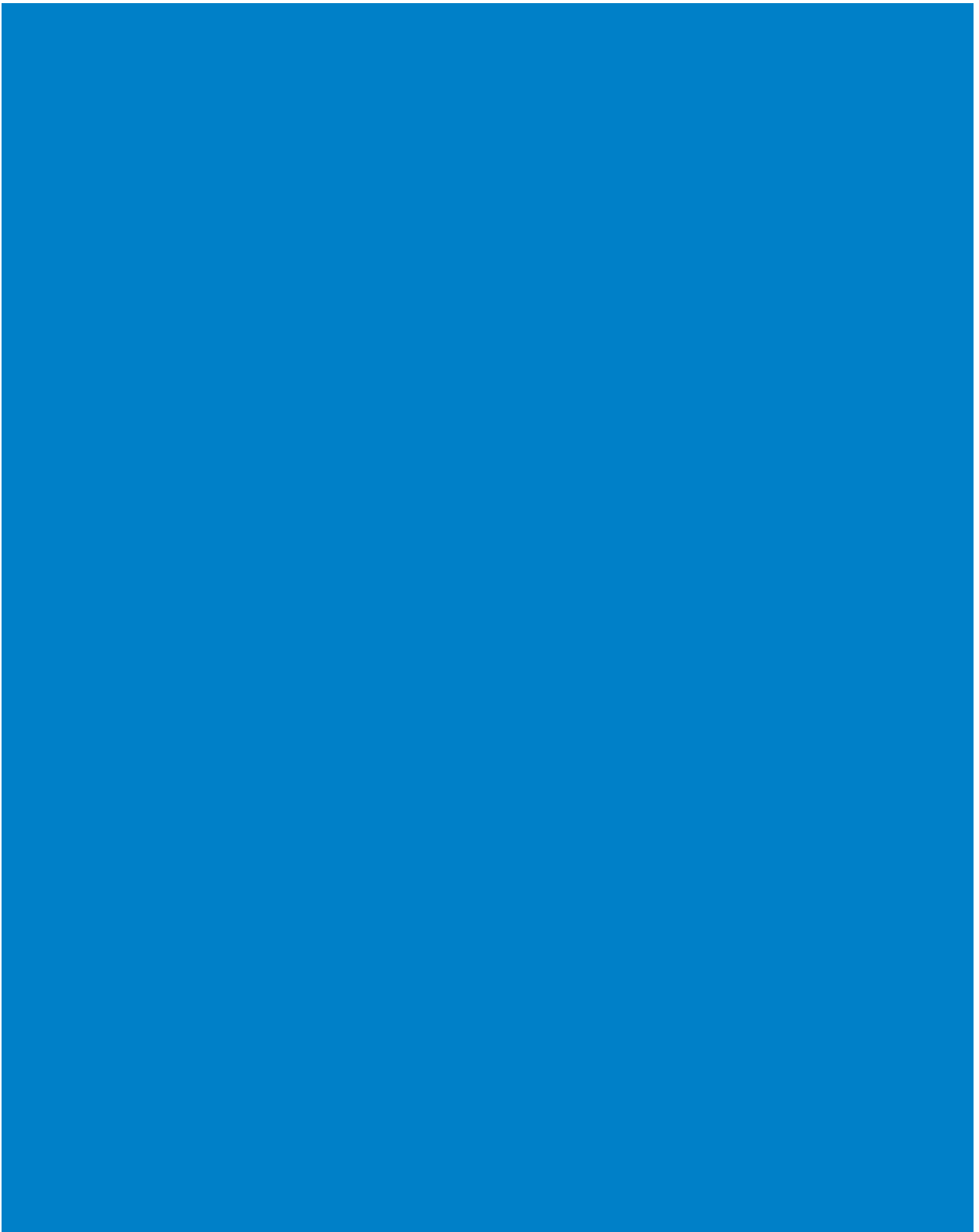
Key comment/issue	Response
	Greater Cities Commission brings together the cities of the Lower Hunter and Greater Newcastle, Central Coast, Greater Sydney and Illawarra-Shoalhaven. City Plans, which will likely include housing targets will be developed for these regional areas as they have been for the Districts of Sydney.
Concern over the plan making process and plans not being informed by the community. Criticism that the consultation was not balanced and that other wards received equal amounts of communication as the West Ward where the majority of change is proposed.	Council understands the concerns about the role of residents in the plan making process however Council notes that the many of the Comprehensive Planning Proposal changes have come out of the Randwick Local Strategic Planning Statement (Vision 2040) and the Randwick Housing Strategy which had lengthy consultation periods to inform their creation. All submissions and feedback received is considered on a merit basis considering the relevant impact to the affected individuals or groups and used to inform and improve the Comprehensive Planning Proposal. For more information, Randwick City Council's Community Participation Plan outlines how and when Randwick City Council engages with the community on planning matters, Council projects and other matters of relevance to the local community. For this Planning Proposal, Council undertook a comprehensive communication and engagement program designed to ensure all interested community members were aware of the proposal and were able to provide general, informed comments about the changes which affect them and the Local Government Area as a whole. Consultation involved municipal-wide mailouts, a phone hotline, drop-in pop-up sessions and extensive online material and interactive maps. The municipal-wide mailouts were structured to contain specific information for properties based on the proposed changes. With respect to the West Ward, since the majority of Housing Investigation Areas (HIAs) were located there, the ward received the most consultation. Five out of eight of the drop-in sessions were held in the West Ward during the week and weekend to provide an opportunity for a range of residents to attend. In addition, four out of five HIAs are in the West Ward and each property owner in the HIAs received both general and additional targeted HIA information to inform residents of the proposed changes.
Request that Council push back on, or negotiate with the State Government over mandated housing targets.	Randwick City Council has been vocal in objecting to the mandated housing targets however Council is under direction from the NSW Government to meet the housing target of 4,464 new dwellings in the next 6-10 years. To ensure new housing is developed in a sustainable and manageable way, the Comprehensive Planning Proposal proposes that additional housing is located in areas close to public transport, jobs and shops.
Concern over the loss of the Design and Place SEPP.	Randwick City Council acknowledges that the loss of the Design and Place SEPP is unfortunate. Council planners were consulted in the development of the SEPP and it was generally considered to be a well founded and appropriate update based on best practice initiatives. However SEPPs are created and administered by the NSW Government and it was the decision of the current Minister for Planning and Homes to abandon the SEPP. The associated BASIX amendments are still projected to become law however and Randwick could potentially include some of the Design and Place SEPP controls within the Randwick Development Control Plan 2013.

Key comment/issue	Response
Concern that planning to 10-year housing targets are short-sighted and that heights and densities should be increased to plan for the next 50 years.	The proposed HIA height and density controls were derived from extensive study and analysis of existing infrastructure, services and the area's local context. These proposed controls, combined with the minimum lot size changes, provide the best outcome in the Randwick LGA to deliver the additional dwellings required to meet the 6-10 year housing targets. Increasing the heights and densities to plan for the next 50 years runs the risk of overdevelopment in the short term and does not take into account any future potential changes in Randwick or the world as a whole which may impact development and population growth.
The NSW Government population projections are not an accurate way of determining dwelling requirements across Randwick City.	The NSW Government housing targets are created through a combination of the State Government population projections, housing projections and projected dwelling demand.
Concern that increases in density will lead to overcommercialisation.	As laid out in the Randwick LSPS (Vision 2040), one of Council's 10 directions is "celebrating diversity and putting people at the heart of planning." To this end, Randwick is committed to balancing the need for housing growth, as mandated by the NSW Government, with the preservation of the much-loved character of the LGA. Future growth is balanced through encouraging considered, low-density infill development and strategically locating high-density housing in accessible locations in and around centres and within walking distance of shops, employment, public transport, facilities and services. While increases in development can lead to overcommercialisation, Randwick believes that the proposals laid out in this plan strike the best balance between meeting the housing targets and creating stronger communities.
Criticism that the proposed 1055 new homes built on the Defence Land bordering Bundock Street are not being counted as part of the LEP housing targets.	The Bundock Street Masterplan was approved in 2013. The 0-5 year housing targets outlined in the Eastern City District Plan took into account all existing planned key sites. As such, the dwellings proposed under the masterplan have already been considered in the 0-5 year housing targets. If a new plan is submitted and accepted for the site in the future, the change in dwelling numbers will be reflected in any future housing target calculations.

2. Government Agencies and Key Stakeholders Submissions

No Government or stakeholder submission were received.

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Director City Planning Report No. CP45/22

Subject: Randwick Comprehensive LEP Planning Proposal - Housing Investigation Areas

Executive Summary

- This report provides an overview of the key issues raised by submissions on the recently exhibited draft Randwick Comprehensive Planning Proposal (CPP) in relation to the Housing Investigation Areas (HIAs). The proposed changes include new planning controls, including changes to property zoning, height, and density in the HIAs that are projected to contribute 574 net new dwellings to Randwick City's housing capacity to meet Council's 6-10 year (2026) housing target.
- The CPP has been prepared to update the Randwick Local Environmental Plan 2012 (RLEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages Councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities), Eastern City District Plan and the Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council endorse the following HIA matters submitted as part of the publicly exhibited draft Randwick CPP as follows:
 - Rezoning of land in the Magill Street HIA to R3 Medium Density Residential.
 - Rezoning of land in the Kingsford South HIA to R3 Medium Density Residential and B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).
 - Increase maximum Height of Building (HOB) and Floor Space Ratios (FSR) in the five HIAs.
 - Introduce a new clause in Randwick LEP which identifies the five HIAs in the 'Special Provisions Area Map' by which an affordable housing contribution scheme is to apply (at a rate of 3% or 5% depending on HIA).
- The report also recommends that Council supports:
 - The rezoning of land on the northwest corner of Anzac Parade and Botany Street in the Kingsford South HIA to B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).
 - The deletion of changes to maximum Height of Building (HOB) and increases to Floor Space Ratio (FSR) in two sub-areas within the HIAs:
 - Arthur Street HIA – area west of Botany Street for further analysis and discussion with UNSW (majority landowner) and other landowners. This site is currently included on the Key Sites Map.
 - Kingsford South HIA - 47-55 Bunnerong Road that is under single LAHC ownership and that the site be included on the Key Sites Map.
- Council's resolution on this report will be reflected in the post exhibition Randwick Comprehensive Planning Proposal to be forwarded to the Department of Planning and Environment, with the request that the amendments be made to *Randwick Local Environmental Plan 2012*.

Recommendation

That Council:

- a) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to HIAs and affordable housing contributions as set out below:

Kensington North HIA

- i. To increase the maximum building height for the R3 Medium Density Residential zone along Anzac Parade and Alison Road to 23m, and in the southeast of the HIA to 16.5m.
- ii. To increase the FSR for the R3 Medium Density Residential zone along Anzac Parade and Alison Road to 2:1 and in the southeast of the HIA to 1.5:1.

West Randwick HIA

- iii. To increase the maximum building height for the B1 Neighbourhood Centre zone (to be translated to E1 Local Centre as part of the Employment Zone Reforms) to 24m.
- iv. To increase the maximum building height for the R3 Medium Density Residential zone to 16.5m.
- v. To increase the FSR for the B1 Neighbourhood Centre zone (to be translated to E1 Local Centre as part of the Employment Zone Reforms) to 3.6:1.
- vi. To increase the FSR for the R3 Medium Density Residential zone to 1.8:1.

Arthur Street HIA

- vii. To not proceed with the proposed maximum building height and FSR controls for the block bound by Arthur Street, Botany Street, High Street and Wansey Road.
- viii. To increase the maximum building height for the R3 Medium Density Residential zone to 26m (excluding the Arthur, Botany, High St and Wansey Rd block).
- ix. To increase the FSR for the areas identified in the R3 Medium Density Residential zone to 3:1(excluding the Arthur, Botany, High St and Wansey Rd block).

Magill Street HIA

- x. To change the zoning of the identified areas east of Norton Lane to R3 Medium Density Residential.
- xi. To increase the maximum building height (except along the Norton Lane frontage) to 19.5m, and along the Norton Lane frontage to reduce to 7m.
- xii. To increase the FSR of the identified areas east of Norton Lane to 1.8:1.

Kingsford South HIA

- xiii. To not proceed with the proposed maximum building height and FSR controls for the block at 47-55 Bunnerong Road, Kingsford and to include the site on the Key Sites Map.
- xiv. To change the zoning of the identified areas to R3 Medium Density Residential and at the northwest and southwest corners of Anzac Parade and Botany Street to B1




Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).

- xv. To increase the maximum building height for the proposed R3 Medium Density Residential zone to 16.5m (excluding 47-55 Bunnerong Road, Kingsford) and for the proposed B1 Neighbourhood Centre zone (to be translated to E1 Local Centre as part of the Employment Zone Reforms) to 17.5m.
- xvi. To increase the FSR for the proposed R3 Medium Density Residential zone to 1.6:1 (excluding 47-55 Bunnerong Road, Kingsford), and for the proposed B1 Neighbourhood Centre zone (to be translated to E1 Local Centre as part of the Employment Zone Reforms) to 1.7:1.

Affordable Housing Contributions

- xvii. Introduce a new clause in Randwick LEP under Part 6 Additional Local Provisions which identifies the areas for each of the five HIAs in the 'Special Provisions Area Map' by which an affordable housing contribution scheme is to apply.
 - xviii. Endorse the Affordable Housing Plan to support the Comprehensive Planning Proposal (shown in Attachment 3).
- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to housing investigation areas and associated documents prior to submitting to the Department of Planning and Environment; and
 - c) Forward that part of the Planning Proposal relating to housing investigation areas and affordable housing contributions to the Department of Planning and Environment and request that the amendments be made to Randwick Local Environmental Plan 2012.

Attachment/s:

- 1.  Table of Community and Stakeholder Submissions and Responses - Housing Investigation Areas
- 2.  HIA Shadow Studies – Winter Solstice
- 3.  Affordable Housing Contributions Plan - Housing Investigation Areas

Purpose

This report outlines the outcomes of the community engagement process for the Housing Investigation Area (HIA) component of the Randwick Comprehensive Planning Proposal (CPP) undertaken for a 6 week period between 31 May and 12 July 2022.

This report seeks Council's endorsement on the recommendations outlined by planning officers specific to each HIA in line with the considerations and assessments set out within **Attachment 1 Table of Community and Stakeholder Submissions and Responses - Housing Investigation Areas**.

A separate report has been included in the current Council Agenda (Extraordinary Meeting of 30 August 2022) summarising the consultation process and activities undertaken and matters raised in submissions received during the public exhibition period of the Randwick CPP.

Discussion

The Randwick CPP has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).

The Randwick CPP also implements the findings and recommendations of studies and strategies undertaken by Council over recent years including the Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy and relevant Informing Strategies endorsed by Council in recent years.

At the Extra Ordinary meeting of Council held on 1 June 2021, Councillors endorsed the draft CPP for submission to the Department of Planning and Environment (DPE) seeking a Gateway Determination to enable its public exhibition. The Planning Proposal was considered as five separate reports covering various aspects of the Planning Proposal. A Gateway Determination was issued by the Department on 12 September 2021 with conditions.

On 26 October 2021, Council resolved to endorse a Council Officer submission seeking a review of certain conditions on the Gateway Determination.

At the Ordinary Council meeting held on 22 March 2022, Council considered a report that advised of the outcome and implications of the Gateway Review and Alteration that was submitted to the DPE on 7 November 2021. At this meeting Councillors noted the outcome of the Gateway Review that required amendments to the Planning Proposal prior to public exhibition and resolved that *"the amended Planning Proposal be presented at the Ordinary Council Meeting in April for consideration prior to public exhibition."*

On 26 April 2022, the draft CPP was considered by Councillors in accordance with the above resolution. At this meeting Councillors resolved to make changes to the CPP in relation to the Economic Development section; use of land at 58-64 Carr Street Coogee and to amend the minimum lot size for dual occupancy to 650m².

An Extra Ordinary Council meeting was held on 3 May 2022 to consider the rescission motion to the resolution of 26 April 2022, received from several Councillors. At this meeting, the following resolution was endorsed by Councillors:

RESOLUTION: (Said/Neilson) that Council:

- a) endorse the exhibition of the Comprehensive Planning Proposal and associated document;
- b) authorise the Director of City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Comprehensive Planning Proposal and associated documents prior to public exhibition;

- c) *that the public exhibition/consultation communications are explicit in outlining Council's objection to the Gateway conditions imposed, the overall housing target imposed on the Randwick LGA which this planning seeks to achieve, and that Randwick City Council is under direction by the NSW Government to prepare an updated LEP document. That the consultation also ask residents as to the suitability of encouraging additional dual occupancy development considering impacts on-street parking impacts, frontages, greenery, and the appropriateness of specified locations concerning transportation for such a style development.*

Volume 1 Objectives and Intended Outcomes 1.2.4 Economic Development (p8) Third bullet - add the words "in Business zones where appropriate" so it reads: "Standardise and extend trading hours for shops and low impact business premises in Business zones where appropriate."

Volume 2 A. Planning Proposal Timeline Attachment B. LEP Clause and Schedule Changes Schedule 1 Additional permitted uses

1. Use of land at 58-64 Carr Street, Coogee (2) add "in conjunction with the site specific DCP." So this item to read "Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP."

The specific amendments outlined in the above resolution were actioned by Council Officers in the draft CPP and exhibited material.

On the 31 May 2022, the Randwick CPP was placed on public exhibition for 6 weeks until the 12 July 2022 as part of an extensive and well publicised community engagement process. As a result of the exhibition process, several submissions were received in relation to the HIAs.

Review and analysis of the submissions were undertaken in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities), Eastern City District Plan, Randwick Local Strategic Planning Statement and the Randwick Housing Strategy.

Housing Investigation Areas (HIAs)

The five HIAs are located in Kensington, Randwick and Kingsford. Locations of each of the HIAs are shown in Maps 1 to 5 below.

Map 1: North Kensington HIA – as exhibited



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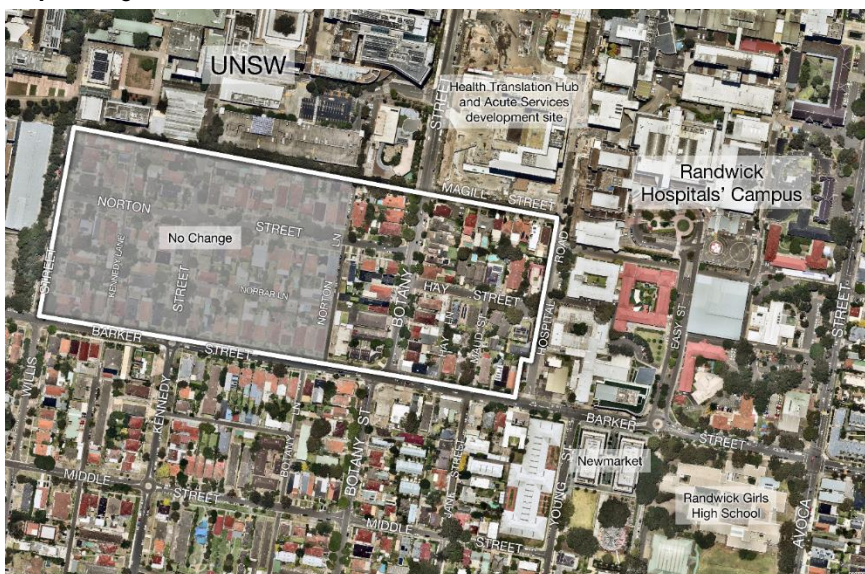
Map 2: West Randwick – as exhibited



Map 3: Arthur Street HIA – as exhibited



Map 4: Magill Street HIA – as exhibited



Map 5: Kingsford South – as exhibited

Background and context

The five HIAs located in Kensington, Randwick and Kingsford comprise an important contribution to the short/medium term residential capacity in Randwick. The HIAs are projected to deliver around 574 new dwellings over the next 5 years. An affordable housing contribution scheme is also proposed within the HIA's to deliver approx. 80 new affordable housing dwellings by 2036.

The proposed changes to the controls for each HIA will result in several new benefits for the community including:

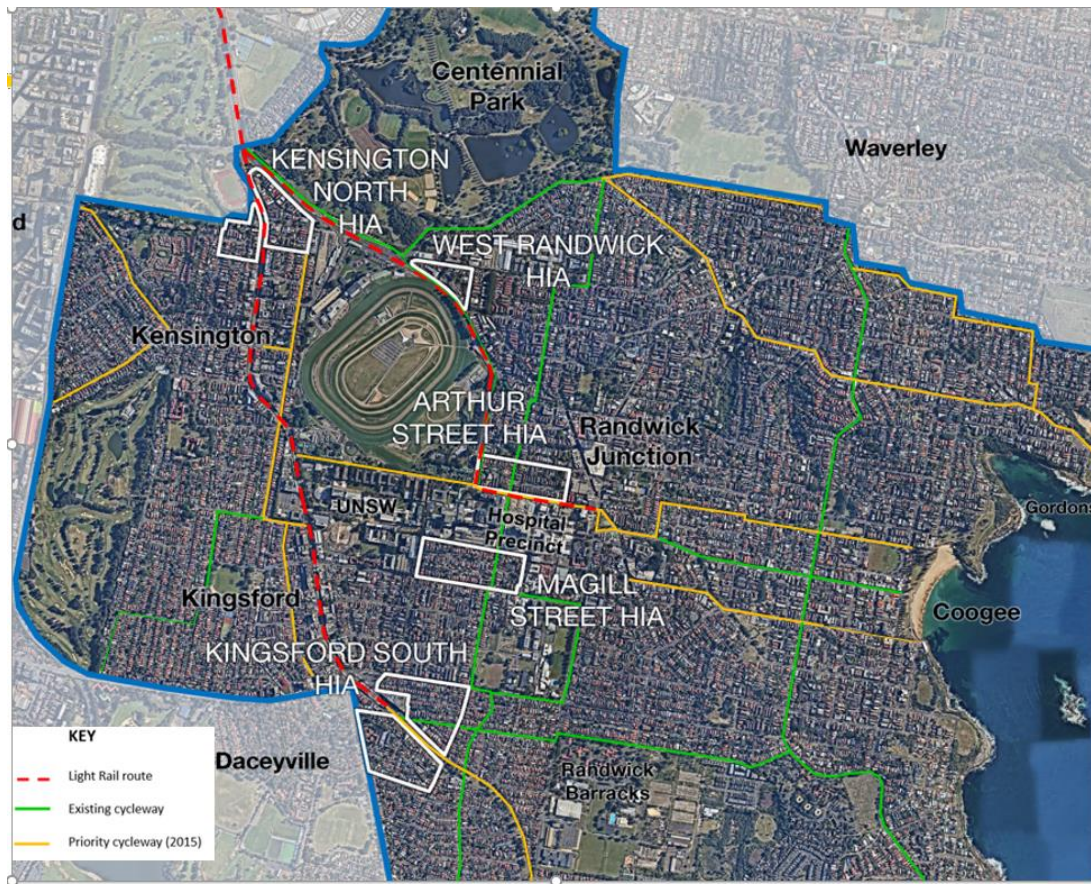
- Providing new housing precincts close to public transport, jobs, and services to create new sustainable, vibrant, and walkable neighbourhoods
- Providing housing for key workers including health and education employees
- New areas of public domain and green space
- Local affordable housing through a new contribution scheme
- Supporting businesses in local town centres
- Creating new pedestrian through site links and wider footpaths

The proposed new maximum height for each of the HIAs is between 5 and 8 storeys. Detailed modelling has been undertaken to demonstrate that the proposed height and scale can be accommodated whilst being sympathetic to the built form character and amenity of adjoining properties. In some cases, uplift within the HIAs has been modelled to improve the built form transition and interface between tall buildings in the Randwick Health and Education Precinct and surrounding residential areas.

The HIAs are afforded excellent access to employment in the Health and Education Precinct and to existing strategic and town centres. They are also located in the areas of Randwick City with excellent public transport service. In addition to the Housing Strategy, the Randwick CPP also aligns with the Integrated Transport Strategy, which is Council's plan for improving effective transport options throughout Randwick City over a 10-year period. The location and urban design of the HIAs responds to the relevant objectives of the Strategy by introducing new pedestrian connections and public green spaces to improve permeability within the blocks and encourage active transport options. These locations have been chosen due to their proximity to transport infrastructure (light rail, buses, cycleways), local jobs and services. Figure 1 shows the 5 HIAs in relation to the active transport network. The HIAs will support local town centres and key employment hubs such as UNSW and Randwick Hospital, by providing new housing areas within

convenient walking distance to the campuses. Active transport will be further developed as part of the DCP.

Figure 1: Location of HIAs in relation to active transport infrastructure



Summary of exhibited changes

The publicly exhibited draft Randwick CPP included the following amendments to the Randwick LEP 2012 to accommodate the projected additional growth in dwellings. Amendments to the existing Height of Building (HOB) and Floor Space Ratio (FSR) controls were exhibited as outlined in the table below.

Zone / Area	Existing		Proposed	
	Height of Building	Floor Space Ratio	Height of Building	Floor Space Ratio
Kensington North HIA				
R3 Medium Density Residential (Anzac / Alison)	12m	0.9:1	23m	2:1
R3 Medium Density Residential (southeast)	12m	0.9:1	16.5m	1.5:1
West Randwick HIA				
Proposed B1 Neighbourhood Centre*	12m	1.5:1	24m	3.6:1
R3 Medium Density Residential	12m	0.9:1	16.5m	1.8:1
Arthur Street HIA				

Zone / Area	Existing		Proposed	
R3 Medium Density Residential (Excl. Arthur Street)	9.5m / 15m	0.75:1 / nil	26m	3:1
R3 Medium Density Residential (Arthur Street)	9.5m	0.75:1	13.5m	3:1
Magill Street HIA				
Proposed R3 Medium Density Residential* (excl. Norton)	9.5m	0.5:1	19.5m	1.8:1
Proposed R3 Medium Density Residential* (Norton)	9.5m	0.5:1	7m	1.8:1
Kingsford South HIA				
Proposed R3 Medium Density Residential	9.5m / 12m	0.5:1 / 0.7:1	16.5m	1.6:1
Proposed B1 Neighbourhood Centre*	9.5m	0.5:1 / 0.7:1	17.5m	1.7:1

* The HOB and FSR in the Existing columns, represent controls under the existing zoning, not the proposed zoning.

In addition to the Height of Building (HOB) and Floor Space Ratio (FSR) changes, the following zoning changes were proposed:

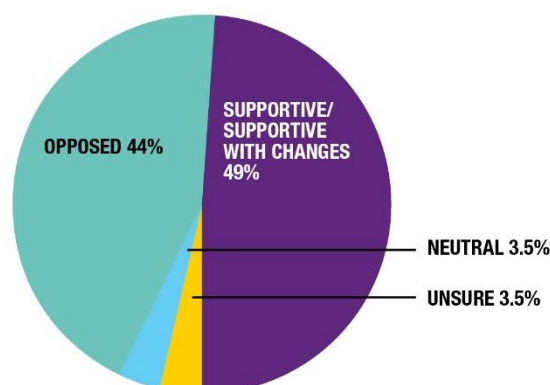
- Magill Street HIA - Change the zoning of the identified areas east of Norton Lane to R3 Medium Density Residential.
- Kingsford South HIA - Change the zoning of the identified areas to R3 Medium Density Residential, and at the southwest corner of Anzac Parade and Botany Street intersection to B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).

A *Housing Investigation Areas Affordable Housing Plan* was exhibited alongside the zoning, HOB and FSR amendments, that proposes to levy development within the HIAs to deliver approximately 80 affordable dwellings over the long-term. The dwellings are proposed to be funded through affordable housing contribution levies ranging from 3% to 5% of the total residential floor area of a development.

Overview of community submissions

Comments relating to the proposed HIA amendments were raised a total of 127 times in the submissions received from the community. The following table and graph provide a summary of the HIA community submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position or were unclear.

General and housing targets submissions	Response
Supportive/supportive with changes*	38% (48)
Opposed	50% (64)
Neutral	7% (9)
Unsure	5% (6)



General and housing targets submissions	Response
TOTAL	100% (127)

** Total includes one petition in support with 305 signatures. For the purposes of the totals in the above data, the petition has been counted as one submission (and is separately addressed in the relevant key category reports).*

Community comments received via the targeted telephone survey provided the following comments with respect to the HIAs:

- 62% agree or strongly agree that the HIAs will deliver increased housing for future generations while 12% disagree or strongly disagree
- In terms of community attitudes to whether the HIAs would result in good access to open space and improve the amenity of the area there was more mixed feedback.
- 35% of respondents thought the developments would have good access to open space while 28% disagreed, and 30% thought the HIAs would improve the amenity of the area while 32% disagreed.

Community comments received via the intercept surveys provided the following comments with respect to the HIAs:

- Overall, respondents are at least somewhat supportive of the HIAs across all proposed HIAs with an average of 81% support.
- Support is highest within the Kingsford South (87%) and Magill Street (84%) areas and relatively lower within the Arthur Street area (66%).
- Respondents interviewed within the Arthur Street area were less likely to mention boosting the economy (13%) as a reason they liked the proposed HIA whereas boosting the economy was mentioned by 46% of respondents in the Kingsford South HIA as a reason for their support.
- This suggests those in Kingsford South are more likely to see the HIAs as an economic boost opportunity whereas respondents in the Magill Street and Arthur Streets are more likely to associate providing more housing as a positive benefit.

Comments in relation to the HIAs were also received from the following stakeholders.

- Environment, Energy and Science (EES) Group of the Department of Planning and Environment
- Randwick Racecourse Trust / Australian Turf Club
- Land and Housing Corporation / Family and Community Services
- Sydney Water Corporation
- Sydney Airport, Civil Aviation Safety Authority (CASA) and Airservices Australia
- Bayside Council
- UNSW
- NSW State Emergency Service
- Community Housing Industry Association NSW
- Coogee Precinct

Stakeholder comments are discussed below where relevant. All stakeholder submissions and responses relating to HIAs can be viewed in **Attachment 1** to this report.

Key issues and responses

Key issues raised in community, telephone and intercept surveys and stakeholder submissions in response to the proposed HIA planning amendments are summarised below and a response is provided. Detailed responses are provided in **Attachment 1** to this report.

- Affordable housing – Submissions that raised issues with the proposed affordable housing controls for the HIAs were broadly supportive of increased residential densities,

however raised questions as to whether the level of affordable housing provisions required was high enough (contributions of 3% or 5% are proposed). A stakeholder submission was received from the Community Housing Industry Association NSW recommending that higher contribution rates be implemented over time (above the proposed 3% and 5%) to maximise delivery of affordable housing. It was also suggested that timeframes be included in the LEP for when increased rates will apply.

Response – Providing new affordable housing in the LGA is a key policy of Randwick City Council as outlined in the Randwick Housing Strategy and the Randwick Affordable Housing Strategy and Action Plan. Council continually investigates opportunities to seek affordable housing provision as part of planning reviews/amendments to the Randwick LEP to require a proportion of floor space to be dedicated as affordable housing. The proposed affordable housing contributions, that would apply in the HIAs, also aligns with the delivery of Planning Priority 2 of the Local Strategic Planning Statement to *'increase the supply of affordable rental housing stock to retain and strengthen our local community'*.

Economic planning consultants Hill PDA were engaged by Council to assess the economic feasibility of new development, including assessing the viability of including a requirement for affordable housing contributions. Based on the Hill PDA analysis, the targets were tested while balancing market conditions, amenity considerations and individual site capacity for growth. Higher contribution rates of 5% and 7% across all HIAs were also investigated, however it was found that these percentages were not financially feasible for redevelopment under the proposed planning controls. While further affordable housing contributions may have been sought, through increasing building height and density (FSR) in the HIAs, it has been determined that this would result in inappropriate urban planning impacts associated with excessive building bulk, scale, and height.

- **Amenity impacts** – Concerns were raised regarding how new development would affect established streetscape appearance, natural ventilation, and localised climatic and pedestrian amenity. In addition, a handful of submissions raised concerns regarding the potential for construction related impacts, including noise, dust and trade vehicles using on-street parking that could potentially result from redevelopment of sites within the HIAs. Reference was made to the already long periods of construction that have already been experienced in areas surrounding the proposed HIAs.

Response - Development will be required to address the *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* and the *Apartment Design Guide (ADG)*, which includes requirements for any new residential development achieves design excellence and provides adequate natural ventilation, visual privacy, and solar access for existing and proposed developments. The ADG also requires development to provide minimum building-to-building separation to ensure good access to natural light and ventilation, and to maintain privacy for residents of existing and proposed development.

In addition to the ADG and DCP, as the proposed maximum heights for the HIAs (5 to 8 storeys) would permit development exceeding 15m, new buildings will be required to address clause 6.11 Design Excellence under the Randwick LEP, which requires the building designer to ensure the proposed development achieves an acceptable relationship with other buildings on the same site and on neighbouring sites.

- **Building form and height** – Concerns that several HIAs represent an overdevelopment of existing areas of the Randwick LGA, resulting in overshadowing impacts on existing residential properties and surrounding public spaces.

Response – The proposed maximum building heights in the five HIAs exceed 15m and therefore are required to address clause 6.11 Design Excellence under the Randwick LEP. Residential apartment building development will also be required to address the *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* and the *Apartment Design Guide (ADG)*, which aims to deliver better

quality design for buildings that respond appropriately to the character of the area by providing benchmarks for assessing developments. Requirements include landscape provision and interface with the public domain, relationship to surrounding built form and adequate building separation to ensure appropriate solar access for both new and existing developments, natural ventilation and visual privacy. These controls will apply to the HIAs.

Overshadowing studies have been prepared for each HIA, based on the maximum permitted building envelope, and the worst-case scenario of the winter solstice, that indicate that there is no significant net increase in overshadowing expected due to new development in the HIAs. Refer to Figures 1 to 15 in **Attachment 2** to this report.

- Environmental and open space impacts – Concerns over lack of environmental requirements in the new HIAs regarding provision of solar panels, deep soil zones, green walls, and rooftop gardens. Concerns over lack of measures to combat potential urban heat impacts of the proposed high-density development within the HIAs combined with access to public open space.

Response – Residential apartment building development will be required to address the *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* and the *Apartment Design Guide (ADG)*, which includes requirements for any new residential development to ensure adequate landscaping, and deep soil zones for canopy tree planting. Further to ADG requirements, the review and update of the Randwick DCP will include minimum standards for development within HIAs that require landscaping, including green walls and rooftop gardens to be included in the building design to combat urban heat island impacts.

The ADG includes a design criterion that Communal Open Space (COS) within a development must equal 25% of the site area provided for private green space. In addition, 50% of the communal space must have direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).

The five proposed HIAs are located within convenient walking distance of established open spaces, including Centennial Park, Writtle Park, Paine Reserve and Dacey Gardens. The forthcoming comprehensive DCP review will seek to strengthen controls for open space connectivity and access and environmental resilience.

- Infrastructure provision – Concern over increased population and demand for localised and regional infrastructure.

Response – The *Local Transport Study – Randwick Junction and Housing Investigation Areas (Stantec, 2022)* was commissioned by Council to inform the future public transport, active transport, and local pedestrian, bicycle, and traffic infrastructure and carparking needs of the HIAs. Further, Transport for NSW has been an important stakeholder involved in the preparation of the HIA planning to ensure existing and future transport needs are addressed.

The Department of Education - School Infrastructure NSW (SINSW) has been consulted in the preparation of the plans for the HIAs. The potential additional children residing in the HIAs will therefore factor into the future planning of the Public and High Schools that serve the HIAs.

The *Randwick Housing Investigation Areas – Flood Constraints Review (WMA Water, Oct 2021)* has considered flooding, stormwater and drainage issues and provided recommendations that have been addressed in the planning of the five HIAs. The review outlines that some lots within each HIA are constrained by flood affectation to various degrees. The flood constraints identified for specific development lots in this assessment do not prohibit development of those sites under existing and amended LEP/DCP controls resulting from the Randwick CPP. Although the localised flood constraints discussed will likely involve design compromise for some lots, it is likely the

redevelopment under the proposed controls will improve the planning outcomes within those lots that are flood affected by managing risks to life and property.

In March 2022, the NSW Government commissioned an independent expert inquiry into the preparation for, causes of, response to and recovery from the 2022 flood event across the state of NSW. The Inquiry was tasked to consider and, if thought fit, make recommendations on a range of matters, including:

- the safety of emergency services and community first responders;
- current and future land use planning and management and building standards in flood prone locations across NSW;
- appropriate action to adapt to future flood risks to communities and ecosystems;
- coordination and collaboration between all levels of government.
- The Flood Inquiry report was handed down to Government in July 2022, however no direction has been issued by Government in relation to flood planning.

The Department has advised councils to continue, considering and making planning decisions based on the existing suite of flood planning advice (contained on Ministerial Direction on flood planning policy).

The Urban Design Reports for each HIA have been updated to reflect recommendations of the flood constraints review and were on exhibition as part of the draft Randwick CPP. Site specific block controls will be developed as part of the Comprehensive DCP review. These detailed controls will address flood management including overland flow and minimum flood planning levels, to inform the design/layout of redevelopment sites within the HIAs.

- Localised character and design - Concern over the design quality and aesthetic appearance of new buildings compared to existing older style buildings. Loss of character and charm resulting from the demolition of older buildings, leading to concerns in the changing character of the HIAs and surrounding areas.

Response - Development will be required to address the *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* and the *Apartment Design Guide (ADG)*, which includes requirements for any new residential development to ensure in their design, adequate consideration for public domain interfaces, front, rear and side setbacks, and local character and context.

A site-specific update to Randwick DCP is being prepared for the five HIAs that will illustrate preferred built form outcomes and include design objectives and development controls for the HIAs to ensure proposed development responds to existing streetscape qualities and the desired future character.

In addition, development exceeding 15m will also be required to address clause 6.11 Design Excellence under the Randwick LEP that requires new development to achieve an acceptable relationship with existing buildings and neighbouring properties.

- Transport, traffic and parking - Concerns regarding access and capacity of existing road networks and public transport to accommodate increased densities of the HIAs, and the potential for impact upon on-street parking, provision of on-site parking rates and the connectivity into existing and proposed cycling networks.

Response – Housing Investigation Areas (HIAs) have been carefully designed to accommodate sustainable growth in a balanced way to deliver liveable and walkable neighbourhoods. The *Local Transport Study – Randwick Junction and Housing Investigation Areas* (Stantec, Jan 2022) has informed the planning of the five HIAs and provides recommendations regarding road and traffic improvements, public transport (buses and Rapid Buses), active transport (Movement and Place), the need for new infrastructure including cycling infrastructure, monitoring of intersection performance, signalised intersections and pedestrian crossings (e.g Anzac Pde near ES Marks Field, Rainbow St Kingsford, Belmore Rd and Avoca St). Also recommended in the Study are reduced car parking rates in the DCP to reduce car dependency, car ownership rates, and encourage active and sustainable transport, increased bicycle parking rates, EV charging and car share in developments. The Randwick City Council *Bicycle Route Construction Priority Plan* outlines key projects that Council has underway, or is currently working towards, to improve the cycling path network throughout the LGA. All five HIAs are located either adjacent to, or near existing or proposed bicycle routes.

Transport for NSW has responded to the exhibited plans advising that intersection modelling at key locations should be carried out to determine likely future impacts on performance and function. Council's traffic consultant has completed this work which shows that 4 of the 5 intersections will be marginally impacted in the future arising from the additional dwellings and business related trips. The intersection of Anzac Pde/Alison Rd/Dacey Ave will continue to experience delays particularly in the AM peak and is currently operating at near capacity. As this key intersection is a state-owned asset, which is a convergence of light rail, buses and traffic, the report recommends that any improvements should involve collaboration between Council and TfNSW to explore options for intersection configuration or upgrade to optimise performance. Council will continue to work with TfNSW in this regard.

- **UNSW owned land** - A submission was received from UNSW requesting the proposed changes to the western block of the Arthur Street HIA, where UNSW is the majority landowner, be deferred from the CPP to allow for further investigation around its strategic development potential. UNSW notes that this block is of strategic importance as it is located adjacent to the campuses of UNSW and Randwick Hospitals and well serviced by public transport. As such the development outcome (of lot consolidation) envisaged in Council's HIA work cannot be supported and achieved.

Response – The urban block bounded by Arthur Street, Botany Street, High Street and Wansey Road contains a significant number of UNSW owned properties. As outlined in the Arthur Street HIA Urban Design Report, the consolidation of larger land parcels opens opportunities for the coordinated urban planning of the precinct and for optimum urban design and open space outcomes. Four building 'quarters' are envisaged that are integrated with the surrounding streets and pedestrian connections, through the continuance of visual axis and pedestrian desire lines.

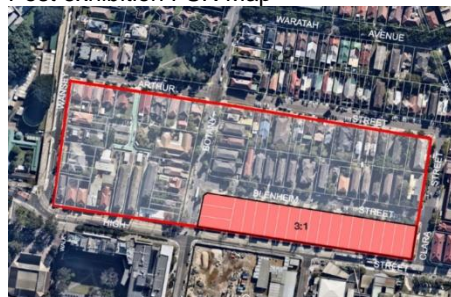
The urban design success of the western block of the Arthur Street HIA largely depends on the consolidation of lots, including the UNSW-owned land. As the UNSW as the major landowner have advised that they are unable to support the outcomes for the western block, it is appropriate not to proceed with its inclusion to allow for further investigation into the longer term strategic opportunities. Having a greater mix of uses aligns with the objective of creating a leading research, educational & innovation district. If the proposed residential zoning and change to the development standards proceed and there is not a substantial consolidation of the remaining land with that of the UNSW, it may result in further fragmentation with new apartment or co-living development occurring on remnant parcels. This would have the effect of limiting the potential for a mixed use zoning at a later date. The exhibited and post exhibition height and FSR amendments for the Arthur Street HIA are shown in Figure 2 below.

Figure 2: Arthur Street HIA

Publicly exhibited FSR Map



Post exhibition FSR Map



Publicly exhibited Height Map



Post exhibition Height Map



The decision to not proceed with changes to the western block of the Arthur Street HIA will result in the loss of approximately 98 net new dwellings in the 6-10 year period, to 2026. While this will reduce the overall housing yield achievable under the CPP, in the short term, it is not expected to impact significantly on the delivery of housing in the LGA in the medium to long term.

Council will continue to work with the UNSW and other landowners within the western block of the Arthur Street HIA to ensure the most appropriate built form in a potential mixed use environment, including health and education related land uses. Further, it is noted that the western block is already identified on the LEP Key Sites Map, which requires development on the block to occur in accordance with a site-specific Development Control Plan.

- LAHC owned land** - A submission was received from the Land and Housing Corporation (LAHC) in relation to their site at 47-55 Bunnerong Road, Kingsford, located within the Kingsford South HIA. The LAHC request that the CPP be amended to allow for an increased height limit of 28m (or 8 storey which is 3 storeys higher than the proposed 5 storey limit for this site) and FSR of 2:1 (compared to 1.6:1 envisaged under within this HIA). In short, LAHCs submission states that a substantial loss of social housing would result, if Council proceeds with the controls proposed under Kingsford South HIA (i.e. 5 storeys), and as such the redevelopment of the site will not be a priority for LAHC in the short term. LAHC maintain that an increase in height and density controls is required to redevelop the site in a manner that would renew and increase social housing, provide a high level of amenity, retain mature trees and minimise the impact on surrounding properties. Alternatively, LAHC requested that the site be deferred from the CPP to allow the LAHC to separately advance a planning proposal with all appropriate supporting evidence.

Response – The site at 47-55 Bunnerong Road is approximately 6,000m² and is wholly owned by the LAHC. It is bound by roads to the south and west, and land zoned SP2 Infrastructure (electricity generating works) to the east and north. The Kingsford South HIA Urban Design Report envisaged the LAHC site as being redeveloped as a standalone site due to its site context and constraints. As the site is owned by LAHC,

the Housing SEPP provides a bonus FSR of 0.5:1 to facilitate delivery of social housing. The proposed 8 storey limit sought by LAHC can be achieved under an FSR of 2.5:1.

Council Officers met with LAHC representatives to discuss their submission. LAHC representatives advised that the proposed uplift of 16.5m and FSR of 1.6:1 of the exhibited CPP, would not provide sufficient yield to warrant redeveloping the site in the short to medium term. Discussions with LAHC indicated that the redevelopment would result in a mixed tenure model, with 30% social and 70% private housing outcome. The 60 existing social housing apartments on the site would be demolished and replaced with an additional 15 units to a total of 75 apartments fit for purpose i.e smaller dwellings which meet current demand and living/amenity standards of tenants. The private redevelopment component would total approximately 175-185 units. The increase of 15 social housing units on the site is insignificant in the context of the severe shortage of social housing and Council's overall aim of increasing the percentage of all households that are either social or dedicated affordable housing to a minimum of 10% by 2040.

A master plan for the site is required to justify that an increase in height above Council's proposed 5 storeys will be suitable in the context site and local character, and not result in unacceptable impacts to adjoining properties. Further, any increase in height above the proposed 5 storeys, proposed as part of a LAHC lead planning proposal would need to demonstrate a significant addition of social and affordable housing dwellings as part of the redevelopment, well beyond the proposed 15 units currently put forward by LAHC in their submission.

The decision to not proceed with the changes to the LAHC site will mean that, in the short term, the 6-10 year target (to 2026) will be reduced by approximately 20 dwellings. While this will initially reduce the overall housing target achievable under the CPP, it is not expected to impact significantly on the delivery of housing in the LGA in the medium to long term. The exhibited and post exhibition Height and FSR amendments for the Kingsford South HIA are shown in Figure 3 below.

Figure 3: Kingsford South Street HIA

Publicly exhibited FSR Map



Post exhibition FSR Map



Publicly exhibited Height Map



Post exhibition Height Map



It is considered that the site warrants inclusion as a key site on the Randwick LEP Key Sites Map to ensure all planning issues are resolved early as part of an urban design concept or master plan for the site. Sites already on the Key Sites Map include the two

triangle sites (the Council owned Rainbow St site and the block opposite fronting Anzac Pde and Bunnerong Road) at Kingsford adjoining the Light Rail Station; the Newmarket site, Randwick and the Arthur St/Wansey Rd/ High St block at Randwick (addressed earlier in this report with UNSW as the major landowner). Inclusion on the Key Sites Map referenced in cl 6.12 of the Randwick LEP will require the preparation of a site-specific Development Control Plan submitted by LAHC in conjunction with any future site specific rezoning proposal for the site and subsequently exhibited with such planning proposal. Clause 6.12 requires a DCP to include a range of planning matters including design principles for the site, envelope and built form controls, housing mix including affordable housing, environmental protection and water management. A site specific DCP will provide the opportunity for more fine-grain analysis of the site together with any background studies, plans and reports which justify the proposal and explain the desired outcome for the site and referral to the Randwick Design Excellence Panel. Preparation of a DCP will inform development controls that are appropriate for the site given its context within the South Kingsford HIA.

Recommendation

Based on a review and analysis of the submissions, the following amendments to the publicly exhibited draft CPP are proposed.

The request from UNSW to not proceed with changes to the western block of the Arthur Street HIA from the CPP is supported. The request from LAHC to not proceed with changes to the site at 47-55 Bunnerong Road, Kingsford within the Kingsford South HIA from the CPP is also supported. As such, the final draft Planning Proposal includes the following amendments to the exhibition documentation:

- Amend the Floor Space Ratio (FSR) Map and Height of Buildings (HOB) Map to retain the existing FSR and building heights for the block bound by Arthur Street, Wansey Road, High Street and Botany Road.
- Amend the Floor Space Ratio (FSR) Map and Height of Buildings (HOB) Map to retain the existing FSR and building heights under Randwick LEP 2012 for 47-55 Bunnerong Road, Kingsford.
- Include 47-55 Bunnerong Road, Kingsford on the Key Sites Map.

As a result of the above changes, the overall estimated housing yield provide by the CPP for the 6-10 year timeframe will be reduced by approximately 118 dwellings. However as demonstrated in the table below, the overall housing target outlined in Council's endorsed LSPS and Randwick Housing Strategy of 4,300 will still be achieved.

	Estimated Housing Yield (6-10 year target)	
	Publicly exhibited CPP	Post exhibition CPP
General infill (already permissible under current planning controls)	~ 800	~ 800
5 x Housing Investigation Areas	~ 574	~ 456
Minimum Lots Size Provisions in the R2 Zone	~ 474	~ 474
Kensington to Kingsford (already permissible within the K2 Corridor)	~ 2,070	~ 2,070
Major Sites (already permissible at Newmarket and Little Bay sites)	~ 546	~ 546
Total	~4,464*	~4,346

Gateway Conditions

Condition 2 of the Gateway Determination lists several items that the Department requires be addressed prior to finalisation of the plan. The conditions relevant to the HIAs, and a corresponding response, is included below.

Condition 2.a)

For the Housing Investigation Areas, undertake further testing to ensure the proposed FSRs can be accommodated in the proposed height standards, while achieving appropriate built form, landscape, and amenity outcomes. The testing is also to demonstrate the future built forms are capable of satisfying the Apartment Design Guide, including solar access to future development and adjoining properties. The above specifically relates to the Kensington North, Arthur Street, Magill Street and Kingsford South HIAs.

Planning officers have reviewed all five HIAs individually to ensure that the proposed maximum density (FSR) can be achieved within the proposed maximum Height of Building (HOB). The proposed FSRs vary between each HIA in consideration of the varying contexts and settings, the block configuration/layout, varying street setbacks and preservation of existing landscape and views. The verification testing, involved preparing dimensioned maximum building envelope plans for each block within the five HIAs, which included consideration of:

- Appropriate boundary setbacks of building envelopes and stepping down in building height (storeys/metres) in the proximity of heritage listed properties;
- Appropriate boundary setbacks to building envelopes and stepping down in building height (storeys/metres) to provide a suitable transition in scale, including building height in the proximity of existing surrounding low scale properties, open spaces and surrounding streetscapes;
- Accommodating in the plan layout, existing properties in Strata or church ownership that may not redevelop in the medium-long term;
- Setting back buildings to prevent or minimise overshadowing impacts of existing and proposed public and private open space (refer to Figures 1 to 15 in Attachment 2);
- New through-block pedestrian links to improve permeability and access through the HIAs and to nearby public transport and local destinations;
- The *Apartment Design Guide (ADG)* guidelines for minimum building-to-building setbacks based on assumptions regarding likely building planning in terms of location of habitable and non-habitable spaces and balconies;
- The effective defining of street frontages and street corners in employment zones and in built up urban areas, with zero street boundary setbacks, and in residential areas with 5-6m street boundary setbacks to allow for ground floor apartment gardens;
- Specialist flood consultant advice (*Randwick Housing Investigation Areas - Flood Constraints Review*, WMA Water, Oct 2021) regarding the identification and accommodation of overland flow paths in the planning of the HIAs;
- Likely site consolidation scenarios that provide optimum redevelopment outcomes for the urban design of the precinct, for resident amenity, and the provision of landscaped private communal open space in courtyards, setback areas, and on rooftops and terraces;
- Overall resident amenity, including access to natural light (solar access to future buildings and adjoining properties), natural ventilation and apartment outlook/views. The ADG guidelines for orientation, site layout, maximum depth of residential floor plate and minimum floor-to-floor height have been considered in the design of the proposed building envelopes.

Further, to the above considerations, in the calculation of maximum GFA (and FSR) a conservative 70% conversion rate from gross building footprint to net GFA, (the ADG recommends between 70-75%) was used. This will allow architects and building designers some extra freedom to articulate the architectural elements of the building, such as walls, roofline, and balconies, and introduce more variety in the design of the buildings, within the proposed maximum building envelope.

Condition 2.b)

Consider the merit of rezoning the existing commercial uses at 632-634 Anzac Parade, Kingsford (within the Kingsford South HIA) from a residential to business zone.

As outlined in the 26 October 2021 Planning Report (CP68/21) Council officers see the merit of rezoning the three shops from R2 Low Density Residential to a business zone. A post exhibition review has been undertaken of the existing cluster of commercial uses at 632-634 Anzac Parade, Kingsford to consider the merit of a rezoning from R2 Low Density Residential to B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).

The existing cluster consists of a two storey shop-top housing block on the northwest corner of Anzac Parade and Botany Street. In consideration of the existing commercial uses, the building typology, urban form and land use of the cluster lend themselves to being classified as a neighbourhood centre. The cluster serves the surrounding neighbourhood and is located approximately 250m from the closest commercial zone, being the Kingsford Town Centre.

It is considered that a rezoning of the existing shops in conjunction with new Height of Building (HOB) and density (FSR) controls would be appropriate within the urban context, in terms of the long-standing existing land use, be an equitable outcome in relation to the existing shops at the southwest corner of the same intersection and provide consistency with the objectives and desired character of the Kingsford South HIA. For the above reasons, the property is recommended for rezoning, and for amended HOB and FSR controls, consistent with the existing shops at the southwest corner of the intersection. The exhibited and post exhibition zoning amendments for the Kingsford South HIA are shown in Figures 4 and 5 below.

Figure 4: 632-634 Anzac Parade, Kingsford
Location of site



Existing commercial uses onsite

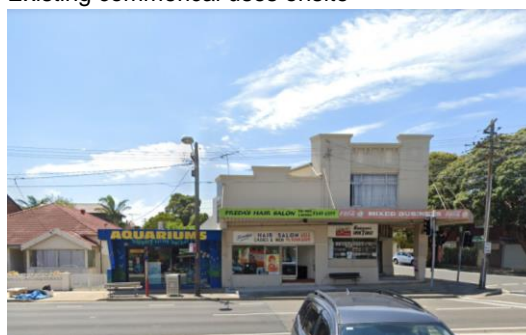


Figure 5: Kingsford South Street HIA
Publicly exhibited Zoning Map



Post exhibition Zoning Map



Recommendation

The Randwick CPP has been updated to include the rezoning of the site at 632-634 Anzac Parade, Kingsford from R2 Low Density Residential to B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms). The maximum permitted height will increase to 17.5m, to reflect the need to increase the Ground Floor floor-to-ceiling height, consistent with ADG standards for mixed use developments. The FSR will also increase to 1.7:1 to reflect the FSR proposed on the southwest corner of Anzac Parade and Botany Street.

Condition 2.c)

Where the development potential for the HIAs are revised post-exhibition, undertake an updated feasibility analysis and amend the draft Affordable Housing Plan and the planning proposal accordingly.

No post-exhibition changes are proposed to the development potential (yield) of the five HIAs, and therefore it is not necessary to update the feasibility analysis, Affordable Housing Plan or the Randwick CPP.

DCP Provisions and Timeframe

Council's internal strategic work program identifies the timing for the comprehensive review of the Randwick DCP 2013. This work stream has commenced and will be progressed in two stages.

The first stage will complement the updated LEP provisions and development standards, providing more detailed guidance for the assessment of development applications (DAs). It will be predominantly structured around the new HIAs and the updating of the dual occupancy sections of the DCP. The second stage will comprise all other provisions of the DCP and will focus on updating and improving the DCP's sustainability, transport and design controls.

The timing of the exhibition of the first stage of the draft Randwick DCP will be aligned with the making of the LEP controls and Affordable Housing Plan so that DAs for the HIAs and dual occupancy development can be assessed in line with Council's adopted post exhibition Comprehensive Planning Proposal and the exhibited Urban Design studies.

Timeframes for the second stage is anticipated to involve a Councillor briefing in early 2023, presentation of draft consultation material in May 2023, followed by a community consultation phase.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Housing
Outcome	A city with diverse and affordable housing that responds to local needs
Objective	Increase the percentage of all households that are either social or dedicated affordable housing to a minimum of 10% by 2040
Delivery program commitment	Identify appropriate areas to apply an affordable housing contributions scheme requiring a proportion of all development to be dedicated as affordable housing and amend LEP 2012 to give effect to this by 2025.
Delivery program commitment	Provide additional housing opportunities for low income and key workers to support the Randwick Collaboration Area by 2031.
Delivery program commitment	Work with the Land and Housing Corporation to develop a staged approach for the renewal of social housing estates, and ensure that the number of social

	housing dwellings is increased in any future redevelopment of public housing estates in Randwick City.
Objective	Increase the proportion of medium density housing supply by 3% by 2028 from a 2016 baseline of 27.9%
Delivery program commitment	Implement planning controls by end 2024 that will increase the proportion of new housing that is suitable for families.
Delivery program commitment	Investigate opportunities to increase provision of affordable rental accommodation by 2031.
Outcome	A city with sustainable housing growth
Objective	Provide 4,300 new dwellings in 2021-2026, with 40% located in and around town centres
Delivery program commitment	Review the LEP 2012 to provide for additional capacity to meet the target of providing 4,300 new dwellings between 2021 and 2026.
Delivery program commitment	Ensure any future redevelopment is aligned with local infrastructure investment.
Delivery program commitment	Ensure future redevelopment sites are aligned with future transport investment as identified in the transport strategy.
Outcome	A city with excellent built form that recognises local character
Objective	100% of development applications approved from 2025 onwards are consistent with the desired future character of the local area and consider design excellence
Delivery program commitment	Investigate opportunities for promoting exceptional architectural and urban design outcomes for high density developments in key locations by 2025.

Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2021/22 budget and allocations. Transport and flooding consultants were engaged to provide expert advice in relation to the Housing Investigation Areas. Other work was completed in-house by Strategic Planning officers.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- Randwick Housing Strategy.

Conclusion

This report has considered the submissions relating to the HIAs received by Council in relation to the Randwick CPP and the proposed changes to the Randwick LEP 2012. The report addresses the HIA submissions Council has received that were exhibited with the draft CPP during the public consultation period from 31 May to 12 July 2022.

As part of the exhibition of the draft CPP, several key issues were raised by the community and stakeholders in response to the proposed amendments. As a result of the submissions received, two sub-areas are proposed to not proceed, and several suggestions are to be considered as part of the comprehensive review of the Randwick DCP 2013.

This report recommends that Council retain its endorsement in relation to the following HIA matters submitted as part of the publicly exhibited draft Randwick CPP as follows:

- Rezoning of land in the Magill Street HIA to R3 Medium Density Residential.
- Rezoning of land in the Kingsford South HIA to R3 Medium Density Residential and B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).
- Increase maximum Height of Building and Floor Space Ratios in the five HIAs.
- Introduce a new clause in Randwick LEP which identifies the five HIAs in the 'Special Provisions Area Map' by which an affordable housing contribution scheme is to apply (at a rate of 3% or 5% of total residential floor space depending on HIA).

The report also recommends that Council supports:

- The rezoning of land on the northwest corner of Anzac Parade and Botany Street in the Kingsford South HIA to B1 Neighbourhood Centre (to be translated to E1 Local Centre as part of the Employment Zone Reforms).
- Not proceed with changes to maximum Height of Building and increases to Floor Space Ratio in two sub-areas within the HIAs:
 - Arthur Street HIA – area west of Botany Street for further analysis and discussion with UNSW (majority landowner) and other landowners. This site is currently included on the Key Sites Map of RLEP 2012.
 - Kingsford South HIA - 47-55 Bunnerong Road that is under single LAHC ownership and that the site be included on the Key Sites Map.

Whilst the draft Randwick CPP was exhibited as one document, it contains various proposals for amendments to Randwick LEP 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.

Responsible officer: Stella Agagiotis, Manager Strategic Planning; David Appleby, Coordinator Strategic Planner; Natasha Ridler, Coordinator Strategic Planning

File Reference: F2021/00188

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses Housing Investigation Areas

30 August 2022



1300 722 542
randwick.nsw.gov.au

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Overview

This document includes a summary of all Housing Investigation Area related issues that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to HIAs. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
General support	
Support for the HIAs as a means of delivery one or more of the following: <ul style="list-style-type: none"> Housing supply Housing affordability Housing demand Meeting housing targets 	Noted. The Housing Investigation Areas are envisioned to deliver higher density mixed use development close to public transport nodes, employment centres and to services. The measured and considered growth of mid-rise apartment housing across the five HIAs will address the need to accommodate population growth in the LGA, and contribute to housing affordability, sustainability, and diversity. It will support the local economy, businesses and employment.

Key comment/issue	Response
<ul style="list-style-type: none"> Housing in well located areas close to transport, jobs and services Addressing population growth Sustainable and diverse communities Revitalisation of the economy Support for local business Support for jobs Support for the construction industry. 	
Support for the Affordable Housing Contributions Scheme.	Noted. Providing new affordable housing in the LGA is a key policy of Randwick City Council. The proposed affordable housing contributions, that would apply in the HIAs, would contribute to the delivery of Planning Priority 2 of the Local Strategic Planning Statement to <i>'increase the supply of affordable rental housing stock to retain and strengthen our local community'</i> .
Support for the HIAs provided specific sites and/or areas that have been excluded from HIAs are also provided uplift. Site specific details included in these submissions are detailed in the Rezoning Request Report.	<p>Noted. The proposed new density and height limits of the HIAs are derived from extensive research, analysis and feasibility studies. HIAs have been carefully designed to accommodate sustainable growth in a balanced way to deliver liveable and walkable neighbourhoods. The HIAs were chosen due to their proximity to frequent public transport and significant employment and infrastructure services within the Randwick Strategic Centre. It should be noted that many of the proposed HIAs are already, in whole or part, zoned R3 Medium Density Residential and already include some medium density developments (approved historically prior to current development controls).</p> <p>The areas proposed for no change, have not been included as a result of extensive urban planning research and analysis. Individual responses to rezoning requests are provided in the Rezoning Request Report.</p>
Query as to whether proposed uplift will encourage enough new residential development considering many properties within the HIAs are already unit blocks. Suggests further increases in heights to increase feasibility.	<p>Economic planning consultants Hill PDA were engaged by Council to assess the economic feasibility of new development and they undertook a review of Council officers' built form scenarios to test the feasibility of the proposed building heights (HOB) and Floor Space Ratios (FSR).</p> <p>It should be noted that in the built form testing undertaken to inform the Urban Design Analysis Reports, a conservative approach was taken, with an assumption made that some existing larger strata developments may not be redeveloped in the medium-to-long term. In addition, the growth in the HIAs is anticipated to occur over a 10-20 year horizon, and it is envisaged that progressive redevelopment would result in increased incentive (through changes in property valuation) for property owners to pursue renewal of the older housing stock.</p>

Key comment/issue	Response
Support for HIAs, however request that feasibility studies be made available to the public for greater transparency to see the base line assumption of the developer profit and contributions.	The <i>Development Feasibility Assessment – Five Housing Investigation Areas (Hill PDA, Jan 2021)</i> was commissioned by Council to inform the planning of the five HIAs. It is not a public document as it contains specific 'commercial in confidence' property data and calculations.
General opposition and concerns	
General objection to HIAs due to concerns of overdevelopment, increased density and general amenity impacts resulting from high density development in the Randwick LGA.	<p>There is a need to provide additional housing in the Randwick Local Government Area (LGA), and across greater metropolitan Sydney, to address the existing and projected growth in population and the need to provide affordable housing in the community.</p> <p>Housing diversity and mid-rise, mixed use, urban housing development plays an important part in the supply of housing in established LGAs such as Randwick City. The five proposed HIAs are located within walking distance of existing transport, employment, services and green space. The scale of the proposed buildings is mid-rise, between 5 and 8 storeys in height. This scale of urban development (mixed-use/apartments) has proven successful across the world in providing a high quality, sustainable model for urban living, offering amenity and a sustainable quality of life.</p> <p>The mid-rise urban planning model, opens the opportunity to live closer to where you work and to increase walkability, cycling and public transport use (reducing the need for cars and large amounts of car parking). This leads to a more sustainable and affordable way of living. Apartment living has in the last 20yrs transformed in design and character to provide a viable long-term accommodation option for many in the community.</p>
Concern over the number of boarding houses and student accommodation that is being approved. Note that these developments do not need to comply with the Apartment Design Guideline.	<p>Randwick City Council is fortunate to have several key educational institutions (e.g., UNSW, NIDA, Randwick TAFE, etc.) that attract local and international students to the Randwick LGA. This generates direct employment for teachers, lecturers, professors, administrators, researchers, support personnel, etc., and indirectly supports local businesses in our town centres, including cafes/restaurants, retail, hotels, entertainment, health and medical services.</p> <p>The Kensington and Kingsford Development Control Plan (K2K RDCP 2013) includes a specific section that addresses student/boarding housing. As part of the comprehensive DCP review, these development controls will be updated and expanded. Recent student housing pre-lodgement, DA and Design Competitions for redevelopment in the K2K town centres has complied with these design controls.</p> <p>Irrespective of proposed land use, development must comply with the maximum building envelope, including maximum height and setback requirements, contained within a HIA specific chapter currently in preparation for the updated Randwick DCP.</p>
Criticism that the affordable housing contributions do not go far enough.	<p>Economic planning consultants Hill PDA were engaged by Council to assess the economic feasibility of new development, including assessing the viability of including affordable housing targets due to the 'uplift' proposed. Based on the Hill PDA analysis, the targets were tested while balancing market conditions, amenity considerations and individual site capacity for growth.</p> <p>While further affordable contributions may be sought through further increasing building heights and Floor Space Ratios (FSR), it has been determined that these would result in inappropriate impacts associated with overdevelopment.</p>

Key comment/issue	Response
The planning proposal needs to consider family units and the elderly and not just single income workers.	The review of the Development Control Plan (DCP) will include a specific chapter on all five HIAs that includes controls relating to housing mix and the location of family friendly and accessible apartments within a development. It should also be noted that the existing Randwick DCP includes requirements for multi-dwelling developments to provide a certain percentage of adaptable dwellings.
Planning focus should be on provision of open space and providing more support for local business and revitalisation of town centres rather than delivery housing. Council has not done enough to protect small to medium sized businesses.	An increase in the residential population is expected to increase spending in Randwick's local centres, supporting local businesses and revitalising existing town centres. Randwick DCP controls will require the provision of setbacks and spaces for increased landscaping. Outside of HIAs (that are primarily focused upon housing), the Kensington and Kingsford Development Control Plan (K2K DCP) includes numerous public space upgrades to be funded by new development that will improve the amenity and vitality of the K2K corridor.
The planning proposal was prepared before the covid pandemic. The proposal should be revisited to understand what people now want from their dwellings such as private outdoor space and a home office.	The current review of the Randwick Development Control Plan (DCP) will include a specific chapter on the HIAs that has development controls (minimum requirements) relating to the provision of outdoor space and landscaping, in addition to the Apartment Design Guidelines (ADG), which applies to all apartment development in NSW, and includes minimum standards for Communal Open Space (COS) area, balcony size, deep soil areas, and planting on structure.
Concern for lost local amenity and businesses as a result of the construction of the South East Sydney Light Rail.	<p>In parallel with the planning, construction and now the completion of the South East Sydney Light Rail service, there has been a concerted effort by Randwick City Council to review and update the strategic and urban planning of the town centres along the routes (e.g. Kingsford and Kensington Town Centres, and Randwick Junction Town Centre), and to explore opportunities to provide an upgrade to the public domain, including the widening of footpaths, street closures to create new plazas and the planting of new street trees. It is expected that the improved streetscapes and public spaces, in conjunction with the improved access to public transport will support the renewal and prosperity of local businesses in the town centres.</p> <p>The Kensington and Kingsford Development Control Plan (K2K DCP) includes numerous public space upgrades, to be funded by new development, that will improve the amenity and vitality of the K2K section of the South East Sydney Light Rail corridor. Improvements to the built form and setbacks along the High Street alignment of the Light Rail corridor will be proposed within the HIA DCP to improve the amenity and offer the opportunity for minor commercial uses to occur in this area.</p> <p>Similarly, improvements are currently being considered for the Randwick Junction Town Centre, including a review of the LEP and DCP controls to guide development in the town centre over the next 10 years.</p>

Key comment/issue	Response
Request that additional rates from additional development in the West Ward be distributed and spent in the West Ward.	A Contributions Plan for the Kensington and Kingsford Town Centres has been prepared and implemented that requires development in the K2K area to fund and deliver localised open space and public domain improvements. See K2K DCP for specific project details and 7.12 Contributions Plan for rates and contribution details.
Height	
General concerns about proposed HIA heights and associated overshadowing and/or privacy impacts.	<p>The proposed maximum building heights in the five HIAs exceed 15m and therefore are required to address Clause 6.11 Design Excellence under the Randwick LEP. Residential flat building development will also be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i>, which includes requirements for any new residential development to ensure adequate solar access for existing developments along with minimum setback requirements to maintain visual privacy and natural ventilation.</p> <p>Overshadowing studies have been prepared for each HIA, based on the maximum permitted building envelope, and the worst-case scenario of the Winter Solstice, that indicate that there is no significant net increase in overshadowing expected due to new development in the HIAs. Refer to Figure 1 to 15 in Attachment 2.</p> <p>The ADG also requires development to consider issues of privacy and potential overlooking and requires adequate building separation to maintain the privacy of existing and future residents. These controls must be considered when designing and assessing development of any site, including those within the proposed HIAs.</p> <p>In addition to solar access / setback controls, new development is also required to provide minimum landscaping areas and would be limited by Floor Space Ratio (FSR) controls that limit the floorspace permitted on any given site.</p>
Queries about overshadowing impacts of existing and proposed solar panels.	The Randwick DCP 2013, <i>Section C1, Part 5.1 Solar Access and Overshadowing, (v) Solar Access to Neighbouring Development</i> , currently requires existing solar panels on neighbouring dwellings, which are situated not less than 6m above ground level (existing), to retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. And where the neighbouring dwellings do not contain any solar panels, direct sunlight must be retained to the northern, eastern and/or western roof planes of neighbouring dwellings, which are at least 6m above ground level (existing), so that future solar panels capturing not less than 3 hours of sunlight between 8am and 4pm on 21 June may be installed. It is envisaged that this development control, or similar, would be retained in the DCP update currently underway.
Concern that the maximum buildings heights will be exceeded by developers and overdevelopment will occur.	The Height of Buildings (HOB) and density; Floor Space Ratio (FSR) for properties within the HIAs are proposed to be contained within the Randwick LEP, and are therefore by law, mandated maximum heights and densities.
Floor Space Ratio	
FSR misalignment: The FSR and height provisions appear to be out of alignment, with FSRs that reflect those typically associated	Council has reviewed all five Housing Investigation Areas (HIA) to ensure that the proposed maximum density, measured as Floor Space Ratio (FSR), can be achieved within the proposed maximum Height of Building (HOB). The verification testing, involved preparing dimensioned maximum building envelope plans for each block within the five HIAs, which included consideration of:

Key comment/issue	Response
with B4 Mixed Use zones (with greater ground floor coverage and zero side boundary setbacks) and appear to be much higher than necessary in residential areas. These high FSRs may result in developers exceeding the height controls (via CI4.6) to achieve their FSRs. The FSR misalignment issue is identified in the Department of Planning's Gateway Determination. This discrepancy needs to be examined closely, especially if Council is anticipating large lot amalgamations.	<ul style="list-style-type: none"> • Appropriate boundary setbacks of building envelopes and stepping down in building height (storeys/metres) in the proximity of heritage listed properties; • Appropriate boundary setbacks to building envelopes and stepping down in building height (storeys/metres) to provide a suitable transition in scale, including building height in the proximity of existing surrounding low scale properties, open spaces and streetscapes; • Accommodating in the plan layout, existing properties in Strata or church ownership that may not redevelop in the medium-long term; • Setting back building envelopes to prevent or minimise overshadowing impacts of existing and proposed public and private open space (refer to Figures 1 to 15 in Attachment 2); • New through block pedestrian links to improve permeability and access through the HIAs and to nearby public transport and local destinations; • The Apartment Design Guide (ADG) guidelines for minimum building-to-building setbacks based on assumptions regarding likely building planning in terms of location of habitable and non-habitable spaces and balconies; • The effective defining of street frontages and street corners in employment zones and in built up urban areas, with zero street boundary setbacks, and in residential areas with 5-6m street boundary setbacks to allow for ground floor apartment garden courts; • Specialist flood consultant (<i>Randwick Housing Investigation Areas - Flood Constraints Review, WMA Water, Oct 2021</i>) advice regarding identification and accommodation of overland flow paths in the planning of the HIAs; • Likely site consolidation scenarios that provide optimum redevelopment outcomes for the urban design of the precinct, for resident amenity, and the provision of landscaped private communal open space in courtyards, setback areas, and on rooftops and terraces; • Overall resident amenity, including access to natural light (solar access to future buildings and adjoining properties), natural ventilation and apartment outlook/views. The ADG guidelines for orientation, site layout, maximum depth of residential floor plate and minimum floor-to-floor height have been considered in the design of the proposed maximum building envelopes. <p>Council will be including site specific HIA development controls, including requiring site consolidation to a minimum site frontage and/or site area in the updated Randwick DCP. The comprehensive DCP review will include landscaping, setback and deep soil area requirements for HIA areas.</p>
Infrastructure and flooding	
Concerns over infrastructure provision and questions about how infrastructure is aligned with HIAs.	<p>The five HIAs have been located within convenient walking distance of existing public transport, commercial centres and services, employment hubs and recreational open space.</p> <p>A Local Transport Study was commissioned by Council to inform the future public transport, active transport, and local pedestrian, bicycle and traffic infrastructure and carparking needs of each of the HIAs. Transport NSW has been an important stakeholder involved in the preparation of the plans to ensure existing and future transport needs are also addressed at the State government level.</p>

Key comment/issue	Response
	<p>The Department of Education - School Infrastructure NSW (SINSW) has been consulted in the preparation of the plans for the HIAs, so the potential additional children of residents will factor into the future planning of Public and High Schools in the catchment of the HIAs. SINSW advises that:</p> <p><i>SINSW uses population and dwelling projection data provided by DPE as the foundation for school planning. These are analysed to produce the Department's Student by Area (SbA) projections. This data allows SINSW to assess the anticipated demand for public schools within an area or region and the best way to deliver infrastructure to support this need. The SINSW approach to identifying and evaluating the service need also includes consideration of asset suitability, equity and strategic opportunities.</i></p> <p><i>SINSW has reviewed the projections within the proposal (in combination with additional information provided by Council) and advise that the enrolment demand resulting from the proposed development can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.</i></p> <p>A Contributions Plan would be prepared for the five HIAs to fund and deliver localised open space and public domain improvements, like that which has been implemented in the K2K Town Centres. For example, the K2K 7.12 Contributions Plan for rates and contribution details.</p>
Concerns regarding increased population and the impact on school infrastructure and capacity.	<p>The Department of Education - School Infrastructure NSW (SINSW) has been consulted in the preparation of the plans for the HIAs, so the potential additional children of residents will factor into the future planning of Public and High Schools in the catchment of the HIAs. SINSW advises that:</p> <p><i>SINSW uses population and dwelling projection data provided by DPE as the foundation for school planning. These are analysed to produce the Department's Student by Area (SbA) projections. This data allows SINSW to assess the anticipated demand for public schools within an area or region and the best way to deliver infrastructure to support this need. The SINSW approach to identifying and evaluating the service need also includes consideration of asset suitability, equity and strategic opportunities.</i></p> <p><i>SINSW has reviewed the projections within the proposal (in combination with additional information provided by Council) and advise that the enrolment demand resulting from the proposed development can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.</i></p>
Concerns regarding increased population and the impact on hospital infrastructure and capacity.	Health Infrastructure NSW, the NSW Ministry of Health and the State Government's Department of Planning and Environment have been consulted in the preparation of the plans for the HIAs. The potential for additional residents in the HIAs would factor into the future planning of the Randwick Hospital campus and their emergency, general hospital beds and specialist facilities planning.
Concern that existing sewage and drainage infrastructure is not adequate, particularly considering the Flood Constraints Review.	The <i>Randwick Housing Investigation Areas – Flood Constraints Review (WMA Water, Oct 2021)</i> addressed flooding, stormwater and drainage issues in relation to the five HIAs and provided recommendations that have been addressed in the planning of the five HIAs.

Key comment/issue	Response
Concerns raised by the owners of 6 Blenheim Street, Randwick note that their property is designated as an 'open space link flood flow path' and are concerned that the site is being rezoned as open space and will not be able to deliver the same level of development as their neighbours.	<p>The existing overland flow path between Blenheim Street and High Street was identified by the <i>Randwick Housing Investigation Areas – Flood Constraints Review (WMA Water, Oct 2021)</i>. The indicative built form layout plan, in the exhibited Urban Design Report, shows a green space aligned with the overland flow path.</p> <p>An update to Council's Development Control Plan (DCP) is being prepared that will show the preferred built form outcomes in greater detail than the LEP documentation exhibited for the HIAs. The positioning of built form, in the more detailed DCP planning, will organise the building envelope controls, as equitably as possible to encourage appropriate consolidation of lots and the development of all lots within the HIA (without any isolated sites).</p> <p>As far as is practicable, the built form envelopes contained within the DCP are to be positioned to encourage the development of all existing lots. However, it should be noted that no mechanisms are proposed to facilitate the transfer / balancing of development rights across the HIA. Therefore, while every effort is being made to distribute uplift equitably, each site will not have the same economic incentive as all sites are affected by different spatial and environmental considerations.</p>
Transport, traffic and parking	
Concerns regarding access to and capacity of public transport to service the HIAs including access to the light rail and request for heavy rail infrastructure.	<p>The NSW Government, including Transport NSW have been notified of the proposed changes and will plan to meet increased demand from the Housing Investigation Areas (HIAs) accordingly. In addition, the HIAs are in proximity to major employment hubs and services within Randwick to encourage walking and cycling to meet day-to-day needs of future residents.</p> <p>Regarding heavy rail infrastructure, the Greater Sydney Region Plan, Eastern City District Plan, Randwick Local Strategic Planning Statement 2040 and the South East Sydney Transport Strategy (Transport NSW Aug 2020) all identify a 'Train Link / Mass Transit Investigation' route with a 10-20 year timeline for Randwick, linking northwest to Green Square and the Sydney CBD, and to the southern areas of the municipality. This long-term investigation will determine how, as RCC grows, future transport demand will be met, including if heavy rail infrastructure is required.</p>
Concerns regarding increased traffic congestion and impacts on road infrastructure in and around the HIAs.	Housing Investigation Areas (HIAs) have been carefully designed to accommodate sustainable growth in a balanced way to deliver liveable and walkable neighbourhoods. The HIAs were chosen due to their proximity to frequent public transport and significant employment and infrastructure services within the Randwick Strategic Centre. The NSW Government, including Transport NSW have been notified of the proposed changes and will plan accordingly. LEPs need to be reviewed periodically to ensure they meet best planning practice and are aligned with community values and the directions of state plans, including the Greater Sydney Region Plan, Eastern City District Plan and Randwick Local Strategic Planning Statement 2040.
Concerns regarding increase in parking demand as a result of HIA development and/or reduction in parking requirements.	The <i>Local Transport Study – Randwick Junction and Housing Investigation Areas (Stantec Jan 2022)</i> has informed the planning of the five HIAs and provides recommendations regarding road and traffic improvements, public transport (buses and Rapid Buses), active transport (Movement and Place), for new infrastructure including signalised intersections and pedestrian crossings, and regarding carparking policy.

Key comment/issue	Response
Query regarding planned cycle paths in the areas in and around the HIAs.	The <i>Bicycle Route Construction Priority Plan</i> outlines key projects that Council is working towards to improve cycling paths in all areas of the municipality. With regards to the HIAs, Kingsford South and Kensington North HIAs will be linked by the 'Anzac Bikeway – North', currently under construction, that will link to the Centennial Park network of pathways and beyond. The Arthur Street HIA and Magill Street HIA will be connected via the 'Coogee to Randwick and UNSW' project into existing shared user pathways along Wansey Road to the overall shared path network. The West Randwick HIA currently has direct access to the shared use path running in parallel with the Light Rail route and will benefit from the paths and upgrades current underway.
Environmental and open space impacts	
Concerns over lack of environmental requirements in the new HIAs such as solar panels, deep soil zones, green walls and rooftop gardens. Concerns over lack of measures to comeback urban heat impacts of the proposed high density development within the HIAs.	Residential flat building development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i> , which includes requirements for any new residential development to ensure adequate landscaping, deep soil zones for canopy tree planting. Building on the ADG requirements, requirements for landscaping including green walls and rooftop gardens are to be considered as part of Development Plan Controls (DCP) for development within HIAs to combat urban heat island impacts. In addition to the ADG, development exceeding 15m will be required to address clause 6.11 Design Excellence under the Randwick Local Environmental Plan. Matters considered as part of the design excellence includes <i>whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency</i> .
Concerns raised as to absence of plans for more green spaces (both on development sites and within the public domain). Inadequate green space in the northern portion of the LGA to accommodate HIA growth.	Considering open space on the development site, residential flat building development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i> . The ADG includes a design criterion that Communal Open Space (COS) within a development must equal 25% of the site area providing for private green space. In addition, 50% of the COS must have direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter). Within the public domain, all proposed HIAs are adjacent to, or within 400m of an existing open space, including Centennial Park, Writtle Park, Paine Reserve and Dacey Gardens. In addition to existing public spaces, open space opportunities will be explored and included within the comprehensive DCP review. Considering regional open space, RCC is fortunate to have excellent access to foreshore reserves and formalised sporting facilities.
Concern over tree removal and loss of green spaces to make way for proposed high density development within the HIAs. Concern that tree removal for new developments never results in replacement trees.	Residential flat building development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i> , which includes requirements for any new residential development to ensure landscaping and deep soil zones (between 7% and 15% of the total site area) for canopy tree planting. Requirements for landscaping including green walls and rooftop gardens would be included in the current review of the Randwick Development Control Plan (DCP) for development within HIAs to lead to green spaces for residents. In addition to the ADG and DCP, as the proposed maximum heights for the HIAs would permit development exceeding 15m, new buildings will be required to address Clause 6.11 Design Excellence under the Randwick LEP, which includes consideration of how the proposed development responds to the environmental and built form characteristics of the site.

Key comment/issue	Response
Suggestion that developers should be required to provide community benefits beyond the base Section 7.12 contributions, including streetscape upgrades and tree planting and undergrounding of overhead power lines and tree planting (both on the site and within the public domain).	<p>Economic planning consultants Hill PDA were engaged by Council to assess the economic feasibility of new development, including assessing the viability of including affordable housing targets due to the 'uplift' proposed. Based on the Hill PDA analysis, the targets were tested while balancing market conditions, amenity considerations and individual site capacity for growth. These affordable housing contributions are the critical contribution that Council will obtain from proponents of the development.</p> <p>Public realm works including pedestrian crossing and intersection upgrades and open space opportunities shown on plans are to be considered as part of the updating of the Randwick Development Control Plan (DCP) which sets the detail parameters for development within HIAs. The identification of such projects will enable any direct future funding by Council and / or alternative funding grants.</p> <p>The current review of the RDCP 2013 would likely retain the existing Section F Miscellaneous Controls, Part F5 Undergrounding Overhead Power Lines, development control which requires: <i>All overhead service cables, including power lines, telecommunications cables and associated infrastructure on the development site and in the street/s immediately adjacent to the development are to be placed underground in accordance with the requirements of the relevant power supply authority, at the applicant's cost where: - the development comprises the erection of a new mixed use or medium density residential building containing 40 or more apartments or is a substantial non- residential development; and - there is at least one full span located immediately adjacent to the development, with no responsibility for other property connections.</i></p>
Amenity concerns	
Concerns raised in relation to construction impacts resulting from development within the HIAs including noise, dust and trade vehicles using on-street parking. Reference made to the long periods of construction that has already been experienced in the area.	New development requires a Development Consent which would include conditions that require the preparation of a plan that will typically cover matters such as hours of construction, noise, management of traffic (Construction Traffic Management Plan), site-runoff, etc. These ensure that impacts due to construction works are minimised to reasonable levels on surrounding properties. For example, Development Consents issued by Council generally specify that work is permitted Monday to Saturday, with no work permitted on Sunday or Public Holidays between 7am and 5pm.
Concerns the HIAs will lead to poor streetscapes and pedestrian amenity.	<p>A site-specific update to Council's Development Control Plan (DCP) is being prepared for the five HIAs that will illustrate preferred built form outcomes and include design objectives and development controls for the HIAs to enhance pedestrian amenity and streetscape quality.</p> <p>In addition to the DCP controls, apartment development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i>. The ADG includes specific design guidance on pedestrian access and entries, landscaping, and vehicular access and circulation.</p>
Concerns that the HIAs will result in air and noise pollution.	The five HIAs are mostly proposed to be zoned R3 Medium Density Residential, with some B1 Neighbourhood Centre zoned areas. The medium density residential zoned land is not envisaged to result in any air or noise pollution beyond that expected from any typical R3

Key comment/issue	Response
	<p>zoned land within the Randwick LGA – being very low or negligible. Businesses in the B1 Neighbourhood Centre zone are subject to strict EPA air and noise pollution quality controls and standards.</p> <p>Considering during the period of construction, a Development Consent will include conditions that will require the preparation of a plan that will typically cover matters such as hours of construction, noise, management of traffic, site-runoff etc.</p>
Concerns that HIA developments will result in unacceptable impacts on ventilation.	<p>Development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development and the Apartment Design Guide (ADG)</i>, which includes requirements for any new residential development to ensure adequate natural ventilation, visual privacy and solar access for existing and proposed developments. The ADG also requires development to provide minimum building-to-building separation to ensure good access to natural light and ventilation for residents and to maintain privacy for existing and proposed development.</p> <p>In addition to the ADG and DCP, as the proposed maximum heights for the HIAs would permit development exceeding 15m, new buildings will be required to address Clause 6.11 Design Excellence under the Randwick Local Environmental Plan, which includes consideration of how the proposed development achieves an acceptable relationship with other buildings on the same site and on neighbouring sites.</p>
Concerns relating to the creation of wind tunnels resulting from proposed additional heights.	Typically, wind impacts of built form are experienced when building height is in excess of those proposed (between 5 and 8 storeys is proposed). Notwithstanding, as required by the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development and the Apartment Design Guide (ADG)</i> , proposed development must identify and respond to prevailing winds and the built form of taller buildings should consider wind impacts on surrounding properties and the public domain.
Concern over visual impacts from the North Kensington HIA on the Centennial Parklands and whether the HIA aligns with the Plan of Management for the Parklands.	<p>The visual impacts upon areas surrounding the five HIAs were considered and assessed during the preparation of the Urban Design Analysis Reports (including for the North Kensington HIA) via topographical and view corridor analysis. Interfaces considered included Centennial Parklands and Moore Park / ES Marks Field.</p> <p>Given both the topography (including the landscaped levee along the Light Rail alignment), the distance to accessible park spaces in the vicinity (across major roads – Anzac Parade and Alison Road) and consideration of the existing mature tree canopy within and around the ponds of Centennial Park, the increased building heights are not anticipated to impact in any significant way on the visual experience of the park.</p> <p>Considering the Plan of Management and relevant park masterplans, the proposed HIAs do not encroach on the Centennial Park Trust land, nor require changes to boundaries or land uses within the parklands. In addition, due to the location of the HIAs to the southwest of the parklands, overshadowing is not considered an issue of concern.</p>
Concern for potential impacts on existing heritage items within the HIAs and/or nearby heritage conservation areas.	<p>Randwick City Council listed heritage properties and Heritage Conservation Areas (HCA) have been considered in the planning and urban design of the five HIAs. The Urban Design Reports prepared in June 2021 identify the extent of existing listed properties and HCAs and provide the strategic justification and planning strategy that was undertaken to arrive at the proposed built form envelopes.</p> <p>The status of heritage properties (which in every case have been retained) and of HCAs is unchanged by this proposal. More detailed development controls, including setbacks and height transitions (through stepping in height) will be included in the revised Randwick DCP to provide a suitable setting for heritage items and backdrop for HCAs.</p>

Key comment/issue	Response
Concerns over loss of views from private properties as a result of proposed heights, particularly in the North Kensington and West Randwick HIAs.	The visual impacts upon surrounding residential areas were considered and assessed during the preparation of the HIA Urban Design Reports for the five HIAs, via topographical and view corridor analysis. The Urban Design and preparation of built form envelopes took into consideration the impacts on significant views and vistas within and surrounding the HIAs, including North Kensington and West Randwick HIAs.
Local character and design	
Concern over the design quality and aesthetic appearance of new buildings compared to existing older style buildings.	Development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i> , which includes requirements for any new residential development to ensure adequate consideration for public domain interfaces, front, rear and side setbacks along with local character and built context.
Loss of character and charm resulting from the demolition of older buildings leading to concerns in changing character of the HIAs and surrounding areas.	<p>All residential apartment development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i>, which includes requirements for any new residential development to ensure adequate consideration of local character and built form context.</p> <p>As part of the DCP review, controls will be considered for all residential areas that require new development to respond to their defined Local Character Area (LCA), including locationally specific objectives and controls that seek to identify and protect existing and emerging character.</p> <p>For development exceeding 15m, Clause 6.11 Design Excellence under the Randwick LEP must be addressed, and consideration must be given as to whether proposed development achieves an acceptable relationship with other buildings on the same site and on neighbouring sites.</p> <p>In addition to character considerations, existing local and state heritage items are protected under existing Randwick LEP controls. As part of the comprehensive LEP review, Council commissioned an independent heritage study by Extent Heritage (completed in October 2020) to ensure the heritage listings in the RLEP are up to date so that properties with heritage value are adequately protected under the local planning framework.</p>
General concerns that the proposed HIAs are out of character with the neighbourhood.	<p>All residential apartment development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i>, which includes requirements for any new residential development to ensure adequate consideration of local character and built form context.</p> <p>All HIAs are located outside of existing (and proposed) Heritage Conservation Areas (HCA). All Heritage Items located within the HIAs have existing heritage provisions to protect their significance of place. These protections will be furthered by built form plans contained within the updated DCP that require proposed development to be spatially responsive to identified items.</p> <p>In addition to the existing heritage LEP, proposed DCP, and ADG controls there is the existing requirement for development exceeding 15m to address Clause 6.11 Design Excellence under the Randwick Local Environmental Plan. Clause 6.11 considers matters such as if proposed development achieves an acceptable relationship with other buildings on the same site and on neighbouring sites.</p>

Key comment/issue	Response
	In addition, some HIAs have direct interfaces with building heights that match or exceed those proposed, and therefore perform the role of providing a transition in building height. Examples of these direct interfaces include the UNSW, Randwick Hospital, Sydney Institute of TAFE, and Kensington Town Centre.
Ownership	
Opposed to compulsory acquisitions.	No compulsory acquisitions are proposed as part of this Planning Proposal. There is no requirement for existing landowners in the HIAs to redevelop their properties. The new planning controls, propose amending the zoning, heights and densities of some land within the HIAs to provide the opportunity for future medium density housing to be built. The new planning controls do not include any mechanisms for compulsory acquisition of land to deliver future housing, and the NSW Government has not expressed any intention to acquire land within the HIAs to deliver future housing.
Concern about amenity impacts if redevelopment is to occur, considering owners do not want to be rezoned or move out.	Development will be required to address the <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> and the <i>Apartment Design Guide (ADG)</i> , which includes requirements for any new residential development to ensure adequate building-to-building separation and boundary setbacks to provide adequate natural ventilation, visual privacy and solar access for existing and proposed developments. The ADG also requires development to consider overlooking and requires building separations to maintain the privacy for residents of existing and proposed development.
Concern over the potential for a developer to purchase 75% of a Strata apartment block and force the remaining 25% to sell. Concerns that strata buyout laws may lead to compulsory selling. Concerns that properties will be acquired for HIAs.	Announced by the State Government, the <i>Strata Schemes Development Act 2015 (NSW)</i> introduced a process whereby 75% of lot owners in a freehold strata scheme can agree to end their strata scheme, so the site can be redeveloped or sold. However, before a strata scheme can end, a Strata Renewal Plan needs to be prepared and referred to the Land and Environment Court for consideration. The Court must be satisfied on numerous topics including that amounts paid to dissenting owners are just and equitable in all the circumstances and the relationship, if any, between the owners of lots and the purchaser or a developer has not prevented the Plan being prepared in good faith. New planning controls do not include any mechanisms for compulsory acquisition of land to deliver future housing, and the NSW Government has not expressed any intention to acquire land within the HIAs to deliver future housing.
Concern over meddling with the ownership status of private property via the proposed rezonings and in turn, the expectations of property owners to be able to enjoy their properties in a manner that they envisaged (i.e., at the time of purchase).	The <i>Strata Schemes Development Act 2015 (NSW)</i> was announced by the State Government in late 2015 and introduced a process whereby 75% of lot owners in a freehold strata scheme can agree to end their Strata scheme, so the site can be redeveloped or sold. While the proposed rezonings, increase in maximum permitted Height of Building (HOB) and density limits (FSR) may increase renewal incentive, the proposed changes to the Randwick LEP does not change the existing mechanisms and operations of Strata developments that are controlled at a State Government level.
Alternatives to HIAs	

Key comment/issue	Response
Request that further investigation be made into other low density housing types to accommodate population growth such as smaller terrace housing, dual occupancies attached, and villas in the R2 Low Density Residential zone. These housing types could provide affordable house types with good amenity (backyards), rather than apartments with balconies. Lower density development would also allow for necessary upgrades to the traffic network ahead of larger development proposals in the future.	<p>The Randwick City Council, <i>Vision 2040 Housing Strategy</i>, adopted by Council in 2020, involved extensive analysis of LGA demographics, existing housing supply, future demand and supply gaps, and established housing priorities and objectives, to identify how the housing needs of Randwick City could be met over the next 20 years. The Strategy was informed by the Vision 2040 program of community consultation.</p> <p>Key priorities of the Strategy included ensuring a balanced approach to growth across Randwick City and establishing a diverse housing mix to meet the needs of the community. Whilst attached dwellings in a newly defined Low Rise Diversity Area within the R2 Low Density Residential zone was initially proposed as part of the housing mix, this new low-rise medium density housing typology was not supported by Council.</p> <p>It should be recognised that single villa homes make up 25% of Randwick Cities dwellings, whilst units and medium density housing (semi-detached houses, terraces, and townhouses) make up 74% of dwellings, and further, there are very few undeveloped sites remaining in the LGA suitable for new Low Density Residential housing.</p>
Suggestion that a lower scale of building should be applied to a wider area rather than concentrating higher densities in particularly areas such as K2K and the Arthur Street HIA.	<p>The Randwick City Council, <i>Vision 2040 Housing Strategy</i>, adopted by Council in 2020, involved extensive analysis of LGA demographics, existing housing supply, future demand and supply gaps, and established housing priorities and objectives, to identify how the housing needs of Randwick City could be met over the next 20 years. The Strategy was informed by the Vision 2040 program of community consultation. Key priorities of the Strategy included ensuring a balanced approach to growth across Randwick City and establishing a diverse housing mix to meet the needs of the community.</p> <p>An extensive analysis and consultation on how to accommodate residential growth was undertaken and feedback from the consultation and the findings of analysis, resulted in targeting growth to more accessible and better serviced areas of the municipality while also directing growth away from Heritage Conservation Areas (HCA). It should also be noted that there are no remaining 'Green Field' undeveloped areas within the LGA, and this constraint requires consideration of more sustainable medium density and mid-rise housing typologies such as apartments to accommodate future growth in population.</p>
Suggestion that building heights provide a more appropriate transition or 'stepping down' to adjoining lower density development that exists adjacent to HIAs.	<p>Identification of sensitive heritage, church and surrounding low scale residential areas were identified as part of the preparation of the HIA <i>Urban Design Reports</i> (June 2021) that included analysis and detailed built form modelling. This testing in the third dimension was undertaken to ensure that a suitable transition in building height could be achieved between the proposed maximum building heights and existing buildings, and that the proposed site density (FSR) could be achieved within the maximum building envelopes.</p> <p>It should be noted that this Comprehensive Planning Proposal (CPP), to update the Randwick LEP, considers the overall site zoning, maximum building height and site density. The Randwick DCP, currently in the process of being updated, will include detailed building controls, such as setbacks, steps in building height, minimum landscaped area, deep soil and tree canopy provision.</p>

Key comment/issue	Response
	The majority of the HIAs are planned to ensure that, in many cases, areas of proposed uplift in building height, are separated by local streets or roads, from adjoining lower height residential areas, providing a suitable a transition in scale.
Arthur Street HIA should be rezoned to permit commercial uses and existing commercial uses along Blenheim and Arthur Streets should be encouraged to move towards High Street. Randwick Junction should be rezoned to allow more residential above the retail uses to encourage foot traffic and revitalisation of the area.	<p>Noted. Commercial uses at Ground Floor level in the Arthur Street HIA are permitted within the R3 Medium Density Residential zone under RLEP and the Infrastructure SEPP.</p> <p>The <i>Randwick Junction Town Centre Strategy</i> and the associated Planning Proposal (currently in preparation) aims to provide an appropriate balance between residential and commercial uses within the town centre. The planning of Randwick Junction will support future employment and ensure that future demand for retail, health and medical, office and enterprise/innovation/start-up business uses can be accommodated.</p> <p>The whole Randwick Junction Town Centre is within a Heritage Conservation Area (HCA) and there are many listed heritage properties spread throughout the centre. The Strategy identifies an opportunity for a moderate increase in height and density in locations that are not subject to heritage constraints.</p>
Request for Norton Street to be made into a public pedestrianised plaza.	Noted. An update to Council's <i>Development Control Plan</i> (DCP) is being prepared that will review the <i>Urban Design Analysis Reports</i> and consider the inclusion of any public realm improvement opportunities.
Consultation process	
Concern over lack of consultation with residents affected by the HIAs. Criticism that consultation was LGA wide when more consultation should have been undertaken in the West Ward.	<p>Consultation for the proposed LEP changes has involved LGA-wide mailouts, a phone hotline, drop-in pop-up sessions and extensive online material including interactive maps. This reflected the scope of the proposed LEP changes that involves the whole of Randwick City. The LGA-wide mailouts were structured to contain specific information for properties based on the proposed changes. For example, properties within HIAs received both general and additional targeted HIA information to inform residents of the proposed changes.</p> <p>Regarding the separate drop-in sessions, these were strategically targeted in specific areas including five sessions held at the Kensington Park Community and Royal Randwick Shopping Centre within the West Ward during the week and weekend to provide an opportunity for a range of residents to attend.</p>

2. Government Agencies and Key Stakeholders Submissions

Comments raised in submissions have been summarised. As outlined above, where Government Agencies and Key Stakeholders' submissions have raised other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

2.1. Environment, Energy and Science (EES) Group of the Department of Planning and Environment

Key comment / issue	Response
A review of the Randwick HIA Flood Constraints Review relating to the HIAs found the report to be reasonable. Recommends Council consider the findings of the Flood Constraints Review.	<p>The Flood Constraints Review concludes that the Planning Proposal is generally consistent with the Ministerial Directions for flood planning, in that the flood related development controls enforced through that framework are not significantly altered by the Planning Proposal.</p> <p>The Randwick DCP 2013 contains a number of flood related measures to ensure land is developed in accordance with clause 5.21 of the Randwick LEP. Clause 5.21 seeks to minimise flood risk to life and property, allow development on land that is compatible with the flood function and behaviour on the land, avoid adverse or cumulative impacts on flood behaviour and the environment and enable the safe occupation and efficient evacuation of people in the event of a flood.</p> <p>A comprehensive review of the Randwick DCP is currently being undertaken, with new controls being propose or the HIAs to address and manage any potential flood relating impacts.</p>

2.2. Randwick Racecourse Trust / Australian Turf Club

Key comment / issue	Response
No objections to proposed built form controls at the West Randwick HIA, provided future development does not impact the day-to-day operations of the RRR including existing and future potential race and non race day events provided on-site. Future development applications seeking to redevelop the land, particularly for residential purposes, will need to carefully consider the operational aspects of the RRR and its functional requirements.	It is not expected that the West Randwick HIA will create unacceptable impacts on the existing operations of the RRR. RRR operations are approved under existing State Significant development applications as well as DAs assessed and approved by Council. Consents for RRR operations include conditions relating to the management of potential impacts including (but not limited to) noise, light spill, traffic and pedestrian management and waste management. These conditions will continue to apply as the West Randwick HIA is developed. Any future RRR operations that do yet have development approval will be assessed against the relevant planning controls at the time of lodgement.

2.3. Land and Housing Corporation / Family and Community Services

Key comment / issue	Response
<p>Concerns raised over the proposed changes to the planning controls on the LAHC owned site at 47-55 Bunnerong Road, Kensington, which is located within the Kingsford South HIA. Request that the CPP be amended to allow for the renewal and increase of social housing on 47-55 Bunnerong Road, or that the site be deferred to allow LAHC to separately advance a planning proposal for the site with all appropriate supporting evidence. A summary of concerns raised include:</p> <ul style="list-style-type: none"> The proposed controls for the Kingsford South HIA (5 storeys and FSR of 1.6:1) create an economically feasible outcome that would not allow for the redevelopment of the site, without a substantial loss of social housing. LAHC requires an 8 storey (28 metre) height limit and an FSR of 2:1 to redevelop the site in a manner that would renew and increase social housing, provide a high level of amenity, retain existing street trees and minimise impact on surrounding properties. An 8 storey height and base 2:1 FSR would represent an appropriate transition in scale from the already permissible 18 storey and 10 storey development directly to the north of the site. If controls remain as proposed in the draft LEP, this would result in the site not being redeveloped and an ageing, unfit for purpose asset will continue to deteriorate, leading to poor outcomes for tenants and the community. 	<p>The site at 47-55 Bunnerong Road is approximately 6,000sqm and is under single LAHC ownership. It is bound by roads to the south and west and land zoned SP2 Infrastructure (electricity generating works) to the east and north. The Kingsford South HIA Urban Design Report envisaged the LAHC site as being redeveloped as a standalone site due to its site context and constraints.</p> <p>Council Officers met with LAHC representatives on the 3 August to discuss their submission. LAHC representatives advised that the uplift of 16.5m and FSR of 1.6:1 proposed under the Comprehensive Planning Proposal will not provide sufficient yield to redevelop the site and confirmed that the site would not be redeveloped in the short to medium term under the proposed controls.</p> <p>Considering the above, it is appropriate to defer the inclusion of the LAHC site from the Planning Proposal to allow for further investigation of the land in conjunction with LAHC. The deferral will allow Council to work with the Land and Housing Corporation to develop a staged approach for the renewal of social housing estates across the LGA, as per Aim 7.2 of the Randwick Housing Strategy, with the view to ensuring an increase of social and affordable housing in any future redevelopment of social housing estates in the City in line with Aim 7.1 of the Housing Strategy.</p> <p>The deferral of the LAHC site of the Kingsford South HIA will result in the deferral of approximately 20 net new dwellings in the 6-10 year period. While this will reduce the overall housing target achievable under the Comprehensive Planning Proposal, it is not expected to impact significantly on the delivery of housing in the LGA in the medium to long term.</p> <p>The Comprehensive Planning Proposal has also been updated to identify the site on the LEP Key Sites Map, which will require the preparation of a site specific development control plan prior to the redevelopment of the site.</p>

2.4. Sydney Water Corporation

Key comment / issue	Response
Supports Council's vision for growth in a sustainable and resilient manner and are keen to collaborate with Council on water management and conservation initiatives and notes the proposed changes to require more stringent requirements for large scale residential development regarding water conservation, renewable energy and mitigation of the heat island effect, and to have a greater focus on stormwater treatment within development sites to improve the water quality of beaches and waterways.	Noted.
Notes the 6-10 year dwelling forecast yield of approximately 4,464 new dwellings and confirms that this information will be used to inform future servicing strategies for the Randwick LGA. The submission notes that estimated timeframes for the realization of this growth is based on likely market take-up rates and requests any updated advice from Council on the anticipated yearly staging of growth be provided as it becomes available.	Noted. Council will liaise with Sydney Water regarding the market uptake of proposed uplift as this information becomes available.

2.5. Sydney Airport, Civil Aviation Safety Authority (CASA) and Airservices Australia

Key comment / issue	Response
Notes that future development at the Souths Juniors Site, Arthur Street and Kingsford South HIAs have the potential to penetrate the obstacle limitation surface (OLS) and therefore constitute a 'controlled activity' under the <i>Airports Act 1996</i> and <i>Airports (Protection of Airspace) Regulations 1996</i> and require Commonwealth approval. It was also advised that some proposed development might be located within the Sydney ANEF 20 contour, which means Council would need to consider aircraft noise related issues in accordance with clause 6.9 of the Randwick LEP 2012.	Noted. Matters relating to the OLS and associated controlled activities will be matters for assessment for future development applications. Consideration of any potential noise impacts for development in areas subject to aircraft noise is also a matter for consideration for future development applications.

Key comment / issue	Response
No specific comments raised by Airservices Australia, however notes that all subsequent developments proposed to be built, or cranes required during construction, may require separate assessment. Request that relevant developments be submitted to Sydney Airport in the first instance.	Noted. Development applications that meet the referral criteria under the <i>Airports Act 1996</i> and <i>Airports (Protection of Airspace) Regulations 1996</i> will be referred to Sydney Airport and CASA for concurrence.

2.6. Bayside Council

Key comment / issue	Response
Concerns about potential amenity impacts resulting from the Planning Proposal in relation to the Daceyville Heritage Conservation Area (HCA), which adjoins Gardeners Road and Bunnerong Road. The draft Kingsford South HIA Urban Design Analysis Report does not consider the impact of the Daceyville Garden Suburb HCA and Dacey Garden Reserve and Substation. A Heritage Impact Assessment should be undertaken to determine the impact of the Planning Proposal on Dacey Garden Reserve and Substation, Commercial Building Group, 1-11 General Bridges Crescent, and Daceyville Garden Suburb HCA, which are in the immediate vicinity of the proposal. The assessment should include analysis of overshadowing and its impact on heritage. The Planning Proposal and supporting documents should be amended to minimise identified heritage impacts on these items.	<p>The two individual sites within the Kingsford South HIA that have direct interfaces with the Daceyville Heritage Conservation Area (HCA) are 47-55 Bunnerong Road and 1-5 Sturt Street.</p> <p>Reviewing submissions from multiple stakeholders, it is proposed to defer the proposed increases to the maximum Height of Building and Floor Space Ratio for 47-55 Bunnerong Road to enable further fine-grain analysis to be undertaken. The Comprehensive Planning Proposal has also been updated to identify 47-55 Bunnerong Road on the LEP Key Sites Map, which will require the preparation of a site-specific development control plan prior to the redevelopment of the site. This designation will provide the opportunity for more fine-grain analysis of the site to occur, and will ensure input from key stakeholders and Councillors on the final development controls including the potential for any provisions / controls relating to addressing the Daceyville HCA.</p> <p>Regarding 1-5 Sturt Street, there is the potential to consider the inclusion of specific provisions within the Randwick DCP relating to character and built form of the HIA and the relationship created with Daceyville HCA. Council has reviewed solar analysis previously undertaken for all HIAs and due to width of Bunnerong Road at 4 lanes (approximately 18m wide), there is no overshadowing of built form within the Daceyville HCA between 9am and 3pm on 21st June (winter equinox).</p>
Concerns that the proposed 5 to 6 storeys in the Kingsford South HIA does not provide an appropriate transition to the low density one and two storey dwellings in Daceyville. Recommends further evidence-based analysis (i.e. solar access, overshadowing, potential through-site links etc) be provided in the Urban Design report, to determine an appropriate transition from the HIA to Daceyville, that takes into consideration the scale and built form of Daceyville.	<p>As responded above, the proposed built form for 47-55 Bunnerong Road and 1-5 Sturt Street does not result in overshadowing of built form within the Daceyville HCA between 9am and 3pm on 21st June (winter equinox). This is in part due to analysis work that has highlighted that width of Bunnerong Road at 4 lanes (approximately 18m wide) provides a significant buffer for the proposed 5 storey built form.</p> <p>In addition, there is the potential to consider the inclusion of specific provision within the Randwick DCP relating to character and built form of the HIA and the relationship created with Daceyville HCA.</p>

Key comment / issue	Response
Assumptions within the Local Transport Study around expected modal shift from car to public transport should be further investigated, to determine the impacts of vehicle movements generated by potential full development of the area subject to the Planning Proposal. This should include the impacts on Gardeners Road, and connectivity to broader transport infrastructure, such as WestConnex, that have the potential to impact the Bayside LGA through increases in vehicle movements along key transport corridors.	The Local Transport Study explores several 'future scenarios' for the HIAs, including encouraging mode shift away from private car use towards more active transport options to reduce the impacts of growth at the municipal scale. Randwick has recently completed the Randwick Integrated Transport Strategy that includes numerous measures and actions to address strategic transport considerations to 2031. These include updating transport provisions within the Randwick DCP as part of the comprehensive DCP review to encourage active transport and reduce private vehicle trips.
Concerns over cumulative impacts from K2K and Kingsford South HIA with regard to traffic, parking, and the heritage character of Daceyville.	The five proposed HIAs, along with the existing K2K area have been carefully designed to accommodate sustainable growth in a balanced way to deliver liveable and walkable neighbourhoods. The HIAs were chosen due to their proximity to frequent public transport and significant employment and infrastructure services within Randwick. It should be noted that many of the proposed HIAs are already, in whole or part, zoned R3 Medium Density Residential and already include some medium density developments (approved historically prior to current development controls). As responded to above, the Kingsford South HIA has two sites that interface with the Daceyville HCA, one which is proposed to be deferred and the other subject to DCP controls relating to character and built form.

2.7. UNSW

Key comment / issue	Response
Recognises the HIAs are driven by Council's objective of aligning the LEP with the ESDP, Randwick LSPS and the Randwick Housing Strategy, however requests that the proposed changes to the western block of the Arthur Street HIA where UNSW is the majority landowner be deferred as from the Comprehensive Planning Proposal to allow for further investigation around its strategic development potential. UNSW raises concerns that it would be unable to support the achievement of Council's objectives for Arthur Street HIA as expressed in the Planning Proposal.	The urban block bounded by Arthur Street, Botany Street, High Street and Wansey Road contains a significant number of UNSW owned properties. As outlined in the Arthur Street HIA Urban Design Report, the consolidation of larger land parcels opens opportunities for the urban planning of the precinct. Four building 'quarters' are envisaged that are integrated with the surrounding streets and pedestrian connections, through the continuance of visual axis and pedestrian desire lines. The urban design success of the western block of the Arthur Street HIA largely depends on the consolidating allotments, including the majority UNSW-owned land. As UNSW have advised that they are unable to support the achievement of Council's urban design objectives for the western block, it is appropriate to defer the inclusion of the western block from the Planning Proposal to allow for further investigation of the land in conjunction with landowners.

Key comment / issue	Response
	<p>The deferral of the western block of the Arthur Street HIA will result in the deferral of approximately 98 net new dwellings in the 6-10 year period. While this will reduce the overall housing target achievable under the Comprehensive Planning Proposal, it is not expected to impact significantly on the delivery of housing in the LGA in the medium to long term.</p> <p>Council will continue to work with UNSW and other landowners within the western block of the Arthur Street HIA to ensure the delivery of housing in the most appropriate form. Further, it is noted that the western block is already identified on the LEP Key Sites Map, which requires development on the block occur in accordance with a site-specific development control plan.</p>

2.8. NSW State Emergency Service

Key comment / issue	Response
Notes that some of the proposed areas within the five HIAs are prone to flash flooding and references the principles of the NSW Floodplain Development Manual, 2005 that must be considered when assessing the merits of the Planning Proposal.	The Flood Constraints Review concludes that the Planning Proposal is generally consistent with the Ministerial Directions for flood planning, in that the flood related development controls enforced through that framework are not significantly altered by the Planning Proposal.
Site-specific recommendations have been put forward that minimise the risk to life, for inclusion within the DCP. These include (amongst other things), setting minimum habitable floor levels for residential and commercial development above the Probable Maximum Flood (PML) level and ensuring sensitive development such as child care centres, schools, medical centres and day hospitals are not located within the PMF.	<p>The Randwick DCP 2013 contains a number of flood related measures to ensure land is developed in accordance with clause 5.21 of the Randwick LEP. Clause 5.21 seeks to minimise flood risk to life and property, allow development on land that is compatible with the flood function and behaviour on the land, avoid adverse or cumulative impacts on flood behaviour and the environment and enable the safe occupation and efficient evacuation of people in the event of a flood.</p> <p>A comprehensive review of the Randwick DCP is currently being undertaken, with new controls being propose or the HIAs to address and manage any potential flood relating impacts.</p>

2.9. Community Housing Industry Association NSW

Key comment / issue	Response
Strong support for Council's proposal to expand the affordable housing contribution requirements to the five new HIAs.	Support noted.
Recommendation that higher contribution rates (above the proposed 3% and 5% rates) be implemented over time to	To determine an affordable housing contribution levy applicable to the HIAs, independent economic advice was sought to test a rate on the feasibility for redevelopment under the revised planning controls in the five housing investigation areas. The economic assessment and advice identified a contribution

Key comment / issue	Response
maximise delivery of affordable housing. Suggest including timeframes in the LEP for when increased rates will apply.	rate of 3% to 5% of the total residential floorspace towards affordable rental housing as being viable for redevelopment in each of the five HIAs. Higher contribution rates of 5% across all HIAs, 7% across all HIAs and a combination of 5% to 7% were also investigated, however it was found that these percentages did not meet the feasibility for redevelopment under the proposed planning controls.
Recommendation that the Planning Proposal is explicit in the outlining the types of development that are exempt from the affordable housing contribution rate as well as including boarding house development as development exempt from the contribution.	<p>As per the affordable housing contribution clause that is applied to the Kingsford to Kensington corridor, development excluded from the affordable housing contribution rate includes the following:</p> <ul style="list-style-type: none"> a) residential accommodation that will result in the creation of less than 100 square metres of total floor area, b) residential accommodation (excluding boarding houses) that is to be used to provide affordable housing, public housing or group homes. <p>Regarding boarding houses, since the draft Planning Proposal was submitted for Gateway Determination, the State Environmental Planning Proposal (Housing) 2021 was gazetted to amend the application of boarding house development. Under the now repealed State Environmental Planning Policy (Affordable Rental Housing) 2009, boarding house or 'new generation boarding house' was the term applied to development that involved component of shared living, such as communal living and kitchen spaces. The term boarding house was also applied to purpose built student accommodation. There was no requirement under the Affordable Rental Housing SEPP that this type of housing meet the definition of affordable under the SEPP, resulting in boarding houses being rented at market rates. Under clause 26 of the current Housing SEPP, boarding houses must be used for affordable housing in perpetuity and be managed by a community housing provider.</p>
Concern for the requirement of in-kind dedications as dedication of affordable housing units in smaller strata titled schemes are sometimes costly to operate. Recommendation that contributions be provided as either in-kind or monetary contribution. To support this, the draft AHP should include a requirement for the suitability of in-kind dedications to be assessed from an operational perspective, including management and maintenance costs.	<p>Concerns are noted however it is Council's preference that in-kind dedications be provided to ensure that actual dwellings are delivered, and the aims of the affordable housing contributions plan are achieved. The Randwick LGA has high land and property purchase costs that make Council purchasing existing housing stock with monetary contributions largely unfeasible. Council currently has a suite of affordable housing dwellings that are managed successfully by a community housing provider.</p> <p>Regarding an assessment of the suitability of in-kind dedications, any development application to Council must identify the affordable dwellings to be dedicated.</p>
Recommendation that the Planning Proposal include the option for affordable housing contributions be provided directly to community housing providers (CHPs) nominated by Council to reduce direct costs to Council and provide CHPs with additional capital. Notes that joint-ventures with CHPs can unlock development opportunities including including lower cost	<p>Recommendation is noted and direct provision of affordable housing contributions may result in efficiencies, however it is Council's current preference to retain an administrative role to ensure scheme / delivery supervision.</p> <p>Noted regarding joint-ventures and ability to access capital / finance via NHFIC.</p> <p>In direct response to this submission, it is noted that a review of Randwick's overall Affordable Housing Strategy and Action Plan is schedule to occur in the short-term, which will be inclusive of all current</p>

Key comment / issue	Response
finance available through the National Housing Finance and Investment Corporation.	documents (including the proposed <i>Housing Investigation Areas Affordable Housing Plan</i>). Findings of this review may result in administrative / operational changes to HIA Affordable Housing Plan.
Recommendation that proposed HIA height controls be tested and revised as necessary to ensure that the infill affordable housing density bonus under the Housing SEPP can be achieved in full. Noted that clause 6.17 of Randwick LEP 2012 includes provisions that allow exceptions to height and floor space controls if development includes community infrastructure. This clause could be expanded to include affordable rental housing, which is also critical social infrastructure.	<p>As part of preparing the Urban Design Analysis Reports, several options for 3D built form testing were undertaken in conjunction with Hill PDA's feasibility assessment of development yields. As the HIAs are in existing residential areas, the proposed controls (Height and FSR) are the result of balancing feasibility to development with acceptable amenity outcomes. To ensure that development can be responsive to site-by-site conditions, there is some inherent flexibility to the relationship between the FSRs and HOB that could potentially be utilised by a housing density bonus under the Housing SEPP.</p> <p>As identified, Clause 6.17 of the RLEP relates to the Community Infrastructure needs identified for K2K. The ability to access greater height for contributions was in part facilitated by the predominantly urban / commercial context. The ability to access greater height within the HIAs is limited to balancing the feasibility with amenity outcomes. As such it was determined that the key contribution of HIAs is a affordable housing contribution along with the standard 7.12 contribution rate.</p>

2.10. Coogee Precinct

Key comment / issue	Response
Confusion over the anticipated built form and proposed uses within the HIAs in that they will accommodate Shop-top housing, which will replicate and/or replace existing B1 and B2 zones which are being translated to the E1 zone.	<p>With the exception of a portion of land in the West Randwick HIA and a small area within the Kingsford South HIA, the proposed HIAs are to be zoned R3 Medium Density Residential. Residential flat buildings with ground floor residential uses and landscaped courtyards will be the predominate built form in the HIAs. Exceptions to ground floor residential uses would only be permitted under a State Policy such as the Transport and Infrastructure SEPP (2021) which permits health and medical facilities, childcare and education facilities. Although the R3 Medium Density Residential zone permits business premises, neighbourhood shops and the like, clause 6.13 of the RLEP 2012 clarifies that these types of non-residential uses would only be permitted in purpose-built development that already exists (ie new neighbourhood shops, business premises and restaurants are not permitted in the R3 Medium Density zone unless located in an existing commercial building).</p> <p>In comparison, the existing neighbourhood business clusters that are proposed to be rezoned from R2 Low Density to E1 Local Centre comprise of existing ground floor business premises with residential uses above, to a maximum height in metres of 9m or 3 storeys. By retaining the existing maximum height in metres, the neighbourhood clusters will retain their commercial character. The proposed amendments are aimed at rationalising the zoning of clusters of shops to reflect existing land uses and protect the</p>

Key comment / issue	Response
	stock of small neighbourhood centres in Randwick City so that the community have access to services within a walkable catchment.

2.11. Schools Infrastructure NSW

Key comment / issue	Response
Schools Infrastructure NSW (SINSW) advise that the increased enrolment demand resulting from the HIA developments can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.	Noted.
Schools Infrastructure NSW request ongoing engagement with Council regarding any future growth and change identified for the locality.	Council will liaise with Schools Infrastructure NSW whenever new population growth is planned for in the LGA.
Schools Infrastructure NSW has reviewed the Local Transport Study for Randwick Junction and the HIA's (prepared by GTA/Stantec) and is generally supportive.	Noted.
Schools Infrastructure NSW request that transport planning for the LGA be guided by the NSW Government's Movement and Place Framework (MAPF) and its Built Environment Performance Indicators. SINSW draw specific attention to the MAPF's core 'Amenity and Use' and 'Primary Schools' indicators which are of particular importance to SINSW.	Randwick City Council is committed to delivering quality transport planning within the LGA and to achieve this Council utilises, among other things, the NSW Government's Movement and Place Framework (MAPF). Generally, transport planning in Randwick is governed by the <i>South East Sydney Transport Strategy</i> and the <i>Randwick City Integrated Transport Strategy</i> . In both these strategies, the MAPF is not only found but plays a leading role. Additionally, in the <i>Randwick City Integrated Transport Strategy</i> , the importance of the MAPF is specifically reinforced with action 2.1 "develop a Transport Mode Hierarchy by 2022 to guide strategic decisions about road user priority based upon a movement and place framework" and action 2.2 "Develop 'Principles for Road Space Allocation' based on a Transport Mode Hierarchy and the future Movement and Place framework in the South East Sydney Transport Strategy by 2027" referencing it. The <i>Local Transport Study – Randwick Junction and Housing Investigation Areas (Stantec Jan 2022)</i> which was prepared to understand the impact of the proposed HIAs on the various transport networks also references, and includes, the MAPF as all streets within each of the study areas were classified under the Movement and Place framework. Following on from this, a later section in the report is devoted to movement and place being titled "12.5. Active Transport and 'Movement and Place'."

2.12. Transport for NSW

Key comment / issue	Response
Pre-exhibition comments on draft Local Transport Study (Attachment J of Comprehensive Planning Proposal)	
Transport for NSW queried the discrepancy between the Planning Proposal's figure of 1,048 new dwellings and the draft Local Transport Study 2,022 new dwellings.	Guidance was provided to Transport for NSW about the origin of the dwelling figures and why the discrepancy exists.
Transport for NSW provided technical feedback on the draft Local Transport Study including comments on vehicle trip rates, PM peak hour trip generation, transport mode share assumptions, gross floor area trip generation and the need for intersection and traffic modelling at the planning proposal stage.	Council addressed and resolved the technical issues before the Local Transport Study was exhibited.
Transport for NSW notes that there is no certainty that any of the public/active transport recommendations in the draft Local Transport Study will be technically and financially feasible to achieve the recommended mode share targets for future residents.	Council will investigate the feasibility of achieving the mode share targets for HIA residents and update the recommendations as required.
Transport for NSW supports a review of Council's car parking management and suggests including maximum parking rates in the Randwick Development Control Plan 2013.	Noted. Council will investigate the inclusion of maximum parking rates in the relevant section of the DCP when council undertakes its DCP review. At this time, Transport for NSW will be consulted for further comment.
Transport for NSW provided comments on a number of recommendations included within the draft Local Transport Study.	The comments from Transport for NSW were noted and will be included in the updated Local Transport Study.
Transport for NSW commented that Belmore Road is a principal axis for transit operations within Randwick Junction and any active transport works would need to respect this character.	Council notes the advice and will keep the character of Belmore Road in mind with any future active transport studies in the area.
Transport for NSW notes that at the pre-exhibition stage there was no section or attachment in the Comprehensive Planning Proposal that discusses traffic and transport impact of the proposal and there is no reference to the Local Transport Study.	The Comprehensive Planning Proposal was updated prior to exhibition to include discussion on traffic and transport impacts and the Local Transport Study was exhibited with the Planning Proposal.
Transport for NSW makes the following recommendations: <ul style="list-style-type: none"> Ensure maximum parking rates for developments within a HIA to reduce the traffic impacts of new 	Noted. Council will consider the recommendations as part of the DCP review and Transport for NSW will be consulted at that time.

Key comment / issue	Response
<p>developments and encourage trips by walking, cycling and public transport.</p> <ul style="list-style-type: none"> • Ensure developments within a HIA have adequate off-street loading and servicing provisions to ensure no increase in demand for on street servicing. • Ensure developments within a HIA have adequate end of trip facilities appropriate to the land use, to encourage trips by walking and cycling. 	
<p>Transport for NSW notifies Council of the employment zone review and enquiries as to whether the impact of the reform has been taken into account.</p>	<p>The impact of the employment zone review has been taken into account in the Comprehensive Planning Proposal and Local Transport Study.</p>
Post-exhibition comments on SIDRA Intersection Modelling	
<p>Transport for NSW provided 22 technical comments in relation to the SIDRA modelling study report and SIDRA model which Council provided. The comments cover issues from high density retail trip rates, peak flow factors, road speed limits and per annum trip growth.</p>	<p>The post-exhibition comments from Transport for NSW have been communicated to traffic modelling consultants who are working on incorporating them into a final Local Transport Study. The Study provides recommendations for new infrastructure including signalised intersections and pedestrian crossings. These recommendations are being informed by the SIDRA modelling.</p>



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COMPREHENSIVE PLANNING PROPOSAL

Housing Investigation Area Shadow Studies – Winter Solstice

30 August 2022



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1. Solar analysis – Winter solstice (21 June)

9th August 2022
Prepared by Randwick City Council

1.1. Kensington North

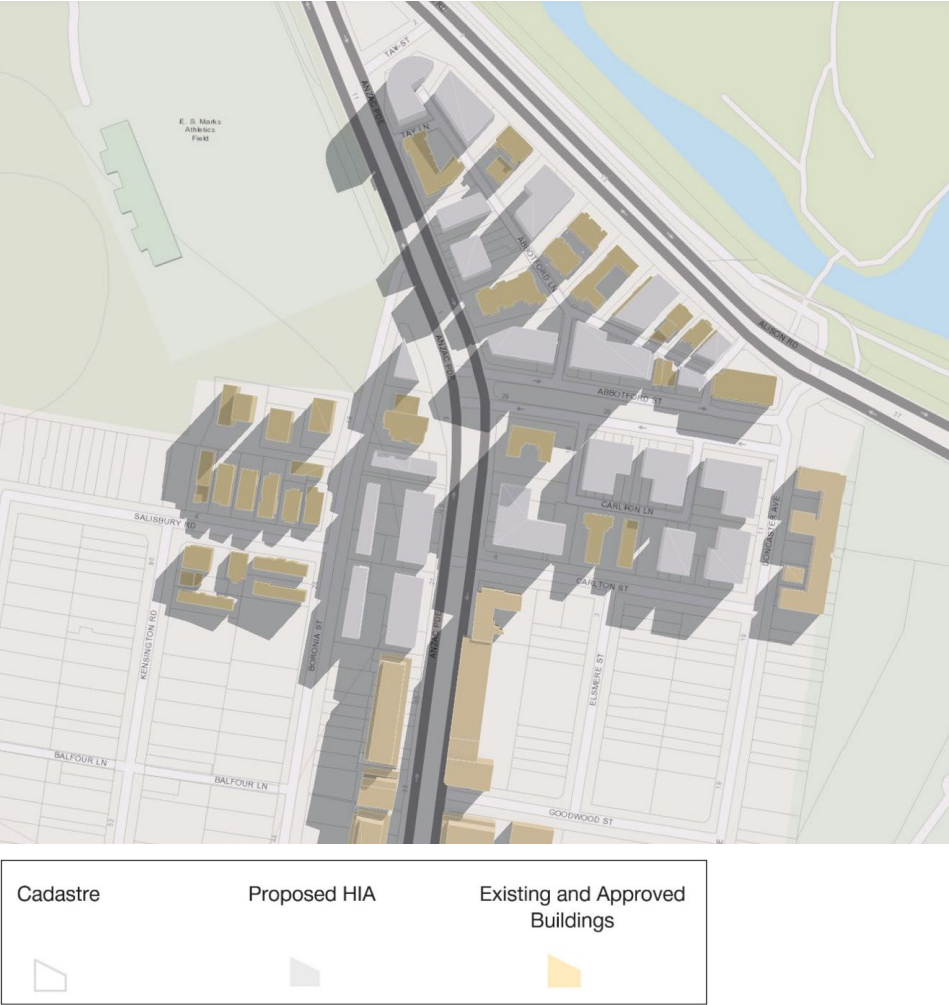


Figure 1: Kensington North HIA solar analysis: Winter Solstice 9AM



Figure 2: Kensington North HIA solar analysis: Winter Solstice 12PM

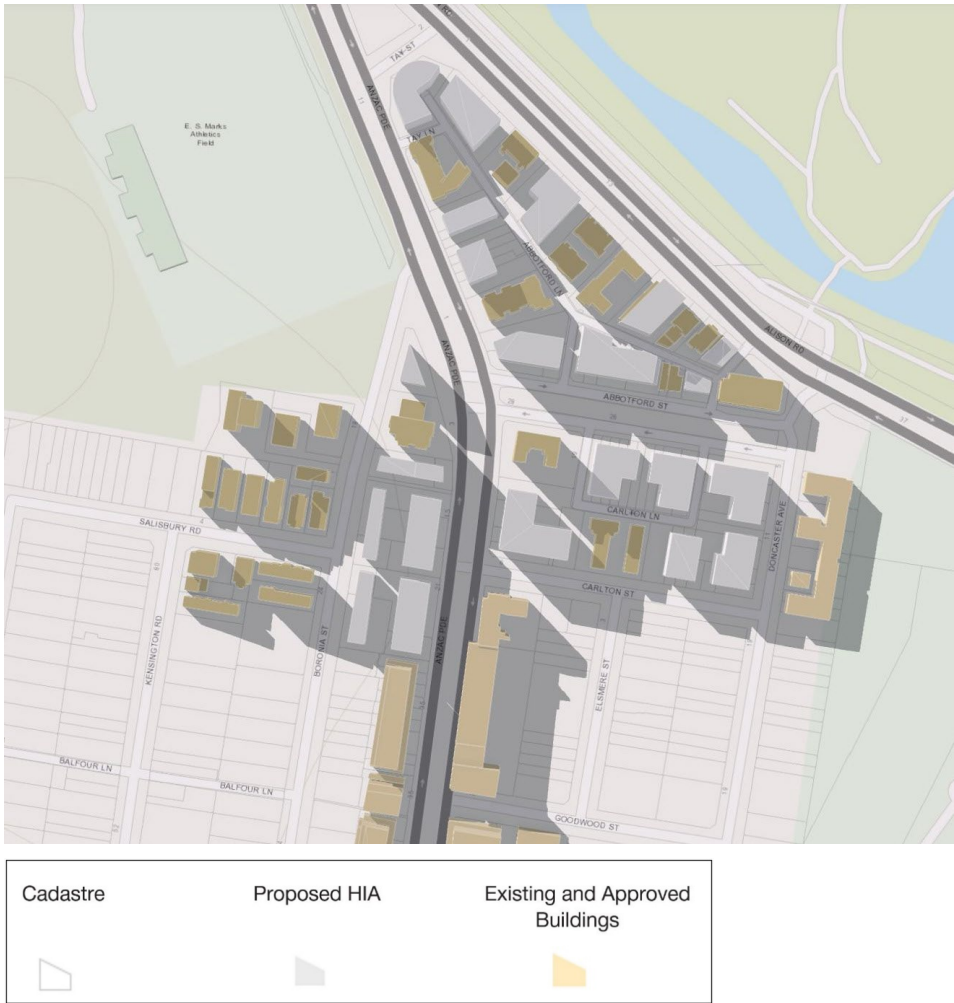


Figure 3: Kensington North HIA solar analysis: Winter Solstice 3PM

1.2. West Randwick



Figure 4: West Randwick HIA solar analysis: Winter Solstice 9AM

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Figure 5: West Randwick HIA solar analysis: Winter Solstice 12PM



Figure 6: West Randwick HIA solar analysis: Winter Solstice 3PM

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1.3. Arthur Street



Figure 7: Arthur Street HIA solar analysis: Winter Solstice 9AM



Figure 8: Arthur Street HIA solar analysis: Winter Solstice 12PM

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Figure 9: Arthur Street HIA solar analysis: Winter Solstice 3PM

1.4. Magill Street



Figure 10: Magill Street HIA solar analysis: Winter Solstice 9AM

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Figure 11: Magill Street HIA solar analysis: Winter Solstice 12PM



Figure 12: Magill Street HIA solar analysis: Winter Solstice 3PM

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1.5. Kingsford South



Figure 13: Kingsford South HIA solar analysis: Winter Solstice 9AM

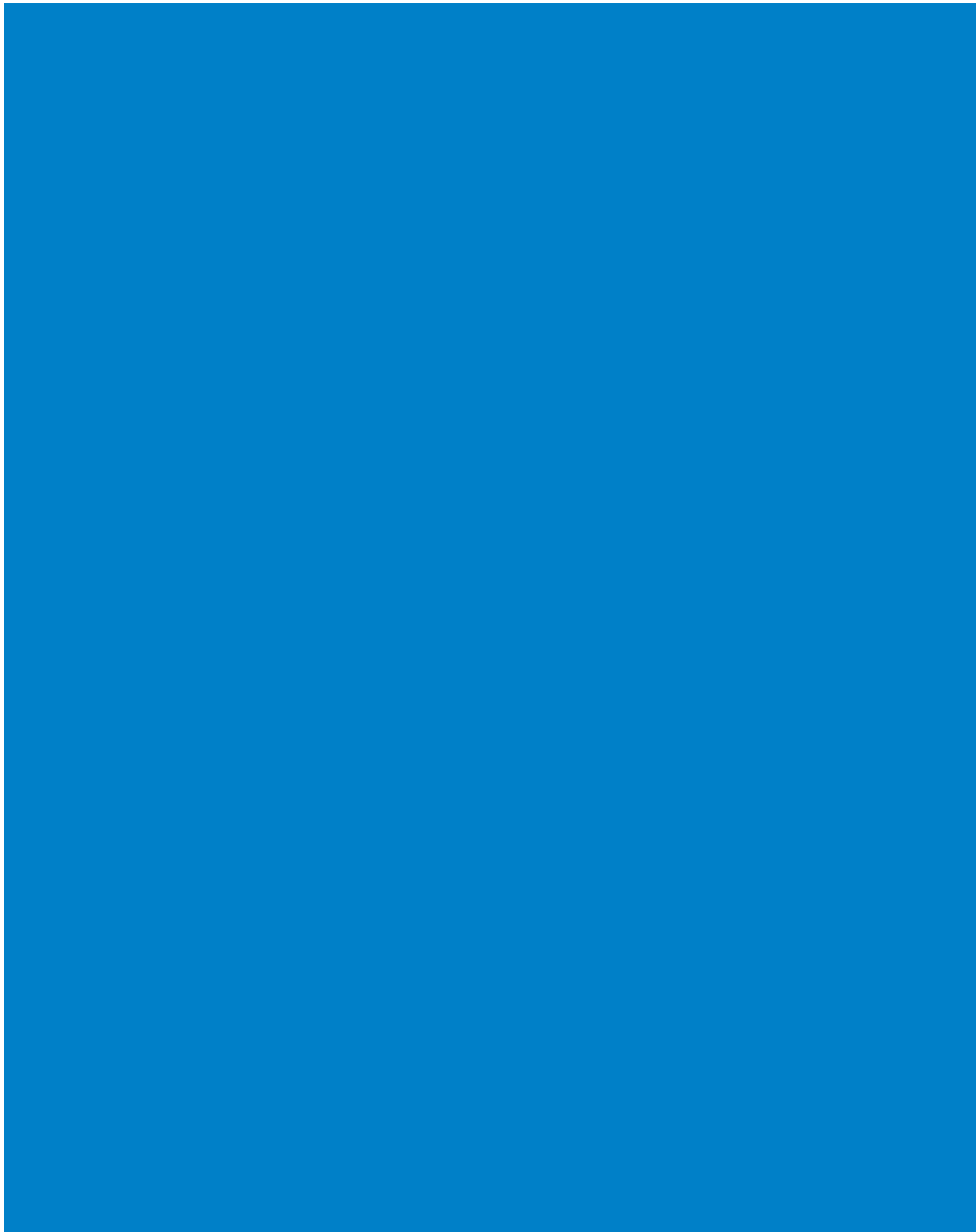


Figure 14: Kingsford South HIA solar analysis: Winter Solstice 12PM

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Figure 15: Kingsford South HIA solar analysis: Winter Solstice 3PM



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7CITY PLANNING

Housing Investigation Areas



Draft Affordable Housing Plan

Adoption Date:**XX**

Review Date:**XX**

Version:**DRAFT**

Responsible Department:**City Planning**

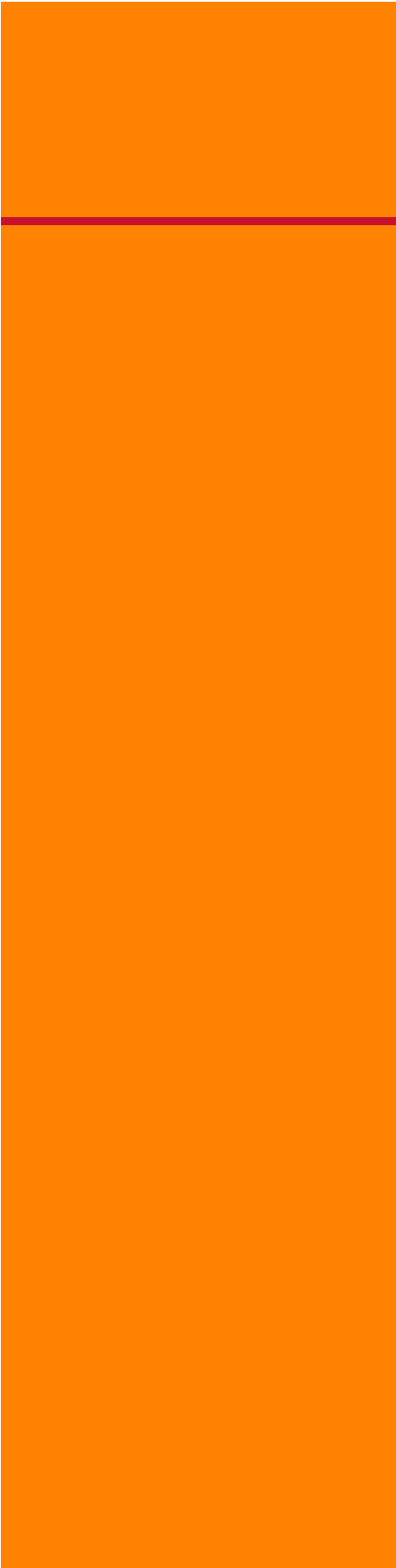
TRIM Document Number:**D04199912**

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Housing Investigation Areas – Affordable Housing Plan

CP45/22

1. Introduction

The Housing Investigation Areas Affordable Housing Plan aims to ensure that lower income households continue to live and work locally within Randwick LGA, to facilitate a socially diverse and inclusive community; and to support the economic functions of the Randwick Education and Health Strategic Centre.

The Randwick City Affordable Housing Needs Analysis (attached as Appendix A) demonstrates the need to increase the supply of affordable rental housing in Randwick Local Government Area (LGA). 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. The flow on effect is that existing lower income groups would need to move out of the area, and new lower income households may be prevented from finding housing in the local area, close to employment and education opportunities within the Randwick Strategic Education and Health Strategic Centre.

The Housing Investigation Areas are in close proximity to frequent public transport services, local business centres and the Randwick Education and Health Strategic Centre. In addition, they are also located close to the Sydney CBD, the eastern beaches and Centennial Parklands. This has resulted in the area becoming increasingly attractive as a place to live and work which will continue to place upward pressures on property values beyond the means of lower income households to purchase or rent in the area.

The Housing Investigation Areas have been identified to contribute to the housing needs of Randwick City as a part of the comprehensive review of the *Randwick Local Environmental Plan* (RLEP) 2012. Proposed changes to RLEP 2012 seek to implement the relevant housing priorities and actions of the Randwick Local Strategic Planning Statement and Randwick City Housing Strategy. The Housing Investigation Areas and associated new planning framework (via proposed amendments to RLEP 2012 and the Randwick Development Control Plan 2013) will allow for higher intensity of development at the right places and scale whilst also providing for the community benefit of delivering affordable housing dwellings for essential key workers. This plan outlines the operational details to deliver affordable housing in the Housing Investigation Areas.

1.1. Purpose of this Plan

The Housing Investigation Areas Affordable Housing Plan (the Plan) applies to the Housing Investigation Areas, shown in Figure 1.

The purpose of this plan is to:

- Provide the background requirements and operational detail for the Housing Investigation Areas affordable housing contributions scheme
- Ensure that affordable housing is provided in the Housing Investigation Areas, and
- Provide certainty and facilitate a coordinated approach towards the provision of affordable housing within the Housing Investigation Areas.

1.2. How to use this plan

The Housing Investigation Areas Affordable Housing Plan (the Plan) should be read in conjunction with the *Planning Proposal: Comprehensive Review - Local Environmental Plan 2021*. The Affordable Housing Plan is for public exhibition with the *Planning Proposal: Comprehensive Review - Local Environmental Plan 2021*. Following public exhibition, submissions on the Plan will be considered by the Council and, where supported, changes made. A final Plan will then be reported to Council for consideration for adoption.

1.3. Objectives of this Plan

The objectives of this Plan are to:

- Identify the need for affordable housing which will only be increased by renewal and redevelopment

- Recognise affordable housing as essential infrastructure necessary to support a socially diverse community and the economic functions of Randwick City, and
- Ensure there are opportunities for low to moderate income households who work or have family connections in Randwick City to live in Randwick City.

1.4. Land to which this Plan applies

This plan applies to land within the Housing Investigation Areas as identified in the map below.



Figure 1. Housing Investigation Areas affordable rental housing contributions scheme application map

1.5. The Randwick City Affordable Housing principles

The Randwick City affordable housing principles are:

- affordable housing must be provided and managed in Randwick City so that a socially diverse residential population representative of all income groups is available in Randwick City
- affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Sydney Statistical Division according to the Australian Bureau of Statistics:
 - Very low income household - less than 50% Low income household - 50% or more, but less than 80% Moderate income household - 80–120%
 - and at rents that do not exceed a benchmark of 30% of their actual household income, and
- dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing
- rental from affordable housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), must be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Randwick City or for research and policy development for housing and affordable housing purposes
- affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings within the development, especially in terms of internal fittings and finishes, solar access and privacy.

1.6. The Randwick City Affordable Housing Program

Clause xxx (Clause number to be provided once gazetted) of Randwick LEP 2012 allows for landowners and developers within the Housing Investigations Areas to satisfy an affordable housing contribution requirement by making:

- An in-kind contribution of finished affordable housing dwellings, or
- An equivalent monetary contribution payment.

The proposed operational detail for the collection and distribution of affordable housing contributions within the Housing Investigations Areas are contained within this Plan.

It builds on Council's existing Affordable Rental Housing Policy, Program and Procedures adopted in 2006/07.

2. Housing Investigation Areas Affordable Housing Scheme

2.1. About the Scheme

The Housing Investigations Areas Affordable Housing Scheme (the Scheme) applies to development within the Housing Investigations Areas Map as shown in Figure 1.

2.2. Aim of the Scheme

The aim of the Scheme is to deliver affordable housing resulting from contributions in the Housing Investigation Areas. The scheme aims to contribute approximately 80 affordable housing dwellings in the long term based on the total estimated dwelling capacity for the five Housing Investigation Areas, essential in supporting a socially diverse community and the economic functions of the City.

2.3. Legislative basis for the Scheme

Section 7.32 of the Environmental Planning and Assessment Act 1979 (the Act) allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where:

- a) The consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- b) The consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or
- c) The proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- d) The regulations so provide¹.

State Environmental Planning Policy (Housing) 2021, which consolidated the previous SEPP 70 – Affordable Housing (Revised Schemes), identifies Randwick City as an area in need for affordable housing.

The *Planning Proposal: Comprehensive Review - Local Environmental Plan 2021* provision on affordable housing contains controls for the calculation, levying and management of affordable housing in the Housing Investigation Areas. The planning proposal also identifies development that is excluded from making a contribution under the scheme.

All development for the purposes of residential accommodation within the Housing Investigations Areas contribution area (that is not explicitly excluded from the provisions under the affordable housing clause as outlined in the planning proposal) is subject to the collection of contributions for affordable housing under Section 94F of the Act because:

- redevelopment within the Housing Investigation Areas will reduce the availability of affordable housing by increasing demand for affordable housing while also increasing the cost of housing in the local government area
- The Housing SEPP is to establish a need for affordable housing in the LGA. Demand for affordable housing will only be increased by renewal and redevelopment. Appendix A provides additional analysis of the need for affordable housing in the LGA.

¹ Development must only satisfy one of these conditions for Council to be able to require a contribution

2.4. Affordable housing contributions

The following contribution rates are specified in the planning proposal:

Date of DA lodgement	Housing Investigation Area (HIA)	Percentage of total floor area used for residential purposes to which the development application relates
Up to (and including) date of Gazettal	West Randwick	Land zoned B1 Neighbourhood Centre: 3% Land zoned R3 Medium Density Residential: 5%
	Kensington North	5%
	Arthur Street	3%
	Magill Street	3%
	Kingsford South	3%

Figure 2 below identifies the affordable housing contribution rate applicable to land within the Housing Investigation Areas.



Figure 2. Affordable housing contribution rate applicable to land within the Housing Investigation Areas

To inform the affordable housing contribution rate, Council engaged Hill PDA Consulting to undertake a development feasibility assessment. The development feasibility assessment considers all development costs including existing development site values, end sale values, capital works, construction costs, land costs, professional fees, Development Application and Construction Certificate fees, long service levy, development contributions, land tax, rates, establishment fees and financing.

A contribution is to be calculated based on the total floor area used for residential purposes of the residential component of the development to which the development application relates, as defined by clause XX Randwick LEP 2012 (Clause number to be inserted after gazettal) and under 2.5 of this Plan. There are to be no 'savings' or 'credit' for floor space that already exists on the site, even if the building is being adapted and reused.

There are two possible ways to make the contribution:

1. Dedication of affordable housing units on site or 'In-kind' contribution – build and dedicate free of charge the required affordable housing dwellings, or
2. Monetary contribution 'in-lieu' of affordable housing units – a monetary contribution that is equivalent to the required 'in-kind' affordable housing.

The preferred contribution is via an in-kind contribution – build and dedicate free of charge to the Council, the required affordable housing dwellings in order to achieve the objectives of this plan. Each dwelling is to have a gross floor area of not less than 50 square metres and be incorporated within the proposed development.

However, if the percentage of total floor area to be dedicated as affordable housing results in an area which equates to less than 50 square metres, then payment of an in lieu monetary contribution must be made (to the Council by the applicant). In some cases, a contribution may comprise a combination of an in-kind and monetary contribution.

For development which cannot be subdivided such as co-living development or purpose built student under the Housing SEPP, this plan outlines that a monetary contribution will apply.

The (in lieu) monetary contribution to be paid, is the rate detailed in this plan (under 2.6 'making a monetary or in lieu contribution').

The requirement for an affordable housing contribution will be a condition of development consent. In all instances, the Council will require evidence, via a legal agreement, that the condition of development consent relating to affordable housing has been satisfied prior to the granting of any construction certificate.

2.5. Defining total floor area

The clause XX (Clause number to be inserted after gazettal) of Randwick LEP 2012 requires the dedication of affordable housing units at rates based on the **total floor area**, which is defined as:

The total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following:

- (a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls
- (b) any area of a balcony that is more than the minimum area required by the consent authority in respect of the balcony
- (c) the maximum ancillary car parking permitted by the consent authority and any associated internal vehicular and pedestrian access to that car parking
- (d) space for the loading and unloading of goods.

2.6. Making an in-kind contribution – conditions of consent

Complete affordable dwellings are to be dedicated in favour of the Council. The development application to Council must identify the affordable dwellings to be dedicated.

The condition of consent for an in-kind contribution is to contain, but not limited to:

- The total floor area of the dwellings to be dedicated as affordable housing;
- The total floor area of the development used for residential purposes that was used to calculate the contribution;
- The affordable housing dwellings to be dedicated must be shown on the approved plans, and referenced in the affordable housing condition;
- A requirement that an affordable housing covenant be placed on the title of the land; and
- A requirement that prior to the granting of a construction certificate, evidence be provided by way of a written legal agreement to transfer title of the affordable dwelling(s) to the Council.

2.7. Monetary contributions in lieu of affordable housing units

The current rates for the period of December 2020, for providing monetary contributions in lieu of providing units on site are:

- 3% - **\$356.25 per square metre** of total floor area used for residential purposes
- 5% - **\$593.75 per square metre** of total floor area used for residential purposes

The rate is to be updated in line with the Department of Family and Community Services, Rent and Sales, quarterly reports and as set out under section 2.8 below.

Council's website will contain the current rates for this Scheme, as indexed from time to time.

Calculating the contribution in Housing Investigation Areas

For example, estimating a contribution towards affordable housing for a new 2,400 square metre mixed use development comprising of 720 square metres of commercial floor space and 1,680 square metres of residential floor space, it would be calculated as shown below.

Scenario 1

This scenario assumes that the total contribution be dedicated as complete dwellings to be dedicated as affordable housing units.

Floor space breakdown of development	Applicable contribution rates towards affordable housing	Amount to be dedicated
720 sqm of commercial	No affordable housing contribution required for commercial floor space	
1,680 sqm of residential	3% applicable	50.4sqm to be dedicated as one whole unit
1,680 sqm of residential	5% applicable	84sqm to be dedicated to Council Or 50m2 in kind and 34 sqm monetary

Scenario 2

The second scenario provides an example of a monetary contribution to be paid out as an equivalent monetary contribution in accordance with the rates as specified in 2.7 of this Plan, where the minimum in kind provision is not practical given the size of development. Required minimum unit size is 50sqm.

For example, a mixed-use development comprising of 300 sqm of commercial floor space and 700sqm of residential floor space, it would be calculated as shown below.

Floor space breakdown of development	Applicable contribution rates towards affordable housing	Amount to be dedicated
300 sqm of commercial	No affordable housing contribution required for commercial floor space	Nil
700 sqm of residential	3% applicable	21 sqm
700 sqm of residential	5% applicable	35 sqm
Scenario 2: Contribution towards affordable housing as a monetary contribution		
	3% applicable	700 sqm to be paid as an equivalent monetary contribution (@ \$356.25 per square metre) of \$249,375
	5% applicable	700 sqm to be paid as an equivalent monetary contribution (@ \$593.75 per square metre) of \$415,625

2.8. Indexing contributions

The contribution rate to be paid is to be indexed twice a year, being the first days of January and July, with reference to the most recently published median strata dwelling price in Randwick City LGA, as detailed in the NSW Government Rent and Sales Report, Table: Sales Price – Greater Metropolitan Region – Strata.

2.9. Monetary or in lieu contribution – conditions of consent

Where the total floor area to be dedicated as affordable housing is less than the amount equivalent to that percentage or where the proposed dwellings are considered not appropriate for the purpose of affordable housing (subject to Council approval), an equivalent monetary contribution that would otherwise be required will be sought in accordance with the rate, outlined in section 2.7.

Where an in-lieu contribution is being made the condition of consent is to contain but not limited to, the following information:

- The monetary contribution required in accordance with the rates as specified under 2.7 of this plan;
- The total floor area of the development used for residential purposes that was used in the calculations;
- The contribution period at the time of determination (i.e for a consent dated in July 2021, the contribution period is 1 July 2021 – 31 December 2021);
- The method of adjustment to contribution rates (as outlined in 2.8); and
- A requirement that the condition be satisfied (to Council's approval) prior to the issue of a construction certificate.

2.10. Adjustment of a monetary contribution amount on a development consent

Where a condition requiring a monetary contribution has been imposed, the contribution amount must be adjusted over time. By way of an example, if a consent is issued in July 2021 and the applicant does not wish to pay the contribution and develop the site until February 2023, the contribution amount will need to be adjusted to the period in which it is paid.

Monetary contributions are adjusted by the Council and confirmed with the applicant prior to payment being made.

The formula for adjusting a contribution amount in a condition of consent is:

$$\text{Monetary Contribution} = \text{Base Contribution Amount} \times (\text{MDP2} / \text{MDP1})$$

Where:

Base Contribution Amount is the amount obtained from the Notice of Determination and based on the monetary contribution amounts at the time of determination of the development application

MDP1 is the median strata dwelling price that applied at the time of consent

MDP2 is the median strata dwelling price that applies at the time of payment.

2.11. How to make a payment

Payment of contributions will be by unendorsed bank cheque to the Council prior to issue of any construction certificate. In circumstances where no construction certificate is required, payment is required prior to commencement of use/occupation.

2.12. What development is not required to make an affordable housing contribution?

The planning proposal excludes the following development from a requirement to make an affordable housing contribution:

- Development for the purposes of residential accommodation that is used and/or owned to provide community housing, public housing or group homes
- Development for the purposes of accommodation that will result in the creation of a residential total floor area of less than 100 square metres. To clarify, where additional floor space is in conjunction with a change of use of existing floor space, existing floor space is not excluded and the contribution is calculated on the entirety of floor space in the development (existing and new floor space).

2.13. Management of affordable housing contributions

Contributions resulting from in-kind or monetary contributions are to be provided in accordance with the Randwick City Council Affordable Rental Housing Program, Procedures and Guidelines (2006) and as outlined below:

- Affordable housing is to be dedicated to the Council
- Contributions are to be pooled and managed by the Council until such time as there is sufficient funding available to develop and/or acquire new affordable housing
- Affordable housing units is owned by the Council and managed by an eligible community housing provider
- Affordable housing is rented to low and moderate income households at 30 per cent of gross household income
- All rent received after deduction of management and maintenance costs will be reinvested back into Council's Affordable Rental Housing Program to be used for the purpose of improving, replacing or providing additional affordable rental housing in Randwick City, and
- Affordable housing are designed and constructed to a standard which, in the opinion of Council, is consistent with other dwellings within the same development, that is, they are not differentiated (internally and externally) as affordable housing compared with the design of other housing.

3. How Council will manage the affordable housing program

A Community Housing Provider (CHP) with relevant experience and expertise will be engaged by the Council to manage its rental program. The CHP will be sought via a competitive expression of interest process. Only members of the Registrar of Community Housing will be considered for selection. The CHP will demonstrate how their organisation will provide the required services to Council.

Council's affordable housing stock is to be head-leased to the appointed CHP at nominal rent. The Housing Manager assumes the responsibility of landlord, property and tenancy manager. The Housing Manager is paid a management fee negotiated as part of the selection process. Income generated from the rental properties is intended to cover the cost of maintaining the properties and program administration.

3.1. Deed of agreement

Council, as property owner, will enter into a contract with the successful CHP for an initial five year period, to manage its properties and affordable rental housing program via a Deed of Management. The Deed of Management will set out the rights and responsibilities of both parties. It provides for both tenant management and property management procedures, and any other requirements a housing manager is required to implement as part of Council's Program, such as rent setting details, tenant selection and dwelling allocation procedures.

It also sets out entitlements for costs and management fees, financial reporting requirements and allocation of funds, performance review processes, dispute resolution and other such detailed contractual matters. Council will undertake a comprehensive evaluation of the affordable housing program procedures, including the financial viability of the program in general and the performance of the Housing Association, on the program's fifth year.

3.2. Eligibility Criteria

It is the intention of the Program to assist tenants on low to moderate incomes for a maximum period of five years, to give them a greater level of housing certainty and opportunities to enter the private rental market by the end of that period.

Council's Affordable Housing Program, is about complementing, not duplicating the role of the public housing authority whose priority it is to assist households with the greatest needs.

A mix of low and moderate income households will be allocated dwellings. The allocation will be dependent on ensuring the overall financial viability of Council's affordable rental housing operations. Financial viability in this context means the full cost of its affordable rental housing program is covered without the Council incurring out of pocket expenses/debts.

A successful applicant will need to satisfy the following criteria:

- Must be permanently employed and earning a gross weekly household income, within the defined household income bands for Low and Moderate household income bands
- Has a local connection (e.g. lives and/or works in Randwick City)
- Does not own assets or property which could reasonably be used to solve their housing needs,
- is an Australian citizen or permanent resident
- must not already be living in subsidised housing (Department of Family and Community Services or Community Housing managed accommodation), and
- is not a former tenant of Council's Affordable Rental Housing Program.

3.3. How tenants are assessed and allocated homes

The Housing Manager engaged to manage the dwellings will advertise for tenants. Applicants who fulfil the eligibility criteria can lodge an application.

Because demand exceeds supply, dwellings will be offered to applicants having the greatest need for rental accommodation (relative to other applicants). Allocation decisions will be made by the Housing Manager after an assessment and interview process.

3.4. Rent Policy

The rent for each property will generally be set at a maximum of up to 30% of their gross household weekly incomes, including any rental housing subsidies received from Centrelink.

All other leasing arrangements including will be undertaken by the appointed Housing Manager.

3.5. Monitoring and review of the scheme

Council will review and report on the affordable housing contributions scheme at least once a year. Key performance indicators that will be reported on include: amount of funds in waiting; allocation of funding in that year; and number of delivered affordable housing dwellings.

Terms used in this Plan

Affordable housing is defined by the *Environmental Planning and Assessment Act 1979* as: “housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument”.

Affordable housing covenant ensures that benefits of affordable housing are secured in accordance with this Plan in the long term.

The affordable housing covenant will be required to be registered, before the date of the issue of the occupation certificate, against the title of the property, in accordance with section 88E of the *Conveyancing Act 1919*. The covenant will:

- require affordable rental housing to be retained as affordable rental housing in perpetuity;
- require affordable rental housing to be managed in accordance with the Housing Investigations Housing Plan and in accordance with Randwick City Council’s Affordable Rental Housing Program and Procedures Policy (2006);
- allow for the removal of the covenant to facilitate the sale of affordable rental housing in accordance with Randwick City Council’s Affordable Rental Housing Program and Procedures Policy (2006) asset management.

Council refers to Randwick City Council.

Residential accommodation as defined under Randwick LEP 2012 dictionary of terms, as a building or place used predominantly as a place of residence, and includes any of the following:

- a) attached dwellings,
- b) boarding houses,
- c) dual occupancies,
- d) dwelling houses,
- e) group homes,
- f) hostels,
- g) multi dwelling housing,
- h) residential flat buildings,
- i) rural workers’ dwellings,
- j) secondary dwellings,
- k) semi-detached dwellings,
- l) seniors housing,
- m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Residential purposes means the total floor area being used for residential accommodation.

Total floor area means the total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following:

- a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls,
- b) any area of a balcony that is more than the minimum area required by the consent authority in respect of the balcony,
- c) the maximum ancillary car parking permitted by the consent authority and any associated internal vehicular and pedestrian access to that car parking,
- d) space for the loading and unloading of goods.

Very low to moderate income households

Derived from *State Environmental Planning Policy (Housing) 2021*:

Very low to moderate income households are those households whose gross incomes fall within the following ranges of percentages of the median household income for the time for the Greater Sydney Statistical Division according to the Australian Bureau of Statistics:

- Very low income household – less than 50%
- Low income household – 50 or more but less than 80%
- Moderate income household – 80 to 120%

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Appendix A - Randwick City Affordable Rental Housing Needs Analysis

This section establishes the need for affordable housing in Randwick City Local Government Area (LGA) as outlined in the Randwick City Affordable Rental Housing Needs Analysis (Dec 2016)

Randwick City Affordable Rental Housing Needs Analysis 2016

**Prepared by Randwick City Council
(Dec 2016)**

CP45/22

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1. Introduction

The purpose of the Randwick City Council Affordable Rental Housing Needs Analysis is to demonstrate the need to increase the supply of affordable rental housing in Randwick Local Government Area (LGA). This document provides validation for Randwick City Council's request to seek inclusion in SEPP 70 to facilitate affordable rental housing on key development sites and urban renewal areas in the City.

The limited ability of the private rental market to respond to the housing needs of very low, low, and moderate-income families at affordable levels is a concern for Randwick City. Issues such as gentrification, the lack of affordable housing for key workers, and the consequential displacement of lower income households have significant socio and economic implications for the growth, future investment opportunities and the effective functioning of the City. Take the Randwick Education and Health Strategic Centre as a point in case.

The Randwick Education and Health Strategic Centre is Randwick's largest employment centre that substantially contributes to Sydney's status as a Global City. Comprising of several large and internationally recognised educational and hospital institutions, this service sector provides more than 15,000 jobs whose effective functioning relies on the availability of the workforce. Employment within this Education and Health Strategic Centre is projected to increase by 26% to 2031. Workers will create demand for services that are generally staffed by lower income earners, such as childcare workers, kitchen staff, hospital cleaners and shop assistants. Without market/ planning intervention, the residential housing market will continue to produce housing at price points well above the income ranges of key workers. In order for the Strategic Centre to maintain its international standing as research and teaching excellence centres, it must have the ability to retain a stable workforce to help run it. The availability of affordable housing as well as convenient access to the work place is an important consideration for job applicants and existing employees.

This needs analysis is divided into several sections. The first section introduces the concept of affordable housing, when is housing affordable and why the provision of affordable housing is important. The second section outlines the population and housing characteristics of Randwick City including a local housing market analysis which also looks at changes in the supply of affordable and social housing. The third section looks at population, household and employment projections to 2031. The need to increase the supply of affordable housing stock in the LGA is demonstrated. Based on this need, this section also sets an affordable rental housing target to ensure housing is available for essential key workers to support the economic function of the City and in particular the Randwick Education and Health Strategic Centre. A brief description of Council's 2016 affordable rental housing program including implementation is also provided.

1.1. What is affordable housing?

The Centre for Affordable Housing² 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.

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 incomeⁱ.

Households paying 30% or more of their income on housing costs (mainly rent) are defined as being in housing stress. Under those circumstances the cost of housing is affecting a household's ability to pay for other primary needs including (but not limited to):

- Food
- Power and water
- Health services and medication
- Travel and transport
- Education
- Household goods (such as cars, washing machines, fridges, stoves, computers)
- Debt repayments

A particular segment of community that is commonly referenced in affordable housing discussions is key worker. The term key worker includes people who are employed in essential sectors such as health, police, education, emergency and public transport services. It can also include low-paid private sector workers in the tourism and hospitality industries such as wait staff, cleaners, shop assistants, nannies and cooksⁱⁱ.

The incomes of key workers typically fall within the low to moderate income range and are therefore vulnerable to Sydney's high housing costs.

² a division of the NSW Department of Family and Community Services

1.2. When is housing affordable?

The following table outlines indicative rental and purchase benchmarks to be classified as affordable for the very low to moderate income households in 2015/16.

	Very low-income household	Low-income household	Moderate-income household
Income Benchmark	<50% of Gross Median H/H Income for Greater Sydney	50-80% of Gross Median H/H Income for Greater Sydney	80%-120% of Gross Median H/H Income for Greater Sydney
Income Range	<\$783 per week	\$784-\$1,253 per week	\$1,254-\$1,879 per week
Affordable Rental Benchmarks	<\$235 per week	\$236-\$376 per week	\$377-\$564 per week
Affordable Rental Benchmarks	<\$228,000	\$228,001-\$364,000	\$364,001-\$545,000

Source: Judith Stubbs & Associates 2016³

In comparison, social housing³ is targeted to those with the greatest need, with tenants paying 25% to 30% of their income towards weekly rent.

1.3. Randwick City Council's commitment to affordable housing

Randwick City Council has a long-standing commitment to affordable housing in the local area; and has actively been involved in implementing a range of initiatives designed to retain and encourage affordable housing in the locality. Randwick City Council is one of only a few metropolitan councils in Sydney with an established Affordable Rental Housing Program.

Randwick City Council's Affordable Housing Strategy (adopted 2008), and action plan identifies the need to facilitate affordable housing especially for lower income households who live and/or work in Randwick. The overall objectives of this strategy are to maintain a socially inclusive City; and to support a healthy local economy. Encouraging affordable housing is also a key direction of the Council's 20 year Community Strategic Plan 'the Randwick City Plan'; and to help realise the Council's overarching vision for a 'liveable city'.

To date, the Council has acquired 20 dwellings in its affordable rental housing program achieved via a voluntary negotiated planning agreement approach on large redevelopment sites. The Council has also successfully entered into and constructed an eight unit affordable rental housing project with Community Housing Limited, on land dedicated by the Council. The Council's affordable rental housing portfolio is managed by a registered community housing provider and the program is generally consistent with the NSW Affordable Housing Ministerial Guidelines.

While these measures demonstrate the Council's commitment and actions towards facilitating affordable housing for the community, the delivery of affordable rental housing has been adhoc and limited due to the voluntary nature of this negotiated planning agreement approach mandated by the NSW planning legislation. 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.

³ The social housing sector includes Public Housing, owned and managed by the NSW Department of Housing; Community housing, owned or leased by non-government organisations; Indigenous or Aboriginal housing, owned or

1.4. Why is affordable housing important?

Socio-economic impacts

The rental and purchase price surge witnessed in Sydney's residential property market over the past decade has now made Sydney the 3rd most expensive city in the world in which to buy or rent^{iv}.

Gabriel et al (2005)^v noted that households who rent in the private rental sector bore the brunt of Sydney's declining housing affordability. This finding was reinforced in a more recent study by Atkinson et al (2011)^{vi} which found that renters in the private market are most vulnerable to being priced out of their neighbourhoods due to high housing costs.

According to Yates (2005)^{vii}, "The implications of a lack of appropriate affordable housing are that many workers either pay a high proportion of their incomes in meeting their housing costs and/or travel long distances in order to work in their chosen location. Neither of these options is likely to be particularly sustainable ... high commuting costs, particularly if they are not compensated for are likely to lead to a search for new employment closer to place of residence." This is pushing the poorest residents to the urban fringe which undermines the effective functioning of our metropolitan city.

Local businesses and service providers have reported that they are finding it increasingly difficult to attract and retain staff particularly those earning lower wages in the service industries^{viii}. Employers in another study reported that they feared the day when older staff members in lower paid occupations and living close to work, have to retire^{ix}. The City of Sydney Council in its Housing Issues Paper^x expressed concerns that the failure to address affordable housing issues for keyworkers "is undermining Sydney's global city status" and the undersupply of keyworker housing can jeopardise Australia's economic prosperity^{xi}.

In relation to Randwick City, an analysis by the Sydney Morning Herald (SMH) (in 2015) titled '*Where Sydney's essential workers can afford to live*' shows a nurse would need a pay rise in the order of 86% to have a chance to buy a median house in Randwick; and that most of the suburbs that a nurse could afford is some 50km west of the CBD. In an another analysis (also by the SMH in 2015) a person on a minimum wage would need to work a minimum 91 hours a week to afford to rent a one bedroom unit in Randwick^{xii}. These findings demonstrate the level of (un)affordability for key workers in Randwick City.

As the supply of affordable housing stock continues to shrink in Sydney, many more people will not be able to buy or rent in suburbs they grew up in^{xiii}. The children of ageing parents are finding it increasingly difficult to afford weekly rents or purchase their own homes nearby so that they can spend more time maintaining contact with and helping their elderly parents with the general upkeep of the family home.

In addition, the loss of population diversity, vibrancy of the street life and social authenticity of places are discussed in many social displacement and gentrification literature. Such concerns are of interest to local governments that are committed to creating diverse and vibrant communities.

These issues represent a significant risk to Randwick's economic productivity and success as a major contributor to Greater Sydney as a global city.

2. Characteristics of Randwick City's Population

The Census population of Randwick City in 2011 was 128,989, living in 55,557 dwellings with an average household size of 2.41. While this household size is still smaller than the greater Sydney average household size of 2.69 at 2011, it has increased from 2.35 in 2006.

By comparison with Greater Sydney, Randwick City is characterised by higher proportion of couples with children households at 26%, a trend which has increased from 24.5% in 2006. Similarly, the number of households with young children has increased from 13.3% in 2006 to just over 15% in 2011. This demonstrates the attractiveness of the area to young families.

Randwick City's lone person household groups has remained steady at around 25% of the population. Group households in Randwick City are considerably greater at 9.1% of the population when compared to the Greater Sydney proportion at 4.1% and 41.4% of Randwick City's population had a tertiary qualification in 2011. This is significantly higher than the greater Sydney proportion of population who had a tertiary qualification at 33.1%. In addition, more than 30% of residents in Randwick speak another language.

Individual and household incomes in Randwick are high. In 2011, 26.5% of Randwick City's total households were classed as high income compared to 22.6% in Greater Sydney. The areas with the highest percentages were Clovelly (43.1%); Coogee (35%), Randwick (29.8%), and Little Bay (27.1%). In 2011, 48.0% of Randwick City's employed population worked as managers or professionals compared to 38.7% in Greater Sydney. The presence of managers and professionals in the workforce generally indicates a more affluent, "white collar" area with a higher socio-economic status.

Comparable with other inner metro areas of Sydney, Randwick City has lost low income households in the area. This is shown in the graph below. The combination of a high proportion of the highest income quartile groups and the loss of lower income households indicates a 'gentrified' population and area.

2.1. Change in proportion of low income households

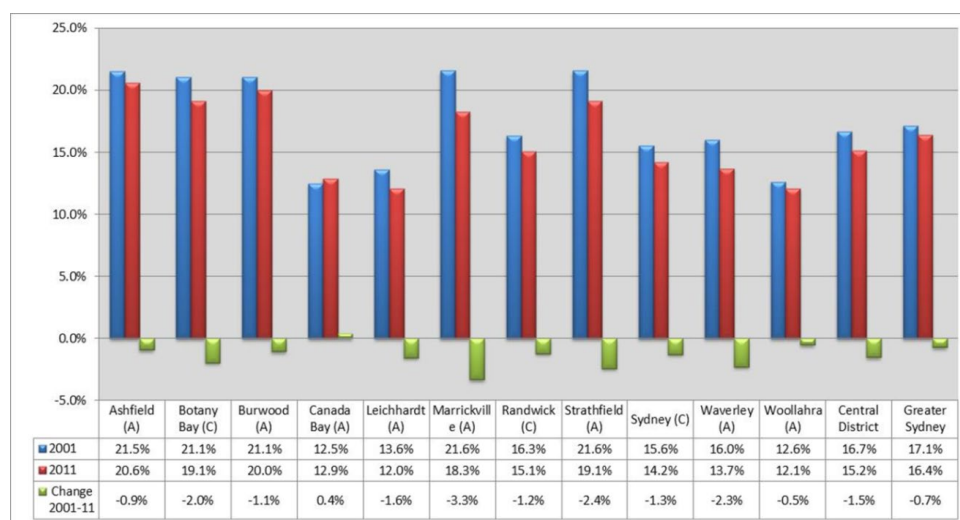


Figure 1: Change in % of low income households 2001-2011

Source: Judith Stubbs & Associates 2016²⁰

While Randwick City has a high proportion of highest income quartile groups, there are still pockets of disadvantage in the LGA. These areas are mainly found in the southern areas of the LGA in the suburbs of

La Perouse, Malabar, Matraville and South Coogee, reflecting the presence of major social housing estates in the area.

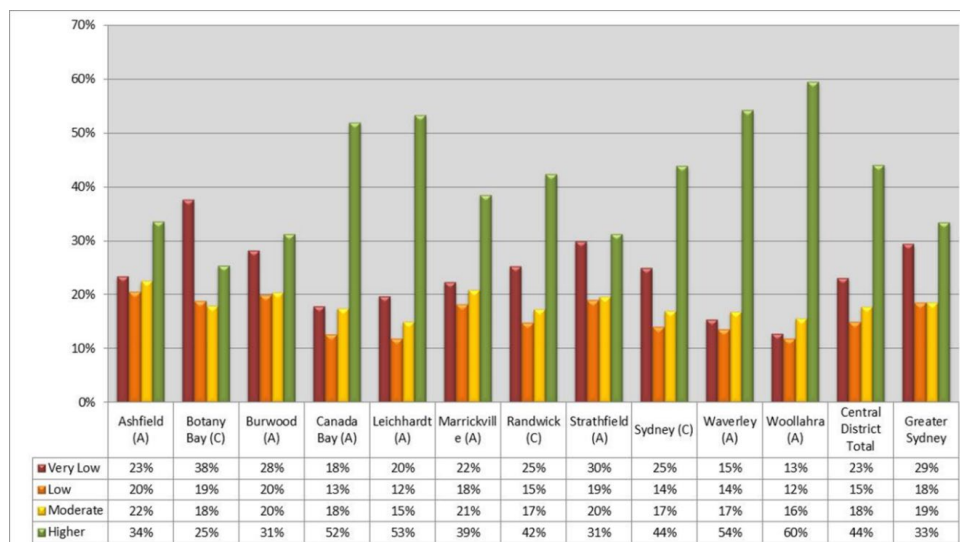


Figure 2: Proportion of Income Groups across the Central District region

Source: Judith Stubbs & Associates 2016^{iv}

2.2. Housing profile

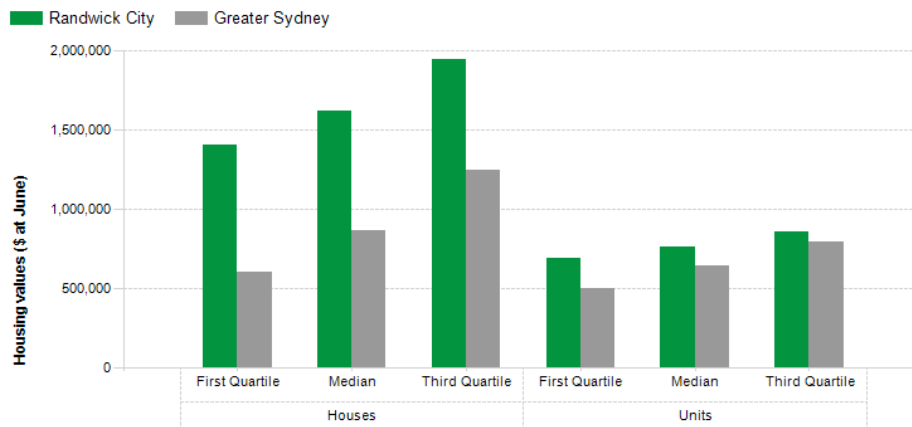
In Randwick City, 49% of households were purchasing or fully owned their home, 35.2% were renting privately, and 6.7% were in social housing in 2011. Compared to Greater Sydney (at 30.4%), Randwick has a significantly higher share of its population in rental households (at 35.2%). In 2011, the dominant tenure type in Randwick City was 'Renting - Private'. This was different to the dominant tenure for Greater Sydney, which was 'Being purchased'.

In 2011, 6.7% of Randwick City's households were renting their dwelling from a government authority (also known as Housing Commission or social housing) compared to 5.0% in Greater Sydney. Randwick City has a significant stock of social housing dwellings when compared to other LGAs, with most dwellings consisting of flats and apartments. The five areas with the highest percentages were: South Coogee (32.7%), Malabar (23.5%), La Perouse - Phillip Bay (17.4%), Chifley (15.5%) and Little Bay (14.0%).

2.3. High housing costs

As at June 2015, Randwick City had a median house valuation of \$1,621,718, which is \$756,578 **higher** than the median house valuation for Greater Sydney. Access to a significant share of Sydney's employment and high amenity values (proximity to the beach, services and shops) underpins these high land and house values in Randwick. In the past four years (2011-2015) the biggest house price change occurred in the first quartile of house values. Similarly, this was also true for rental listings.

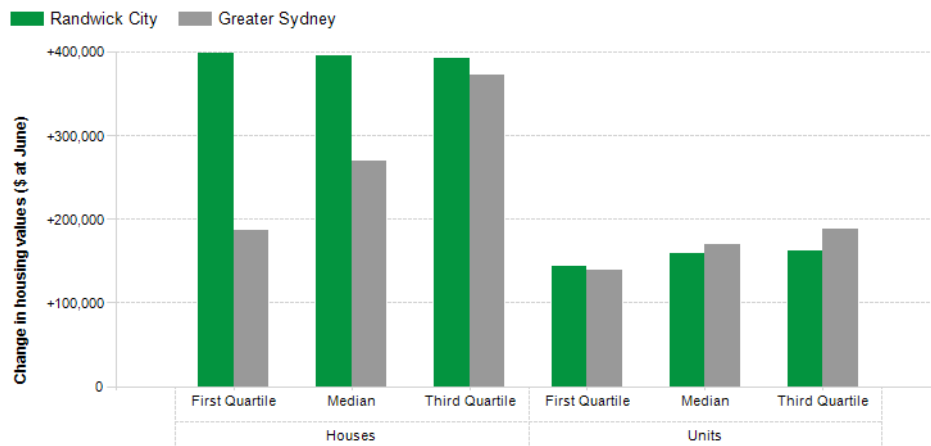
Housing values, 2015



Source: Hometrack 2011-2015, Housing Valuation System

.id
the population experts

Change in housing values, 2011 to 2015

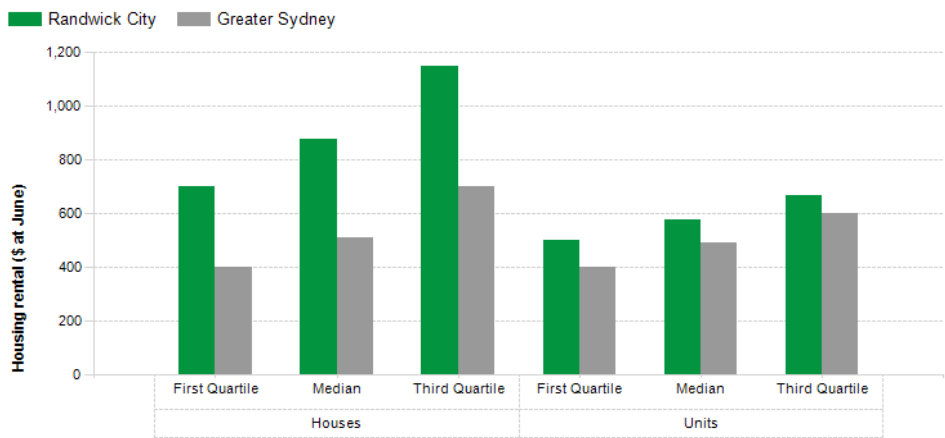


Source: Hometrack 2011-2015, Housing Valuation System

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As at June 2015, Randwick City had a median house rental of \$875, \$365 **higher** than the median house rental for Greater Sydney. High and increasing rents are an indication of a strong economy and a desirable area, with access to jobs and services.

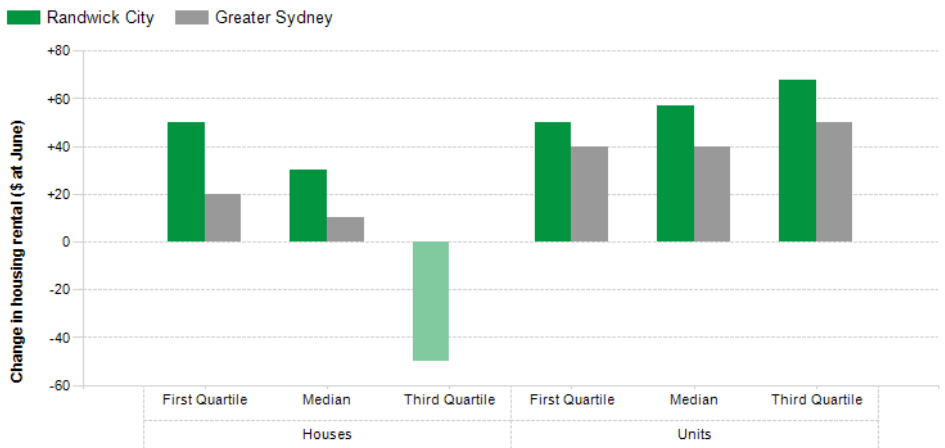
Rental listings, 2015



Source: Hometrack 2011-2015, Automated Valuation System



Change in rental listings, 2011 to 2015



Source: Hometrack 2011-2015, Automated Valuation System



The inner Sydney (including Randwick) residential rental vacancy rate has remained steady at 1.3 per cent. This is significantly less than the 3 per cent considered to be equilibrium and as such indicates a very tight rental market.

2.4. Housing supply

The State Government's focus for future housing supply, as outlined in *A Plan for Growing Sydney*, is to be targeted in strategic centres, transport corridors, (surplus) government land and areas identified for urban renewal.

In 2011, 49.6% of Randwick City's total dwellings were classed as two bedrooms or less compared to 31.2% in Greater Sydney. This is significantly larger than Greater Sydney and it reflects the older housing stock to the north of the LGA. The five areas with the highest percentages were to the north of the LGA i.e. Coogee (61.9%), Randwick (61.0%), Kensington (56.0%), Kingsford (47.7%) and Clovelly (47.0%).

Building approvals have continued to increase over the past five years. The overwhelming majority of building approvals and newly completed dwellings are in multi-unit form. While Randwick City has a range of housing forms i.e. low density residential to the south, master planned sites and higher density housing to the north, it is expected that medium to high density housing forms will be the primary form of new housing supply in the future. Furthermore, in light of the future local council amalgamations of Randwick City, Waverley and Woollahra councils, the LGA of Randwick City has the largest potential for future housing growth and in particular for affordable rental housing.

2.5. Characteristics of Existing Affordable Rental Housing Stock

The following information describes the nature of the Council's Affordable Rental Housing Program. Program Procedures & Guidelines are contained in Council's Affordable Housing Strategy (adopted in 2007), implemented within the Integrated Planning and Reporting Framework established by the Office of Local Government. Note that the Council's affordable rental housing portfolio is managed by two registered community housing providers, namely SGCH and Community Housing Limited (CHL) using the State Government's Affordable Housing household income benchmarks.

Community housing providers SGCH, Bridge and CHL confirmed that they do not own any affordable housing stock in Randwick LGA.

Randwick City Council owns a total of 20 units in perpetuity, located within private strata apartment blocks. The following outlines key characteristics of the property portfolio.

Portfolio as at July 2016	10 x 1br 9 x 2 br 1 x 3 br Total: 20 units
Constructed in	2010-2015 (0-5 years old): 10 units 2006-2009: (6-10 years old): 10 units
Located in the following suburbs	Randwick = 1 unit Little Bay = 9 units Matraville = 1 unit Maroubra = 9 units
Tenant profile	<ul style="list-style-type: none"> Working people on low to moderate incomes as per Housing NSW Guidelines Applicants demonstrated a connection to Randwick live or work in Randwick or have family in Randwick. Randwick Council employees not eligible to apply Essential services/key workers Ineligible for public/social housing.
Rent Policy	<ul style="list-style-type: none"> 25% or more off weekly median rent for Randwick LGA (not market rent), as long as the weekly rent doesn't exceed 75% of median rent for LGA Current rent for new tenant, given examples below are based on Randwick LGA's median rent figures (Housing NSW Rent and Sales Report No.116, Rent June quarter 2016; p. 5); 1 bed: \$500 pw median rent - \$375 pw maximum weekly rent paid by tenant or not exceeding 30% of a tenant's gross household weekly income (If the tenant earns \$60,000 per year or \$1,153 per week then the rent paid would be \$346 per week instead of \$375 for a 1 bedroom unit within Randwick LGA) 2 bed: \$620 pw median rent - \$465 pw maximum weekly rent paid by tenant or not exceeding 30% of gross household weekly income. Tenancy manager advertises for applicants when vacancy is available and assesses housing applications. Council staff are not involved in tenant selection but are kept informed before each new letting is confirmed Surplus income from Program are returned to an affordable housing account and reserved for affordable housing purposes.
Governance arrangements	<ul style="list-style-type: none"> Category 1 Community Housing Provider selected by competitive EOI process A Deed of Management Agreement is established with community housing provider. All day to day operations are contracted to them in return for an agreed fee structure. As part of the contract, the community housing manager implements the Program in accordance with stipulated program and procedures adopted by Randwick City Council. Contract period is for a max 10 year period after which an EOI process will commence to recruit a community housing provider for another 10 year cycle. Property management arrangements: 16 x St George Community Housing 4 x Community Housing Limited (4 units secured through a partnership construction project).

No further affordable housing units have been negotiated through VPA provisions, to date, due to limited opportunities.

Note only one unit is located in the northern half of Randwick City.

2.5 Changes in the supply of affordable and social housing

Despite an increase in building approvals across the City, Randwick City has continued to lose affordable housing stock. This is mainly due to increasing land/property values, increasing rents and the resultant loss of rental stock at the lower end of the market. As the table below illustrates, the proportion of affordable rental stock in Randwick has declined significantly for very low to low income households from December 2011 to December 2014, by more than 77% and 58% respectively.

Table 1: Change in affordable rental housing stock in Randwick City from 2011-2014

Area	% of affordable Rental stock for Very Low Incomes Dec 11	% of affordable Rental stock for Low Incomes Dec 11	% of affordable Rental stock for Moderate Incomes Dec 11	% of affordable Rental stock for Very Low Incomes Dec 14	% of affordable Rental stock for Low Incomes Dec 14	% of affordable Rental stock for Moderate Incomes Dec 14	% change Dec 11-14 for very low incomes	% change Dec 11-14 for low incomes	% change Dec 11-14 for moderate incomes
Randwick	4	6.8	30.5	0.9	2.8	27.1	-77.5	-58.8	-11.1

Source: Rental Bond Board (RBB) Data; Local Government Housing Kit, Centre for Affordable Housing

Similarly, social housing stock has also decreased from 7.5% in 2001 to 6.7% in 2011, despite population growth. This trend can be seen across most of the inner city local government areas, as shown in the graph below.

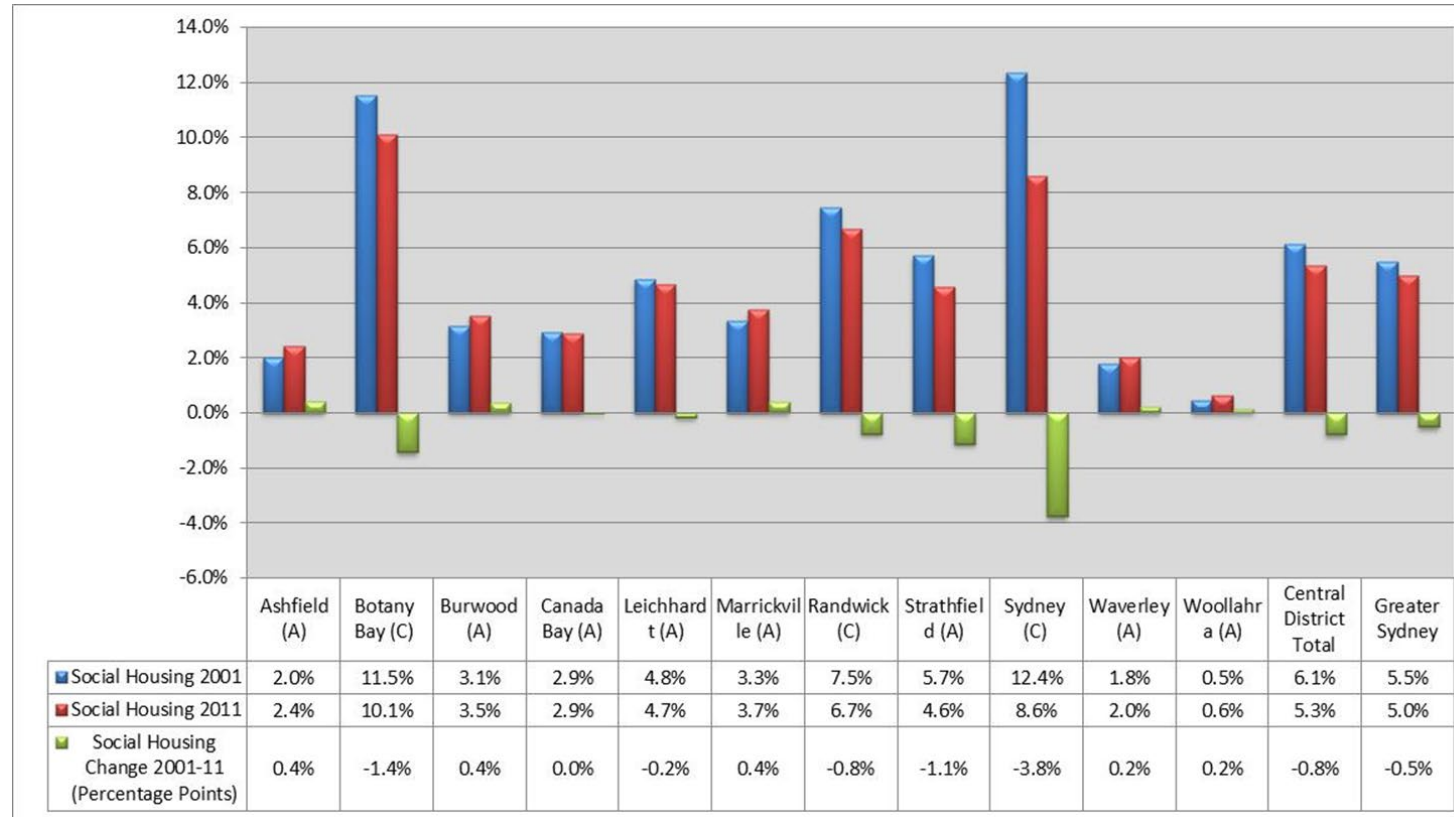


Figure 3. Change in social housing across the Central District region

Source: Judith Stubbs & Associates 2016^{xvi}

In 2009, the State Government introduced a State Environmental Planning Policy for Affordable Rental Housing (AHSEPP). The policy's intent is to increase the supply and diversity of affordable rental and social housing in the state. 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, since the policy was introduced there has been more than 500 boarding house rooms approved (under the SEPP) mostly to the north of Randwick City, around the UNSW. However, there is no requirement for these development types to provide subsidised rent to ensure they are delivering an affordable housing product to those households in need.

Anecdotal evidence suggests that the new generation boarding houses are meeting a demand for student accommodation being located close to the University. Newly constructed boarding houses with their own kitchenettes and bathrooms range from \$390-\$450 per week. Even these rents are not considered affordable for those households in the very low and low income bands (\$234-\$378 /week respectively). While these development types are providing a form of diverse housing type, they are in reality not 'affordable housing'.

Developments for infill affordable rental housing under the SEPP has had negligible take up due to high land values. As such, the ability of the Affordable Rental Housing SEPP to increase the supply of genuine affordable rental housing stock has limited applications in Randwick and similarly, for Woollahra and Waverley Councils.

2.6. Housing stress

In 2011, Kingsford had the highest proportion of people experiencing rental stress in Randwick City. Housing affordability has become a significant social and economic problem in recent years, and between 2006 and 2011 rents across Australia increased by close to 50%. In 2011, 20.5% of Randwick City's renting households were experiencing rental stress. The five areas with the highest percentages of households experiencing rental stress were: Kingsford (36.9%); Kensington (26.0%); Chifley (24.7%); Matraville (23.9%); and Malabar (22.9%).

2.7. Affordability trends

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. Indications are that the private housing and rental markets have yet to make the necessary adjustments so that households on low to moderate incomes can afford to pay for their housing costs without having to commute long distances to their workplace.

Affordability of 2 bedroom units (rent) was reviewed across the Sydney region. It was identified that these rents were only affordable to higher income households in most of all suburbs within 20km of the CBD, as shown in the map below.

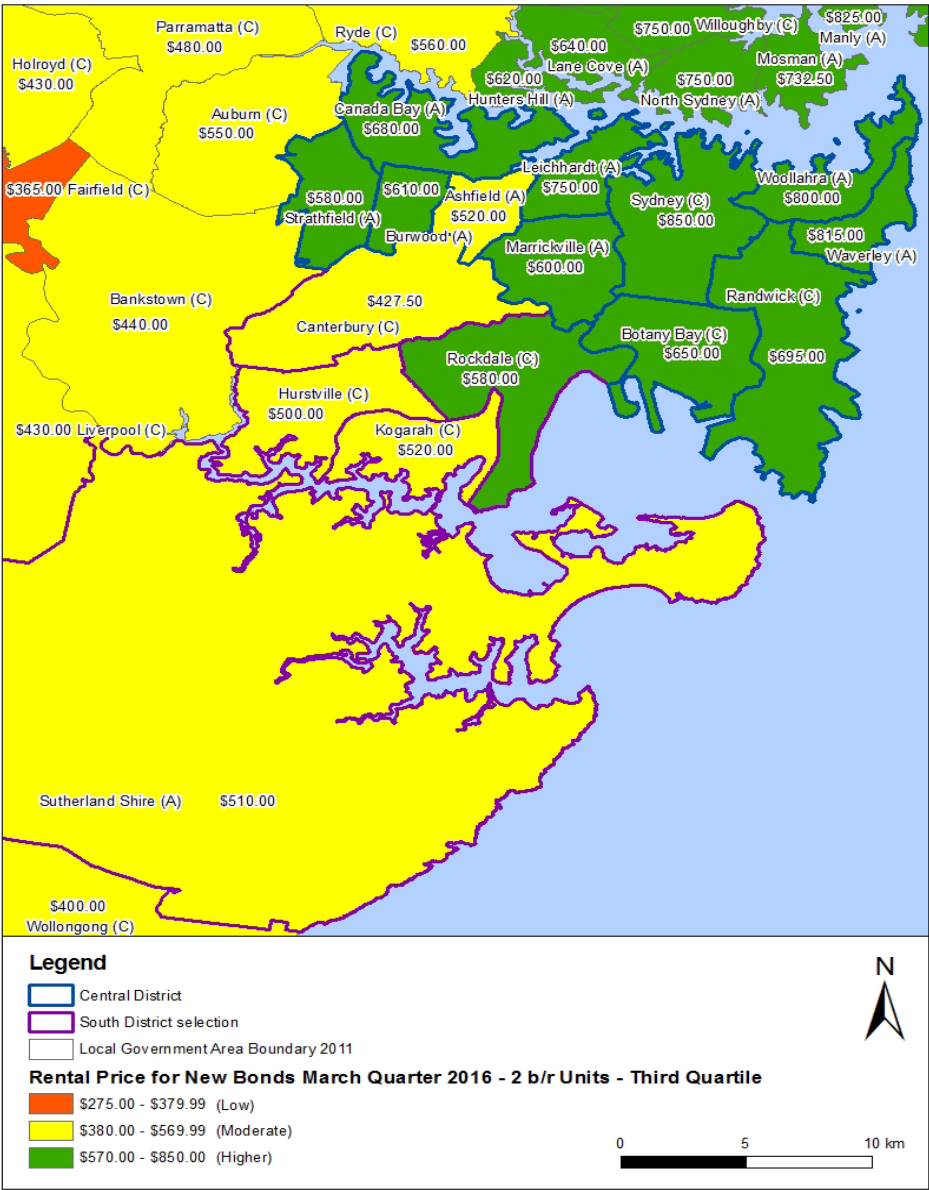


Figure 4: Affordability of 2 b/d units across the Sydney region
Source: Judith Stubbs & Associates 2016

Similarly, affordability of 3 bedroom houses (rent) was also reviewed across the Sydney region and it was identified that an even larger area across Sydney extending to the Sutherland Shire and Ryde were only affordable to these same higher income households.

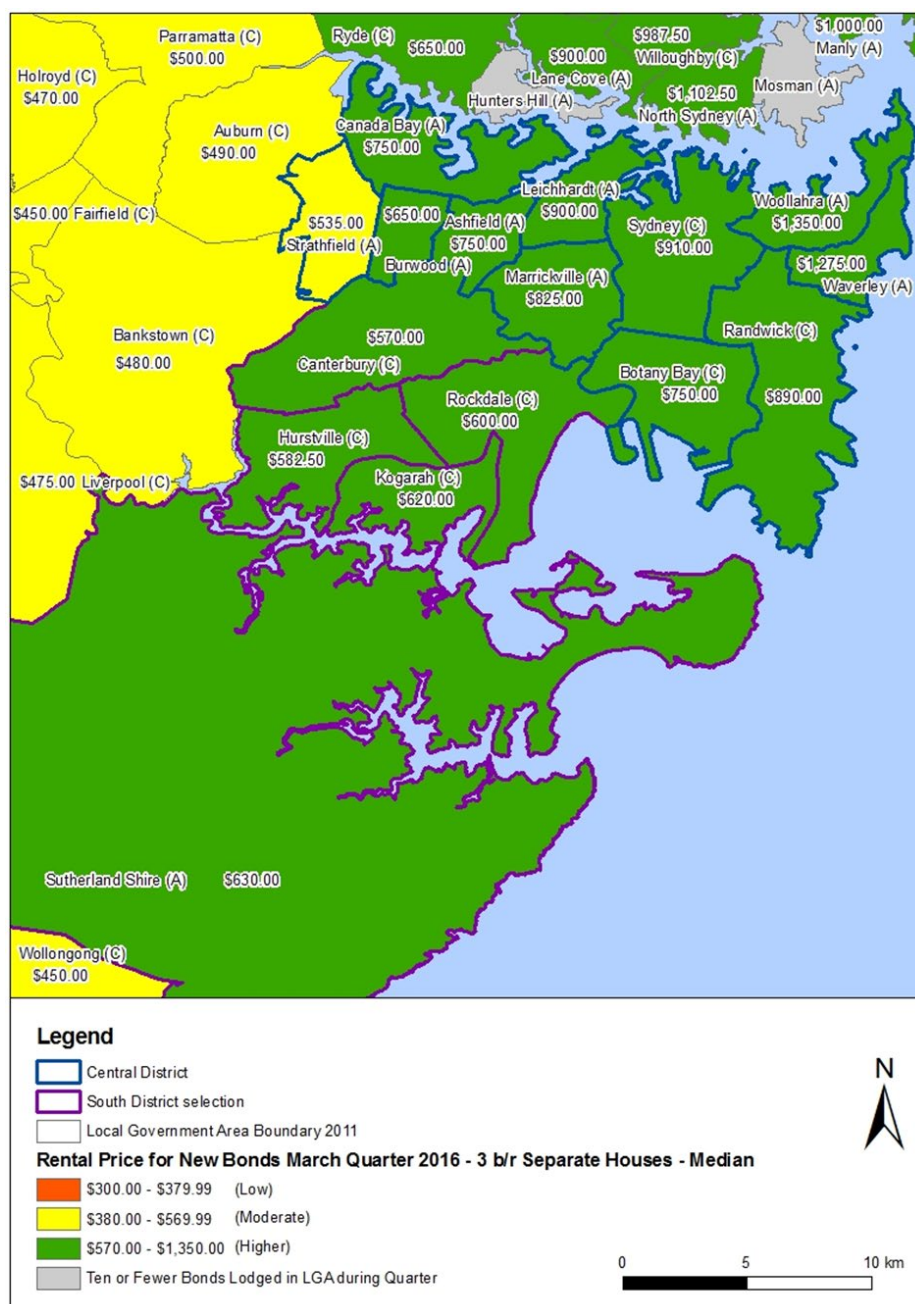


Figure 5: Affordability of 3 b/r separate houses across the Sydney region
Source: Judith Stubbs & Associates 2016

This demonstrates the extent of the (un)affordability trend which goes beyond Randwick City. Declining housing affordability decreases the number of affordable rental properties available and as mentioned above, this affects households on very low and low incomes the hardest.

3. Forecasting demand for affordable housing

3.1. Population, household and dwelling projections

The State Government projects that Randwick City's population will grow to 174,300 or an additional 36,500 people by 2031. Housing this population growth will require an estimated 15,150 additional new dwellings for an additional 14,000 new households across the LGA. Population growth will drive demand for additional housing, and particularly affordable housing close to employment areas^{xvii}. 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. Lower income households would need to move out of the area or may be prevented from finding housing in the area close to new employment opportunities^{xviii}.

Table 2: Local Government Area Population, Household and Dwelling Projections

TOTALS:	2011	2016	2021	2026	2031	Change +	% Change 2011-2031
Total Population	137,800	147,100	156,800	165,400	174,300	36,500	+26%
Total Households	55,000	58,600	62,200	65,650	69,050	14,050	+ 26%
Average Household Size	2.39	2.40	2.41	2.41	2.41		
Implied Dwellings	59,450	63,300	67,200	70,900	74,600	15,150	+ 25%

Source: New South Wales State and Local Government Area Population, Household and Dwelling Projections: 2014 Final

3.2 Employment projections

Randwick City's Gross Regional Product was \$8.01 billion in the year ending June 2015, the largest contribution being made from the education and training industry, producing an estimated \$1,324 million in 2014/15 and generating 11,784 local jobs. While the health care and social assistance industry produced an estimated \$1,116.2 million in 2014/15, it is Randwick City's largest employer, generating 12,719 local jobs in 2014/15^{xix}.

Of the 39,098 people who work in Randwick City, 15,682 or 40.1% also live in the area; and more than 23,000 persons travel into Randwick City for employment. The Randwick Education and Health Precinct is Randwick's largest employment destination. The precinct has a high concentration of retail, health and education employment and this is reflected by high levels of self-containment within these industries which is discussed in more detail below.

3.3 The Randwick Education and Health Strategic Centre

The Randwick Education and Health precinct is also identified as a strategic centre in the NSW Government's 'A Plan for Growing Sydney'. It is characterised by a concentration of education and health-related institutions, businesses and research presence including the University of NSW and Prince of Wales Hospital, Royal Hospital for Women and the Children's Hospital, Neuroscience Research Australia and the Lowy Cancer Centre. The University of New South Wales has more than 50,000 enrolled students and some 6,000 staff alone^{xx}.

Employment growth is expected to continue, especially in the health fields as demands rise with an ageing population and with advances in health research and treatment. Employment forecasts for the Randwick Education and Health precinct are projected to increase by 26% or an additional 3,920 jobs by 2031. Both the Children's hospital and the Royal Hospital for Women 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. 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.

Table 3: Employment forecasts for the Randwick Education and Health centre

	2011	2016	2021	2026	2031	% Change 2016-31
Randwick Education and Health	14,371	15,033	16,387	17,674	18,953	+ 3,920 + 26%

Source: September 2014 Release BTS Employment Forecasts

Research in 2013^{xxi} noted that the Randwick Education and Health precinct is an example of a current cluster of health and education related businesses and institutions within the Eastern Suburbs and this provides a platform for further growth of businesses and hence jobs within this industry sector. Advantages of clustering and colocation mean that Randwick continues to become more attractive as a location for health-related businesses^{xxii}.

Strategic planning is important for identifying the key elements needed to support an industry cluster. In recognition of the importance for future planning of the centre, Randwick City Council prepared (in 2011) a precinct plan with input and feedback from key stakeholders in the Centre, state government agencies, and the community. The precinct plan provides strategic directions and detailed actions for the future growth of the Centre. One of the key directions in the precinct plan, is the need to facilitate affordable housing for key workers through the planning framework to support the economic function of this unique strategic centre.

3.4 Setting an affordable housing target for Randwick City

Taking into consideration the State Government's projections for Randwick City, an affordable housing target is needed to ensure the delivery of affordable rental housing as part of any future supply of housing growth.

Current social and affordable housing rates in Randwick City have been estimated at approximately 7% of the total households or equivalent occupied dwellings. This takes into account the 2011 census estimate of 6.7% of the total households renting from the government in addition to the 20 affordable rental units in Council's affordable rental housing program dwellings (which equates to roughly 0.4% of total household stock). Note this rate does not take into account lower cost housing in the private market such as older residential flat buildings, boarding houses or secondary dwellings.

Therefore looking to 2031, the following table provides an indication of the number of new affordable rental and social housing dwellings that would be needed to achieve a target of 15% of the total proportion of households in Randwick to be dedicated to very low to moderate income households.

Some notes on a 15% target are as follows: a 15% target is consistent to that of the City of Sydney and would also align with the 2011 census estimate for Randwick City, in that 15.2% of total households were classified as low income compared to 16.0% in Greater Sydney. While Randwick City has a relatively higher proportion of social housing dwellings (6.7% when compared to greater Sydney at 5%), there is a

distinct lack of affordable rental housing for the low to moderate income in the area. As such, a higher target of 8% is applied to this group to help facilitate a housing product to meet this identified need.

Table 4: Setting an affordable and social housing target for Randwick

	Current rate	No. of households	Total no. of households (Census 2011)	Projected households to 2031	Additional no. of new social housing dwellings to achieve a minimum target of 7% by 2031	Additional no. of new affordable rental housing dwellings to achieve a minimum target of 8% affordable housing
Social housing	6.70%	3,433	51,292	69,050	1,400.5	
Dedicated affordable rental housing (RCC AH program)	0.04%	20				5,504
Total	6.74%	3,453	Additional no. of new social and affordable housing		1,400	5,504

Assumptions

1. One household equates to one occupied dwelling
2. Current social and affordable housing rate at approx. 7% rounded up
3. Social housing rate should remain at least 7%
4. Affordable housing rate should be at 8%
5. Therefore new affordable and social housing target to 2031 should be 15%

While the overall target of 15% of total households/occupied dwellings by 2031 is modest (especially compared to international affordable housing targets which is in the range of up to 50%) it would at the very minimum, a useful baseline to against further loss of low income households in Randwick; and importantly help provide the evidence base to mandate and advocate a proportion of all new dwellings to be provided as affordable housing; particularly in the absence of any state government targets which may or may not be set as part of the district planning process. Applying affordable housing targets are also pertinent in urban areas undergoing change which may be subject to resulting in a loss of existing affordable housing.

3.5 Urban areas undergoing change

Parts of Randwick City are undergoing change, as a result of infrastructure investment such as the CBD to South East Light Rail, gentrification and/or have been identified by the State Government for urban

renewal opportunities⁴. These areas include the Randwick Education and Health Strategic Centre and the Anzac Parade corridor. Such measures can increase land value which gives the landowner a 'value uplift'.

Requiring contributions for affordable housing, where there has been a value uplift arising from infrastructure investment or government action, will help contribute to the provision of affordable rental housing^{xxiii}, particularly in high value areas like Randwick.

The strategic location of these areas to key employment centres (ie Central Business District), makes the need to provide for affordable housing an essential consideration in the future planning of these areas; and without planning intervention the stock of affordable rental housing will continue to decline.

⁴ in the State Government's (2014) *A Plan for Growing Sydney*

4. The Randwick City Council 2016 Affordable Rental Housing Program

The intent of the Randwick City Council Affordable Rental Housing Program 2016 is to build and expand on Council's existing affordable rental housing program; and importantly to ensure the provision of affordable rental housing is provided in key strategic sites and urban renewal areas undergoing change, where the need for affordable housing is critically needed to ensure an economically viable Randwick City.

It is clear from this analysis that the demand for affordable rental housing in Randwick City outstrips any supply of new affordable rental housing. And while the Council has (since 2006) successfully acquired 20 affordable rental housing units for the community, it demonstrates that the current voluntary planning agreement approach is not delivering the scale of affordable rental housing that is needed for the community.

It is on this basis, that the Council requests the state government to enable a mandatory approach, via inclusionary zoning, to be applied in Randwick City to help deliver affordable housing for our residents to support the growth projections of our business communities.

4.1. About the program

As key sites and/or urban areas are identified for renewal or seeks a rezoning it is the intention of this program to map and list these sites in the LEP under Part 6 Additional Local Provisions in the LEP as 'Special Provisions - Contribution for the purpose of affordable housing'. Strategic justification and financial feasibility assessment is needed to provide the evidence base for the listing of these sites and the contribution requirement to provide for affordable rental housing. This would be provided as part of any future planning proposal which seeks to include additional sites and/or areas within the program.

It is proposed that a contribution towards affordable rental housing would be imposed as a condition of consent, subject to planning legislation allowing this imposition. The preferred mechanism for an affordable rental housing contribution is to be provided on-site, as actual affordable rental dwellings to be dedicated to the Council and managed by a registered community housing provider in accordance with Council's Affordable Rental Housing Programs and Procedures (2006) manual.

4.2. Characteristics of Future Affordable Rental Housing Stock

Newmarket Green

- The Council has negotiated via a voluntary planning agreement for 10 units to be dedicated as affordable housing.
- The estimated total number of dwellings proposed to be delivered on site is 750.
- Tenancy, rental and governance arrangements to be in accordance with Council's adopted Affordable Housing Program Procedures & Guidelines.

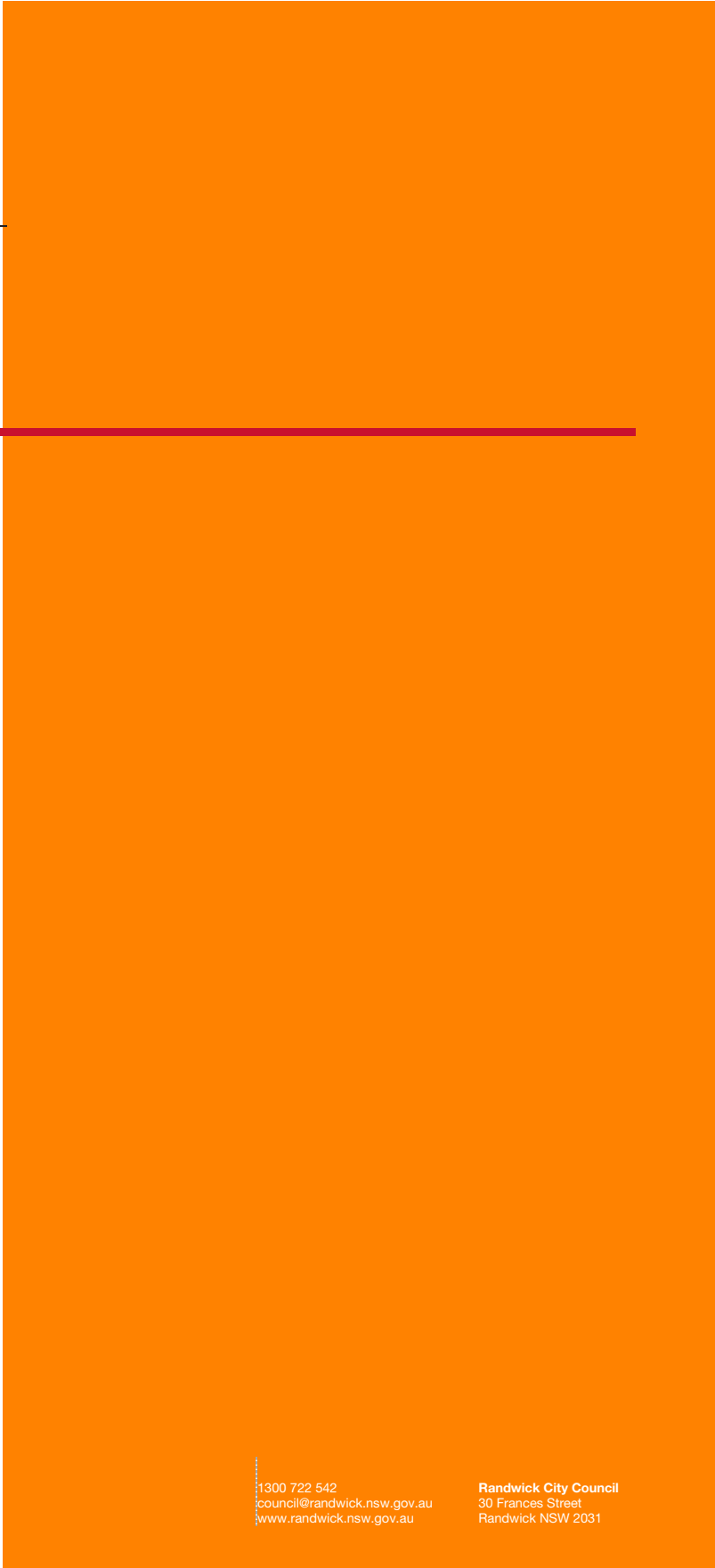
The Kensington and Kingsford town centres

- Estimated dwelling capacity for the town centres is 5,000. A two staged affordable housing levy is proposed for the centres commencing at 3% increasing to 5% to apply on all development applications for residential accommodation.
- It is estimated that the levy or contributions scheme has the potential to deliver more than 200 affordable dwellings for essential key workers in the area.
- The affordable dwellings would consist of mainly one and two bedroom units. However, the proposed scheme is contingent on Ministerial approval.

REFERENCES

- ¹ <http://www.sgsep.com.au/assets/RAI-Release-Report-Final-231115.pdf>
- ¹ Shelter NSW, 2012, *Housing terms fact sheet: A quick guide to housing jargon*, June 2012
- ¹ Stubbs, J. & Associates (2016) SSROC Affordable Housing Submission – Presentation – 12.08.16
- ¹ The Committee for Sydney (2016) *A City for All – Five Game-Changers for Affordable Housing in Sydney*
- ¹ Gabriel, M., Jacobs, K., Arthurson, K., Burke, T. & Yates, J. 2005, *Conceptualising and measuring housing affordability problems*, National Research Venture 3: Housing affordability for lower income Australians Research Paper No.1, Australian Housing and
- ¹ Atkinson, R., Wulff, M., Reynolds, M. & Spinney, A. 2011, *Gentrification and displacement: the household impacts of neighbouring change*, Australian Housing Urban Research Institute
- ¹ Yates, J 2005 *Are occupational choices affecting housing choices?* A (draft) Paper prepared for the Australian Social Policy Conference 2005, UNSW 20-22 July 2005, p.18 & 2.
- ¹ Randwick City Council (2007) Affordable Housing Strategy, p.15
- ¹ Darcy, M., Stubbs, J. Perry, J & Blunden, H. (2005) *Moving to work, moving from work. housing, travel, cost and key workers in Sydney*, Australian Social Policy Conference. UNSW July 2005.
- ¹ City of Sydney (April 2015) Housing Issues Paper, pg.2
- ¹ City of Sydney (April 2015) Housing Issues Paper, pg.9
- ¹ Ting, I. 2015 The Sydney Suburbs where minimum wage workers can afford to rent, Sydney Morning Herald, June 2015, <http://www.smh.com.au/nsw/the-sydney-suburbs-where-minimum-wage-workers-can-afford-to-rent-20150608-ghjc6v.html> 3
- Ting, I. & Wade, M 2015
- ¹ Randwick City Council (2007) Affordable Housing Strategy, p.15
- ¹ Stubbs, J. & Associates (2016) SSROC Affordable Housing Submission – Presentation – 12.08.16
- ¹ Stubbs, J. & Associates (2016) SSROC Affordable Housing Submission – Presentation – 12.08.16
- ¹ Stubbs, J. & Associates (2016) SSROC Affordable Housing Submission – Presentation – 12.08.16
- ¹ RDA Sydney 'Sydney Regional Plan 2013-2016'pg.18)
- ¹ City of Sydney Southern Employment Lands Affordable Housing Need Analysis
- http://www.cityofsydney.nsw.gov.au/_data/assets/pdf_file/0003/228945/150324_PDC_ITEM08_ATTACHMENTA12.PDF
- ¹ <http://economy.id.com.au/randwick/employment-by-industry>
- ¹ UNSW Australia 2015 At A Glance
- ¹ SGS economics 2013 Eastern Suburbs Economic Profile pg.16
- ¹ SGS economics 2013 Eastern Suburbs Economic Profile pg.15
- ¹ Shelter NSW 2015 *NSW Election 2015: 10 Key Issues p.4*

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Randwick City Council
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Director City Planning Report No. CP46/22

Subject: Randwick Comprehensive LEP Planning Proposal - Minimum Lot Size for Subdivision and Dual Occupancy

Executive Summary

- This report outlines the proposed amendments to the minimum lot size controls for subdivision and dual occupancy (attached) in the R2 Low Density Residential zone in relation to the Comprehensive Planning Proposal (CPP) and the proposed changes to the Randwick Local Environmental Plan (RLEP) 2012. The report relates to the proposed amendments that were recently exhibited in the Draft CPP.
- The CPP has been prepared to update the RLEP 2012 in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages Councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick LEP 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council retain its previous endorsement in relation to the proposed amendments to the minimum lot size controls for subdivision and dual occupancy (attached) in the R2 Low Density Residential zone that were publicly exhibited within the draft CPP.
- Council's resolution on this report will be forwarded to the Department of Planning and Environment, with the request that the amendments as endorsed by the resolutions be made to Randwick Local Environmental Plan 2012.

Recommendation


That Council:

- a) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to minimum lot sizes for the R2 Low Density Residential Zone as set out below:
 - i) Amend clause 4.1 to reduce the minimum lot size for subdivision of land zoned R2 Low Density Residential from 400m² to 275m², with the exception of land within a Heritage Conservation Area;
 - ii) Amend clause 4.1C to increase the minimum development lot size control for dual occupancy (attached) from 450m² to 550m² in the R2 Low Density Residential zone;
 - iii) Amend clause 4.4 Floor space ratio to:
 - Grandfather the sliding scale FSR controls for dwellings houses and semi-detached dwellings in the R2 Low Density zone under subclause (2A) and (2B) to only apply to lots that were created prior to the making of the proposed RLEP 2012 amendments
 - Apply a sliding scale FSR control for dwellings and semi-detached dwellings in the R2 Low Density zone on a lot created after the making of the plan as follows:
 - if the lot is between 275 square metres and 300 square metres - 0.65:1, or
 - if the lot is more than 300 square metres - 0.6:1.

- Apply a sliding scale FSR control for dual occupancies (attached) in the R2 Low Density zone as follows:
 - if the lot is between 550 square metres and 600 square metres - 0.65:1, or
 - if the lot is more than 600 square metres - 0.6:1.

- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to minimum lot size provisions for subdivision and dual occupancy in the R2 Low Density Residential zone and associated documents prior to submitting to the Department of Planning and Environment; and
- c) Forward that part of the Planning Proposal relating to minimum lot size controls for subdivision and dual occupancy provisions in the R2 Low Density Residential zone to the Department of Planning and Environment and requesting that the amendments be made to the Randwick Local Environmental Plan 2012.

Attachment/s:

1.  Table of Community and Stakeholder Submissions and Responses - Minimum Lots Size for Subdivision and Dual Occupancy

Purpose

This report outlines the proposed amendments to the minimum lot size controls for subdivision and dual occupancy (attached) in the R2 Low Density Residential zone in relation to the Comprehensive Planning Proposal (CPP) and the proposed changes to the Randwick Local Environmental Plan (RLEP) 2012. The report relates to the proposed amendments to the subdivision and dual occupancy (attached) controls that were exhibited in the Draft CPP.

The report seeks the endorsement of the proposed amendments to the minimum lot size controls for subdivision and dual occupancy (attached) in the R2 Low Density Residential Zone and the proposed changes to the RLEP 2012 that were publicly exhibited in the Draft CPP.

Discussion

Background

The CPP has been prepared to update the RLEP 2012 in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils to undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).

The CPP also implements the findings and recommendations of studies and strategies undertaken by Council over recent years including the Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy and relevant Informing Strategies endorsed by Council in recent years.

At the Extra Ordinary meeting of Council held on 1 June 2021, Councillors endorsed draft Comprehensive Planning Proposal for submission to the Department of Planning seeking a Gateway Determination to enable its public exhibition. The Planning Proposal was considered as five separate reports covering various aspects of the Planning Proposal. A Gateway Determination was issued by the Department on 12 September 2021 with conditions.

On 26 October 2021, Council resolved to endorse a Council Officer submission seeking a review of certain conditions on the Gateway Determination.

At the Ordinary Council meeting held on 22 March 2022, Council considered a report that advised of the outcome and implications of the Gateway Review and Alteration that was submitted to the DPE on 7 November 2021. At this meeting Councillors noted the outcome of the Gateway Review that required amendments to the Planning Proposal prior to public exhibition and resolved that *"the amended Planning Proposal be presented at the Ordinary Council Meeting in April for consideration prior to public exhibition."*

On 26 April 2022, the draft CPP was considered by Councillors in accordance with the above resolution. At this meeting Councillors resolved to make changes to the Planning Proposal in relation to the Economic Development section; use of land at 58-64 Carr Street Coogee and to amend the minimum lot size for dual occupancy to 650m².

An Extra Ordinary Council meeting was held on 3 May 2022 to deal with a rescission motion to the resolution of 26 April 2022, received from a number of Councillors. At this meeting the following resolution was endorsed by Councillors:

RESOLUTION: (Said/Neilson) that Council:

- a) *endorse the exhibition of the Comprehensive Planning Proposal and associated document;*
- b) *authorise the Director of City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Comprehensive Planning Proposal and associated documents prior to public exhibition;*

- c) *that the public exhibition/consultation communications are explicit in outlining Council's objection to the Gateway conditions imposed, the overall housing target imposed on the Randwick LGA which this planning seeks to achieve, and that Randwick City Council is under direction by the NSW Government to prepare an updated LEP document. That the consultation also ask residents as to the suitability of encouraging additional dual occupancy development considering impacts on-street parking impacts, frontages, greenery, and the appropriateness of specified locations concerning transportation for such a style development.*

Volume 1 Objectives and Intended Outcomes 1.2.4 Economic Development (p8) Third bullet - add the words "in Business zones where appropriate" so it reads: "Standardise and extend trading hours for shops and low impact business premises in Business zones where appropriate."

Volume 2 A. Planning Proposal Timeline Attachment B. LEP Clause and Schedule Changes Schedule 1 Additional permitted uses

1. Use of land at 58-64 Carr Street, Coogee (2) add "in conjunction with the site specific DCP." So this item to read "Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP."

The specific amendments outlined in the above resolution were actioned by Council officers in the draft Planning Proposal and exhibited material.

On the 31 May 2022, the CPP was placed public exhibition for 6 weeks until 12 July 2022 as part of an extensive and well publicised community engagement process. A number of submissions were received in relation to the proposed amendments to the minimum lot size controls for subdivision and dual occupancy (attached) in the R2 Low Density Residential zone.

Review and analysis of the submissions were undertaken in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities, Eastern City District Plan, Randwick Local Strategic Planning Statement and Randwick Housing Strategy.

Minimum Lot Size for Subdivision and Dual Occupancy

Background and context

The CPP seeks to create consistency in Council's planning approach by aligning LEP controls for the construction and subdivision of attached dual occupancies within the R2 Low Density Residential zone. In short, this means that if a site is large enough to construct an attached dual occupancy, it should also be large enough to subdivide into two lots (subject to assessment under other relevant standards of the LEP and DCP). Changes to floor space ratio controls are also proposed to allow appropriate built form with adequate deep soil planting and landscaping.

The reduction in minimum lot size in the R2 Low Density Residential zone will result in the increase in semi-detached typology of dwellings in the Randwick LGA. In turn, this will increase housing diversity, affordability and choice for a range of household types such as families and couples to support the LGAs growing population, whilst allowing for a moderate increase that will protect the character of the R2 Low Density Residential zone. The proposed changes to the minimum lot size for attached dual occupancies are projected to deliver around 474 new dwellings over the next 5 years. Figure 1 below illustrates the lots within the Randwick LGA that have a minimum lot size of 550m² and a 15m frontage.

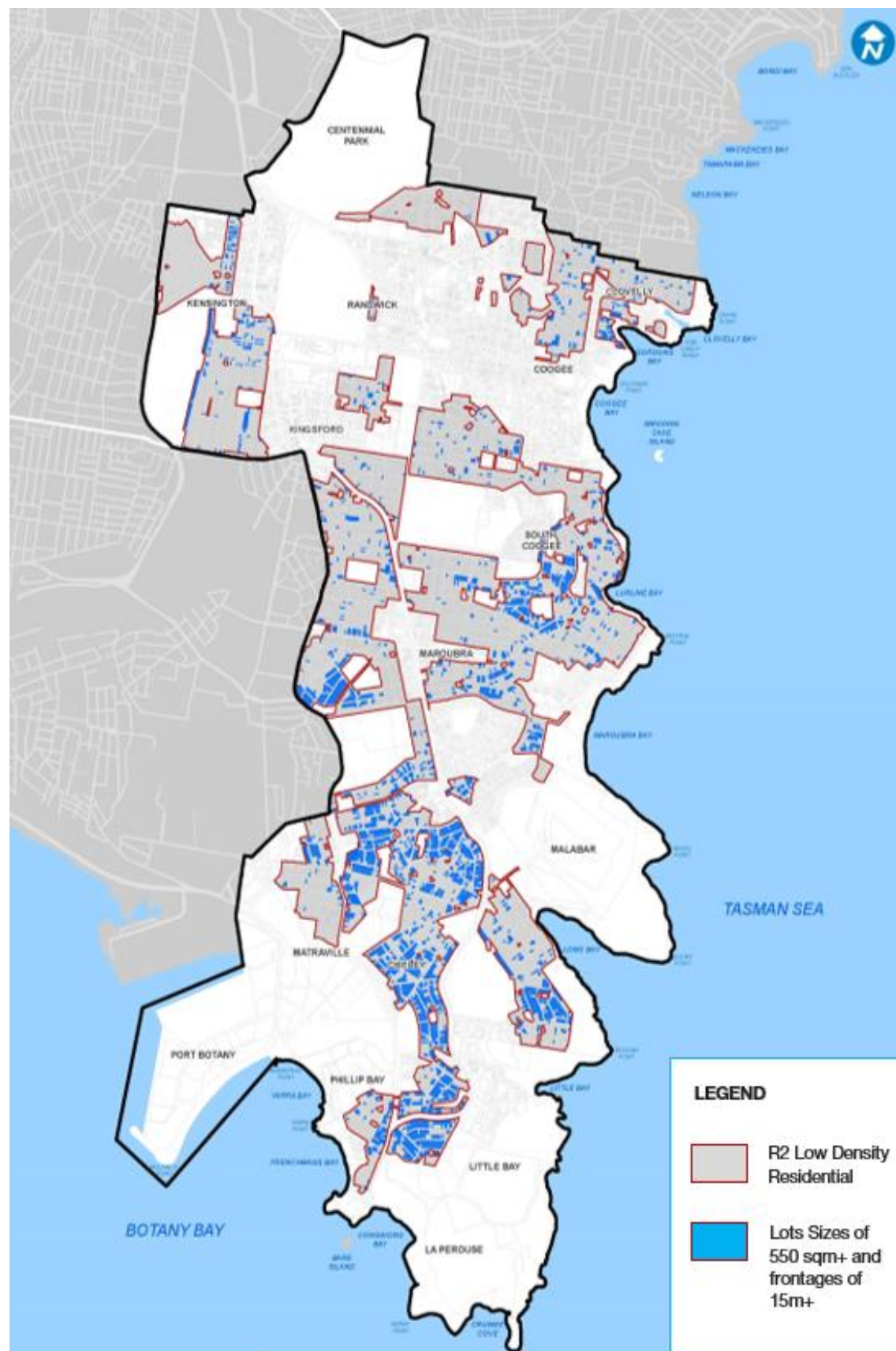


Figure 1: Lot sizes in the R2 Low Density Residential zone

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The below table illustrates how these sites are distributed across the LGA, expressed as a percentage of sites per suburb that are within the R2 zone and have an area of 550sqm or more and have a frontage of 15m or more.

Suburb	Percentage of all potential lots
Chifley	16.1%
Clovelly	0.6%
Coogee	1.84%
Kensington	4.81%
Kingsford	3.6%
La Perouse	0.36%
Little Bay	10.05%
Malabar	7.21%
Maroubra	21.31%
Matraville	26.07%
Philip Bay	1.28%
Randwick	1.40%
South Coogee	5.37%
TOTAL	100%

Summary exhibited changes

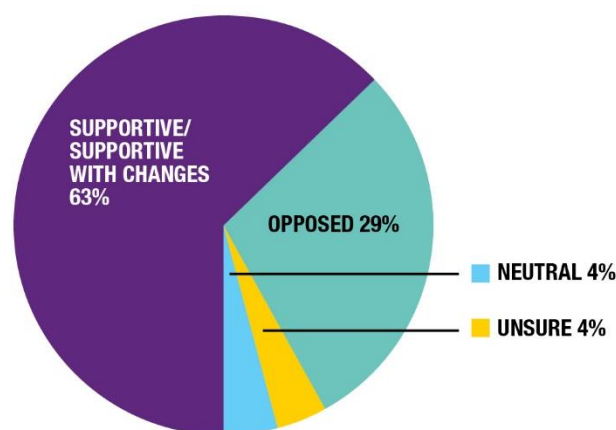
The publicly exhibited CPP amendments for minimum lot size controls are outlined in the table below.

Control	Existing	Proposed
Minimum development lot size to construct a dual occupancy (attached)	450m ²	550m ²
Minimum lot size to subdivide a dual occupancy (attached)	800m ² (create two 400m ² lots)	550m ² (create two 275m ² lots)
Floor space ratio	0.5:1 FSR	550-600m ² : 0.65:1 FSR 600m ² and greater: 0.6:1 FSR

Overview of submissions

Comments relating to the proposed minimum lot size/dual occupancy amendments were raised a total of 96 times in the written community submissions received. The following table provides a summary of the submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position, or it was unclear.

Minimum lot size/dual occupancy submissions	Response
Supportive/supportive with changes	63% (60) *
Opposed	29% (28)
Neutral	4% (4)
Unsure	4% (4)
TOTAL	100% (96)



* Total includes one petition in support with 305 signatures for heritage, HIA, Dual occupancy and affordable housing provisions. For the purpose of the totals in the above data, the petition has been counted as one submission.

Community comments received via the targeted telephone survey provided the following responses with respect to the minimum lot size controls:

- 67% respondents thought dual occupancy developments provide important housing options for families
- 42% thought increasing opportunities for dual occupancies is important
- 65% agreed with the premise that if people are permitted to build dual occupancies they should also be permitted to subdivide them
- There was acknowledgement that dual occupancies impact on-street parking supply (79%), concern about amenity impact (53%) and 47% were concerned about the lack of public transport
- When asked directly if people supported the 275m2 lot size, 40% agreed and 34% disagreed.

Comments in relation to the minimum lot size provisions were also received from the following stakeholders:

- Land and Housing Corporation
- Department of Education / School Infrastructure NSW
- Sydney Water.

These stakeholder comments and detailed responses can be view in **Attachment 1** to this report.

Key issues and responses

Key issues raised in written community submissions, stakeholder submissions and via the telephone survey in response to the proposed minimum lot size and dual occupancy amendments are summarised below and a response is provided. Detailed responses are provided in **Attachment 1**.

- Housing supply, diversity and affordability – submissions were received both in support and opposition of the controls in relation to supply, diversity and affordability of housing. Submissions in support noted that the amended controls would deliver more housing and thus increase housing supply and in turn, affordability, and would provide a more diverse form of housing in the form of dual occupancies. Those opposed maintained that the controls would reduce diversity by allowing an increase of one type of development and would impact housing affordability as older dwelling are replaced with new builds. Housing affordability was also raised by the **Land and Housing Corporation** who have stated that increasing the minimum lot size for construction of a dual occupancy from 450m2 to 550m2 will reduce supply and therefore affordability.

Response - To inform the proposed controls, Council officers undertook a detailed analysis to verify that a lot size of minimum 550m2 was appropriate. The proposed

amendments to the minimum lot size subdivision provisions for dual occupancies (attached) in the R2 Low Density Residential zone will provide additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term.

Council Officers previously conducted analysis on lot sizes of 450m² and 650m² in the R2 Low Density Residential zone. Analysis found that a reduction in the minimum lot size to a minimum of 450m² would result in a significant increase in density in the southern portion of the LGA that is less serviced by public transport and with limited access to shops and services. Alternatively, a 650m² minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Analysis concluded that a lot size of 550m² is the most appropriate lot size for dual occupancies (attached) in Randwick City.

Aligning the lot sizes for construction and subdivision to 550m² will make the development of attached dual occupancies more appealing and therefore, it is expected that the rate of uptake for this type of development will contribute to housing supply. In comparison, aligning the lot sizes for construction and subdivision to 450m² would result in a significant increase in density in the southern parts of the LGA as there are a greater number of lots within this range in the south of the LGA. While this may seem desirable from a supply point of view, it has the potential to result in unsustainable growth in areas which are less serviced by public transport and with limited access to shops and services.

The subdivision of a dual occupancy (attached) will result in a pair of semi-detached dwellings as the housing form is subdivided into two separate dwellings on two separate lots. The reduction in minimum lot size in the R2 Low Density Residential zone will result in an increase in semi-detached dwellings in the Randwick LGA. In turn, this will increase housing diversity, affordability and choice to a range of household types to support the growing Randwick City population, whilst allowing for moderate increase in dwellings in a built form that will protect the character of the R2 Low Density Residential zone.

Notwithstanding, it is not expected that all lots of 550m² in the R2 zone will be redeveloped as attached dual occupancies. Council's analysis of recently approved development application for dual occupancies (attached) in the R2 Zone between July 2018 and August 2021 indicates that 79% of approved dual occupancies are on lots on 550m² or greater. This indicates that the number of development approvals for dual occupancies (attached) on lots of 550m² or less represents a smaller proportion (21%) of approvals. There will continue to be a need for existing single dwellings on larger lots provide an important housing type in the Randwick LGA. Further, alternative housing options such as secondary dwellings (or granny flats) on lots over 450m² continue to be a permissible form of development in all residential zones of the LGA under the State Environmental Planning Policy (Housing) 2021, further contributing to housing diversity and affordability.

- Traffic, transport and parking impacts of increased dual occupancy developments.

Response - A number of submissions raised concerns regarding on-site parking rates and the impact on off-street parking capacity. The Randwick Development Control Plan (DCP) 2013 requires each new dual occupancy to provide onsite car parking at the rates below for dual occupancies (attached). Analysis undertaken by Council officers demonstrated that onsite car parking can be accommodated on a 550m² allotment with the floor space ratios proposed under the draft LEP.

Vehicle parking rates for dual occupancies

- 1 space per dwelling with up to 2 bedrooms
- 2 spaces per dwelling house with 3 or more bedrooms.

The DCP also contains objectives to guide the proper integration of car parking and vehicle access into the architecture of buildings so they do not present as prominent, intrusive features. New developments are assessed to ensure car parking and access do not visually dominate the property frontage or streetscape. For dual occupancy

development approved under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, design guidance is provided in the Low Rise Housing Diversity Design Guide.

Dual occupancy development may result in an additional vehicle driveway, which in turn has the potential to reduce the amount of available off-street parking. However, the minimum 15m frontage requirement in the DCP means that sites can usually accommodate a vehicle crossover, and off-street parking space together with landscaped gardens in the minimum 7.5m provided for each dwelling.

<i>Field</i>	<i>Unit</i>	<i>Comment</i>
<i>Entire Site Area</i>	550 m ²	Minimum proposed
<i>Individual Lot Size</i>	275 m ²	Minimum proposed
<i>Gross floor Area</i>	153 m ²	Excl. car parking and stairs
<i>Floor Space Ratio</i>	0.55:1	Complies – LEP FSR for a <u>typical</u> R2 site of 0.65:1
<i>Site coverage</i>	47%	Complies - RDCP maximum of 60% site coverage
<i>Deep soil</i>	44%	Complies - RDCP minimum 20% Deep soil area
<i>Private Open Space</i>	5m x 5m	Complies - RDCP minimum 5m x 5m area (shown below)

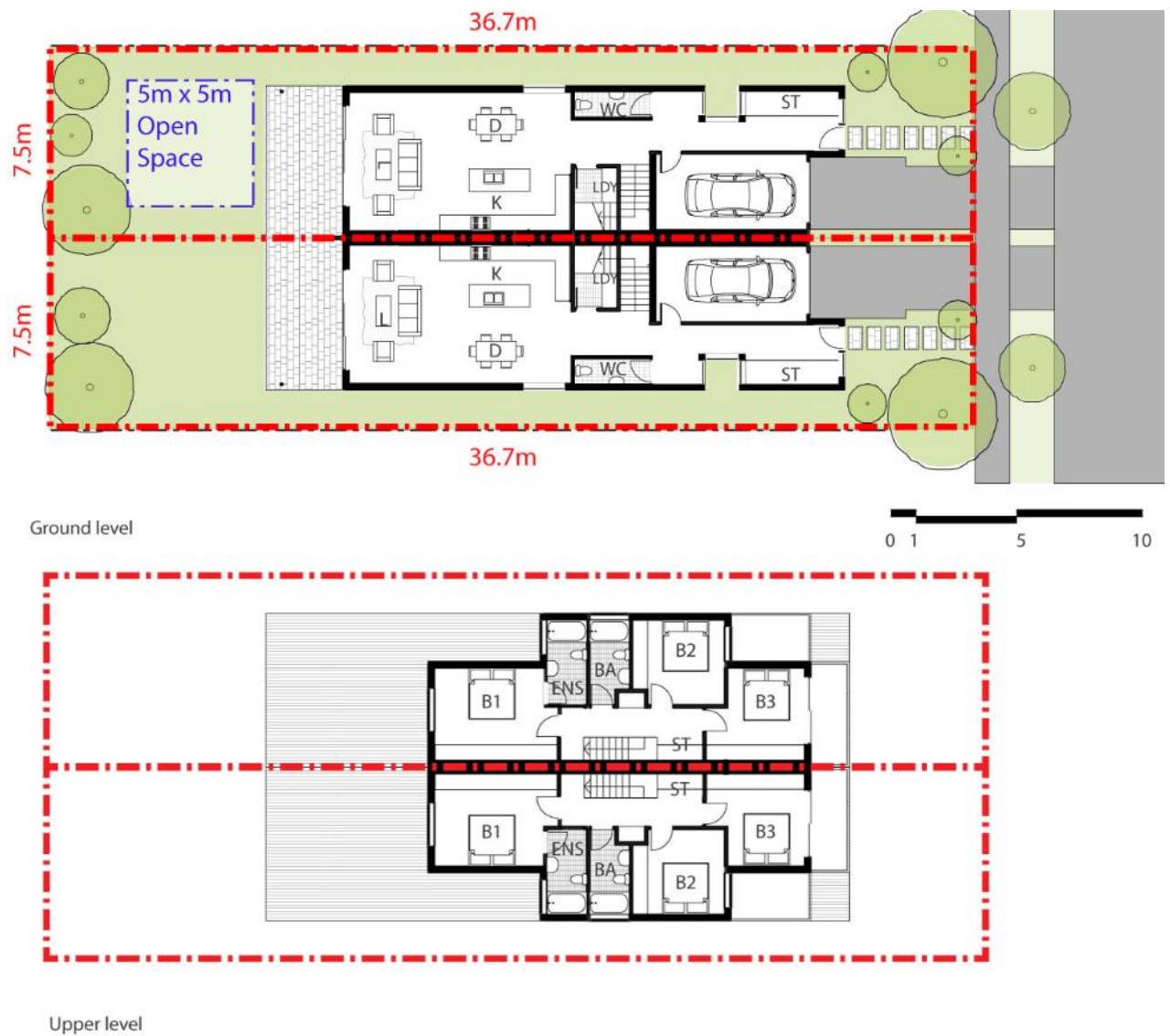


Figure 2: Attached dual occupancies on individual sites of 275m² showing parking, site access and landscaping

Traffic impacts and the lack of public transport services were also a concern, primarily in the south of the Randwick LGA. The northern portion of the Randwick LGA is well serviced by public transport. As stated above, Council Officers investigated the potential dual occupancy (attached) dwelling yield in the R2 Low Density Residential zone based off lot sizes of 450m², 550m² and 650m². A lot size of 450m² for dual occupancies (attached) would result in a significant increase in density in the southern portion of the Randwick LGA which is not as well serviced by public transport. A lot size of 550m² will provide a moderate amount of additional housing in the southern portion of the LGA that will not cause an unacceptable burden on existing public transport services or the local road network.

- Amenity impacts including streetscape appearances, overshadowing, privacy, noise, views and construction impacts.

Response – To inform the proposed dual occupancy (attached) controls Council officers undertook a detailed analysis to verify the most appropriate minimum lot size for a dual occupancy (attached) that could reasonably accommodate a dwelling whilst ensuring a good urban design and amenity outcome. Analysis concluded that a minimum lot size of 550m² is appropriate for the development of an attached dual occupancy, with the resulting lot size of 275m² being able to provide acceptable amenity, for residents of the site and adjoining properties. In this regard, 275m² can accommodate a compliant development containing 2-3 bedroom dwelling with ample internal living space, usable private open space and sufficient setbacks to address privacy and solar access.

The proposed sliding scale floor space ratio (FSR) would realise a built form which is similar in scale to a semi-detached dwelling while still allowing for adequate deep soil planting, permeable surfaces, setbacks, private open space and landscaped area. These moderate increases to FSRs and no changes to the height of building and minimum frontage widths (for dual occupancy development) will ensure that new dual occupancy developments complement the existing low density character of the R2 Low Density Residential zone. Development controls regarding appropriate site frontages, setbacks, privacy, overshadowing, views and vistas, landscaping, permeable and deep soil provision will be further strengthened as part of the comprehensive DCP review to ensure buildings respond to and enhance qualities and streetscape of a neighbourhood. In regards to construction impacts, concerns were raised regarding noise, flooding, groundwater and waste management. The LEP does not encompass construction related matters, rather, potential construction impacts will be managed through conditions of consent that are placed on development consents.

- Environmental and open space impacts including lack of new open space areas, loss of trees and controls around landscaping and deep soil areas.

Response – Analysis concluded that a minimum lot size of 550m² can accommodate adequate deep soil planting, permeable surfaces and landscaping. Development controls for site frontages, setbacks, landscaping, permeable and deep soil provision will be further reviewed as part of the comprehensive DCP review to ensure that there are sufficient landscaped areas on a site to allow for increased tree canopy cover across the R2 zone. Furthermore, development controls will require dual occupancies (attached) and driveways to be designed to retain existing and mature trees where possible and replacement tree planting will be required for trees that are removed on-site as part of dual occupancy (approvals).

A number of submissions raised concerns about increased density and a lack of additional open space being provided for the Randwick City area. The majority of the allotments that will be opened up from the proposed dual occupancy (attached) controls will be located in the south of the Randwick LGA. As identified in the Randwick City Open Space and Recreation Needs Study 2020, there is approximately 284ha of Council-managed open space in the Randwick LGA. This equates to 17.34m² of Council-managed open space per Randwick City resident by 2026. Maroubra is likely to have 30.3m² of Council-managed open space per person, and La Perouse, Malabar and Chifley will contain 33.3m² of Council-managed open space per person by 2026. Council

will continue to monitor the provision of open space to ensure adequate publicly accessible open space is available to all residents. It is also noted that the DCP will require that a minimum amount of private open space be provided onsite for each dwelling onsite.

- Impacts of additional density on local and regional infrastructure.

Response – The proposed increase in the minimum lot size for a dual occupancy (attached) will result in a moderate increase in housing supply across the Randwick LGA with an estimated dwelling yield from 2021 to 2026 of 474 dwellings.

As a part of the consultation for the planning proposal Council consulted with the **Department of Education – School Infrastructure (SINSW)**. SINSW advised that the enrolment demand resulting from the proposed development can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.

NSW Health and **Sydney Water** were also consulted with as a part of the consultation. No issues were raised as to whether the proposed changes would have unacceptable impacts on health or water infrastructure.

- Concern over the design quality and appearance of new buildings and changes to existing local character.

Response – With regard to the design quality and appearance of new dual occupancies (attached), development applications that are granted approval for this type of development will have conditions placed on the consent that will require the development to be built in accordance with the requirements of the Building Code of Australia. Design provisions will be required to be addressed as a part of the DCP.

The proposed attached dual occupancy controls will not negatively impact on the existing local character of the R2 Low Density Residential zone and it is noted that dual occupancies (attached) are already a permissible land use in the R2 zone. As noted previous, design analysis has concluded that a minimum lot size of 550m² is appropriate for this type of development. The proposed sliding scale FSR would realise a built form which is similar in scale to a semi-detached dwelling. These moderate increases to FSRs and no changes to the height of building and minimum frontage widths (in addition to good design requirements in the DCP) will result in appropriate density of new dual occupancy developments within the existing low density character of the R2 Low Density Residential zone.

- Concern over loss of development potential for lots below 550m².

Response – Submissions raised concerns that existing lot sizes between 450m² and 550m² were being unfairly disadvantaged as they would no longer be able to construct an attached dual occupancy under the new planning controls. In response to this, it is important to note that numerical planning controls are not static and have been reviewed based on detailed design analysis and to ensure alignment with changing planning priorities and strategies. Development applications that have been lodged prior to the gazettal of the dual occupancy (attached) controls will still be considered under the existing controls to provide certainty to those applicants with a development application already underway. However, it is best practice to apply the new planning controls to any development application submitted after the date of the LEP gazettal so the strategic intent of the changes are not eroded by development relying on a previous planning regime.

A number of submissions called for a savings provision that would allow dual occupancies (attached) that have already been approved and constructed on lot sizes between 450m² and 550m² but have not been subdivided to be able to be subdivided under the new controls. Council officers have considered such a provision for dwellings approved under

clause 4.1D of RLEP 2012. Clause 4.1D allows the subdivision of attached dual occupancies (attached) in the R2 zone that were approved prior to 6 July 2018 in line with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. However, a clause of this nature may set an undesirable precedent and compromise the integrity of new minimum lot size of 550sqm. As noted above, it is best practice to apply the new planning controls to any development application submitted after the date of the LEP gazettal. It is also noted that potential exists for these properties to be subdivided under strata title as per clause 6.2 of the Exempt and Complying Development Codes SEPP, for those developments approved under the SEPP. Further, secondary dwellings will remain a viable option for lots under 550m2, pursuant to the Housing SEPP.

Recommendation

In response to submissions, no amendments are proposed to the exhibited documents. It is recommended that Council supports the proposed amendments to the RLEP 2012 in relation to the minimum lot size controls in the R2 Low Density Residential zone in the post exhibition draft CPP, as per the public exhibition documentation:

- Reduce the minimum lot size control under clause 4.1 for all land zoned R2 Low Density Residential from 400m2 to 275m2 (with the exception of land within a Heritage Conservation Area);
- Increase the minimum development lot size control for dual occupancy (attached) under clause 4.1C from 450m2 to 550m2 in the R2 Low Density Residential zone;
- Apply a new sliding scale FSR control for dual occupancy (attached) in the R2 Low Density Residential zone under clause 4.4:
 - Lot sizes of 550m2 - 600m2: 0.65:1 FSR
 - Lot sizes of 600m2 and greater 0.6:1 FSR

Post exhibition housekeeping changes

Clause 4.4 Floor space ratio

As outlined above, amendments to clause 4.4 Floor space ratio are proposed to allow a sliding scale FSR for attached dual occupancy development. Further review found that additional amendments are required to clause 4.4 to ensure the clause can function as intended.

The minimum lot size provisions proposed in the CPP seeks to align the dual occupancy and subdivision requirements so that if a site has adequate area to construct an attached dual occupancy, it should also be permissible to subdivide the development (subject to compliance with other LEP and DCP requirements). However, when a development application is submitted for the concurrent construction and subdivision of an attached dual occupancy, the development type is classified as a 'semi-detached dwelling' rather than a 'dual occupancy (attached)'. This is because the development type for which approval is being sought is a *semi-detached dwelling*, being a dwelling that is on its own lot of land and is attached to only one other dwelling.

The LEP Floor Space Ratio Map applies a FSR of 0.5:1 in the R2 Low Density zone. However, clause 4.4 Floor space ratio currently contains a sliding scale FSR for dwellings and semi-detached dwellings in the R2 zone which are less restrictive than the 0.5:1 FSR and the proposed dual occupancy sliding scale FSRs. This purpose of this clause is to acknowledge the myriad of existing dwellings and semi-detached dwellings (built prior to the planning controls) located in the Randwick LGA on allotments of 600m2 or less that do not currently comply with the 0.5:1 FSR, making the alterations or additions to or redevelopment of these sites problematic. It is also to recognise that on smaller more constrained allotments, bulk and scale is managed not only through density controls, but also through the application of amenity controls including overshadowing and privacy.

In order to maintain the intent of the sliding scale FSR for attached dual occupancy development, it is proposed to 'grandfather' the existing semi-detached dwelling FSR sliding scale so these FSR controls only apply to lots that existed before the gazettal of the LEP amendments. In accordance with legal advice, this will ensure any application for an attached dual occupancy and concurrent

subdivision submitted after the gazettal of the LEP amendments is subject to the new FSR sliding scale controls.

The recommended amendments to clause 4.4 are as follows:

4.4 Floor space ratio

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure that the size and scale of development is compatible with the desired future character of the locality,*
 - (b) *to ensure that buildings are well articulated and respond to environmental and energy needs,*
 - (c) *to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,*
 - (d) *to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.*
- (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.*
- (2A) *Despite subclause (2), the maximum floor space ratio for a dwelling house or semi-detached dwelling on a lot created prior to [the commencement of RLEP 2012 Amendment] / [specific date of commencement of RLEP 2012 Amendment] on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential is not to exceed—*
 - (a) *if the lot is more than 300 square metres but not more than 450 square metres—0.75:1, or*
 - (b) *if the lot is more than 450 square metres but not more than 600 square metres—0.65:1, or*
 - (c) *if the lot is more than 600 square metres—0.6:1 or*
 - (d) *there is no maximum floor space ratio for a dwelling house or semi-detached dwelling on a lot that has an area of 300 square metres or less.*
- ~~(2B) *Despite subclause (2) there is no maximum floor space ratio for a dwelling house or semi-detached dwelling on a lot that has an area of 300 square metres or less.*~~
- (2B) *Despite subclause (2), the maximum floor space ratio for a dwelling house or semi-detached dwellings on any lot created after [the commencement of RLEP 2012 Amendment] / [specific date of commencement of RLEP 2012 Amendment] in Zone R2 Low Density Residential or Zone R3 Medium Density Residential is not to exceed —*
 - (a) *if the lot is between 275m square metres and 300 square metres—0.65:1, or*
 - (b) *if the lot is more than 300 square metres—0.6:1.*
- (2C) *Despite subclause (2), the maximum floor space ratio for a dual occupancy (attached) on land in Zone R2 Low Density Residential is not to exceed—*
 - (a) *if the lot is between 550 square metres and 600 square metres—0.65:1, or*

(b) if the lot is more than 600 square metres—0.6:1.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Housing
Outcome	A city with sustainable housing growth
Objective	Provide 4,300 new dwellings in 2021-2026, with 40% located in and around town centres
Delivery program commitment	Review the LEP 2012 to provide for additional capacity to meet the target of providing 4,300 new dwellings between 2021 and 2026.
Delivery program commitment	Ensure any future redevelopment is aligned with local infrastructure investment.
Delivery program commitment	Ensure future redevelopment sites are aligned with future transport investment as identified in the transport strategy.

Resourcing Strategy implications

The costs associated with the development of the CPP is in accordance with the budget allocations.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- Randwick Housing Strategy.

Conclusion

This report has considered the proposed amendments to the minimum lot size controls for subdivision and dual occupancy (attached) in the R2 Low Density Residential zone in relation to the CPP and the proposed changes to the RLEP 2012. The report relates to submissions that were received that were exhibited with the Draft CPP during the public consultation period from 31 May to 12 July 2022.

As a part of the exhibition of the draft CPP, a number of key issues were raised by the community and stakeholders in response to the proposed amendments to the minimum lot size controls in the R2 Low Density Residential zone.

As a result of the submissions received no further changes to the dual occupancy (attached) controls in the R2 Low Density Residential zone are proposed. It is recommended that Council retains the original decision to support the proposed amendments to the dual occupancy (attached) controls in the R2 Low Density zone and no changes are made to the exhibited CPP documents. Housekeeping changes are proposed to clause 4.4 Floor space ratio to ensure the proposed sliding scale FSR for attached dual occupancies can function as intended.

Whilst the Comprehensive Planning Proposal was exhibited as one document, it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the Planning Proposal, being minimum lot size, is the

subject of this separate report and recommendations. This may enable Councillors who have a pecuniary or other conflict of interest in some but not all of the proposals to be present during the part of the Council meeting where the proposals for amendments in respect of which they do not have a pecuniary or other conflict of interest are being considered, discussed and voted upon.

Responsible officer: Natasha Ridler, Coordinator Strategic Planning; Stella Agagiotis, Manager Strategic Planning

File Reference: F2021/00188

CP46/22

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses Minimum Lot Size for Subdivision and Dual Occupancy

30 August 2022

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Overview

This document includes a summary of all minimum lot size related issues that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to minimum lot size. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
Design and amenity	
<p>The proposed dual occupancy (attached) controls will have a negative impact on neighbouring properties amenity such as:</p> <ul style="list-style-type: none"> - Overshadowing - Privacy - Views and vistas - Noise - Streetscape character 	<p>To inform the proposed dual occupancy (attached) controls Council officers undertook a detailed analysis to verify the most appropriate minimum lot size for a dual occupancy (attached) that could result in accommodating a dwelling without resulting in negative impacts. DCP design provisions will further be reviewed as a part of the comprehensive DCP review.</p> <p>Moderate increases to floor space ratios (reflective to the reduction in minimum lot size) and no proposed changes to the height of buildings and minimum frontage width for dual occupancies (attached) ensure that new dual occupancy developments will not impact on the existing low density character in the R2 Low Density Residential zone.</p>

Key comment/issue	Response
The proposed dual occupancy (attached) controls must ensure that deep soil, landscaping, private open space and solar access can be provided adequately onsite. Appropriate building design must also be provided to avoid bland concrete structures.	To inform the proposed dual occupancy (attached) controls Council officers undertook a detailed analysis to verify the most appropriate minimum lot size for a dual occupancy (attached) in the Randwick Local Government Area. Consideration was given to the need for adequate deep soil landscaping, and private open space can be provided onsite. DCP design provisions will further be reviewed as a part of the comprehensive DCP review to ensure appropriate amenity and design provisions are provided.
Minimum lot sizes, frontage width and FSR do not primarily determine the outcome and design of dual occupancies (attached)	<p>The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in the estimated housing yield of 474 dwellings in the medium term.</p> <p>Council Officers conducted analysis on lot sizes of 450m², 550m² and 650m² in the R2 Low Density Residential zone. Analysis found that a 650m² minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m² would result in a significant increase in density in the southern portion of the LGA that are less serviced by public transport and with limited access to shops and services. Analysis concluded that a lot size of 550m² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements.</p> <p>The DCP will supplement the proposed LEP provisions. DCP design provisions such as landscaping, private open space, driveway access, setbacks, site coverage and privacy and will further be reviewed as a part of the comprehensive DCP review.</p>
Transport, traffic and parking	
<p>The proposed dual occupancy (attached) controls will result in making the Randwick Local Government Area more congested with traffic</p> <p>The south of the local government area is not well serviced by public transport to accommodate the additional growth associated with the proposed dual occupancy (attached) controls</p>	<p>Noted. The northern portion of the Randwick Local Government Area is well serviced by public transport. The proposed reduction in the minimum lot size to 550m² will allow for a moderate increase in housing supply in the R2 Low Density Residential zone. Council officers investigated potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m², 550m² and 650m². Analysis found that a 650m² minimum lot size would not provide the capacity to meet the needs of the Randwick growing and diversifying population. A reduction in minimum lot size to 450m² would result in a significant increase in density in the southern portion of the Randwick Local Government Area which are not as well serviced by public transport. Based on the lot size analysis conducted, there are a greater number of lots within this range in the south of the LGA which are less serviced by public transport. A lot size of 550m² will provide a moderate amount of additional housing in the southern portion of the LGA that will not over burden public transport.</p> <p>The level of traffic generate by 474 dwellings will not impact on the safety of road users.</p>
The proposed dual occupancy (attached) controls will result on unacceptable parking impacts and loss of on street parking due to lack of onsite parking	<p>The DCP requires each new dual occupancy to provide onsite car parking at the rates below for dual occupancies (attached). Analysis undertaken by Council officers demonstrated that onsite car parking can be accommodated on a 550m² allotment with the floor space ratios proposed under the draft LEP.</p> <p><u>Vehicle parking rates for dual occupancies</u></p>

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	<ul style="list-style-type: none"> 1 space per dwelling with up to 2 bedrooms 2 spaces per dwelling house with 3 or more bedrooms. <p>The DCP also contains objectives to guide the proper integration of car parking and vehicle access into the architecture of buildings so they do not present as prominent, intrusive features. New developments are assessed to ensure car parking and access do not visually dominate the property frontage or streetscape. For dual occupancy development approved under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, design guidance is provided in the Low Rise Housing Diversity Design Guide.</p> <p>Dual occupancy development may result in an additional vehicle driveway, which in turn has the potential to reduce the amount of available off-street parking. However the 15m frontage requirement in the DCP means that sites can usually accommodate a vehicle crossover and off-street parking space in the 7.5m provided for each dwelling.</p>
Open space and environment	
The proposed dual occupancy (attached) controls will result in tree and biodiversity loss	<p>Development controls for site frontage, setbacks, landscaping, permeable and deep soil provisions will be further reviewed as a part of the comprehensive DCP review to ensure that sufficient landscaped area is provided onsite to allow for increased tree canopy cover across the R2 Low Density Residential zone.</p> <p>Development controls will require dual occupancies (attached) to be designed to retain existing mature trees where possible. Driveways will also be required to be designed to retain existing mature trees where possible.</p> <p>Replacement tree planting will be required for trees that are removed on-site as a part of dual occupancy (attached) approvals.</p>
Dual occupancies (attached) that are constructed must consider sustainability in their design	<p>At present, Council is not permitted to require more stringent requirements above those stipulation through BASIX. However at the 26 July 2022 meeting, Council resolved to prepare a submission to the NSW Minister for Planning advocating for higher BASIX standards that include requirements for solar power generation and battery storage.</p> <p>Council provides a range of grants for sustainability initiatives and improvements including roof top solar, solar batteries, rainwater tanks, electronic vehicle chargers, lighting, roof installations, hot water systems, solar health checks and others.</p>
The proposed dual occupancy controls will result in more hard paved surfaces and increase the impacts of urban heat	<p>Development controls for landscaping, permeable surfaces and deep soil provisions will be further reviewed as a part of the comprehensive DCP review to mitigate against the impacts of urban heat.</p>
The removal of the Design and Place SEPP will result in dual occupancies (attached) being constructed without considering their impact on the environment	<p>The Design and Place SEPP was not proposed to apply to dual occupancies. The proposed changes to BASIX that do apply to dual occupancies are being retained.</p>
The proposed dual occupancy (attached) controls will result in more dwellings being constructed without providing more open space for the area	<p>The DCP will require a minimum private open space provision for dual occupancies (attached). Majority of the allotments that will be opened up from the proposed dual occupancy (attached) controls are located in the southern portion of the LGA. The Randwick City Open Space and Recreation Needs Study 2020 identifies that within Randwick City there is approximately 284ha</p>

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	<p>of Council-managed open space. This equates to 17.34m² of Council-managed open space per Randwick City resident by 2026. The following amounts of Council-managed open space per person will apply in 2026:</p> <p>Maroubra: 30.3m²</p> <p>La Perouse, Malabar and Chifley: 33.3m²</p> <p>Council will continue to monitor the provision of open space to ensure adequate publicly accessible open space is available to all residents.</p>
Heritage	
The proposed dual occupancy (attached) controls will have a significant impact on unprotected properties of heritage significance	A comprehensive heritage review of the LGA was undertaken and recommended the listing of over 50 new local heritage items and archaeological sites, an amendment to the existing Moira Crescent Heritage Conservation Area and the establishment the new Edgecombe Estate Heritage Conservation Area (Edgecombe Estate). Heritage significant properties are protected under clause 5.10 of the Randwick LEP 2012 and will not be permitted to be demolished to make way for dual occupancy development. Further, the reduction in minimum lot size is not proposed to apply to Heritage Conservation Areas.
The proposed dual occupancy (attached) controls will impact heritage significant properties	Heritage significant properties are protected under clause 5.10 of the Randwick LEP 2012. The minimum lot size changes for dual occupancies (attached) do not apply to heritage conservation areas within the Randwick LGA. The current planning controls applicable to dual occupancies (attached) will continue to apply to heritage conservation areas. Any development application for a new dual occupancy (attached) that is within the vicinity of an existing heritage item will need to take into account the impacts on the heritage significant property.
Affordability	
<p>The proposed dual occupancy (attached) controls will make the Randwick LGA less affordable as:</p> <ul style="list-style-type: none"> - Older buildings will be replaced with new buildings - They will reduce rental affordability - They will limit housing supply 	<p>The proposed increase in the minimum lot size for dual occupancies (attached) will result in a moderate increase in housing supply across the Randwick Local Government Area with an estimated dwelling yield from 2021 to 2026 of 474 dwellings. Increasing the minimum lot size to construct a dual occupancy (attached) from 450m² to 550m² will technically not open up as many lots in the Randwick LGA for this type of development if the minimum lot size was to remain 450m². However, aligning the dual occupancy (attached) minimum lot size sizes for construction and subdivision to 550m² makes the type of development more appealing thereby resulting in a greater dwelling yield to meet the housing targets while increasing housing diversity and choice to support the growing and diverse population in Randwick City.</p> <p>Notwithstanding the above, it is not expected that all lots of 550m² in the R2 zone will be redeveloped as attached dual occupancies. It is only expected that around 16% of the sites eligible for development within the R2 zone will be developed in the short term. Existing single dwellings on larger lots will continue to be a viable and important housing type in the Randwick LGA. Further, alternative housing options such as secondary dwellings continue to be a permissible form of development in all residential zones of the LGA under the State Environmental Planning Policy (Housing) 2021, further contributing to housing diversity and affordability.</p>

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<p>Increasing the minimum lot size to construct a dual occupancy (attached) from 450m² to 550m²:</p> <ul style="list-style-type: none"> - Reduces housing affordability for current property owners with lot sizes between this range - Will directly impact current property owners with lot sizes between this range as they will no longer be able to construct a dual occupancy (attached) on the lot 	<p>The proposed controls seek to align the provisions to construct and subdivide a dual occupancy (attached). Council Officers investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m². A reduction in the minimum lot size to subdivide to 225m² would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services.</p> <p>Alternative housing options such as secondary dwellings continue to be a permissible form of development in all residential zones of the LGA under the State Environmental Planning Policy (Housing) 2021, further contributing to housing diversity and affordability.</p>
The proposed subdivision and lot size controls for dual occupancies (attached) improves housing affordability	The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term. The reduction in minimum lot size to subdivide a dual occupancy (attached) will result in an increase in semi-detached dwellings in the Randwick LGA. This in turn will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick City's growing population.
Dual occupancies should not be able to be subdivided to ensure affordability i.e. to be used by extended families or to be rented out for extra income	Noted. The proposed controls seek to align the provisions to construct and subdivide a dual occupancy (attached) to create more certainty. Council Officers investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m ² . A reduction in the minimum lot size to subdivide to 225m ² would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services.
Infrastructure	
<p>The proposed dual occupancy (attached) controls will result in increased population to the area which will create additional impacts on infrastructure and services such as</p> <ul style="list-style-type: none"> - Health infrastructure and services - Water infrastructure - School infrastructure 	<p>The proposed increase in the minimum lot size for dual occupancies (attached) will result in a moderate increase in housing supply across the Randwick Local Government Area with an estimated dwelling yield from 2021 to 2026 of 474 dwellings.</p> <p>As a part of the consultation for the planning proposal Council consulted with the Department of Education – School Infrastructure (SINSW). SINSW advised that:</p> <p><i>SINSW uses population and dwelling projection data provided by DPE as the foundation for school planning. These are analysed to produce the Department's Student by Area (SbA) projections. This data allows SINSW to assess the anticipated demand for public schools within an area or region and the best way to deliver infrastructure to support this need. The SINSW approach to identifying and evaluating the service need also includes consideration of asset suitability, equity and strategic opportunities.</i></p> <p><i>SINSW has reviewed the projections within the proposal (in combination with additional information provided by Council) and advise that the enrolment demand resulting from the proposed development can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.</i></p>

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	NSW Health and Sydney Water were also consulted with. No issues were raised as to whether the proposed changes would have unacceptable impacts on health or water infrastructure.
Construction	
The following impacts from construction need to be considered as a result of the proposed dual occupancy (attached) controls: <ul style="list-style-type: none"> - Flooding - Ground water - Waste 	The LEP review does not encompass construction related matters. Impacts from construction will be managed through conditions of consent placed on development applications.
Multiple properties should not be able to be constructed at the same time due to the accumulated impacts of construction, vehicular noise, vehicular access, parking and poor waste management on surrounding properties	<p>The LEP review does not encompass construction related matters. Further, Development consents are valid for a period of 5 years, it is difficult to mandate the number of construction sites permitted to operate at any one time. Construction commencement dates are also not matters for consideration during the assessment of a development application under the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Concerns about compliance with conditions of consent including the approved working hours on a building site or external site management practices on a building site (i.e. site fencing, materials or debris on the footpath or roadway) may be referred directly to Council for investigation by a Council Ranger. It is not within Council's power to stagger construction activities within specific geographic areas, as this timing is determined by individual owners and timing of construction certificates issued by private certifiers.</p> <p>While the NSW Government has mandated housing targets for all local government areas in the State, housing targets are not the only driver behind the proposed draft LEP. Council's endorsed Housing Strategy includes a specific priority to increase housing diversity and choice in the low density areas, recognising expected population growth. The changes to the dual occupancy (attached) and minimum lot size controls included in the draft LEP seek to deliver this priority in a staged approach in areas identified for future growth within the Housing Strategy.</p>
Dual occupancies (attached) that are constructed are not to an appropriate build quality	Development application that are granted approval for the construction of a dual occupancy (attached) will have conditions placed on the consent that will require the development to be built in accordance with the Building Code of Australia requirements.
Lot sizes	
Existing semi-detached dwellings with acceptable amenity are constructed in Randwick City on lot sizes less than 225m ²	<p>Noted. The proposed increase in the minimum lot size for dual occupancies (attached) will result in a moderate increase in housing supply across the Randwick Local Government Area with an estimated dwelling yield from 2021 to 2026 of 474 dwellings. Council Officers investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m². A reduction in the minimum lot size to subdivide to 225m² would result in a significant increase in density in the southern portion of the LGA that are less serviced by public transport and with limited access to shops and services.</p> <p>Council officers undertook a lot size analysis to verify the most appropriate minimum lot size for dual occupancies (attached) in the Randwick LGA. The analysis showed that a minimum lot size of 275m² for residential development in the R2 Low Density</p>

Key comment/issue	Response
	Residential zone is appropriate to provide for adequate landscaping, private open space, and vehicular access requirements for dual occupancies (attached).
Blanket controls for dual occupancies (attached) should not be applied in the R2 Low Density Residential Zone across Randwick City. Specific areas should be investigated for the land use based on a merit assessment	<p>Dual occupancies (attached) are already a permissible land use in the R2 Low Density Residential zone.</p> <p>The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6-to-10-year housing target and result in the estimated housing yield of 474 dwellings in the medium term.</p> <p>Council Officers conducted analysis on lot sizes of 450m², 550m² and 650m² in the R2 Low Density Residential zone. Analysis found that a 650m²+ minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m²+ would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services. Analysis concluded that a lot size of 550m² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements.</p> <p>Moderate increases to floor space ratios (reflective to the reduction in minimum lot size) and no changes to the height of building or minimum frontage widths are proposed to ensure dual occupancy developments are commensurate with the existing character of the R2 Low Density Residential zone.</p>
The proposed dual occupancy (attached) controls will have a greater impact on the southern part of the Randwick City Local Government Area	It is acknowledged that the reduction in minimum lot sizes from 800m ² to 550m ² has greater affect in the southern portion f the LGA where lot sizes are generally larger. However Council Officers did investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m ² , which would apply to more lots in the northern portion of the LGA. However it was found that a reduction in the minimum lot size to subdivide to 225m ² would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services. By reducing the minimum lot size to 550m ² it is expected that development can be managed in a sustainable manner. Further, it is not expected that all lots of 550m ² in the R2 zone will be redeveloped as attached dual occupancies. It is only expected that around 16% of the sites eligible for development within the R2 zone will be developed in the short term.
The ratio of the footprint of the building to the size of the land should be considered rather than just lot sizes and frontages for dual occupancies (attached)	A sliding scale floor space ratio (based on lot size) is proposed in conjunction with the proposed amendments to the minimum lot size requirements to construct and subdivide a dual occupancy (attached). This is to enable development that is similar to the built form and scale of a semi-detached dwelling, while still allowing for adequate deep soil planting, permeable surfaces and landscaping. DCP controls such as site coverage and building setbacks will also be required to be addressed as a part of the development assessment process when seeking consent for the construction of a dual occupancy (attached).
The proposed dual occupancy (attached) controls should not propose any increases to the maximum building height to correspond with the increasing floor space ratios	Noted. No changes to the maximum height of building for dual occupancy (attached) development is proposed.

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The proposed dual occupancy (attached) controls will increase density and change the character of the area	<p>The reduction in minimum lot size to subdivide a dual occupancy (attached) will result in an increase in semi-detached dwellings in the Randwick LGA. This in turn will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick City's growing population.</p> <p>Moderate increases to floor space ratios (reflective to the reduction in minimum lot size) and No changes to the height of building or minimum frontage widths are proposed to ensure dual occupancy developments are commensurate with the existing character of the R2 Low Density Residential zone. The bulk and scale of the proposed development will be assessed as a part of the development assessment process.</p> <p>It is noted that dual occupancies (attached) are already a permissible land use in the R2 Low Density Residential zone. It is not expected that all eligible allotments will be development as dual occupancies. Existing single dwellings on larger lots will continue to be a viable and important housing type in the Randwick LGA.</p>
Concerns raised regarding the difference in minimum lot size proposed for a dual occupancy (attached) in the Randwick City Housing Strategy (650m ²) and the Comprehensive Planning Proposal (550m ²)	<p>The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6 to 10 year housing target and result in the estimated housing yield of 474 dwellings in the medium term.</p> <p>Council Officers conducted analysis on lot sizes of 450m², 550m² and 650m²+ in the R2 Low Density Residential zone. Analysis found that a 650m²+ minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m²+ would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services. Analysis concluded that a lot size of 550m² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements.</p>
Instead of proposing amendments to the dual occupancy (attached) controls a better solution would be to allow existing houses to undertake alterations and additions or to permit secondary dwellings or tiny homes in large back yards	<p>Consent to undertake alterations and additions to dwellings are permissible to seek consent as either exempt or complying development under the State Environmental Planning Policy (Exempt and Complying Development 2008) or through a development application with Council. Secondary Dwellings are permissible under the State Environmental Planning Policy (Housing) 2021. However secondary dwellings permissible in Randwick have a maximum floor area of 60m². With reference to tiny homes there is no definition in the LEP Standard Instrument.</p>
Providing a larger lot sizes for the development and construction of dual occupancies (attached) would reduce the impacts of increase population.	<p>The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in the estimated housing yield of 474 dwellings in the medium term. Additional housing capacity to meet Council's 6 to 10 year housing target will be provided through the proposed Housing Investigation Areas (574 Dwellings) and existing expected growth (3,416 dwellings) under existing planning controls, major sites renewal (Randwick and Little Bay) and in the Kensington and Kingsford town centres.</p> <p>Council Officers conducted analysis on lot sizes of 450m², 550m² and 650m²+ in the R2 Low Density Residential zone. Analysis found that a 650m²+ minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m²+ would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited</p>

Key comment/issue	Response
	access to shops and services. Analysis concluded that a lot size of 550m ² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements.
The proposed dual occupancy (attached) controls will reduce the amount of single dwellings in the R2 Low Density Residential zone and change the character of these areas.	<p>The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in the estimated housing yield of 474 dwellings in the medium term.</p> <p>The reduction in minimum lot size to subdivide a dual occupancy (attached) will result in an increase in semi-detached dwellings in the Randwick LGA. This in turn will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick City's growing population.</p> <p>Moderate increases to floor space ratios (reflective to the reduction in minimum lot size) and no proposed changes to the height of buildings and minimum frontage width for dual occupancies (attached) ensure that new dual occupancy developments will not impact on the existing low density character in the R2 Low Density Residential zone.</p> <p>Dual occupancies (attached) are already a permissible land use in the R2 Low Density Residential zone.</p>
Prohibiting the subdivision of dual occupancies (attached) ensures that the land remains under single ownership and that future redevelopment is consistent with the character of the area	<p>Noted. The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in the estimated housing yield of 474 dwellings in the medium term.</p> <p>Dual occupancies (attached) are already a permissible land use in the R2 Low Density Residential zone.</p> <p>Ownership of dual occupancies that are either subdivide or not does not change the character of the area.</p>
Increasing the minimum lot size for a dual occupancy (attached) from 450m ² to 550m ² to be constructed will: - Result in a reduction of overall net dwellings for the Randwick LGA - Reduce the overall number of dual occupancies (attached) that are able to be developed. This will result in more high rises being developed in the area.	<p>Increasing the minimum lot size to construct a dual occupancy (attached) from 450m² to 550m² will technically not open up as many lots in the Randwick LGA for this type of development if the minimum lot size was to remain 450m². However, aligning the dual occupancy (attached) minimum lot size sizes for construction and subdivision to 550m² makes the type of development more appealing thereby resulting in a greater dwelling yield to meet the housing targets while increasing housing diversity and choice to support the growing and diverse population in Randwick City.</p> <p>Residential flat buildings are not a permitted land use in the R2 Low Density Residential zone in Randwick City. Dual occupancies attached have a maximum building height of 9.5m and are considered as a low density housing form not a medium or high density housing form.</p> <p>The proposed amendments to the dual occupancy (attached) controls will provide the additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in the estimated housing yield of 474 dwellings in the medium term. Additional housing capacity to meet Council's 6 to 10 year housing target will be provided through the proposed Housing Investigation Areas (574 Dwellings) and existing expected growth (3,416 dwellings) under existing planning controls, and major sites renewal (Randwick and Little Bay) and in the Kensington and Kingsford town centres.</p>
The increase in the minimum lot size to construct a dual occupancy (attached) from 450m ² to 550m ² will decrease the property value of those sites as they will	Noted. The planning proposal seeks amend the dual occupancy (attached) controls in the R2 Low Density Residential zone to increase the minimum lot size to construct a dual occupancy attached from 450m ² to 550m ² and to reduce the lot size to subdivide from 400m ² to 275m ² per lot.

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not be able to build a dual occupancy (attached).	Property values are not a matter of consideration under a strategic merit assessment.
Restricting a dual occupancy (attached) to be developed to land sizes with a minimum 550m ² will not allow a families children to remain in the local area and parents to remain in their house as they get older and need assistance.	The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term. The reduction in minimum lot size to subdivide a dual occupancy (attached) will result in an increase in semi-detached dwellings in the Randwick LGA. This in turn will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick City's growing population. For lot sizes that are less then 550m ² secondary dwellings remain an option to accommodate family members.
Dual occupancies (attached) that are between the lot size of 450m ² and 550m ² have been constructed in the Randwick LGA that are well designed and provide good amenity.	Noted. The proposed increase in the minimum lot size for dual occupancies (attached) will result in a moderate increase in housing supply across the Randwick Local Government Area with an estimated dwelling yield from 2021 to 2026 of 474 dwellings. Council Officers investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m ² . A reduction in the minimum lot size to subdivide to 225m ² would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services. Council officers undertook a lot size analysis to verify the most appropriate minimum lot size for dual occupancies (attached) in the Randwick LGA. The analysis showed that a minimum lot size of 275m ² for residential development in the R2 Low Density Residential zone is appropriate to provide for adequate landscaping, private open space, and vehicular access requirements for dual occupancies attached.
The proposed minimum lot size for the subdivision of dual occupancies (attached) will limit future redevelopment and site consolidation in this part of the city where lower rise units and townhouses would become difficult to implement	Dual occupancies (attached) are a permitted land use in the R2 Low Density Residential zone. Multi-dwelling units and residential flat buildings are prohibited in the R2 Low Density zone and are permitted in the R3 Medium Density Residential zone.
Under the State Environmental Planning Policy (Exempt and Complying Development) 2008 (Codes SEPP) dual occupancies (attached): - Can be approved with a minimum lot size of 450m ² and be subdivided. Aligning the controls with the Codes SEPP will give owners the option to seek approval through a development application instead of a Complying Development Certificate.	Under the Codes SEPP dual occupancy (attached) controls are subject to the dual occupancy land size in the Randwick LEP which will increase from 450m ² to 550m ² if the planning proposal is gazetted. Torrens title subdivision is not prohibited as complying development and links back to the lot size requirements as stipulated in the Randwick LEP (as per the relevant Environmental Planning Instrument). The Codes SEPP allows reference back to the relevant EPI as it acknowledges that the minimum lot size in the code SEPP might not always be appropriate. Provided below is the relevant lot size requirements for subdivision of a dual occupancy (attached) as stipulated in the Codes SEPP: Section 6.4 of the Codes SEPP states that the applicable minimum lot size to Torrens title subdivide a dual occupancy (attached) is as per the local instrument (i.e. Randwick LEP). The minimum lot size under the Randwick LEP is proposed to be reduced from 400m ² for each resulting lot to 275m ² for each resulting lot.

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<ul style="list-style-type: none"> - Can be constructed and Strata title subdivided under the Codes SEPP and bypass the Randwick LEP requirements - That seek approval as complying development under the Codes SEPP are able to be subdivided while existing dual occupancies approved through a development application with Council after July 7 2018 can not - Require a frontage width of 12.2m. Councils controls should align with this 	<p>Section 6.2 of the Codes SEPP prescribes a minimum lot size (for strata area) of 180m² and a minimum frontage of 6m for each lot created. The State Environmental Planning Policy (Exempt and Complying Development) 2008 does not refer back to the Randwick LEP for the applicable minimum lot size as per the local instrument.</p> <p>Frontage widths are not stipulated under the Randwick LEP. Frontage widths will be subject to further review as a part of the comprehensive DCP review.</p>
The minimum subdivision lot size for dual occupancies (attached) should be reduced to 225m ² to align with the current minimum lot size of 450m ² to construct a dual occupancy	<p>Noted. The proposed increase in the minimum lot size for dual occupancies (attached) will result in a moderate increase in housing supply across the Randwick Local Government Area with an estimated dwelling yield from 2021 to 2026 of 474 dwellings. Council Officers investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m². A reduction in the minimum lot size to subdivide to 225m² would result in a significant increase in density in the southern portion of the LGA that are less serviced by public transport and with limited access to shops and services.</p> <p>Council officers undertook a lot size analysis to verify the most appropriate minimum lot size for dual occupancies (attached) in the Randwick LGA. The analysis showed that a minimum lot size of 275m² for residential development in the R2 Low Density Residential zone is appropriate to provide for adequate landscaping, private open space, and vehicular access requirements for dual occupancies (attached).</p>
The current permissible minimum lot size of 450m ² for a dual occupancy (attached) sets a precedent to permit this type of development on this lot size	Noted. Development applications seeking consent to construct a dual occupancy (attached) in the R2 Low Density Residential zone will be required to address the gazetted LEP and how the proposal meets these controls.
Increasing the controls to construct a dual occupancy (attached) to 550m ² and decreasing the minimum lot size to subdivide a dual occupancy (attached) to 275m ² provides consistency between the controls and avoids misinterpretation	Noted. The planning proposal seeks to amend the Randwick Local Environmental Plan 2012 to align the construction and subdivision provisions of dual occupancies (attached) in the R2 Low Density Residential zone.
The current dual occupancy (attached) controls permit the construction of a dual occupancy (attached) on a minimum lot	The proposed dual occupancy (attached) controls seek to provide consistency for the minimum lot size to construct and subdivide a dual occupancy (attached) in the R2 Low Density Residential zone.

Key comment/issue	Response
size of 450m ² with a minimum subdivision lot size of 400m ² per lot. This does not stop overdevelopment but rather stops subdivision of properties	<p>The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term.</p> <p>Council Officers conducted analysis on lot sizes of 450m², 550m² and 650m²+ in the R2 Low Density Residential zone. Analysis found that a 650m²+ minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m²+ would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services. Analysis concluded that a lot size of 550m² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements.</p>
Dual occupancies (attached) should not be permissible to construct and subdivide on lot sizes greater than 550m ²	<p>The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term.</p> <p>Council Officers conducted analysis on lot sizes of 450m², 550m² and 650m²+ in the R2 Low Density Residential zone. Analysis found that a 650m²+ minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m²+ would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services. Analysis concluded that a lot size of 550m² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements.</p>
A lot size of 225m ² is able to accommodate a residential development with suitable controls for site coverage, landscaping and deep soil	<p>Noted. The proposed increase in the minimum lot size for dual occupancies (attached) will result in a moderate increase in housing supply across the Randwick Local Government Area with an estimated dwelling yield from 2021 to 2026 of 474 dwellings. Council Officers investigated the potential dual occupancy dwelling yield in the R2 Low Density Residential zone for lot sizes of 450m². A reduction in the minimum lot size to subdivide to 225m² would result in a significant increase in density in the southern portion of the LGA that are less services by public transport and with limited access to shops and services.</p> <p>Council officers undertook a lot size analysis to verify the most appropriate minimum lot size for dual occupancies (attached) in the Randwick LGA. The analysis showed that a minimum lot size of 275m² for residential development in the R2 Low Density Residential zone is appropriate to provide for adequate landscaping, private open space, and vehicular access requirements for dual occupancies attached.</p>
Support for the proposed dual occupancy (attached) controls as they: - Will improve housing supply in the area and will contribute to meeting the NSW Government Housing targets	<p>The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term. The reduction in minimum lot size to subdivide a dual occupancy (attached) will result in an increase in semi-detached dwellings in the Randwick LGA. This in turn will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick City's growing population.</p>

Key comment/issue	Response
<ul style="list-style-type: none"> - Will contribute to a more diverse housing option in the R2 Low Density Residential Zone across the Randwick LGA - Provide for a low density housing form that will service the growing populations <ul style="list-style-type: none"> - They are good for families and provides a backyard - Enable more families to live in the area and children to age in place 	
The proposed dual occupancy controls will allow greater use/to maximise the potential of existing lot sizes as they are able to subdivide	The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term. The reduction in minimum lot size to subdivide a dual occupancy (attached) will result in an increase in semi-detached dwellings in the Randwick LGA. This in turn will increase housing diversity, affordability and choice for a range of household types such as families and couples to support Randwick City's growing population.
Increasing housing supply and the associated increase in population to the area will stimulate more business in the area	Noted. The proposed amendments to the dual occupancy (attached) controls will provide a moderate increase in housing supply to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term. The associated increase in population could potentially stimulate more business in the local government area.
A subdivision lot size of 275m ² reflects the established lot size pattern for much of the semi-detached dwellings across the Randwick LGA	Council Officers conducted analysis on lot sizes of 450m ² , 550m ² and 650m ² in the R2 Low Density Residential zone. Analysis found that a 650m ² minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Alternatively, a reduction in the minimum lot size of 450m ² would result in a significant increase in density in the southern portion of the LGA that are less serviced by public transport and with limited access to shops and services. Analysis concluded that a lot size of 550m ² is the most appropriate lot size for dual occupancies (attached) in Randwick City. Consideration was given to allow for adequate landscaping, deep soil planting, permeable surfaces, private open space and vehicular access requirements. Lot sizes of 275m ² for semi-detached dwellings is similar to what you might see to what is prevalent in the northern part of the LGA.
Dual Occupancies (attached) on 450m ² minimum lot size with a 12m frontage in a top/bottom configuration should be considered as an appropriate and permissible housing type that would	A minimum lot size for dual occupancies (attached) of 450m ² has been considered and is not appropriate particularly in the southern area of the Randwick LGA. Dual occupancies on top/bottom configuration are difficult to accommodate private open space. Secondary Dwellings are permissible under the State Environmental Planning Policy (Housing) 2021. For lot sizes that are less than 550m ² secondary dwellings remain an option to accommodate family members.

Key comment/issue	Response
contribute to housing targets and affordability	
Lots between 450m2 and 550m2 are being unfairly disadvantaged and: - should get 1 year or a savings provision to build a dual occupancy - the controls should be effective once the property is sold to allow current property owners to construct a dual occupancy (attached).	Numerical planning controls are not static, and are often reviewed based on detailed design analysis and/or to ensure alignment with changing planning priorities and strategies. This is the case with the changes to the minimum lot size provisions. With the exception of development applications that have been lodged prior to the gazettal of the new planning controls, standard practice is to apply all new planning controls evenly at the date of LEP gazettal.
Request for a savings provisions that allows for dual occupancies already approved and constructed on lots between 450m2 and 550m2 but have not been subdivided.	Council has considered a clause or savings provision that would potentially allow the subdivision of already approved dual occupancies on allotments between 450sqm and 550sqm that were approved between 2018 and 2022. However, it was determined that a clause of this nature would unfairly benefit those who built dual occupancies without a strong strategic planning justification as side from that they are already constructed.
Company Title	
The current misalignment of the dual occupancy (attached) controls for construction and subdivision prohibits dual occupancies to be sold separately	The proposed dual occupancy (attached) controls seek to provide consistency for the minimum lot size to construct and subdivide a dual occupancy (attached) in the R2 Low Density Residential zone. Following the subdivision of the dual occupancy (attached) each side of the property will be able to be sold separately (subject to compliance with DCP controls).
Changing the ownership of a dual occupancy (attached) from company title requires the property owner to pay stamp duty again	Noted. Additional costs are associated with the subdivision process.
The inability to subdivide a dual occupancy (attached) limits the development to be sold/financed due to restrictions in bank lending practices.	Noted. The planning proposal seeks to amend the Randwick Local Environmental Plan 2012 to align the construction and subdivision provisions of dual occupancies (attached) in the R2 Low Density Residential zone. Bank lending criteria should not be the driver in determining planning controls. Property owners of dual occupancies (attached) should be fully aware of the restrictions on company title when purchasing properties.
Company titled dual occupancies (attached) property values are worth less than a Strata or Torrens titled dual occupancy (attached)	Noted. The planning proposal seeks to amend the Randwick Local Environmental Plan 2012 to align the construction and subdivision provisions of dual occupancies (attached) in the R2 Low Density Residential zone.

Key comment/issue	Response
The proposed dual occupancy (attached) subdivision controls will improve the ability to sell dual occupancies (attached) that are currently limited to company titling	The proposed dual occupancy (attached) controls seek to provide consistency for the minimum lot size to construct and subdivide a dual occupancy (attached) in the R2 Low Density Residential zone. Following the subdivision of the dual occupancy (attached) each side of the property will be able to be sold separately (subject to compliance with DCP controls).
Other	
An additional step be introduced in the development assessment process prior to lodgement whereby the applicant is required to complete a checklist based on the impacts and if the collective impact is high then the applicant is to seek council advice before proceeding	As a part of the development assessment process, applications are subject to a thorough impact assessment by Council prior to determination. Section 4.15 of the Environmental Planning and Assessment Act 1979 requires all likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, are assessed.
An Environmental Impact Assessment should be undertaken by either Council or the NSW State Government in regards to the impact that the proposed dual occupancy (attached) controls	As a part of the development assessment or complying development certificate process, proposed development is assessed to ensure it complies with controls and/or potential impacts are addressed.
<p>Objection to proposed dual occupancy (attached) controls in Kensington and Kingsford as:</p> <ul style="list-style-type: none"> - The K2K planning strategy already provides for enough growth for the area. - There would be no transition between built forms (20 storey buildings or dual occupancy) - There is a lack of parking and issues with traffic congestion -- The light rail is already at full capacity during peak times. - There will be a visual impact, loss of sunlight and loss of greenery. - Kensington is subject to flooding issues - Schools are lacking and at capacity - pre schools, Kensington Public School, and high schools. 	<p>A portion of the housing capacity to meet Councils 6 to 10 year housing target (of 4,464) will be provided through existing expected growth (3,416 dwellings) under existing planning controls, major sites renewal and in the Kensington and Kingsford town centres (as identified in the Kensington and Kingsford Planning Strategy). The remaining dwellings will be provided through the proposed Housing Investigation Areas (574 dwelling) and the dual occupancy (attached) controls (474 dwellings) identified in the Comprehensive Planning Proposal. Most of the lots that meet the proposed dual occupancy (attached) controls are located in the southern portion of the Randwick LGA.</p> <p>Council is to undertake a transition and buffer study surrounding all town centres that will investigate appropriate heights and density.</p> <p>Kensington and Kingsford have the best access to public transport across the Randwick LGA. Public transport is managed by the NSW State Government. Council will continue to inform Transport for NSW of changes that will impact services so they can plan accordingly. Council consulted with Transport for NSW and the capacity of the light rail was not raised as an issue.</p> <p>To inform the proposed dual occupancy (attached) controls Council officers undertook a detailed analysis to verify the most appropriate minimum lot size for a dual occupancy (attached) in the Randwick Local Government Area. Consideration was given to the need for adequate deep soil landscaping, and private open space to be provided onsite. DCP design provisions will further be reviewed as a part of the comprehensive DCP review to ensure that sufficient deep soil, landscaping, private open space, solar access and building design is provided.</p>

Key comment/issue	Response
<p>- The character of the area needs to be preserved</p> <p>-West Kensington was declared a heritage area previously by Council but residents were opposed to it and it was not declared heritage. Council recognised that it had a special character.</p> <p>- Dual occupancies will ruin the heritage character of the area.</p> <p>- Many properties have close to a 15m frontage and will seek consent through the Land and Environment Court to build a dual occupancy if they do not meet this requirement.</p>	<p>Moderate increases to floor space ratios (reflective to the reduction in minimum lot size) and no proposed changes to the height of buildings and minimum frontage width for dual occupancies (attached) ensure that new dual occupancy developments will not impact on the existing low density character in the R2 Low Density Residential zone.</p> <p>Flooding impacts will be managed through conditions of consent placed on development applications.</p> <p>As a part of the consultation for the planning proposal Council consulted with the Department of Education – School Infrastructure (SINSW). SINSW advised that:</p> <p><i>SINSW uses population and dwelling projection data provided by DPE as the foundation for school planning. These are analysed to produce the Department's Student by Area (SbA) projections. This data allows SINSW to assess the anticipated demand for public schools within an area or region and the best way to deliver infrastructure to support this need. The SINSW approach to identifying and evaluating the service need also includes consideration of asset suitability, equity and strategic opportunities.</i></p> <p><i>SINSW has reviewed the projections within the proposal (in combination with additional information provided by Council) and advise that the enrolment demand resulting from the proposed development can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.</i></p> <p>Heritage significant properties are protected under clause 5.10 of the Randwick LEP 2012. The minimum lot size changes for dual occupancies (attached) do not apply to heritage conservation areas within the Randwick Local Government Area. The current planning controls applicable to dual occupancies (attached) will continue to apply to heritage conservation areas. Any development application for a new dual occupancy (attached) that is within the vicinity of an existing heritage item will need to take into account the impacts on the heritage significant property.</p> <p>Applicants who are not satisfied with the outcome of the determination of a development application can appeal Council's decision to the Land and Environment Court of NSW. This is a legal entitlement as stipulated under the <i>Environmental Planning and Assessment Act 1979</i>. The Land and Environmental Court appeal is a class 1 merit assessment. The court will determine if the appeal has planning merit or not.</p>
If Long Bay Goal and the NSW Land and Housing sites were ever redeveloped the sites would not be required to have a 275m2 minimum lot size for each property to be developed. Multi storey developments like those in Eastgardens would be developed.	There are no current redevelopment plans for Long Bay Goal and NSW Land and Housing sites within the Randwick City Local Government Area. If redevelopment was to be proposed for these sites in the future a planning proposal would be required to be submitted whereby appropriate density, dwelling yields and land uses would be determined.
The property 461 Bunnerong Road has not been identified as a potential lot for dual occupancy development on the map included in the consultation material as the frontage width fronting Bunnerong	The planning proposal seeks to amend the minimum lot size to construct and subdivide a dual occupancy (attached) the only numerical requirement is the 550m2 lot size. Frontage requirements are matters for consideration under the DCP.

Key comment/issue	Response
Road is 10.4m. However, the width of the frontage on Jersey Lane is over 60m. Therefore, the property should be considered as permissible for dual occupancy (attached) development	

2. Government Agencies and Key Stakeholders Submissions

Comments raised in submissions have been summarised. As outlined above, where Government Agencies and Key Stakeholders' submissions have raised other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

2.1. Sydney Water Corporation

Key comment / issue	Response
Supports Council's vision for growth in a sustainable and resilient manner and are keen to collaborate with Council on water management and conservation initiatives and notes the proposed changes to require more stringent requirements for large scale residential development regarding water conservation, renewable energy and mitigation of the heat island effect, and to have a greater focus on stormwater treatment within development sites to improve the water quality of beaches and waterways.	Noted.
Notes the 6-10 year dwelling forecast yield of approximately 4,464 new dwellings and confirms that this information will be used to inform future servicing strategies for the Randwick LGA. The submission notes that estimated timeframes for the realization of this growth is based on likely market take-up rates and requests any updated advice from Council on the anticipated yearly staging of growth be provided as it becomes available.	Noted. Council will liaise with Sydney Water regarding the market uptake of proposed uplift as this information becomes available.
Notes that the proposed K2K dwelling uplift of 2,070 net new dwellings may require significant changes to current services and that it is imperative to prevent road/access disruption if/when mains need to be upgraded or altered to meet the increased demand.	The estimated net dwelling increase for the K2K corridor has already been approved as part of the K2K Planning Proposal and does not form part of the CPP. Council will liaise with Sydney Water regarding projects within the K2K corridor as this information becomes available.

2.2. Land and Housing Corporation / Family and Community Services

Key comment / issue	Response
The proposed increase in the minimum lot size in clause 4.1C from 450sqm to 550sqm seems contrary to the intent of the clause to increase affordability and will likely decrease affordability and supply.	<p>To inform the proposed controls, Council officers undertook a detailed analysis to verify that a lot size of minimum of 550m2 was appropriate. The proposed amendments to the minimum lot size subdivision provisions for dual occupancies (attached) in the R2 Low Density Residential zone will provide additional housing capacity to meet Council's 6 to 10 year housing target (of 4,464 dwellings by 2026) and result in an estimated housing yield of 474 dwellings in the medium term.</p> <p>Council Officers previously conducted analysis on lot sizes of 450m2+ and 650m2+ in the R2 Low Density Residential zone. Analysis found that a reduction in the minimum lot size to a minimum of 450m2 would result in a significant increase in density in the southern portion of the LGA that is less serviced by public transport and with limited access to shops and services. Alternatively, a 650m2 minimum lot size for a dual occupancy (attached) would not provide the capacity to meet the needs of the Randwick City growing and diversifying population. Analysis concluded that a lot size of 550m2 is the most appropriate lot size for dual occupancies (attached) in Randwick City.</p> <p>While increasing the minimum lot size to construct a dual occupancy (attached) from 450m2 to 550m2 will technically not open up as many lots in the Randwick LGA for this type of development if the minimum lot size was to remain 450m2, aligning the lot sizes for construction and subdivision to 550m2 will make the type of development more appealing and therefore, it is expected that the rate of uptake for this type of development will contribute to housing supply.</p> <p>Torrens titling a dual occupancy (attached) will result in a pair of semi-detached dwellings as the housing form is subdivided into two separate dwellings on two separate titles. The reduction in minimum lot size in the R2 Low Density Residential zone will result in an increase in semi-detached dwellings in the Randwick LGA. In turn, this will increase housing diversity, affordability and choice to a range of household types to support the growing Randwick City population, whilst allowing for moderate increase in dwellings in a built form that that will protect the character of the R2 Low Density Residential zone.</p>

2.3. School Infrastructure NSW

Key comment / issue	Response
Schools Infrastructure NSW (SINSW) advise that the increased enrolment demand resulting from the proposal can likely be accommodated within the LGA's existing schools. SINSW will investigate appropriate solutions for those schools which cannot accommodate an expansion of capacity due to site and environmental constraints.	Noted.
Schools Infrastructure NSW request ongoing engagement with Council regarding any future growth and change identified for the locality.	Council will liaise with Schools Infrastructure NSW whenever new population growth is planned for in the LGA.

CP46/22



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Director City Planning Report No. CP47/22

Subject: Randwick Comprehensive LEP Planning Proposal - Heritage Conservation

Executive Summary

- This report provides an overview of key issues raised by submissions on the recently exhibited draft Comprehensive Planning Proposal (CPP) in relation to heritage conservation amendments. The proposed changes seek to protect properties through planning legislation to protect the City's built heritage and character to ensure properties of heritage significance are safeguarded for future generations.
- The CPP has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, as noted above it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the Planning Proposal, being the heritage changes, is the subject of a separate report and recommendation in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council retain its endorsement in relation to heritage amendments included as part of the publicly exhibited draft CPP as follows:
 - Listing 54 new properties as heritage items
 - Listing 1 property as an archaeological site
 - Changes to a number of existing heritage items to either separate or consolidate listings
 - Extension of the boundary of the Moira Crescent Heritage Conservation area to include 12 additional properties
 - Creation of the new Edgecumbe Estate Heritage Conservation Area comprising 10 properties.
- Council's resolution on this report will be reflected in the post exhibition Randwick Comprehensive Planning Proposal to be forwarded to the Department of Planning and Environment, with the request that the amendments be made *to Randwick Local Environmental Plan 2012*.

Recommendation

That Council

- a) Endorse the part of the Comprehensive Planning Proposal that amends Schedule 5 of the Randwick Local Environmental Plan 2012 in relation to heritage items and heritage conservation areas as set out below:
 - i) List the following properties as heritage items:
 1. 10 Broome Street, Maroubra
 2. 43 Broome Street, Maroubra
 3. 24 Eastern Avenue, Kensington
 4. 30 Eastern Avenue, Kingsford
 5. 32 Eastern Avenue, Kingsford
 6. 34 Eastern Avenue, Kingsford

7. 237-245 Maroubra Road, Maroubra
8. 27 The Corso, Maroubra
9. 1 Winburn Avenue, Kingsford
10. 289 Arden Street, Coogee
11. 293 Arden Street, Coogee
12. 231 Avoca Street, Randwick
13. 142-144 Beach Street, Coogee
14. 16 Bishops Avenue, Randwick
15. 20 Bishops Avenue, Randwick
16. 122 Brook Street, Coogee
17. 124 Brook Street, Coogee
18. 129 Coogee Bay Road, Coogee (includes ground floor retail shops at 127-131 Coogee Bay Road)
19. 218-222 Coogee Bay Road, Coogee
20. 230 Coogee Bay Road, Coogee
21. 250-252 Coogee Bay Road, Coogee
22. 36-42 Cook Street, Randwick
23. 10 Cottenham Avenue, Kensington
24. 36 Cottenham Avenue, Kensington
25. 187 Clovelly Road, Randwick
26. 69 Darley Road, Randwick
27. 18 Day Avenue, Kensington
28. 20 Day Avenue, Kensington
29. 72 Dudley Street, Coogee
30. 90 Dudley Street, Coogee
31. 25 Duke Street, Kensington
32. 42a Fern Street, Randwick
33. 20-22 Figtree Avenue, Randwick
34. 16-18 Glebe Street, Randwick
35. 20 Ingelthorpe Avenue, Kensington
36. 5 Kurrawa Avenue, Coogee (alternative address 146-152 Beach Street, Coogee)
37. 7 Mears Avenue, Randwick
38. 32 Mooramie Avenue, Kensington
39. 3 Nathan Street, Randwick
40. 121-123 Perouse Road, Randwick
41. 27 Prince Street, Randwick
42. 11 & 13 Abbotford Street, Kensington
43. 5 Berwick Street, Coogee
44. 63 Samuel Terry Avenue, Kensington
45. 1 Thomas Street, Coogee
46. 24 Marcel Avenue, Randwick
47. 26 Marcel Avenue, Randwick
48. 44 Marcel Avenue, Randwick
49. 204 Clovelly Road, Randwick
50. 206 Clovelly Road, Randwick
51. 208 Clovelly Road, Randwick
52. 1 Belmore Road, Randwick
53. 167-171 Alison Road, Randwick
54. 179-181 Alison Road, Randwick





ii) List the following properties as archaeological sites:

1. 16 Carey Street, Randwick

iii) Extend the boundary of the Moira Crescent Heritage Conservation Area to include 15, 24, 26, 28, 30 and 32 Marcel Avenue, Randwick and 198, 200, 202, 204, 206 and 208 Clovelly Road, Randwick noting that this will include 24 and 26 Marcel Ave, Randwick and 204, 206 and 208 Clovelly Road, Clovelly as heritage items;

- iv) Identify the new Edgumbe Estate Heritage Conservation Area which will include 142A, 144, 146, 148, 150 and 152 Brook Street, Coogee, 37, 39 and 41 Dudley Street, Coogee and 5 Edgumbe Avenue, Coogee.
 - v) Extend the curtilage of the heritage item at 60 Belmore Road, Randwick to include the adjoining address known as 25 Waratah Avenue, Randwick
 - vi) Identify the grouping of 16, 18, 20 and 22 Dudley St, Randwick as individual heritage items;
 - vii) Identify the grouping of 10, 12 and 14 Stephen St, Randwick as individual heritage items;
 - viii) Consolidate 1-3 Samuel Terry Avenue, Kensington and 1-27 Todman Avenue, Kensington into a single heritage listing; and
- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the that part of the Randwick Comprehensive Planning Proposal relating to heritage provisions and associated documents prior to submitting to the Department of Planning and Environment;
- c) Forward that part of the Planning Proposal relating to heritage to the Department of Planning and Environment and requesting that the amendments be made to Randwick Local Environmental Plan 2012.

Attachment/s:

1.  Table of Community and Stakeholders Submissions and Responses - Heritage Conservation
2.  Attachment G(7) City Plan Heritage Advice on Submissions received to Randwick Comprehensive Planning Proposal Exhibition
3.  Randwick Heritage Study - Draft Heritage Item Heritage Inventory Sheets - Part 1
4.  Randwick Heritage Study - Draft Heritage Item Heritage Inventory Sheets - Part 2

Purpose

This report provides an overview of key issues raised by submissions on the recently exhibited draft Comprehensive Planning Proposal (CPP) in relation to heritage conservation amendments.

This report seeks Council's endorsement on the recommendations outlined by planning officers for amendments to Schedule 5 of Randwick Local Environmental Plan 2012 to include new heritage listings, new archaeological sites and heritage conservation areas.

A separate report has been included in the current Council Agenda (Extraordinary Meeting of 30 August 2022) summarising the consultation process/activities undertaken and matters raised in submissions received during public exhibition period of the Comprehensive LEP.

Discussion

Background

The CPP has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).

The Planning Proposal also implements the findings and recommendations of studies and strategies undertaken by Council over recent years including the Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy, Local Character Statements and relevant Informing Strategies endorsed by Council in recent years.

At the Extra Ordinary meeting of Council held on 1 June 2021, Councillors endorsed draft Comprehensive Planning Proposal for submission to the Department of Planning seeking a Gateway Determination to enable its public exhibition. The Planning Proposal was considered as five separate reports covering various aspects of the Planning Proposal. A Gateway Determination was issued by the Department on 12 September 2021 with conditions.

On 26 October 2021, Council resolved to endorse a Council Officer submission seeking a review of certain conditions on the Gateway Determination.

At the Ordinary Council meeting held on 22 March 2022, Council considered a report that advised of the outcome and implications of the Gateway Review and Alteration that was submitted to the DPE on 7 November 2021. At this meeting Councilors noted the outcome of the Gateway Review that required amendments to the Planning Proposal prior to public exhibition and resolved that *"the amended Planning Proposal be presented at the Ordinary Council Meeting in April for consideration prior to public exhibition."*

On 26 April 2022, the draft Planning Proposal was considered by Councillors in accordance with the above resolution. At this meeting Councillors resolved to make changes to the Planning Proposal in relation to the Economic Development section; use of land at 58-64 Carr Street Coogee and to amend the minimum lot size for dual occupancy to 650m².

An Extra Ordinary Council meeting was held on 3 May 2022 to deal with a recission motion to the resolution of 26 April 2022, received from a number of Councillors. At this meeting the following resolution was endorsed by Councillors:

RESOLUTION: *(Said/Neilson) that Council:*

- a) *endorse the exhibition of the Comprehensive Planning Proposal and associated document;*

- b) *authorise the Director of City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Comprehensive Planning Proposal and associated documents prior to public exhibition;*
- c) *that the public exhibition/consultation communications are explicit in outlining Council's objection to the Gateway conditions imposed, the overall housing target imposed on the Randwick LGA which this planning seeks to achieve, and that Randwick City Council is under direction by the NSW Government to prepare an updated LEP document. That the consultation also ask residents as to the suitability of encouraging additional dual occupancy development considering impacts on-street parking impacts, frontages, greenery, and the appropriateness of specified locations concerning transportation for such a style development.*

Volume 1 Objectives and Intended Outcomes 1.2.4 Economic Development (p8) Third bullet - add the words "in Business zones where appropriate" so it reads: "Standardise and extend trading hours for shops and low impact business premises in Business zones where appropriate."

Volume 2 A. Planning Proposal Timeline Attachment B. LEP Clause and Schedule Changes Schedule 1 Additional permitted uses

1. Use of land at 58-64 Carr Street, Coogee (2) add "in conjunction with the site specific DCP." So this item to read "Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP."

The specific amendments outlined in the above resolution were actioned by Council officers in the draft Planning Proposal and exhibited material.

On the 31 May 2022, the CPP was placed on public exhibition for 6 weeks until the 12 July 2022 as part of an extensive and well publicised community engagement process.

Review and analysis of submissions relating to heritage was undertaken in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities, Eastern City District Plan, Randwick Local Strategic Planning Statement and Randwick Housing Strategy.

Heritage Amendments

Background and context

In 2020, Randwick City Council commissioned the Randwick Heritage Study, an independent review of the City's heritage as part of the broader review of the Randwick LEP 2012. The study is an important periodical 'stocktake' of Randwick City's heritage, to re-assess the condition of existing heritage items and Heritage Conservation Areas (HCA) and to identify new sites for local heritage listing. As a result of the recommendations of this study and subsequent further consultant's review, the exhibited Planning Proposal proposed to list a number of new heritage items and archaeological sites, amend the existing Moira Crescent HCA and make minor amendments to existing heritage item listings.

Prior to the 2020 Heritage Study, the Randwick Junction Heritage Conservation Area Study (2015) recommended a number of new heritage listings. These listings have also been included within the Planning Proposal.

In 2021 Council officers submitted a separate Planning Proposal to the Department of Planning, Industry and Environment to establish a new HCA area known as the Edgecumbe Estate HCA. At the time, the Department noted that more information and justification was required before support could be given to establish the new HCA. Council officers proceeded to prepare an Assessment of Heritage Significance for the new Edgecumbe Estate HCA, which has now been included as part of the Comprehensive Planning Proposal.

Summary of exhibited changes

The publicly exhibited draft CPP recommended changes to the below properties.

Address / Title	Proposed change
Randwick Local Heritage Study	
16 Carey Street, Randwick	New Archaeological Site
5 Severn Street, Maroubra	New Archaeological Site
10 Broome Street, Maroubra	New Local Heritage Item
43 Broome Street, Maroubra	New Local Heritage Item
24 Eastern Avenue, Kensington	New Local Heritage Item
30 Eastern Avenue, Kingsford	New Local Heritage Item
32 Eastern Avenue, Kingsford	New Local Heritage Item
34 Eastern Avenue Kingsford	New Local Heritage Item
41-43 Kyogle Street, Maroubra	New Local Heritage Item
237-245 Maroubra Road, Maroubra	New Local Heritage Item
27 The Corso, Maroubra	New Local Heritage Item
1 Winburn Avenue, Kingsford	New Local Heritage Item
289 Arden Street, Coogee	New Local Heritage Item
293 Arden Street, Coogee	New Local Heritage Item
231 Avoca Street, Randwick	New Local Heritage Item
21 Baden Street, Coogee	New Local Heritage Item
142-144 Beach Street, Coogee	New Local Heritage Item
3 Bishops Avenue, Randwick	New Local Heritage Item
16 Bishops Avenue, Randwick	New Local Heritage Item
20 Bishops Avenue, Randwick	New Local Heritage Item
122 Brook Street, Coogee	New Local Heritage Item
124 Brook Street, Coogee	New Local Heritage Item
129 Coogee Bay Road, Coogee	New Local Heritage Item
218-222 Coogee Bay Road, Coogee	New Local Heritage Item
230 Coogee Bay Road, Coogee	New Local Heritage Item
250-252 Coogee Bay Road, Coogee	New Local Heritage Item
36-42 Cook Street, Randwick	New Local Heritage Item
10 Cottenham Avenue, Kensington	New Local Heritage Item
36 Cottenham Avenue, Kensington	New Local Heritage Item
187 Clovelly Road, Randwick	New Local Heritage Item
69 Darley Road, Randwick	New Local Heritage Item

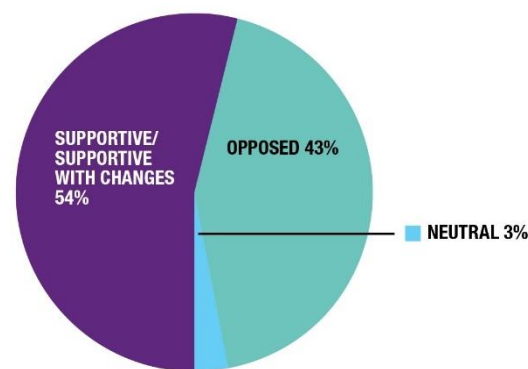
Address / Title	Proposed change
18 Day Avenue, Kensington	New Local Heritage Item
20 Day Avenue, Kensington	New Local Heritage Item
72 Dudley Street, Coogee	New Local Heritage Item
90 Dudley Street, Coogee	New Local Heritage Item
25 Duke Street, Kensington	New Local Heritage Item
42a Fern Street, Randwick	New Local Heritage Item
20-22 Figtree Avenue, Randwick	New Local Heritage Item
16-18 Glebe Street, Randwick	New Local Heritage Item
20 Ingelthorpe Avenue, Kensington	New Local Heritage Item
5 Kurrawa Avenue, Coogee (alternative address 146-152 Beach Street)	New Local Heritage Item
7 Mears Avenue, Randwick	New Local Heritage Item
32 Mooramie Avenue, Kensington	New Local Heritage Item
3 Nathan Street, Randwick	New Local Heritage Item
121-123 Perouse Road, Randwick	New Local Heritage Item
27 Prince Street, Randwick	New Local Heritage Item
11 & 13 Abbotford Street, Kensington	New Local Heritage Item
5 Berwick Street, Coogee	New Local Heritage Item
63 Samuel Terry Avenue, Kensington	New Local Heritage Item
1 Thomas Street, Coogee	New Local Heritage Item
15 Marcel Avenue, Randwick	Inclusion in Moira Crescent HCA
20 Marcel Avenue, Randwick	Inclusion in Moira Crescent HCA
22 Marcel Avenue, Randwick	Inclusion in Moira Crescent HCA
24 Marcel Avenue, Randwick	New Local Heritage Item and inclusion in Moira Crescent HCA
26 Marcel Avenue, Randwick	New Local Heritage Item and inclusion in Moira Crescent HCA
28 Marcel Avenue, Randwick	Inclusion in Moira Crescent HCA
30 Marcel Avenue, Randwick	Inclusion in Moira Crescent HCA
32 Marcel Avenue, Randwick	Inclusion in Moira Crescent HCA
44 Marcel Avenue, Randwick	New Local Heritage Item
198 Clovelly Road, Randwick	Inclusion in Moira Crescent HCA
200 Clovelly Road, Randwick	Inclusion in Moira Crescent HCA
202 Clovelly Road, Randwick	Inclusion in Moira Crescent HCA
204 Clovelly Road, Randwick	New Local Heritage Item and inclusion in Moira Crescent HCA

Address / Title	Proposed change
206 Clovelly Road, Randwick	New Local Heritage Item and inclusion in Moira Crescent HCA
208 Clovelly Road, Randwick	New Local Heritage Item and inclusion in Moira Crescent HCA
16 Dudley Street, Randwick	Separation of existing item
18 Dudley Street, Randwick	Separation of existing item
20 Dudley Street, Randwick	Separation of existing item
22 Dudley Street, Randwick	Separation of existing item
10 Stephen Street, Randwick	Separation of existing item
12 Stephen Street, Randwick	Separation of existing item
14 Stephen Street, Randwick	Separation of existing item
1-3 Samuel Terry Avenue, Kensington	Consolidate Existing Local Heritage Items into one listing
1-27 Todman Avenue, Kensington	
Randwick Junction Heritage Conservation Area Study	
1 Belmore Road, Randwick	New Local Heritage Item
167-171 Alison Road, Randwick	New Local Heritage Item
179-181 Alison Road, Randwick	New Local Heritage Item
25 Waratah Avenue, Randwick	Incorporated into existing listing
Proposed Edgecumbe Estate Heritage Conservation Area	
142A Brook Street, Coogee	New Edgecumbe Estate HCA
144 Brook Street, Coogee	New Edgecumbe Estate HCA
146 Brook Street, Coogee	New Edgecumbe Estate HCA
148 Brook Street, Coogee	New Edgecumbe Estate HCA
150 Brook Street, Coogee	New Edgecumbe Estate HCA
152 Brook Street, Coogee	New Edgecumbe Estate HCA
37 Dudley Street, Coogee	New Edgecumbe Estate HCA
39 Dudley Street, Coogee	New Edgecumbe Estate HCA
41 Dudley Street, Coogee	New Edgecumbe Estate HCA
5 Edgecumbe Avenue, Coogee	New Edgecumbe Estate HCA

Overview of heritage submissions

Comments relating to the proposed heritage amendments were raised a total of 68 times in the submissions received. The following table and graph provide a summary of the heritage submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position, or it was unclear.

Heritage submissions	Response
Supportive/supportive with changes	54% (37) *
Opposed	43% (29)
Neutral	3% (2)
Unsure	0% (0)
TOTAL	100% (68)



* Total includes one petition in support with 305 signatures for heritage, HIA, Dual occupancy and affordable housing provisions. For the purpose of the totals, the petition has been counted as one submission.

Community comments received via the telephone survey provided the following comments with respect to the heritage:

- Survey respondents showed overall support for protecting existing heritage buildings, identifying new buildings for protection and for controls that maintain the character of residential streets
- 66% of respondents were supportive or very supportive of the LEP continuing to protect existing heritage buildings
- 69% were supportive or very supportive of the LEP identifying heritage buildings for protection
- 65% were supportive or very supportive that the LEP maintains the character of our residential streets.

Key issues and responses

Key issues and comments raised in written submissions from the community, telephone survey and stakeholders in response to the proposed heritage amendments are summarised below. Detailed responses are provided in **Attachment 1**.

- Support for heritage measures as a means of protecting the built heritage within the LGA.

Response – As indicated above, 54% of heritage submissions were supportive and/or supportive with change to the proposed heritage amendments contained in the publicly exhibited draft CPP. This response signifies an acknowledgment of the need for, and importance of, conserving and protecting Randwick City's rich and unique built cultural heritage that includes buildings, monuments and sculptures and archaeological sites. The responses also reflect acknowledgement of provisions that protect and manage built cultural heritage within the Randwick Local Environmental Plan 2012, in conjunction with the conservation guidelines contained in the Randwick Development Control Plan 2013.

There has been one submission from the property owner of 1 Berwick Street, Coogee, requesting the heritage listing of his property because of the conservation protection afforded by such listing. The listing request is accompanied by a statement of heritage significance that states that the property is significant in line with historic and historical association criteria including its location as the original site, and subsequent sub-division for, the Catholic Church of Coogee comprising the current addresses of 1, 3 and 5 Berwick St; its Interwar bungalow style designed by Clement Glancey son of Clement Glancey senior who was the pre-eminent architect of the Catholic Romanesque in New South Wales; and its construction in 1926. The request has been assessed by City Plan Heritage who advise that the submission has merit and can be supported. It should be noted that the heritage listing of 1 Berwick Street, Coogee, will be part of a future separate planning proposal and therefore not recommended for heritage listing under the draft CPP. This is necessary as the proposed listing must be publicly exhibited as part of a new planning proposal.



1 Berwick Street, Coogee

- Concerns over the heritage listing process.

Response –A number of submissions questioned the community nomination process adopted by Council for gathering the initial list of potential heritage items. This initial invitation to the community is a recognised procedure consistent with the NSW Heritage Office Guidelines for community-based heritage studies. The heritage study is a periodical project undertaken by Council to review existing and potential heritage items and Heritage Conservation Areas in the Randwick LGA and has been undertaken in conjunction with the Comprehensive LEP process. Identifying and protecting valued heritage properties and precincts is consistent with Planning Priority 4- *Conserve and protect our unique built cultural heritage*, in Council's Local Strategic Planning Statement (LSPS). Action 4.1 states "*Undertake a heritage review of Randwick City to identify additional heritage items and HCAs including boundary adjustments where necessary*".

A total of 281 properties were initially nominated by the community in early 2020 and all were subject to a rigorous two staged assessment process by independent heritage consultants. The properties recommended for heritage listing by Council's consultants have been reviewed and assessed in accordance with the NSW Heritage Office criteria for heritage significance. For each property, assessment is based on the degree of representation in the locality, streetscape presentation, integrity and aesthetic quality (see **Attachments 3 and 4**).

- Opposition to the specific listing of a number of proposed heritage items.

Response – A number of submissions from owners contained objections to specific individual/grouped properties being nominated and proposed for heritage listing. Several of these objections were accompanied by heritage assessments in support of the owners' request not to be heritage listed. All these submissions containing specific requests for properties not to be listed have been provided to the independent heritage consultant, City Plan Heritage (who undertook the original significance assessment and heritage data forms for the proposed listings) for assessment (refer to **Attachment 2**).

Following a heritage assessment of each of the properties which were the subject of objections to heritage listing, City Plan Heritage has made the following recommendations:

- **Retain as per exhibition documentation: 8 individual/grouped properties as follows:**

36-42 Cook Street, Randwick

The objection to proposed heritage listing of 36-42 Cook St, Randwick advises that the heritage data form prepared by City Plan Heritage erroneously refers to these properties as Federation Terraces and not Victorian. City Plan Heritage advises that the subject terraces were constructed c1893 and are considered to be Federation Filigree terraces which should be protected. The objection also states that the properties are not rare types as there are numerous examples of this style in Randwick City and therefore well represented. City Plan Heritage advises that having numerous terraces of such style listed within the LGA or wider Sydney is not an

exclusion criteria under the Significance Assessment criteria in the NSW Heritage Manual which states that "A heritage item is not to be excluded on the ground that items with similar characteristics have already been entered on a statutory list". The objection also refers to the omission of No. 34 Cook Street from proposed heritage listing when it has the same architectural style and construction history. No. 34 was not nominated in community nomination process in 2020 and therefore was not in the scope of the reviews undertaken by both Extent Heritage and City Plan Heritage. A formal assessment of the heritage significance of No. 34 Cook St, Randwick, will be undertaken to confirm its merit for inclusion in a future planning proposal as a potential heritage item.

The assessment contained in the SHI form for 36-42 Cook St Randwick remain valid as the property meets the threshold under at least five criteria (A, B,C,G and Integrity) for nomination of heritage listing. Accordingly, City Plan Heritage recommend that 36-42 Cook Street, Randwick, be listed on Part 1, Schedule 5, of the Randwick LEP.



36-42 Cook Street, Randwick

237-245 Maroubra Road, Maroubra

The objection to proposed heritage listing of 237-245 Maroubra Rd Maroubra is accompanied by a heritage assessment prepared by Irene Lee (heritage consultant) who advises that the architect for the building, Mr. Cecil Reynolds Winter, was not important and other works designed by him have not been listed. The objection also advises that the building is not representative of good Art Deco design of the era being built for the "low end" of the market and has been substantially altered over time.

The owners of the property also advise of financial hardship in maintaining a heritage listed property which City Plan Heritage advises is not a consideration under the local heritage listing provisions. Additionally, City Plan Heritage have advised that 237-245 Maroubra Road, Maroubra, (aka "Crossley Court") was based on the Significance Assessment criteria in the NSW Heritage Manual and undertaken by City Plan Heritage's professional Historian with considerable experience in the heritage field. In doing so, City Plan Heritage has confirmed that the building was designed by Mr. Cecil Reynolds Winter, its date of construction being c1934 and its Inter-War style architecture being representative of the Inter-War expansion of the local area during the early to mid-20th centuries. Crossley Court has similar detailing to another building designed by Mr Winter, the Lindfield Masonic Hall, with signature detailing in the style that Mr Winter promoted during the Inter-War period.

The assessment contained in the SHI form for 237-245 Maroubra Rd, Maroubra remain valid as the property meets the threshold under at least three criteria (A, C and G) for nomination to heritage listing. Accordingly, City Plan City Plan Heritage recommend that 237-245 Maroubra Road, Maroubra, be listed on Part 1, Schedule 5, of the Randwick LEP.



237-245 Maroubra Road, Maroubra

69 Darley Road, Randwick

The submission from the owner of 69 Darley Rd Randwick in relation to the proposed heritage listing is accompanied by a heritage assessment prepared by Zoltan Kovacs (consultant architect) who contends that the building lacks cultural significance. Additionally, the owners of the property submit that the property has been considerably modified since it was first constructed, with most of the interior altered such that there is no longer any aesthetic significance associated with its Queen Anne Revival style architecture. The owners point out that the building is in poor condition especially at the front where the remaining visible fabric still exists. The owners request that if heritage listing proceeds, the heritage data SHI forms be amended to acknowledge the heavily-modified nature of the property since its original construction and generally poor condition of the property today.

City Plan Heritage advise that from the street, it is still possible to form a view of the building's integrity and the Federation Queen Anne style detailing. City Plan Heritage points to the heritage assessment undertaken by the owners' consultant, which confirms the house as being "... *one of the earliest surviving examples of residential construction in the immediate locality.*" City Plan Heritage advises that based on previous assessment and historical research as well as the additional information provided, it is evident that 69 Darley Road, Randwick, meets the threshold for heritage listing. As noted in other cases, the condition of the fabric is not a consideration under the Significance Assessment Criteria. However, City Plan Heritage acknowledge the fabric information and the request for modifications to the SHI form made by the owners. The descriptions in the SHI form will be amended accordingly and include additional physical description from the owners' heritage assessment. City Plan Heritage recommend that 69 Darley Road, Randwick, be listed on Part 1, Schedule 5, of the Randwick LEP.



69 Darley Road, Randwick

26 Marcel Avenue, Randwick

The objection to proposed heritage listing of 26 Marcel Ave Randwick refers to the existing enclosure of the front balconies/patios of this property which it is claimed compromises its aesthetic qualities and therefore does not warrant its proposed heritage listing. City Plan Heritage has advised that enclosure of the front balconies/patios were apparent to City Plan Heritage during its review of Extent Heritage's nomination of this property for heritage listing. City Plan Heritage advises that enclosure of the front balconies/patios does not reduce the historical evidence and aesthetic integrity and quality of the subject flat building, which appears to retain most of its internal Inter-War detailing as well.

The assessment contained in the SHI form for 26 Marcel Ave, Randwick remain valid as the property meets the threshold under at least three criteria (A, C and G) for nomination to heritage listing. Accordingly, City Plan City Plan Heritage recommend that 26 Marcel Ave, Randwick be listed on Part 1, Schedule 5, of the Randwick LEP.



26 Marcel Avenue, Randwick

36 Cottenham Avenue, Kensington

The objection to proposed heritage listing of 36 Cottenham Ave Kensington is accompanied by a heritage assessment prepared by Weir Phillips which disputes the historical, aesthetic, social significance and representative significance of the property for heritage listing.

City Plan Heritage has confirmed that the historical facts underlying Criterion A remain and no advice has been provided by the consultant to provide a credible alternative significant history. Rather the consultant refers to Criterion B of the SHI form when considering discussion against Criterion A. The SHI form notes the following against Criterion A: "Constructed in c.1919, the house is representative of urban subdivision and growth within the Kensington local area during the Inter-War years of the 20th century. The Inter-War house was one of the only seven houses on the west side of Cottenham Avenue." City Plan Heritage advise that the subject residence remains one of the first seven houses built on the western side of Cottenham Avenue and is largely intact externally.

The assessment contained in the SHI form for 36 Cottenham Ave, Kensington remain valid as the property meets the threshold under at least three criteria (A, C and G) for nomination to heritage listing. Accordingly, City Plan City Plan Heritage recommend that 36 Cottenham Ave, Kensington, be listed on Part 1, Schedule 5, of the Randwick LEP. The descriptions in the SHI form can be amended to exclude areas of the interiors that have been modified and include additional physical description from the owners' heritage assessment.



36 Cottenham Avenue, Kensington

11 & 13 Abbotford Street, Kensington

The objection to proposed heritage listing is accompanied by a heritage assessment prepared by Urbis and GBA Heritage essentially advising that the property has not demonstrated connection with the Centennial Park Lands subdivision due to their degree of intactness and therefore have no historic significance. Additionally, the heritage consultants contend that the properties are only a modest example of Federation architecture covering the pre-war expansion of the local area during the early 20th century and therefore do not have aesthetic significance.

City Plan Heritage has advised that it stands by its assessment in the heritage data SHI forms and that the subject semi-detached Federation houses meet at least two of the Significance Assessment criteria (Criteria A and C) and therefore should be listed as a group heritage item on the LEP. City Plan further advises that the SHI form can be amended to include the additional historical and descriptive information provided in the submissions by Urbis and GBA Heritage, and exclude the modified parts of the interiors and later additions to the subject semis. The listing was recommended for both 11 and 13 Abbotford Street and not just for No.13 Abbotford Street.

City Plan Heritage recommend that 11 & 13 Abbotford Street, Kensington, be listed on Part 1, Schedule 5, of the Randwick LEP. It should be noted that 11 and 13 Abbotford Street, Kensington was the subject of a development application (DA/297/2020) received on 26 June 2020 for the demolition of all existing buildings and construction of a four storey, 86 room boarding house with basement parking, tree removal, landscaping and associated works. The development application became the subject of an appeal to the L&E Court in 2021. On 24 March 2022, the L&E Court refused the development application and the appeal was dismissed.



11 Abbotford Street, Kensington



13 Abbotford Street, Kensington

24 Eastern Avenue, Kensington

The objections to the proposed heritage listing of 24 Eastern Ave, Kensington questions the historical significance attributed to the property by both Extent Heritage and City Plan Heritage contending that the heritage data SHI form does not acknowledge alterations undertaken by the owners over many years so that the altered fabric is not original. Furthermore, the objections contend that historical

assessment in the heritage data form is inaccurate especially in relation to the builder.

City Plan Heritage has advised that the assessment of 24 Eastern Avenue, Kensington, was based on the historical research undertaken by a Professional Historian with considerable experience in heritage field who has established that the property was noted as being called 'Floret' on the Sands Directory and may not be registered under this name on the Certificate of Title. Association with the Price Family is secondary to its primary historical significance under Criterion A.

City Plan Heritage stands by its assessment in the heritage data form in that the property meets the threshold under at least three criteria (A, C and G) for nomination of heritage listing. City Plan Heritage recommend that 24 Eastern Avenue, Kensington, be listed on Part 1, Schedule 5, of the Randwick LEP.



24 Eastern Avenue, Kensington

1 Belmore Road, Randwick

The objection advises that heritage listing would make restoring the outside of the building, when required, costly and would restrict the placement of signage, window replacement and awnings to the façade.

City Plan Heritage advise that an inspection and assessment of the property was undertaken as part of the 2015 Randwick Junction Heritage Conservation Area and SHI form were prepared for the property at the time.

The assessment contained in the SHI form for 1 Belmore Rd, Randwick remain valid as the property meets the threshold under at least three criteria (A, C and G) for nomination to heritage listing. Accordingly, City Plan City Plan Heritage recommend that 1 Belmore Road, Randwick, be listed on Part 1, Schedule 5, of the Randwick LEP.



1 Belmore Road, Randwick

- **Remove from proposed listing: 4 individual/grouped properties as follows:**

3 Bishops Avenue, Randwick

The submission for this property is accompanied by a heritage assessment prepared by Zoltan Kovacs (consultant architect) who advises that the subject property has been extensively altered despite its late Victorian Classical origins c 1884 – 1890, with little surviving original element. Accordingly, it is argued that the building has only incidental or unsubstantiated connections with historically important activities or processes and has been so altered that it can no longer provide evidence of a particular association. More specifically, the consultant architect advises that the building is a *“physically compromised example of the Late Victorian period. The visually prominent two storey veranda is a recent interpretation and it is not an authentic restoration. As the most prominent visual feature of the house is inauthentic and thus misleading, the house cannot be considered a good representative example of the Victorian period”*.

City Plan Heritage have assessed the architect’s submission and advise that the original evaluation in the heritage data SHI form was based on an external viewing of the property from the street which, without the benefit of the construction history and details now provided by the consultant architect, visually presented then as a building whose origins and integrity appeared intact. Additionally, City Plan Heritage advise that the remaining original 1890s villa has been encompassed within the altered elements of the existing building and *“the conjecture balconies and façade confuses the building’s origins and integrity”*.

Accordingly, City Plan Heritage acknowledge that the historical fabric of the building has been significantly compromised and largely is not authentic and recommends that 3 Bishops Avenue be removed from the potential heritage items list.



3 Bishops Avenue, Randwick

41 and 43 Kyogle Street, Maroubra

The submission for this property advises that the subject property has lost its setting as the section of Kyogle Street in which it is located is significantly compromised by modern development contrary to the heritage data SHI form prepared by City Plan Heritage which refers to *“Retain and conserve street façade and presentation of building within the Kyogle streetscape”*.

City Plan Heritage has now confirmed that the area and streetscape of Kyogle Street has been changed and no longer has the common characteristic as it was in the Inter-War and Post-War periods. Accordingly, City Plan Heritage advise that this has removed the setting of the subject semi-detached houses. Furthermore, City Plan Heritage considered that the property itself visually is relatively simple and unadorned example of its type especially considering the simplicity of the internal elements and finishes as evident from real estate images for 43 Kyogle Street. An assessment of the significance criteria in the draft heritage data SHI form prepared by City Plan Heritage indicates that the property displays a marginal degree of significance. Accordingly, based on further consideration and comparison of similar period of development in the area, which is largely developed in the Inter-War

period, City Plan Heritage recommend that heritage listing is not warranted and that 41 and 43 Kyogle Street, Maroubra be removed from the potential heritage items list.



41 and 43 Kyogle Street, Maroubra

CP47/22

21 Baden Street, Coogee

At the Council meeting on 22 March 2022, a report was presented outlining the key findings made in the preparation of the Heritage Data Sheets for properties recommended for heritage listing in Randwick City. Council was advised that, among other things, 21 Baden Street, Coogee, was one of 2 properties that did not meet the significance criteria to warrant listing (the other property was 51 Doncaster Avenue, Kensington). In particular, Council was advised of the findings of the heritage data assessment undertaken by City Plan Heritage that 21 Baden Street, Coogee, was irreversibly altered by modifications undertaken in 1936, and no longer demonstrated the architectural characteristics or planning of the original 1925 house. These alterations carried out since 1936 have compromised the appearance of the building as an Inter-war flat building or as an Inter-war house. Accordingly, Council officers, following the advice of City Plan Heritage, recommended that 21 Baden Street, Coogee (together with 51 Doncaster Avenue, Kensington) be removed from proposed heritage listing. Notwithstanding this recommendation, Council however resolved to remove only one property being 51 Doncaster Avenue, Kensington, and retain 21 Baden Street, Coogee, on the list of proposed heritage items.

The owner of 21 Baden Street has provided a submission objecting to the inclusion and attached a heritage assessment prepared by a heritage consultant, Weirs Phillip. Weirs Phillip advise that the subject property has been extensively altered and the building is not an outstanding example of a residential flat building of this period. Weir Phillip has indicated that the best examples of residential flat buildings of this period are listed as heritage items by Schedule 5 Part 1 of the Randwick LEP 2012 and these demonstrate a sophistication in architectural form and detailing not in evidence at No. 21 Baden Street.

City Plan Heritage advise that the initial recommendation remains, that is, that the subject flat building has been significantly modified from its original form both externally and internally (being originally a single-storey residence then converted into a flat building) and therefore does not meet the threshold for heritage listing. City Plan Heritage recommend that heritage listing is not warranted and that 21 Baden Street, Coogee be removed from the potential heritage items list.



21 Baden Street, Coogee

5 Severn Street, Maroubra

The submission for this property is accompanied by a heritage assessment prepared by Urbis, heritage consultant, who have indicated that the building has been modified significantly from its original form both externally and internally such that it does not meet the threshold for heritage listing. Furthermore, the consultant contends that the archaeological listing attributed to a former dairy on the site is in error as this dairy was located at another nearby site.

City Plan Heritage advise that the heritage data SHI form already recognises that the building no longer has adequate fabric and aesthetic merit to warrant listing so that this issue is no longer contended. In relation to the archaeological listing recommended in the heritage data form, City Plan Heritage has made further assessment of the additional archaeological assessments provided by Urbis and GML Heritage (during the proceedings of the Land & Environment Court case for this property while finalising the Statement of Facts and Contention (SOFAC) to the Court). At the Court hearing, it was revealed that the dairy attributed to the subject site is actually located in another nearby site, hence City Plan Heritage acknowledge that the archaeological potential of the site is not at a level that would warrant listing of the site as an archaeological item. The only item of interest that remains on the site is the sandstone front boundary wall which Council has requested to the Land and Environment Court to be retained via a condition for archaeological monitoring during the demolition of the existing building and excavation of the site can be made to ensure likely finds, if any, are documented appropriately by suitably qualified heritage professional. A court decision on this matter is still pending.

City Plan Heritage recommend that heritage listing is not warranted and that 5 Severn Street, Maroubra, be removed from the potential heritage items list.



5 Severn Street, Maroubra

- **Remove from extended Moira Crescent Heritage Conservation Area: 2 properties as follows:**

20 and 22 Marcel Avenue, Randwick

The submission for this property advises that the subject property, together with its adjoining identical semi at 22 Marcel Avenue, has no similar features to the properties being added to the extended Moira Crescent Heritage Conservation Area (HCA) list to the east, but is almost identical to all the adjacent properties to the west that are not included in the extended Moira Crescent HCA.

City Plan Heritage advises that the listing boundary for the Moira Crescent HCA was based on the four Bishop Estate Subdivisions between 1899 and 1927. On closer inspection of the Fourth subdivision plan City Plan Heritage has found that 20 and 22 Marcel Avenue, Coogee, are outside of the Fourth Subdivision that occurred in 1927. Accordingly, the historical criterion for inclusion into the Moira Crescent HCA has been proven to be incorrect. This has been further confirmed by overlaying the current HCA map with the 1927 subdivision plan to check the actual boundaries of the Fourth subdivision.

Accordingly, City Plan Heritage recommends that 20 and 22 Marcel Avenue be excluded from the extension of the Moira Crescent HCA and all other properties recommended to be part of the extension of the Moira Crescent HCA be retained.



20 & 22 Marcel Avenue, Randwick

Objection received from 37 Robey Street, Maroubra

A submission was received from the owners of No 37 Robey Street, Maroubra, requesting removal of their property from the current Schedule 5 listing in the Randwick LEP as the property, when purchased from the previous owner, had been significantly altered and modified without development consent in the past.

This request was assessed by City Plan Heritage who confirmed that the property has been substantially modified both internally and externally beyond the original Interwar heritage significant fabric and character and that the changes are irreversible.

City Plan Heritage recommend that the property be removed from Schedule 5 listing in the Randwick LEP. It is recommended that this removal be part of a future separate Planning Proposal and not part of the current draft CPP process.



37 Robey Street, Maroubra

City Plan Heritage's detailed responses to submissions as described above are provided for each property in Attachment 1 to this report.

Recommendation

Based on a review and analysis of the submissions, the following amendments to the publicly exhibited draft CPP are proposed:

- a) amend the draft Comprehensive Planning Proposal to remove the following property from Part 3 – Archeological Sites of Schedule 5 of the RLEP 2012:
 - 5 Severn Street, Maroubra (front boundary wall and rear yard)
- b) amend the draft Comprehensive Planning Proposal to remove the following properties from Part 1 – Heritage Items of Schedule 5 of the RLEP 2012:
 - 3 Bishops Avenue, Randwick
 - 41 and 43 Kyogle Street, Maroubra
 - 21 Baden Street, Coogee
- c) amend the draft Comprehensive Planning Proposal to remove the following properties from the proposed extended boundary of the Moira Crescent Heritage Conservation Area:
 - 20 and 22 Marcel Avenue, Randwick

It is recommended that Council endorse the listing of all other heritage properties exhibited as part of the Comprehensive Planning Proposal.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Housing
Outcome	A city with excellent built form that recognises local character
Objective	100% of development applications approved from 2025 onwards are consistent with the desired future character of the local area and consider design excellence
Delivery program commitment	Undertake a heritage review of Randwick City to identify additional heritage items and HCAs including boundary adjustments where necessary, by 2023.

Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2021/22 budget and allocations. Two heritage consultants (Extent Heritage for the initial listing and City Plan Heritage for the preparation of detailed heritage inventory sheets and peer review) were engaged by Council to provide specialist heritage advice and assessment in relation to potential heritage listings and extensions to conservation area boundaries.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- Randwick Housing Strategy.

Conclusion

This report has considered the heritage submissions received by Council in relation to the Comprehensive Planning Proposal and, specifically, the proposed amendments to Schedule 5 of Randwick Local Environmental Plan 2012 to include new heritage listings, new archaeological sites and heritage conservation areas that were exhibited with the draft CPP as well as new rezoning requests received during the public consultation period from 31 May to 12 July 2022.

After consideration of the submissions to the exhibition of the draft CPP, a total of 54 proposed heritage items and 1 archaeological site are supported and recommended for inclusion within the Comprehensive Planning Proposal. Council received 29 submissions of objections relating to 13 specific individual/grouped properties that had been proposed for heritage listing under the draft CPP. The responses to these submissions can be found in the report and **Attachment 1**. In summary, it is recommended that Council retains the original decision to support the heritage listing of 8 of the individual/grouped properties while 4 individual/grouped properties are recommended to be removed from the proposed heritage listing, as exhibited. A further 2 properties are to be removed from the proposed extended boundary of the Moira Crescent Heritage Conservation Area.

This heritage assessment part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter, to be able to vote on other aspects of the Planning Proposal for amendments to Schedule 5 of Randwick Local Environmental Plan 2012 to include new heritage listings, new archaeological site and heritage conservation areas.

Responsible officer: Stella Agagiotis, Manager Strategic Planning; David Ongkili, Coordinator Strategic Planning

File Reference: F2021/00188

CP47/22

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses Heritage Conservation

30 August 2022



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randwick.nsw.gov.au

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Overview

This document includes a summary of all heritage related issues that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to heritage. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
General support for heritage preservation measures.	Support noted.
Concerns over the heritage listing process including: <ul style="list-style-type: none"> process as it has no structure or consistency. heritage listing process does not go far enough and that that all original properties should be heritage listed. claims only a few properties were listed while others were 	Council commissioned an independent heritage study by Extent Heritage in early 2020 which was completed in October 2020. The heritage study is a periodical project undertaken by Council to ensure the heritage listings in the RLEP are up to date so that properties with heritage value are adequately protected under the local planning framework. The Study commenced following an open invitation to the community in early 2020 to nominate properties for investigation by the heritage consultants. This invitation to the community is a standard procedure consistent with the NSW Heritage Office Guidelines for community-based heritage studies. The properties recommended for heritage listing by Council's consultants have been prepared and assessed in accordance with the NSW Heritage Office criteria for heritage significance including a review against the degree of representation in the locality, streetscape presentation, integrity and aesthetic quality.

Key comment/issue	Response
left out which warrant inclusion.	
General support for the LEP heritage provisions however points out need for additional Council planning and heritage resources and advice available to the owners of heritage properties. Request that the heritage and planning department to resolve heritage assessment delays.	Council's heritage planning team works proactively with the DA assessment team to plan and manage the provision of heritage referral advice to minimise any delays in DA determinations. This has involved the employment of additional heritage experts whenever any potential build-up in heritage referral occurs, and the need for prioritising heritage referrals for DA assessment arises, so as to ensure that heritage advice is provided in a timely and organised manner so that DA determinations are issued with minimum delay. Council will continue to manage heritage referrals commensurate with the planned increase in new heritage listing under the Comprehensive Planning Proposal.
Query as to whether grants are available for heritage works/alterations to heritage buildings and what the market value benefits are for heritage listed buildings.	No grants are provided by Council for heritage works/alterations. However, grants are available from the State Government for works to State Heritage listings subject to an application being made to Heritage NSW. A number of previous studies has shown that in most cases heritage listing has no effect on property values and that sometimes it can improve resale value. Listed residences with well maintained heritage features have been found to attract a price premium compared to equivalent non-listed places in independent studies. Market analysis indicates that heritage listing can raise the value of properties, as many buyers prefer to have a (hi)story behind their new home. Another reason for the retention of property value is that it reflects the combined value that the market places on their heritage character, their historic architectural style element and the protection and conservation value afforded by their statutory listing and status.
Request that heritage properties be exempt from Council rates as heritage devalues properties	There is no definitive research that proves that heritage listing devalues property. To the contrary, as indicated in the response above, there is research to indicate that heritage listing provides the property market an opportunity for investment in properties that have a story and offer preservation of any history associated with these properties.
Support for the proposed Edgecumbe Estate Heritage Conservation Area.	Support noted.
Support for the listing of 5 Berwick Street, Coogee.	Support noted.
Request Council consider listing the property at 1 Berwick Street, Coogee as a heritage item.	This request has been made by the owner of the property at 1 Berwick Street, Coogee, and not a third-party community nomination. In volunteering to have his property heritage listed, the owner has submitted a study of the heritage and historical significance of the subject property in support of the request. It should be noted that the property was initially nominated in the community YourSay Randwick process conducted in early 2020 but was eliminated/excluded by Extent Heritage Pty Limited in the Second Round Review of the Randwick Heritage Study as it's significance appeared to be border-line with Extent acknowledging that the building was built in 1926, had "interesting Art Deco features ...is highly intact and has an interesting corner block siting". Given that more details have now been provided by the owner on the degree of intactness and the strong history underlying the property, the request and its supporting study has been forwarded to City Plan Heritage or assessment. City Plan Heritage has advised that the information and documentary evidence submitted indicates that the subject property will meet the threshold for heritage listing. The submission makes note of an Urbis report, which would need to be provided for a

Key comment/issue	Response
	further consideration during the detailed assessment and preparation of the SHI form. Recommendation: POTENTIAL FOR LISTING ON PART 1 SCHEDULE 5 OF THE LEP (this will be undertaken as a future separate Planning Proposal).
Support for the proposed listing of 70 and 90 Dudley Street, Coogee as heritage items.	Support noted.
Request to heritage list the property at 9 Carlton Street, Kensington	The property at No. 9 Carlton Street, Kensington was nominated in the community YourSay Randwick process conducted in early 2020 but was eliminated/excluded by Extent Heritage Pty Limited in the First Round Review of the Randwick Heritage Study as the subject property had a development consent (DA/304/2017) for demolition and construction of a Residential Flat Building that was granted by the Land and Environment Court on 10 January 2018.
Support for the proposed listing of 237-245 Maroubra Road, Maroubra	Support noted.
Nomination of a property on Daunt Avenue, Matraville, for heritage listing. No details of the property provided.	The community driven heritage nomination process for the current heritage amendment to the draft CPP ended in early 2021 so that the nomination of an unidentified/undisclosed property in Daunt Avenue is not possible to be considered under the current heritage amendment to the draft CPP.
Request for the removal of 37 Robey Street, Maroubra from Schedule 5 of the LEP	Referred to City Plan Heritage for a review who have advised that this property was not part of the Randwick heritage review process and therefore not an item to be reviewed by City Plan Heritage in this process. Notwithstanding this, in checking Google Street view and real estate images of the property, it is noted that it has been significantly modified both externally and internally with the face brick exteriors being rendered and painted and all interiors have been refurbished retaining very little Inter-War characteristics hence reducing the integrity of the building. It is noted that the building is listed as a 'late modern house' heritage item (item no. I228) while it is evident that it was built in the Inter-War period and resembled the characteristics of an Inter-War bungalow up until its complete refurbishment and modification. It appears that all changes have been made between 2013 and 2015 (July 2014) as the earlier images show intact Inter-War detailing of the interiors and exterior. The changes in particular to the exterior finishes are irreversible. Recommendation: NO HERITAGE LISTING IS WARRANTED - REMOVE FROM PART 1 OF SCHEDULE 5 OF THE LEP (can be undertaken under a separate planning proposal process from the draft CPP).
Neutral position on the listing of 69 Darley Road, Randwick, however the submission raises some inaccuracies in Council's assessment that should be considered in advance of Council's final decision.	Referred to City Plan Heritage for a review who note that the submission raises concerns that the SHI form was prepared without a site inspection and based only on a desktop study. City Plan Heritage advises that all 57 nominated properties and the Moira Crescent HCA properties were inspected by City Plan Heritage consultants on foot from the public domain. Due to surrounding landscaping, visibility of the subject house was limited. However, it was still possible to see most of the front elevation and the front garden to a level that made it possible to form a view on its integrity and the Federation Queen Anne style detailing. The submission and the Heritage Impact Statement by Zoltan Kovacs, which confirms the house being "... one of the earliest surviving examples of residential construction in the immediate locality." City Plan Heritage advises that based on previous assessment and historical research as well as the additional information provided, it is evident that 69 Darley Road, Randwick, meets the threshold for heritage listing. As noted in other cases, the condition of the fabric is not a consideration under the Significance Assessment Criteria. City Plan Heritage will acknowledge the fabric information and the request for modifications to the SHI form by the owners. The descriptions in the SHI form will be amended accordingly where applicable and include

Key comment/issue	Response
	additional physical description from the owner's HIS. The only conflict remaining is the date of construction to which City Plan Heritage's Historian has found that the house was built in 1907 as it was noted on the Sands Directory notwithstanding that the owner's HIS refers to its 1910 construction and most of its aesthetic significance assessment based on this. Recommendation: LIST ON PART 1 SCHEDULE 5 OF THE LEP
Objection to the proposed heritage listing of the submitters parents' property (however no address provided)	Noted. No details of the property in question have been provided. Without details of the property address a further assessment of the merits of the proposed listing is not possible.
Request for a new Coogee Bay Road Heritage Conservation Area	Council recognises that Coogee has many heritage listed as well as historic non-heritage listed buildings mostly built in the 19th century including the Coogee Bay Hotel. The establishment of a small suburban shopping strip along Coogee Bay Road, previously known as Belmore Road, predates other town centres in the Randwick LGA. The nearby Coogee Public School opened in 1876 and by 1887 the Coogee Aquarium open its doors at the northern end of Coogee Beach. By the 1920s, Coogee was marketed as "Australia's most Beautiful Seaside Resort". Accordingly, five new heritage listed properties on Coogee Bay Road and in the vicinity of Coogee town centre are proposed under the draft CPP. There are evident merits for Council to consider the creation of a new Heritage Conservation Area along Coogee Bay Road in the Coogee Town Centre. The request in this submission is noted and will be considered by Council as a potential future planning proposal. The heritage fabric of Coogee will be a priority for Council in this regard.
Objection to the heritage listing of 237-245 Maroubra Road, Maroubra	Referred to City Plan Heritage for a review who have advised that assessment of these properties are based on the Assessing Heritage Significance criteria and heritage best practice. The historical background for the potential heritage items at 237-245 Maroubra Road, Maroubra, (aka "Crossley Court") has been undertaken by City Plan Heritage's professional Historian with considerable experience in the heritage field. Use of construction notices is a common historical material in order to establish the date of construction and obtain the name of the architect/builder if available. It is not common in Maroubra to find a flat building that has been designed by an Architect rather than a speculative builder. The building was designed by Mr. Cecil Reynolds Winter, who has been described as being a well-known architect of former years, and was responsible for the design of a number of suburban picture theatres in Sydney (Attachment 6 of the Submission by Lung S Yeung & L S Xie refers). It is difficult to understand how the building could be called by the owner's registered architect in their submission as "...not qualified to be called a piece of architecture." The assessment undertaken in the submitted objection does not consider the Inclusion and Exclusion guidelines of the Assessing Heritage Significance of the NSW Heritage Manual and based most of its consideration/assessment on the building being a cheap block of flats catering for the "low-end" market. This is not one of the considerations in the significance assessment criteria. Not all of the heritage items have to be of architectural excellence or designed by an award-winning architect. The changes to its window materials and roof tiles and repairs to face brick facades is the nature of old building maintenance that would be expected over the years. The building still maintains its overall streetscape elevations similar to that of the sketch included the 1934 advertisement despite the changes noted in the submissions (Building and Construction, SMH, 23 October 1934, 6). The North Sydney Orpheum Theatre was demolished to make way for the new Warringah Expressway in late 1962. The Lindfield Theatre was largely destroyed by a fire in 1967 and later was demolished in 1969 and was replaced by the Coles supermarket at the corner of Balfour Street and Pacific Highway, which is now also under

Key comment/issue	Response
	redevelopment. Both of these theatres are noted within the documentary of theatres across Sydney suburbs. The Commercial Block at 1-21 Lindfield Avenue in Lindfield was designed by Cecil Reynold Winter in 1934 and is listed as a heritage item under Ku-ring-gai LEP 2015 (item no. I41). The design of the Commercial block is very similar to "Crossley Court" and has similar modifications to its windows and overall fabric. The Lindfield Masonic Hall has similar (but simpler) detailing to both the Lindfield Commercial Block and "Crossley Court" representing the signature detailing in the architecture of Winter during the Inter-War period. Financial hardship is a consideration for State heritage listing under the NSW Heritage Act due to its mandatory requirements for compliance with Minimum Standards of Maintenance & Repair. This is not the case under the local heritage listing requirements. Recommendation: LIST ON PART 1 SCHEDULE 5 THE LEP (shopfronts and below awning facades can be excluded from heritage listing, which can be made clear in the SHI form and Statement of Significance)
Objection to the proposed heritage listing of 26 Marcel Avenue, Randwick	Referred to City Plan Heritage for a review who have advised that enclosure of the front balconies/patios were apparent during the assessment, but this does not reduce the historical evidence and aesthetic integrity and quality of the subject flat building, which appears to retain most of its internal Inter-War detailing as well. Recommendation: LIST ON PART 1 SCHEDULE 5 THE LEP
Objection to the proposed heritage listing of 41 and 43 Kyogle Street, Maroubra	Referred to City Plan Heritage for a review who have advised that these semi-detached houses are one of very few remaining intact Post-War housing in the area. It is acknowledged that the area and streetscape of Kyogle Street has been changed and does not resemble a common characteristic as it was in the Inter-War and Post-War periods. This has removed the setting of the subject semi-detached houses. Although, the property is not considered an eye-sore in relation to heritage aspects and assessing significance criteria, it is relatively simple and unadorned example of its type especially considering the simplicity of the internal elements and finishes seen in the real estate images for 43 Kyogle Street. Based on further consideration and comparison of similar period of development in the area, which is largely developed in the Inter-War period, the heritage listing is not warranted. Recommendation: REMOVE FROM THE POTENTIAL ITEMS LIST
Objection to the proposed heritage listing of 21 Baden Street, Coogee	Referred to City Plan Heritage for a review who have advised that initial recommendation that the subject flat building has been modified significantly from its original form is maintained both externally and internally (being originally single-storey residence then converted into a flat building) and does not meet the threshold for heritage listing. Recommendation: REMOVE FROM THE POTENTIAL ITEMS LIST
Objection to proposed listing of 5 Severn Street, Maroubra as an archaeological site	Referred to City Plan Heritage for a review who have advised that initial recommendation that the subject flat building has been modified significantly from its original form both externally and internally is maintained (being originally single-storey residence then converted into a flat building) and does not meet the threshold for heritage listing. Further, as assessed by City Plan Heritage, the building does not meet the threshold for listing as a heritage item and only identified likely potential for archaeological resource but this has further been considered in line with the additional archaeological assessments by Urbis and GML Heritage (during the proceedings of the Land & Environment Court case while finalising the Statement of Facts and Contention (SOFAC) to the Court, and following the preparation of the SHI form). It appears that the dairy that was noted being located within the subject site was, in fact, at a nearby site which has already a new development on it. Our previous assessment recommended the site to be considered for listing as an archaeological item under Part 3 of Schedule 5 of the Randwick LEP 2012, but it was evident from the additional archaeological studies provided following our assessment, the archaeological potential may not be to a level that would warrant listing of the site as an archaeological item. The only historical

Key comment/issue	Response
	interest that would remain on the site is the sandstone boundary wall of which the Council may request to be retained as part of the proposed development. A condition for archaeological monitoring during the demolition of the existing building and excavation of the site can be made to ensure likely finds, if any, are documented appropriately by suitably qualified heritage professional. Recommendation: REMOVE FROM THE POTENTIAL ITEMS LIST
Objection to the inclusion of 20 Marcel Avenue, Randwick within the Moira Crescent Heritage Conservation Area expansion	Referred to City Plan Heritage for a review who have advised that the listing boundary for the Moira Crescent HCA was based on the four Bishop Estate Subdivisions between 1899 and 1927. We have retained the recommended extension by Extent on the northern side of Marcel Avenue and recommended inclusion of 11A Marcel Avenue on the southern side to capture the extent of the Fourth subdivision from 1927. On closer inspection of the Fourth subdivision plan it appears that number 20 and 22 Marcel Avenue, Coogee, are outside of the 1927 subdivision. This has been further confirmed by overlaying the current HCA map with the 1927 subdivision plan to check the actual boundaries of the Fourth subdivision. This semi-detached house may be excluded from the listing boundary. Recommendation: EXCLUDE NUMBERS 20 AND 22 MARCEL AVENUE FROM THE BOUNDARY EXTENSION OF THE MOIRA CRESCENT HCA. RETAIN ALL OTHER PROPERTIES WITHIN THE BOUNDARY EXTENSION.
Objection to the proposed listing of 3 Bishops Avenue, Randwick	Referred to City Plan Heritage for a review who have advised that based on the information provided within the submission by Zoltan Kovacs, it is evident that the external façade visible from the public domain of the house is not original. Although the original 1890's villa, which is constructed at the beginning of the Federation period, is encompassed within the current building envelope and detailing, the conjecture balconies and façade confuses the building's origins and integrity hence the evaluation in the SHI form. It does not meet the threshold for heritage listing in this case. REMOVE FROM THE POTENTIAL ITEMS LIST
Objection to proposed heritage listing of 11-13 Abbotford Street, Kensington	Referred to City Plan Heritage for a review who have advised that the subject semi-detached Federation houses meet at least two of the Significance Assessment criteria (Criteria A and C) and therefore should be listed as a group heritage item on the LEP. The SHI form can be amended to include the additional historical and descriptive information provided in the submissions by Urbis and GBA Heritage, and exclude the modified parts of the interiors and later additions to the subject semis. The listing was recommended for both 11 and 13 Abbotsford Street and not just for No.13 Abbotsford Street. Council may wish to consider the recommendation made by GBA Heritage for North Kensington HCA study for a further protection in the locality. Recommendation: LIST ON PART 1 SCHEDULE 5 OF THE RANDWICK LEP
Objection to the proposed heritage listing of 1 Belmore Road, Randwick	Referred to City Plan Heritage for a review who have advised that this property was not part of the 57 potential items list that City Plan Heritage has considered and assessed/provided SHI forms in the 2022 peer review. However, an inspection and assessment of the property was undertaken as part of the 2015 Randwick Junction Heritage Conservation Area. Based on the SHI form prepared for the property at the time. The recommendations of the SHI form are still valid and warranted as copied below: It is recommended that only the above awning facade and awning are to be listed on Schedule 5 of the Randwick LEP 2012. It is further recommended that the upper level signage on the splayed corner be removed as it obscures much of the significant fabric. Recommendation: LIST ON PART 1 SCHEDULE 5 OF THE LEP
Objection to proposed listing of 36 Cottenham Ave, Kensington	Referred to City Plan Heritage for a review who have advised that the Weir Phillips objection assessment refers to Criterion B of the SHI form when considering discussion against Criterion A. The SHI form notes the following against Criterion A: Constructed in c.1919, the house is representative of urban subdivision and growth within the Kensington local area during the Inter-War years of the 20th century. The Inter-War house was one of the only seven houses on the west side of Cottenham Avenue. It is clear that the subject residence is one of the first seven houses built on the western side of Cottenham Avenue and remained largely intact

Key comment/issue	Response
	externally. We can amend the SHI form to exclude areas of the interiors that have been modified accordingly. Recommendation: LIST ON PART 1 SCHEDULE 5 THE LEP
Objection to the proposed listing of 36, 38, 40 and 42 Cook Street, Randwick	Referred to City Plan Heritage for a review who have advised that the Federation period for architectural styles is considered to be between 1890 and 1915 while Victorian period is between 1840 and 1890. Since the subject terraces were constructed c1893 they are considered to be Federation Filigree terraces. The scope for the peer review was to review the nominated potential heritage items and not to add new nominations. Hence No. 34 Cook Street has not been reviewed which is part of the same terrace group as seen in the 1943 aerial but was not part of the nomination. The reason for its exclusion is unknown as it appears relatively similar to that of nominated group. Having numerous terraces listed within the LGA or wider Sydney is not an exclusion criteria under the Significance Assessment criteria. As stated in the Assessing Heritage Significance publication of the NSW Heritage Manual "A heritage item is not to be excluded on the ground that items with similar characteristics have already been entered on a statutory list." Recommendation: LIST ON PART 1 SCHEDULE 5 THE LEP
Objection to proposed listing of 24 Eastern Avenue, Kensington	Referred to City Plan Heritage for a review who have advised that the assessment of 24 Eastern Avenue in Kensington was based on the historical research undertaken by a Professional Historian with considerable experience in heritage field who has established that the property was noted as being called 'Floret' on the Sands Directory and may not be registered under this name on the Certificate of Title. Association with the Price Family is secondary to its primary historical significance under Criterion A. The property meets the threshold under at least three criteria (A, C and G) for nomination of heritage listing. Recommendation: LIST ON PART 1 SCHEDULE 5 OF THE LEP

2. Government Agency and Stakeholder Submissions

2.1. Heritage NSW

Key comment / issue	Response
Notes that the listing of new items, archaeological sites and heritage conservation areas is encouraged, the Heritage Council of NSW, and Heritage NSW as its Delegate, does not have a role in the approval of Local heritage listings to LEPs. As such, no specific advice on the proposed listings has been provided.	Noted.
Housekeeping Support expressed for the alignment of the Botany Bay National Park Heritage Conservation Area's boundaries with the State Heritage Register curtilage as this is considered to be an administrative amendment and is appropriate.	Support noted.

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City Plan Heritage P/L
ABN 46 103 185 413

CP47/22

10 August 2022

David Ongkili

Coordinator Strategic Planning
Randwick City Council
Administration Building & Customer Service Centre
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RANDWICK NSW 2031
David.Ongkili@randwick.nsw.gov.au

Dear David,

**INITIAL HERITAGE ADVICE
RANDWICK HERITAGE REVIEW - LOCAL ENVIRONMENTAL PLAN HERITAGE SUBMISSIONS**

As discussed please find below our initial heritage advice based on the preliminary review of the Submissions made by the properties whose owners/consultants responded to the Heritage Planning Proposal Exhibition associated with the Planning proposal for heritage listing of several properties as part of the Randwick City Council's comprehensive review of the Randwick LEP 2012 around mid-2021 in order to implement the Randwick Local Strategic Planning Statement (Vision 2040) (LSPS) and give effect to the Eastern City District Plan.

Preliminary comments have also been provided to give basic understanding on the reasons for our recommendations following review of the submitted documentation. We will provide a more detailed responses to the submissions and amended State Heritage Inventory (SHI) forms in line with the below initial comments and heritage advice where applicable.

Address	Submission	Comments/Recommendation
21 Baden Street, Coogee	Objection to proposed listing	We still maintain our recommendation that the subject flat building has been modified significantly from its original form both externally and internally (being originally single-storey residence then converted into a flat building) and does not meet the threshold for heritage listing. REMOVE FROM THE POTENTIAL ITEMS LIST
41 and 43 Kyogle Street, Maroubra	Objection to proposed listing	These semi-detached houses are one of very few remaining intact Post-War housing in the area. It is acknowledged that the area and streetscape of Kyogle Street has been changed and does not resemble a common characteristics as it was in the Inter-War and Post-War periods. This has removed the setting of the subject semi-detached houses. Although, the property is not considered an eye-sore in relation to heritage aspects and assessing significance criteria, its relatively a simple and unadorned example of its type especially considering the simplicity of the internal elements and

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Initial Heritage Advice
Randwick Heritage Review
Local Environmental Plan Heritage Submissions

Address	Submission	Comments/Recommendation
		<p>finishes seen in the real estate images for 43 Kyogle Street. Based on further consideration and comparison of similar period of development in the area, which is largely developed in the Inter-War period, the heritage listing is not warranted.</p> <p>REMOVE FROM THE POTENTIAL ITEMS LIST</p>
20 Marcel Avenue, Randwick	Objection to the extent of Moira Crescent HCA boundary.	<p>The listing boundary for the Moira Crescent HCA was based on the four Bishop Estate Subdivisions between 1899 and 1927. We have retained the recommended extension by Extent on the northern side of Marcel Avenue and recommended inclusion of 11A Marcel Avenue on the southern side to capture the extent of the Fourth subdivision from the 1927. Looking at closely to the Forth subdivision plan it appears that number 20 and 22 are outside of the 1927 subdivision. I had to overlay the current HCA map with the 1927 subdivision plan to check the actual boundaries of the Forth subdivision and confirmed this (see attached overlay plan for your reference). This semi-detached houses may be excluded from the listing boundary.</p> <p>EXCLUDE NUMBERS 20 AND 22 MARCEL AVENUE FROM THE BOUNDARY EXTENSION OF THE MOIRA CRESCENT HCA. RETAIN ALL OTHER PROPERTIES WITHIN THE BOUNDARY EXTENSION.</p>
237-245 Maroubra Road, Maroubra (Lot 3, Lot 6, Lot 12, Lot 13, Lot 14, Lot 15)	A number of owners objecting on the heritage listing	<p>Our assessment based on the <i>Assessing Heritage Significance</i> criteria and heritage best practice. The historical background for the potential heritage items has been undertaken by a professional Historian with considerable experience in heritage field. Use of construction notices is a common historical material in order to establish the date of construction and obtain the name of the architect/builder if available. It is not common in Maroubra to find a flat building that has been designed by an Architect rather than a speculative builder. The building was designed by Mr. Cecil Reynolds Winter, who has been described as being a well-known architect of former years, and was responsible for the design of a number of suburban picture theatres (Attachment 6 of the Submission by Lung S Yeung & L S Xie).</p> <p>It is difficult to understand how the building could be called by a registered architect as "...not qualified to be called a piece of architecture." The assessment undertaken in the submitted objection does not consider the Inclusion and Exclusion guidelines of the <i>Assessing Heritage Significance</i> of the NSW Heritage Manual and base most of its consideration/assessment on the building being a cheap block of flats catering for the low end market. This is not one of the considerations in the</p>



Initial Heritage Advice
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Address	Submission	Comments/Recommendation
		<p>significance assessment criteria. Not all of the heritage items have to be an architectural excellence or designed by an award winning architect. The changes to its window materials and roof tiles and repairs to face brick facades is the nature of old buildings' maintenance that would be expected over the years. The building still maintains its overall streetscape elevations similar to that of the sketch included the 1934 advertisement despite the changes noted in the submissions (Building and Construction, SMH, 23 October 1934, 6). The North Sydney Orpheum Theatre was demolished to make way for the new Warringah Expressway in late 1962. The Lindfield Theatre was largely destroyed by a fire in 1967 and later was demolished in 1969 and was replaced by the Coles supermarket at the corner of Balfour Street and Pacific Highway, which is now under redevelopment, too. Both of these theatres are noted within the documentary of theatres across Sydney suburbs. The Commercial Block at 1-21 Lindfield Avenue in Lindfield was designed by Cecil Reynold Winter in 1934 and is listed as a heritage item under Kuring-gai LEP 2015 (item no. 141). The design of the Commercial block is very similar to "Crossley Court" and has similar modifications to its windows and overall fabric. The Lindfield Masonic Hall has similar (but simpler) detailing to both the Lindfield Commercial Block and "Crossley Court" representing the signature detailing in the architecture of Winter during the Inter-War period.</p> <p>The financial hardship is a consideration for State heritage listing under the NSW <i>Heritage Act</i> due to its mandatory requirements for compliance with Minimum Standards of Maintenance & Repair. This is not the case under the local heritage listing requirements.</p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP (shopfronts and below awning facades can be excluded from heritage listing, which can be made clear in the SHI form and Statement of Significance)</p>
Unknown Address (Submission by Helen Bekiaris)	Objection to her parents' property's nomination for heritage listing but does not include any address.	N/A
1 Belmore Road, Randwick	Objection to heritage listing	This property was not within the 57 potential items list we have considered and assessed/provided SHI forms in the 2022 peer review. However, an inspection and assessment of the property was undertaken as part of the 2015 Randwick Junction Heritage Conservation Area. Based on the SHI form prepared for the property



Initial Heritage Advice
Randwick Heritage Review
Local Environmental Plan Heritage Submissions

Address	Submission	Comments/Recommendation
		<p>at the time. The recommendations of the SHI form are still valid and warranted as copied below:</p> <p><i>It is recommended that only the above awning facade and awning are to be listed on Schedule 5 of the Randwick LEP 2012. It is further recommended that the upper level signage on the splayed corner be removed as it obscures much of the significant fabric.</i></p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP</p>
36 Cottenham Avenue, Kensington	Objection to heritage listing	<p>The Weir Phillips objection assessment refers to Criterion B of the SHI form when considering discussion against Criterion A. The SHI form notes the following against Criterion A:</p> <p><i>Constructed in c.1919, the house is representative of urban subdivision and growth within the Kensington local area during the Inter-War years of the 20th century. The Inter-War house was one of the only seven houses on the west side of Cottenham Avenue.</i></p> <p>It is clear that the subject residence is one of the first seven houses built on the western side of Cottenham Avenue and remained largely intact externally. We can amend the SHI form to exclude areas of the interiors that have been modified accordingly.</p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP</p>
11-13 Abbotford Street, Kensington	Objection to heritage listing	<p>We still hold the same opinion that the subject semi-detached Federation houses meet at least two of the Significance Assessment criteria (Criteria A and C) and therefore should be listed as a group heritage item on the LEP. We can amend the SHI form to include the additional historical and descriptive information provided in the submissions by Urbis and GBA Heritage, and exclude the modified parts of the interiors and later additions to the subject semis. The listing was recommended for both 11 and 13 Abbotford Street and not just for no.13 Abbotford Street.</p> <p>Council may wish to consider the recommendation made by GBA Heritage for North Kensington HCA study for a further protection in the locality.</p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP</p>
37 Robey Street, Maroubra	Objecting to the heritage listing	<p>This property was not part of the CPH peer review items. Notwithstanding, I have checked the Google street view and real estate images of the property and note that it has been significantly modified both externally and internally with the face brick exteriors being rendered and painted and all interiors have been refurbished retaining very little Inter-War characteristics hence reducing the integrity of the building. It is noted that the</p>

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Address	Submission	Comments/Recommendation
		<p>building is listed as a "late modern house" heritage item (item no. 1228) while it is evident that it was built in the Inter-War period and was resembling the characteristics of an Inter-War bungalow up until its complete refurbishment and modification.</p> <p>It appears that all changes have been made between 2013 and 2015 (July 2014) as the earlier images show intact Inter-War detailing of the interiors and exterior. The changes in particular to the exterior finishes are irreversible.</p> <p>REMOVE FROM PART 1 OF SCHEDULE 5 OF THE LEP</p>
5 Severn Street, Randwick	Objection for heritage listing and requires clarification on the nature of the proposed listing whether as a heritage item or as an archaeological item?	<p>As assessed by City Plan Heritage the building does not meet the threshold for listing as a heritage item. We only identified likely potential for archaeological resource but this has further been considered in line with the additional archaeological assessments by Urbis and GML Heritage (during the proceedings of the Land & Environment Court case while finalising the SOFAC, and following the preparation of the SHI form). It appears that the dairy that was noted being located within the subject site was, in fact, at a nearby site which has already a new development on it.</p> <p>Our previous assessment recommended the site to be considered for listing as an archaeological item under Part 3 of Schedule 5 of the Randwick LEP 2012, but it was evident from the additional archaeological studies provided following our assessment, the archaeological potential may not be to a level that would warrant listing of the site as an archaeological item. The only historical interest that would remain on the site is the sandstone boundary wall of which the Council may request to be retained as part of the proposed development. A condition for archaeological monitoring during the demolition of the existing building and excavation of the site can be made to ensure likely finds, if any, are documented appropriately by suitably qualified heritage professional.</p> <p>REMOVE FROM THE POTENTIAL ITEMS LIST</p>
26 Marcel Avenue, Randwick	Objecting to heritage listing	<p>Enclosure of the front balconies/patios were apparent to us but this does not reduce the historical evidence and aesthetic integrity and quality of the subject flat building, which appears to retain most of its internal Inter-War detailing, too. Happy to undertake a site visit and discuss further with the Owners Corporation representative Terry Dwyer to further clarify the heritage listing criteria.</p>



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Address	Submission	Comments/Recommendation
		LIST ON PART 1 SCHEDULE 5 OF THE LEP
36, 38, 40 and 42 Cook Street, Randwick	Objecting to heritage listing and noting why number 34 Cook Street is not part of the listing nomination	<p>Federation period for architectural styles is considered to be between 1890 and 1915 while Victorian period is being between 1840 and 1890. Since the subject terraces were constructed c1893 they are considered to be Federation Filigree terraces. Our scope for the peer review was to review the nominated potential heritage items and not to add new nominations. Hence we have not reviewed no. 34 Cook Street, which is part of the same terrace group as seen in the 1943 aerial but was not part of the nomination. The reason for its exclusion is unknown as it appears relatively similar to that of nominated group.</p> <p>Having numerous terraces listed within the LGA or wider Sydney is not an exclusion criteria under the Significance Assessment criteria. As stated in the <i>Assessing Heritage Significance</i> publication of the NSW <i>Heritage Manual</i> "A heritage item is not to be excluded on the ground that items with similar characteristics have already been entered on a statutory list."</p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP</p>
3 Bishops Avenue, Randwick	Objection to heritage listing	<p>Based on the information provided within the submission by Zoltan Kovacs, it is evident that the external façade visible from the public domain of the house is not original. Although the original 1890's villa, which is constructed at the beginning of the Federation period, is encompassed within the current building envelope and detailing, the conjecture balconies and façade confuses the building's origins and integrity hence the evaluation in the SHI form. It does not meet the threshold for heritage listing in this case.</p> <p>REMOVE FROM THE POTENTIAL ITEMS LIST</p>
24 Eastern Avenue, Kensington	Objection to heritage listing	<p>The assessment of 24 Eastern Avenue in Kensington was based on the historical research undertaken by a Professional Historian with considerable experience in heritage field who has established that the property was noted as being called 'Floret' on the Sands Directory and may not be registered under this name on the Certificate of Title. Association with Price Family is secondary to its primary historical significance under Criterion A. The property meets the threshold under at least three criteria (A, C and G) for nomination of heritage listing.</p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP</p>
69 Darley Road, Randwick	Request to amend parts of the SHI	The submission suggests that the SHI form was prepared without a site inspection and based on



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Address	Submission	Comments/Recommendation
	form to reflect the current condition of the property. Object for listing.	<p>desktop study only. As previously noted to the Council, all 57 nominated properties and the Moira Crescent HCA properties were inspected by me on foot from the public domain. Due to the landscaping visibility of the subject house was limited but I could see most of the front elevation and the front garden to a level that I could form a view on its integrity and the Federation Queen Anne style detailing.</p> <p>I have reviewed the submission and the Heritage Impact Statement by Zoltan Kovacs, which confirms the house being "... one of the earliest surviving examples of residential construction in the immediate locality."</p> <p>Based on our previous assessment and historical research as well as the additional information provided, it is evident that 69 Darley Road In Randwick meets the threshold for heritage listing. As noted in other cases condition of fabric is not a consideration under the Significance Assessment Criteria. We acknowledge the information and request for modifications to the SHI form by the owners and will amend the descriptions in the SHI form accordingly where applicable/agreed and include additional physical description from the HIS. The only conflict we have is the date of construction of which our Historian found the house built in 1907 as it was noted on the Sands Directory but the HIS refers to it 1910 construction and most of its aesthetic significance assessment based on this.</p> <p>LIST ON PART 1 SCHEDULE 5 OF THE LEP</p>
9 Carlton Street, Kensington (Request to List)	Request for inclusion in heritage listing	<p>Following the brief review of the property and SIX maps 1943 aerial it is clear that the house at 9 Carlton Street is one of few intact remaining two-storey houses dating from the early 20th century in the area. It appears that originally was painted brick on the first floor and side elevations, which the paint finish has recently been removed. The property has potential to meet the threshold for heritage listing.</p> <p>FURTHER ASSESSMENT AND INSPECTION IS REQUIRED TO PREPARE THE SHI FORM FOR ITS HERITAGE LISTING NOMINATION</p>
1 Berwick Street, Coogee (Request to List)	Request for inclusion in heritage listing	<p>The information and documentary evidence submitted suggests that the subject properties will meet the threshold for heritage listing.</p> <p>The submission makes note of an Urbis report, which would need to be provided for a further consideration during the detailed assessment and preparation of the SHI form.</p>



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Address	Submission	Comments/Recommendation
		POTENTIAL FOR LISTING ON PART 1 SCHEDULE 5 OF THE LEP

I trust the above initial heritage advice will assist the Randwick City Council on its finalisation of the heritage listing nominations. As discussed, further detailed responses will be provided in due course. Please do not hesitate to let me know if you have any questions on the above comments and advice.

Yours sincerely,

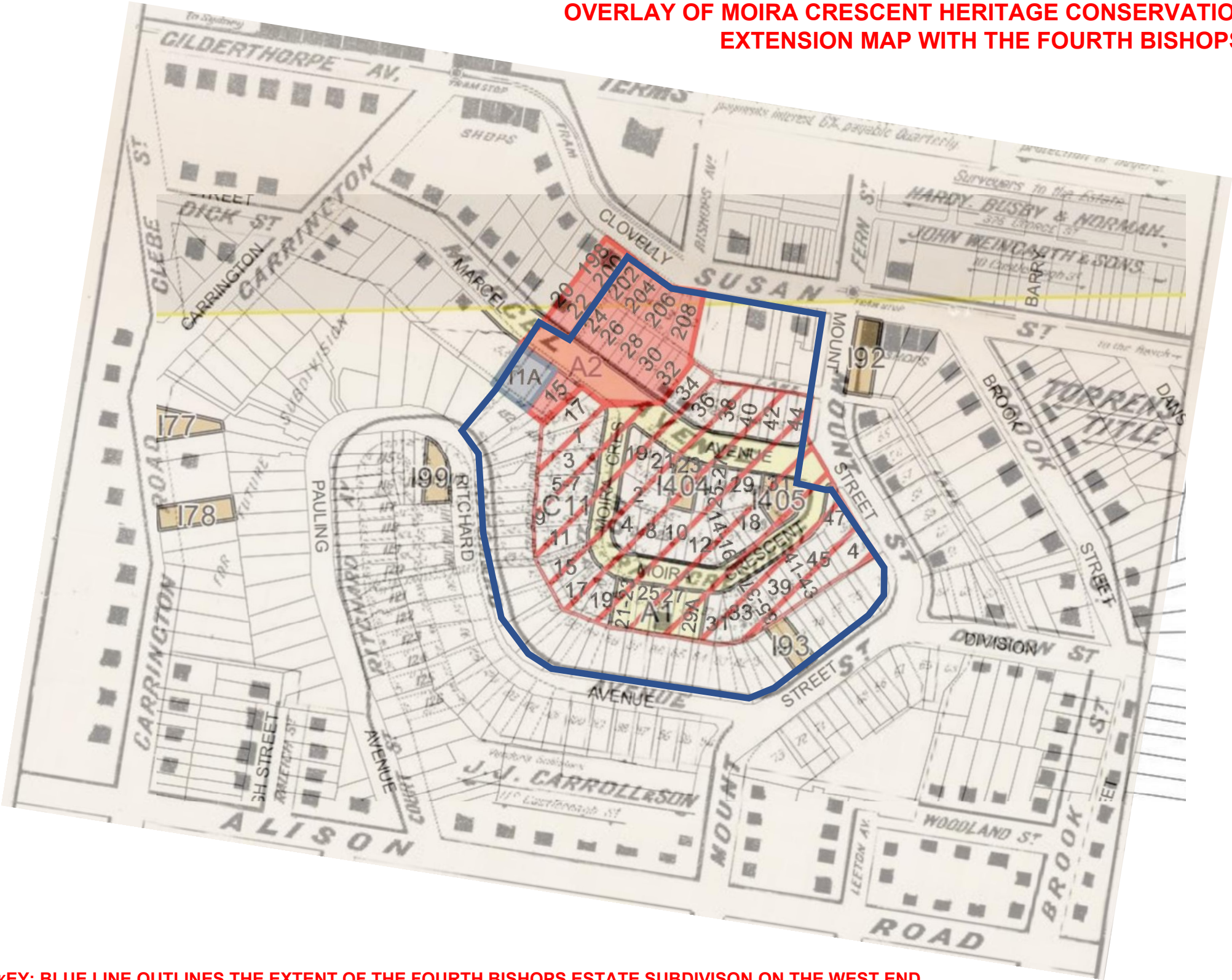
A handwritten signature in black ink, appearing to read 'Kerime Danis'.

Kerime Danis
Director - Heritage

Enclosed:

*Overlay plan of Moira Crescent Heritage Conservation Area
(for 20 Marcel Avenue, Randwick submission)*

OVERLAY OF MOIRA CRESCENT HERITAGE CONSERVATION AREA BOUNDARY
EXTENSION MAP WITH THE FOURTH BISHOPS SUBDIVISON PLAN



KEY: BLUE LINE OUTLINES THE EXTENT OF THE FOURTH BISHOPS ESTATE SUBDIVISON ON THE WEST END

Director City Planning Report No. CP48/22

Subject: Randwick Comprehensive LEP Planning Proposal - Rezoning Requests

Executive Summary

- This report outlines the rezoning requests received by Council prior to and during the public exhibition of the Comprehensive Planning Proposal (CPP) that propose changes to the Randwick Local Environmental Plan 2012 (RLEP 2012). Four rezoning requests were received prior to Gateway Determination and exhibited as part of the Comprehensive Planning Proposal and 17 new rezoning request submissions were received during the public consultation period.
- The CPP has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council retain its endorsement in relation to rezoning requests included as part of the publicly exhibited draft CPP as follows:
 - 558A – 580 Anzac Parade, Kingsford (Souths Juniors site)
 - 1401-1409 Anzac Parade, Little Bay
 - 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
 - 1903R Botany Road, Matraville
- This report also recommends that Council not support the 17 rezoning requests received during public exhibition, namely:
 - 897 & 897A Anzac Parade, Maroubra
 - 1A Bradley Street, Randwick
 - 2 Harbourne Road, Kingsford
 - 204 Malabar Road, South Coogee
 - 178 Coogee Bay Road, Coogee
 - 26 Goorawahl Avenue, La Perouse
 - 20 Barker Street, Kingsford
 - Royal Randwick Racecourse, Alison Road, Randwick
 - 27- 29 Boronia Street, Kensington
 - 33-43 Boronia Street, Kensington
 - Meriton Site - 1406-1408 Anzac Parade, Little Bay
 - 24 Blenheim Street, Randwick
 - 47 Botany Street, Randwick
 - 471- 477 Anzac Parade, Kingsford
 - 439 Anzac Parade, Kingsford
 - 3, 5, 25, 29 Blenheim Street, 24B & 24C, Arthur Street, 40 Waratah Avenue, Randwick
 - 40-44 Arthur Street, Randwick

- Council's resolution on this report will be reflected in the post exhibition Randwick Comprehensive Planning Proposal to be forwarded to the Department of Planning and Environment, with the request that the amendments be made to *Randwick Local Environmental Plan 2012*.

Recommendation

That Council:

- a) Endorse that part of the Planning Proposal that amends Randwick Local Environmental Plan 2012 in relation to the zoning and/or development standards outlined below:
 - i. 558A – 580 Anzac Parade, Kingsford (Souths Juniors site)
 - Maximum Height: increase on part of the site from 31m to 51m (as shown on the Alternative Building Height Map)
 - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes
 - No changes proposed to maximum FSR or zoning.
 - ii. 1401-1409 Anzac Parade, Little Bay
 - Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
 - Maximum Height: increase the maximum height from 9.5m to 15m
 - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of a site specific DCP chapter to address design implications for the proposed additional height and FSR
 - No changes proposed to zoning.
 - iii. 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
 - Maximum FSR: Remove the maximum FSR of 0.9:1 for 59A, 61, 63-65 Boronia Street and 81- 85 Anzac Parade (Part)
 - Maximum Height: increase the maximum from 1m to 31m for the strip of land (as shown in red) at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported.
 - No change to the zoning: Retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).
 - iv. 1903R Botany Road, Matraville
 - Land use zone: From RE1 Public Recreation to RE2 Private Recreation
 - No change to the maximum FSR or height.
- b) Exclude the following rezoning requests received during public exhibition from the post exhibition draft Comprehensive Planning Proposal:
 - i. 897 & 897A Anzac Parade, Maroubra
 - Retain R2 Low Density Residential zone
 - Consider as part of the Maroubra Junction Town Centre Study to provide a holistic review of the site and surrounding locality.
 - ii. 1A Bradley Street, Randwick
 - Retain R2 Low Density Residential zone
 - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
 - iii. 2 Harbourne Road, Kingsford
 - Retain R3 Medium Density Residential zone




- Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- iv. 204 Malabar Road, South Coogee
 - Retain R2 Low Density Residential zone
 - No change to FSR & building height.
- v. 178 Coogee Bay Road, Coogee
 - Retain R3 Medium Density Residential zone
 - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- vi. 26 Goorawahl Avenue, La Perouse
 - Retain B1 Neighbourhood Centre zone.
- vii. 20 Barker Street, Kingsford
 - Retain existing FSR & building height controls.
- viii. Royal Randwick Racecourse, Alison Road, Randwick
 - Inclusion of entertainment facilities, food and drink premises and commercial premises into *Schedule 1 Additional Permitted Uses* is not supported at this time.
- ix. 27- 29 Boronia Street, Kensington
 - Inclusion into Kensington North HIA is not supported
 - To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- x. 33-43 Boronia Street, Kensington
 - Inclusion into Kensington North HIA is not supported
 - Retain existing FSR & building height controls
 - To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- xi. Meriton Site - 1406-1408 Anzac Parade, Little Bay
 - Creation of a new Housing Investigation Area is not supported
 - Retain existing FSR & building height controls.
- xii. 24 Blenheim Street, Randwick
 - Retain R3 Medium Density Residential zoning.
- xiii. 47 Botany Street, Randwick
 - Retain existing FSR & building height controls
 - Inclusion of medical uses into *Schedule 1 Additional Permitted Uses* for site and Arthur Street HIA of RLEP is not supported.
- xiv. 471- 477 Anzac Parade, Kingsford
 - Retain existing FSR & building height controls
 - Inclusion of commercial premises for site and adjacent properties under *Schedule 1 Additional Permitted uses* of RLEP is not supported.
- xv. 439 Anzac Parade, Kingsford
 - Retain R3 Medium Density Residential proposed zoning.
 - Retain proposed FSR & building height controls.

xvi. 3, 5, 25, 29 Blenheim Street, 24B & 24C, 40-44 Arthur Street and 40 Waratah Avenue, Randwick

- Retain existing FSR & building height controls
- Review existing controls for HIA at 7-year Housing Strategy review.

- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to rezoning requests and associated documents prior to submitting to the Department of Planning and Environment.
- d) Forward that part of the Planning Proposal relating to rezoning requests to the Department of Planning and Environment and request that the amendments be made to Randwick Local Environmental Plan 2012.

Attachment/s:

1.  Table of Community and Stakeholder Submissions and Responses - Rezoning Requests
2.  Attachment F(2) Datasheets (Rezoning Requests Publicly Exhibited)
3.  Attachment F(3) Datasheets (Rezoning Requests from Public Submissions)

Purpose

This report outlines the rezoning requests received by Council in relation to the Comprehensive Planning Proposal (CPP) and the proposed changes to the Randwick Local Environmental Plan 2012 (RLEP 2012). The report relates to rezoning requests that were received prior to Gateway Determination from the Department of Planning & Environment and were exhibited in the Draft CPP throughout the public exhibition process, as well as new rezoning requests received through submissions during the public consultation period.

This report seeks Council's endorsement on the recommendations outlined by Planning Officers for each rezoning request in line with the considerations and assessments set out within **Attachment 2** and **Attachment 3** of this report.

A separate report has been included in the current Council Agenda (Extraordinary Meeting of 30 August 2022) summarising the consultation process/activities undertaken and matters raised in submissions received during public exhibition period of the Comprehensive LEP.

Discussion

Background

The CPP has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).

The Planning Proposal also implements the findings and recommendations of studies and strategies undertaken by Council over recent years including the Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy and relevant Informing Strategies endorsed by Council in recent years.

At the Extra Ordinary meeting of Council held on 1 June 2021, Councillors endorsed draft CPP for submission to the Department of Planning seeking a Gateway Determination to enable its public exhibition. The draft CPP was considered as five separate reports covering various aspects of the Planning Proposal. A Gateway Determination was issued by the Department on 12 September 2021 with conditions.

On 26 October 2021, Council resolved to endorse a Council Officer submission seeking a review of certain conditions on the Gateway Determination.

At the Ordinary Council meeting held on 22 March 2022, Council considered a report that advised of the outcome and implications of the Gateway Review and Alteration that was submitted to the DPE on 7 November 2021. At this meeting Councilors noted the outcome of the Gateway Review that required amendments to the Planning Proposal prior to public exhibition and resolved that *"the amended Planning Proposal be presented at the Ordinary Council Meeting in April for consideration prior to public exhibition."*

On 26 April 2022, the draft Planning Proposal was considered by Councillors in accordance with the above resolution. At this meeting Councillors resolved to make changes to the Planning Proposal in relation to the Economic Development section; use of land at 58-64 Carr Street Coogee and to amend the minimum lot size for dual occupancy to 650m².

An Extra Ordinary Council meeting was held on 3 May 2022 to deal with a rescission motion to the resolution of 26 April 2022, received from a number of Councillors. At this meeting the following resolution was endorsed by Councillors:

RESOLUTION: (Said/Neilson) that Council:

- a) endorse the exhibition of the Comprehensive Planning Proposal and associated document;
- b) authorise the Director of City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Comprehensive Planning Proposal and associated documents prior to public exhibition;
- c) that the public exhibition/consultation communications are explicit in outlining Council's objection to the Gateway conditions imposed, the overall housing target imposed on the Randwick LGA which this planning seeks to achieve, and that Randwick City Council is under direction by the NSW Government to prepare an updated LEP document. That the consultation also ask residents as to the suitability of encouraging additional dual occupancy development considering impacts on-street parking impacts, frontages, greenery, and the appropriateness of specified locations concerning transportation for such a style development.

Volume 1 Objectives and Intended Outcomes 1.2.4 Economic Development (p8) Third bullet - add the words "in Business zones where appropriate" so it reads: "Standardise and extend trading hours for shops and low impact business premises in Business zones where appropriate."

Volume 2 A. Planning Proposal Timeline Attachment B. LEP Clause and Schedule Changes Schedule 1 Additional permitted uses

1. Use of land at 58-64 Carr Street, Coogee (2) add "in conjunction with the site specific DCP." So this item to read "Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP."

The specific amendments outlined in the above resolution were actioned by Council officers in the draft CPP and exhibited material.

On the 31 May 2022, the CPP was placed public exhibition for 6 weeks until the 12 July 2022 as part of an extensive and well publicised community engagement process. Council received several new rezoning requests during the public exhibition period in addition to the existing rezoning requests that were placed on public exhibition. A number of rezoning requests were previously considered at the Randwick Local Planning Panel (RLPP) meeting in April 2021 and later by Council at the April Council meeting 2021. These requests have been reconsidered as part of this report.

Review and analysis of submissions seeking rezoning requests was undertaken in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities, Eastern City District Plan, Randwick Local Strategic Planning Statement and Randwick Housing Strategy).

Rezoning Requests - existing requests exhibited in the draft CPP*Background and context*

Since the introduction of the current RLEP 2012 and the Kingsford and Kensington Town Centres Planning Proposal, a number of owner initiated rezoning requests have been received by Council. Four of these requests are considered to have strategic merit and have been included within the Planning Proposal. The requests include zoning changes and/or increases to development controls for the following sites:

- 558A – 580 Anzac Parade, Kingsford (Souths Juniors site)
- 1401-1409 Anzac Parade, Little Bay (existing neighbourhood centre opposite the Prince Henry site)
- 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington (between Anzac Parade and Boronia Street)
- 1903R Botany Road, Matraville (privately owned vacant land).

Summary of changes

The publicly exhibited draft CPP supported the rezoning requests and proposed the following amendments to the LEP:

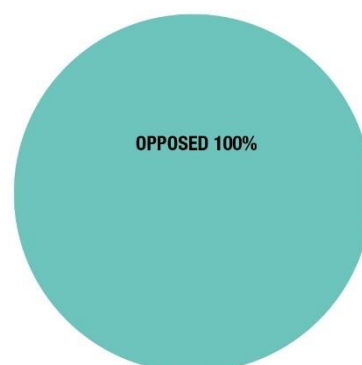
- 558A – 580 Anzac Parade, Kingsford (Souths Juniors site)
 - Maximum Height: increase on part of the site from 31m to 51m (as shown on the Alternative Building Height Map)
 - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes
 - No changes proposed to maximum FSR or zoning.
- 1401-1409 Anzac Parade, Little Bay
 - Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
 - Maximum Height: increase the maximum height from 9.5m to 15m
 - Include the site in the Key Sites Map associated with clause 6.11, which will require the preparation of a site specific DCP chapter to address design implications for the proposed additional height and FSR
 - No changes proposed to zoning.
- 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
 - Maximum FSR: Remove the maximum FSR of 0.9:1 for 59A, 61, 63-65 Boronia Street and 81- 85 Anzac Parade (Part) and apply building envelope controls for this land in the Randwick DCP to be consistent with land immediately to the south.
 - Maximum Height: increase the maximum from 1m to 31m for the strip of land (as shown in red) at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported.
 - No change to the Land Use Zoning: Retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).
- 1903R Botany Road, Matraville
 - Land use zone: From RE1 Public Recreation to RE2 Private Recreation
 - No change to the maximum FSR or height.

Details of the assessment, including strategic merit rational is included in **Attachment 2** to this report.

Overview of submissions

Comments relating to the proposed rezoning requests exhibited in the draft CPP were raised a total of 3 times in the submissions received. The following table provides a summary of the submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position, or it was unclear.

Rezoning request submissions	Response
Supportive/supportive with changes	0% (0)
Opposed	100% (3)
Neutral	% (0)
Unsure	% (0)
TOTAL	100% (3)



Key comments and responses

Key issues and comments raised in submissions from the community in response to the proposed rezoning request amendments are summarised below. Detailed responses are provided in **Attachment 1** to this report.

- Objection to the rezoning of 1903R Botany Road, Matraville from public (RE1 Zone) to private open space (RE2 Zone) as the site acts as a buffer between the residential and industrial zones.

Response - The current, and previous landowners have in the past offered the site to Council for purchase in accordance with the LEP provisions for RE1 lands. In June 2019, Council stated they were not in a position to purchase the land. Current site access arrangements do not readily support the use of the site as publicly accessible open space. The site has no formal road access and sits adjacent to an established industrial precinct and road reserve. The site has never been publicly accessible due to its private ownership and constrained site access in the form of high perimeter fencing.

The site currently acts as a buffer between the industrial land to the west and residential land located along Moorina Avenue. This buffer is maintained under a recent Land and Environment Court approval for the subdivision of the industrial land immediately to the west of the site, which is under the same ownership as the subject site. The approval requires a riparian corridor along Bunnerong Creek to be approved by the Department of Primary Industries. Under the NSW *Water Management Act 2000*, setbacks (riparian zones) are required on waterfront land, up to 40m from the waterway bank to form a transition zone between the terrestrial environment and the water course. This riparian zone would ensure that that site will continue to act as an appropriate buffer between uses.

The proposed rezoning was considered by the Independent Planning Commission as part of Council's Gateway Review. The Commission noted that the site is currently inaccessible to the public and would not expect that this would change if the RE1 zoning is maintained. The Commission also noted that the development of the land for recreation purposes under the RE2 zone would service the recreational and social needs of the community. In short, the Commission agreed with Council's assessment that the site should be rezoned.

- Objection to the proposed rezoning of 1401-1409 Anzac Parade, Little Bay due to overshadowing and traffic.

Response - The site, via the proposed inclusion on the LEP Key Sites Map would be subject to clause 6.12, which requires a development control plan be prepared for the site to address (amongst other things) design principles based on an analysis of the site and its context and built form controls. Design guidance to address any potential amenity impacts could be incorporated into the DCP for the site prior to redevelopment, including overshadowing, traffic and site access. If the site is redeveloped as shop top housing, the proposal will be subject to the NSW Apartment Design Guide, which requires certain levels of solar access to adjoining properties are maintained.

- Objection to the proposed alternative building height at 558A-580 Anzac Parade, Kingsford (Souths Juniors site) due to impacts on adjoining property and streetscape.

Response - The existing Alternative Building Height controls for the site employs a stepped down approach to create an appropriate transition to the low density development located immediately to the east of the site along Wallace Street. The proposed amendments to the Alternative Building Height map maintained this stepped approach to the east, while allowing additional height at the western portion of the site.

A detailed massing study, indicative plans and NSW Apartment Design Guide compliance were provided to Council alongside the rezoning request, demonstrating the change would result in an appropriate streetscape and a positive design outcome for Kingsford. Analysis of potential impacts from overshadowing generated by a tower building located in the western corner of the site shows that the primary impact will be over the Anzac Parade road corridor, rather than private property.

- Opposition was received from **Ports NSW** to the proposed rezoning of 1401-1409 Anzac Parade, Little Bay due to concerns that the intensification of land will hinder the operation of the Port and has the potential to result in noise related complaints. The submission suggests that Council adopt noise criteria for new residential developments to ameliorate noise concerns. Concerns raised that the proposed rezoning would result in additional traffic passing through the Ports precinct.

Response - The site, via the proposed inclusion on the LEP Key Sites Map would be subject to clause 6.12, which requires a development control plan to be prepared for the site to address (amongst other things) design principles based on an analysis of the site and its context and built form controls. Design guidance to address any potential amenity impacts could be incorporated into the DCP for the site prior to redevelopment.

If the site is redeveloped as a residential flat building or shop top housing, the detailed design of the proposal (at any future development assessment stage) will be subject to the NSW Apartment Design Guide, which outlines acoustic privacy requirements for protecting sound transmission between external and internal spaces and ensuring that designing for acoustic privacy considers the site's context and surrounding uses.

The proposed increase in height and density is not expected to create additional traffic that will cause an unacceptable impact on the local road network.

Key Recommendations

In response to submissions, no amendments are proposed to the exhibited documents. It is recommended that Council supports the rezoning requests for the properties listed below in the post exhibition CPP, consistent with the public exhibition documentation:

- i. 558A – 580 Anzac Parade, Kingsford (Souths Juniors site)
 - Maximum Height: increase on part of the site from 31m to 51m (Alternative Building Height Map)
 - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes
 - No changes proposed to maximum FSR or zoning.
- ii. 1401-1409 Anzac Parade, Little Bay
 - Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
 - Maximum Height: increase the maximum height from 9.5m to 15m
 - Include the site in the Key Sites Map associated with clause 6.11, which will require the preparation of a site specific DCP chapter to address design implications for the proposed additional height and FSR
 - No changes proposed to zoning.
- iii. 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
 - Maximum FSR: Remove the maximum FSR of 0.9:1 for 59A, 61, 63-65 Boronia Street and 81- 85 Anzac Parade (Part) and apply building envelope controls for this land in the Randwick DCP to be consistent with land immediately to the south.
 - Maximum Height: increase the maximum from 1m to 31m for the strip of land (as shown in red) at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported.

- No change to the Land Use Zoning: Retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).

iv. 1903R Botany Road, Matraville

- Land use zone: From RE1 Public Recreation to RE2 Private Recreation
- No change to the maximum FSR or height.

Rezoning Requests - new requests received via submissions

Background and context

This section outlines the rezoning requests Council received during the public consultation period. Council received 17 rezoning requests, some of which had been previously submitted, assessed and reported to Council prior to exhibition of the CPP. These rezoning requests have been resubmitted along with several new requests after the CPP received Gateway Determination from the Department of Planning and Environment.

The rezoning requests have been assessed in accordance with the policy approach of the State Governments Standard Instrument LEP, where Councils are encouraged to consider rezoning requests strategically rather than ad hoc proposals. A summary of the rezoning requests received can be found below with rezoning request datasheets found in Datasheets (Rezoning Requests from Submissions) (see **Attachment 3** to this report).

The rezoning requests received by Council followed four key themes and as a result, have been segregated into four separate categories:




- Spot rezoning requests
 - 897 & 897A Anzac Parade, Maroubra
 - 1A Bradley Street, Randwick
 - 2 Harbourne Road, Kingsford
 - 204 Malabar Road, South Coogee
 - 178 Coogee Bay Road, Coogee
 - 26 Goorawahl Avenue, La Perouse
 - 20 Barker Street, Kingsford
 - Royal Randwick Racecourse, Alison Road, Randwick
- Rezoning requests (for inclusion into a HIA boundary)
 - 27- 29 Boronia Street, Kensington
 - 33-43 Boronia Street, Kensington
 - Meriton Site - 1406-1408 Anzac Parade, Little Bay
- Rezoning requests (requesting a change of controls within a HIA boundary)
 - 24 Blenheim Street, Randwick
 - 47 Botany Street, Randwick
 - 471- 477 Anzac Parade, Kingsford
 - 439 Anzac Parade, Kingsford
- Rezoning requests (areas identified as 'no change' within a HIA requesting to be included)
 - 3, 5, 25, 29 Blenheim Street, 24B & 24C Arthur Street and 40 Waratah Avenue, Randwick
 - 40-44 Arthur Street, Randwick.




Spot rezoning requests

Council has received 8 spot rezoning requests, requesting a change to the controls of RLEP 2012. The requests submitted relate to a variety of planning control changes including zoning, building height and floor space ratio controls. The requests do not relate to any sites impacted nor proposed for any change as a result of the implementation of the CPP.

The properties to which the spot rezoning requests relate to as well as the applicants' requests are outlined in the table below.

Property	Request
<p>897 & 897A Anzac Parade, Maroubra</p> 	<p>Rezoning of property from R2 Low Density Residential to R3 Medium Density Residential.</p>
<p>1A Bradley Street, Randwick</p> 	<p>Rezoning of lot from R2 Low Density Residential to R3 Medium Density Residential and explore rezoning the entire block from R2 to R3.</p>
<p>2 Harboure Road, Kingsford</p>	<p>Request to be included in the Kingsford B2 Local Centre Zone.</p>

Property	Request
	
<p>204 Malabar Road, South Coogee</p> 	<p>Request for property to be rezoned from R2 Low Density Residential to R3 Medium Density Residential.</p>
<p>178 Coogee Bay Road, Coogee</p> 	<p>Request a rezoning of the subject property from R3 Medium Density Residential to E1 Local Centre zoning.</p>
<p>26 Goorawahl Avenue, La Perouse</p>	<p>Request for property to be rezoned from B1 Neighbourhood Centre to R2 Low Density Residential.</p>

Property	Request
	
<p>20 Barker Street, Kingsford</p> 	<p>Request for FSR to be changed to 3:1 and height of building to be 19m.</p>
<p>Royal Randwick Racecourse, Alison Road, Randwick</p> 	<p>Request To add additional uses to <i>Schedule 1 Additional Permitted Uses</i> of RLEP 2012 to permit <i>entertainment facilities, food and drink premises and commercial premises</i> in the 'Spectator Precinct' of Royal Randwick Racecourse.</p>

Consideration

In consideration and assessment of the spot rezoning requests listed above, review and analysis of the submissions was undertaken in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities, Eastern City District Plan, Randwick Local Strategic Planning Statement and Randwick Housing Strategy. Detailed analysis of these requests can be viewed in **Attachment 3** to this report.

Property	Recommendation
1A Bradley Street, Randwick	Not supported at this time. Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
2 Harbourne Road, Kingsford	Not supported at this time. Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
204 Malabar Road, South Coogee	Request not supported, retain R2 Low Density Residential zone, no change to FSR and building height.
897 & 897A Anzac Parade, Maroubra	Not supported at this time. To be considered as part of the Maroubra Junction Town Centre Study to provide a holistic review of the site and surrounding locality.
178 Coogee Bay Road, Coogee	Not supported at this time. To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.1 & 3.2 of the Randwick Housing Strategy.
26 Goorawahl Avenue, La Perouse	Request for rezoning is not recommended for inclusion in the CPP. Preliminary assessment indicates that a residential zoning may be appropriate due to the residential nature of the street and potential negative impacts if business uses were introduced as part of a shop top housing development. Notwithstanding, it is important that a strategic assessment of 26 Goorawahl Ave be undertaken in conjunction with the adjoining property at 28 Goorawahl Ave as the business zoning applies to both residential dwellings. Should the applicant wish to pursue a rezoning on the site, a separate proponent lead planning proposal should be submitted for consideration in conjunction with the property at 28 Goorawahl Avenue. This would ensure a strategic approach and allow for necessary community consultation and feedback. Retain existing B1 zone.

Property	Recommendation
20 Barker Street, Kingsford	Request not supported, retain existing height and FSR controls.
Royal Randwick Racecourse, Alison Road, Randwick	Request not supported at this time.

It is noted that three of the eight spot rezoning requests were previously considered and not supported by the RLPP on 13 April 2021 and later by Council at the 27 April 2021 Council meeting. The properties previously considered and not supported included 1A Bradley Street, Randwick, 2 Harbourne Road, Kingsford and 204 Malabar Road, South Coogee.

Additionally, the remaining five spot rezoning requests have also been considered and not supported following consideration and analysis. Through assessment and consideration, it was found that the new rezoning requests did not provide enough strategic merit to be included in the CPP. Some sites, similar to the previously assessed and determined requests are to be considered as part of a future B2 Local Centres review and are not supported at this time. The request in relation to the Royal Randwick Racecourse should be pursued as part of a separate planning proposal.


Recommendation

It is recommended that council supports its original decision to not include the above originally considered rezoning requests and the new submitted requests in the CPP Proposal in line with the recommendations and outcomes identified in **Attachment 3**.

Rezoning requests (for inclusion into a HIA boundary)

Council received three specific submissions that requested rezonings of site/s to be included into a Housing Investigation Area boundary proposed as part of the CPP. Two of the requests relate to minor boundary adjustments that would include the specific property within an existing proposed HIA. The remaining request submitted by Meriton Pty Ltd has requested consideration for an entirely new HIA on the Meriton site in Little Bay.

The properties to which the rezoning requests relate to as well as the applicants' requests are outlined in the table below.

Property	Request
<p>27- 29 Boronia Street, Kensington</p> 	<p>Request for properties to be included in the Kensington North HIA.</p>

Property	Request
<p>33-43 Boronia Street, Kensington</p> 	<p>Request for properties along the eastern side of Boronia Street (to Balfour Lane in the south) be included in the Kensington North HIA with a height control of 23m and FSR control of 2:1.</p>
<p>Meriton Site - 1406-1408 Anzac Parade, Little Bay</p> 	<p>Request for site to be considered as a Housing Investigation Area with additional height and density, along with the Land and Housing Corporation site.</p>

Consideration

A summary of the consideration of the rezoning requests is outlined in the table below with further details in **Attachment 3**.

Property	Recommendation
27- 29 Boronia Street, Kensington	Not supported at this time. To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
33-43 Boronia Street, Kensington	Not supported at this time. To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic

Property	Recommendation
	centres in accordance with Action 3.2 of the Randwick Housing Strategy.
Meriton Site - 1406-1408 Anzac Parade, Little Bay	Request not supported.

The properties known as 33-43 Boronia Street were subject to previous consideration and assessment of a rezoning request as part of the LSPS 'Vision 2040' community consultation process. At that time, the applicant requested to be included in the Kensington B2 zone as part of the K2K proposal. The site was subject to consideration by the RLPP on 13 April 2021 and later by Council at the 27 April 2021 Council meeting. The properties were recommended not to be included in the B2 zone and K2K boundary.

Additionally, the adjacent sites at 27-29 Boronia Street, Kensington are also not supported for stand-alone spot rezonings. Given the proximity to neighbourhood shops, open space and transport routes, an appropriate consideration of localised constraints of the surrounding area would need to be undertaken (as part of the future B2 Local Centres buffer/transition review) prior to any recommendation for rezoning.

The Meriton Site at Little Bay has also been considered in line with the strategic priorities of the LSPS structure plan and Housing Strategy. An additional HIA located in Little Bay as requested does not align with the strategic merit of the LSPS and Housing Strategy, given the existing lack of transport infrastructure and proximity to strategic and town centres and economic activities within the surrounding locality. As a result, it is recommended that the request not be supported.

Recommendation



It is recommended that Council retains the decision to not include the previously considered property as well as exclude the remaining properties for HIA inclusion within the CPP in line with the recommendations below and analysis within **Attachment 3** of this report.

Rezoning requests (requesting a change of controls within a HIA boundary)

Council has received a further three rezoning requests relating to properties within a proposed HIA boundary that are requesting a change to the proposed controls. The requests relate to changes to zoning, building height controls, floor space ratio controls and the inclusion of additional permitted uses under Schedule 1 of RLEP 2012. The submission properties and requests are identified below.

Property	Request
24 Blenheim Street, Randwick	Request a rezoning of the property from R3 Medium Density Residential to B2 Local Centre.

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Property	Request
 <p>47 Botany Street, Randwick</p>	
 <p>471- 477 Anzac Parade, Kingsford</p>	<ul style="list-style-type: none"> • Requests for medical used to be classified as an additional permitted use for the site under Schedule 1 of the LEP. • Requests an FSR increase of 3.3:1 and a height increase to 10-12 storeys. • Requests for removal of site amalgamation requirements and reduction of parking rates.
	<ul style="list-style-type: none"> • Requests for property to be included within Schedule 1 Additional Permitted Uses to allow development for the purpose of commercial premises. • Increase proposed height of buildings to 19.5m • Increase floorspace ratio to 2.1:1

Property	Request
	
	<ul style="list-style-type: none"> Requests for property to be rezoned from R2 Low Density Residential (proposed as R3 within HIA boundary) to B1 Neighbourhood Centre (E1 Local Centre).

Consideration

A summary of the consideration of the rezoning requests is outlined in the table below with further details in **Attachment 3**.

Property	Recommendation
24 Blenheim Street, Randwick	Request not supported, retain R3 zoning.
47 Botany Street, Randwick	The inclusion of medical uses into Schedule 1 of RLEP for the site and broader Arthur Street HIA as well as an increase to the proposed height and FSR controls are not supported.
471- 477 Anzac Parade, Kingsford	Request not supported, no change.
439 Anzac Parade, Kingsford	Request not supported, no change.

The site at 24 Blenheim Street is located in the R3 Medium Density Residential zone within the Arthur Street HIA envisaged as a primary area for housing to support key employment hubs such as UNSW, hospitals and town centres. Considering the strategic placement of a business zone in the Blenheim/High/Botany Street block, this would create an extended direct interface between business and residential within a residential street (Blenheim Street) that would be inconsistent with the intended role of the HIA. As a result, the request is not supported.

The property at 47 Botany Street, requests a height increase from approximately 8 storeys to 10-12 storeys with a 3.1:1 FSR. Given the extensive analysis undertaken for proposed heights and FSR controls within the HIA, it was identified that 8 storeys would provide the most appropriate transition to surrounding residential areas proposed for no changes to the north of the site and surrounds. As a result, the requested height and FSR increase is not supported. Additionally, the inclusion of medical uses under Schedule 1 *Additional Permitted Uses* of the RLEP for the site and Arthur Street HIA is not supported given that there are existing pathways to facilitate health related development in the R3 zone via the land use table and Infrastructure SEPP.

The site at 471-477 Anzac Parade requests an increase of height and FSR to 19.5m and 2.1:1 as well as the inclusion of the property (and adjacent sites) into *Schedule 1 Additional Permitted Uses* to allow development for the purpose of commercial premises. The site is currently zoned R2 Low Density Residential proposed to change to E1 Local Centre as a result of the CPP. It is noted that the proposed Employment Land Zones Reform permits the use of commercial premises with the E1 zone which furthermore does not warrant inclusion of the property into Schedule 1 of RLEP. The requested increase to height and FSR is also not supported within this proposal. The CPP proposes increasing the existing height limit to 17.5m which was subject to an urban design study that considered the impact of height on areas of no change adjoining the subject site. The requested increase to 19.5m is not supported.

The site at 439 Anzac Parade requests a rezoning from R2 Low Density Residential (proposed as R3 Medium Density Residential within HIA boundary) to B1 Neighbourhood Centre (E1 Local Centre) as a result of the CPP. It is also noted that two sites within the Kingsford South HIA are proposed to be rezoned to B1 at the southern extent of the HIA. These properties are existing commercial sites, with the proposed rezonings reflecting their commercial uses as well as providing the opportunity for neighbourhood business zones to service the residential catchment at the southern portion of the HIA. In contrast, the subject site is located approximately 150m from the existing Kingsford B2 zone. In considering the strategic placement of a new Business Zone at the subject site along Anzac Parade between residential uses, there is the possibility that this would create an extended direct interface between business and residential uses that would not be consistent with the intended role of the HIA. The requested rezoning is not supported.


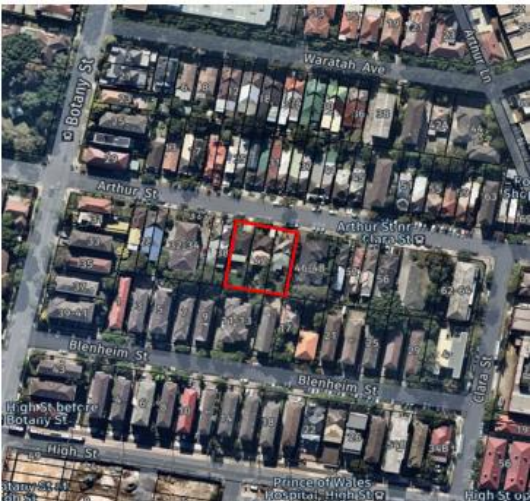
Recommendation

It is recommended that Council excludes the requested changes to the abovementioned properties within the CPP in line with the recommendations below and analysis within **Attachment 3** of this report.

Rezoning requests (areas identified as 'no change' within a HIA requesting to be included)

Council received two rezoning request applications from multiple sites within the Arthur Street HIA identified as an area of 'no change' with no proposed changes to existing zoning, building height and FSR controls. The submissions have been merged into one data sheet in **Attachment 3** given the rezoning requests seeking the same changes to the Comprehensive Planning Proposal. The submissions request that the properties be included within the HIA subject to the proposed height and FSR controls. The particular properties within the request are outlined in the table below.

Property	Request
Applicant 1: 3, 5, 25 & 29 Blenheim Street, 24B & 24C Arthur Street and 40 Waratah Avenue	Request for Council to support the density and height uplift across the entire Arthur Street HIA.

Property	Request
	
<p data-bbox="252 777 743 808">Applicant 2: 40- 44 Arthur Street, Randwick</p> 	<p data-bbox="836 777 1374 840">Request for Council to support the density and height uplift across the entire Arthur Street HIA.</p>

Consideration

A summary of the consideration of the rezoning requests is outlined in the table below with further details in **Attachment 3**.

Property	Recommendation
Applicant 1: 3, 5, 25 & 29 Blenheim Street, 24B & 24C Arthur Street and 40 Waratah Avenue	Not supported at this time. HIA's will be reviewed at the 7-year review of the Randwick Housing Strategy.
Applicant 2: 40- 44 Arthur Street, Randwick	Not supported at this time. HIA's will be reviewed at the 7-year review of the Randwick Housing Strategy.

In consideration of the multiple sites within the Arthur Street HIA, it was determined through Council's urban design analysis that the existing properties identified for 'no change' in the Arthur Street HIA consists of medium density four-storey walk up apartment buildings and a heritage listed property known as 'Blenheim House'.

The existing building typologies in the areas identified for no change consist of a large portion of buildings under strata ownership. As a result of this, strata ownership may restrict turnover and limit lot consolidation efforts in line with Council's desired built form character for the HIA. Additionally, the existing built form along the northern side of Blenheim Street provides an appropriate transitional buffer between the areas proposed for uplift and the existing predominant residential dwelling character north of Arthur Street. The remainder of the HIA is not recommended for uplift and furthermore, the request is not supported at this time.

Recommendation

It is recommended that Council excludes the requested changes to the abovementioned properties within the Comprehensive Planning Proposal in line with the recommendations below and analysis within **Attachment 3** of this report.

Key Recommendations

In determination of the new rezoning requests received throughout the exhibition period of the CPP, it is recommended that the following outcomes be endorsed for the sites listed below.

- 897 & 897A Anzac Parade, Maroubra
 - Retain R2 Low Density Residential zone.
 - Consider as part of the Maroubra Junction Town Centre Study to provide a holistic review of the site and surrounding locality.
- 1A Bradley Street, Randwick
 - Retain R2 Low Density Residential zone.
 - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- 2 Harbourne Road, Kingsford
 - Retain R3 Medium Density Residential zone.
 - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- 204 Malabar Road, South Coogee
 - Retain R2 Low Density Residential zone.
 - No change to FSR & building height.
- 178 Coogee Bay Road, Coogee
 - Retain R3 Medium Density Residential zone
 - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- 26 Goorawahl Avenue, La Perouse
 - Retain B1 Neighbourhood Centre zone.
- 20 Barker Street, Kingsford
 - Retain existing FSR & building height controls.
- Royal Randwick Racecourse, Alison Road, Randwick
 - Inclusion of entertainment facilities, food and drink premises and commercial premises into *Schedule 1 Additional Permitted Uses* is not supported at this time.
- 27- 29 Boronia Street, Kensington
 - Inclusion into Kensington North HIA is not supported.

- To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- 33-43 Boronia Street, Kensington
 - Inclusion into Kensington North HIA is not supported.
 - Retain existing FSR & building height controls.
 - To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- Meriton Site - 1406-1408 Anzac Parade, Little Bay
 - Creation of a new Housing Investigation Area is not supported.
 - Retain existing FSR & building height controls.
- 24 Blenheim Street, Randwick
 - Retain R3 Medium Density Residential zoning.
- 47 Botany Street, Randwick
 - Retain existing FSR & building height controls.
 - Inclusion of medical uses into *Schedule 1 Additional Permitted Uses* for site and Arthur Street HIA of RLEP is not supported.
- 471- 477 Anzac Parade, Kingsford
 - Retain existing FSR & building height controls.
 - Inclusion of commercial premises for site and adjacent properties under *Schedule 1 Additional Permitted uses* of RLEP is not supported.
- 439 Anzac Parade, Kingsford
 - Retain proposed R3 Medium Density Residential zoning.
 - Retain existing FSR & building height controls.
- 3, 5, 25, 29 Blenheim Street, 24B & 24C, 40-44 Arthur Street and 40 Waratah Avenue, Randwick
 - Retain existing FSR & building height controls.
 - Review existing controls for HIA at 7-year Housing Strategy review.

Gateway Conditions

Condition 2 of the Gateway Determination lists several items that the Department requires be addressed prior to finalisation of the plan. Condition 2.d) requires the following:

Include a preliminary site investigation of the land at 1903R Botany Road, Matraville in accordance with the requirements of section 9.1 Direction - 2.6 Remediation of Contaminated Land.

A site remediation and validation report was prepared by Geo-Logix Pty Ltd in July 2019 on behalf of Horme Group Pty Ltd (the site owners) to investigate and facilitate the remediation and validation of land at 1901 and 1903R Botany Road, Matraville.

The primary objectives of the site remediation were to excavate and dispose of hotspot material off site so the remaining fill could be suitable for commercial industrial land uses at 1901 Botany Road and to render land at 1903R Botany Road zoned as RE1 Public Recreation as suitable for land uses specified under this particular zoning.

Upon detailed site investigation in early 2018, it was discovered that some soil samples within the sites contained traces of asbestos. Remediation and validation works were undertaken between November 2018 – April 2019 which included:

- Excavation and lawful off-site disposal of asbestos hotspots to landfill (comprising of a total of 1,867.92 tonnes of impacted fill).
- Validation of remedial excavations to demonstrate removal of hotspot material.
- Excavation and relocation of fill suitable for commercial/industrial land use criteria from 1903R Botany Road, zoned RE1 Public Recreation, to portions of the site Zoned IN1 General Industrial in order to render 1903R Botany Road suitable for all land uses specified under zoning RE1 Public Recreation.

All fill material on 1903R Botany Road was excavated and relocated. Clearance inspection by a Licensed Asbestos Assessor concluded the site as free of asbestos containing material.

The site is considered suitable for permissible uses under Public Recreation RE1 zoning. The objectives of the RE2 Private Recreation zone largely mirror those of the RE1 Public Recreation zone. Uses permitted with consent under the RE2 zone are also largely consistent with those permitted under RE1. Additional permitted uses under RE2 include registered clubs and take away food and drinks premises. It is therefore considered that the site is also suitable for permissible uses under the RE2 Private Recreation zone. Further assessment may be undertaken at the development application stage in the event a use is proposed that was not considered due to the sites previous RE1 zoning. This may involve obtaining confirmation from the site auditor that the proposed use is suitable for the intended use of the site. This would be a matter for consideration under State Environmental Planning Policy (Resilience and Hazards) 2021 (previously SEPP 55). The site remediation and validation report will be forwarded to the Department with the post exhibition CPP.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Housing
Outcome	A city with sustainable housing growth
Objective	Provide 4,300 new dwellings in 2021-2026, with 40% located in and around town centres
Delivery program commitment	Review the LEP 2012 to provide for additional capacity to meet the target of providing 4,300 new dwellings between 2021 and 2026.
Delivery program commitment	Ensure future redevelopment sites are aligned with future transport investment as identified in the transport strategy.
Delivery program commitment	Ensure any future redevelopment is aligned with local infrastructure investment.

Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2021/22 budget and allocations.

The review, data collection and analysis of the rezoning requests received as part of the CPP exhibition was completed in-house by Strategic Planning officers.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979

- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- Randwick Housing Strategy.

Conclusion

This report has considered the rezoning requests received by Council in relation to the CPP and the proposed changes to the Randwick LEP 2012. The report relates to rezoning requests Council has received that were exhibited with the draft CPP as well as new rezoning requests received during the public consultation period from 31 May to 12 July 2022.

As part of the exhibition of the draft CPP, four rezoning requests were supported due to their strategic merit and included within the Planning Proposal. Council received three submissions of objections to these rezoning requests during the public exhibition process, the responses to these submissions can be found in the report and **Attachment 1**. As a result, it is recommended that Council retains the original decision to support the rezoning requests and no changes are made to the exhibited CPP documents.

Additionally, Council received a further 17 rezoning requests during the public exhibition period. The rezoning requests received generally relate to four key themes: spot rezonings, requests for inclusion into a HIA boundary, requests for a change of controls within a HIA boundary and a request for properties within a HIA boundary proposed as 'no change' to be included within the proposed controls of the HIA. It is recommended that these sites are excluded from the CPP in accordance with the strategic merit outlined in **Attachment 3** of this report.

Whilst the draft Randwick CPP was exhibited as one document, it contains various proposals for amendments to Randwick LEP 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.

Responsible officer: Natasha Ridler, Coordinator Strategic Planning; Stella Agagiotis, Manager Strategic Planning

File Reference: F2021/00188

CP48/22

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses Rezoning Requests

30 August 2022

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Overview

This document includes a summary of all rezoning request related issues that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community. Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to rezoning requests. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
Existing rezoning requests exhibited in the draft CPP	
Objection to the proposed rezoning of 1903R Botany Road, Matraville as the site acts as a buffer between the residential and industrial zones. Suggestion that Council purchase the land and made into a nature reserve.	1903R is a vacant lot with no public road access, located near Botany Road in Matraville. The lot is adjacent to the Port Botany industrial area. The current, and previous landowners have in the past offered the site to Council for purchase in accordance with the LEP provisions for RE1 lands. In June 2019, Council stated they were not in a position to purchase the land. Current site access arrangements do not readily support the use of the site as publicly accessible open space. The site has no formal road access and sits adjacent to an established industrial precinct and road reserve. Pedestrian access is provided to the northern portion of the Council owned public open space immediately to the east of the site via Moorina Avenue. This access is via a drainage reserve and is not formalised. The site at 1903R Botany Road is fenced on all

Key comment/issue	Response
	<p>boundaries, with no pedestrian access available from Botany Road or the neighbouring Council owned site. The site has never been publicly accessible due to its private ownership and constrained site access in the form of high perimeter fencing.</p> <p>In May 2017 the Land and Environment Court approved the subdivision of the industrial land immediately to the west of the site, which is under the same ownership as the subject site. Approval was granted for subdivision, site remediation and landscape works, and includes provision for a right of way to the subject site via a newly created internal road approved as part of the subdivision DA. Without this privately provided site access, the site is not readily accessible to the public.</p> <p>The site currently acts as a buffer between the industrial land to the west and residential land located along Moorina Avenue. This buffer is maintained under the Land and Environment Court approval noted above, which requires a riparian corridor along Bunnerong Creek to be approved by the Department of Primary Industries. Under the NSW <i>Water Management Act 2000</i>, setbacks (riparian zones) are required on waterfront land, up to 40m from the waterway bank to form a transition zone between the terrestrial environment and the water course. This riparian zone would ensure that that site will continue to act as an appropriate buffer between uses.</p>
Objection to the proposed rezoning of 1401-1409 Anzac Parade, Little Bay. Concern for overshadowing of neighbouring properties as well as increased traffic on the adjacent roundabout. Concern that increasing the height at this local centre would create a precedent for other local centres to also increase in height.	<p>The site, via the proposed inclusion on the LEP Key Sites Map would be subject to clause 6.12, which requires a development control plan be prepared for the site to address (amongst other things) design principles based on an analysis of the site and its context and built form controls. Design guidance to address any potential amenity impacts could be incorporated into the DCP for the site prior to redevelopment.</p> <p>The increase in height and density is not expected to create additional traffic that will cause an unacceptable impact on the local road network. Further, the location of appropriate site access, including the provision of one consolidated driveway will be addressed as part of the site specific DCP preparation.</p> <p>If the site is redeveloped as a residential flat building or shop top housing, the detailed sign of the proposal will be subject to the Apartment Design Guide, which requires certain levels of solar access to adjoining properties are maintained.</p> <p>Existing B1 Neighbourhood Centres that are translated to E1 Local Centres because of the employment zone reforms will retain their existing heights of 9.5m. Exceptions will be considered on merit, as part of rezoning requests, as is the case for the site at 1401-1409 Anzac Parade.</p>
Objection to the proposed alternative building height of 51m at 558A-580 Anzac Parade, Kingsford (Souths Juniors site), particularly in the context of the maximum building height at the adjoining property at 2-24 Wallace Street. Concern the proposed height transition will have unacceptable streetscape impacts.	<p>The existing Alternative Building Height controls for the site employs a stepped down approach to create an appropriate transition to the low density development located immediately to the east of the site along Wallace Street. The proposed amendments to the Alternative Building Height map maintained this stepped approach to the east, while allowing additional height at the western portion of the site.</p> <p>A detailed massing study, indicative plans and Apartment Design Guide compliance were provided to Council alongside the rezoning request, demonstrating the change would result in an appropriate streetscape and a positive design outcome for Kingsford.</p>

Key comment/issue	Response
	Potential impacts from overshadowing generated by a tower building located in the western corner of the site are likely to be minor in nature as the primary impact will be to the Anzac Parade road corridor, rather than private property owners.
Rezoning requests received during public exhibition	
897 & 897A Anzac Parade, Maroubra - Rezoning of property from R2 Low Density Residential to R3 Medium Density Residential.	Not supported at this time. Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.
1A Bradley Street, Randwick - Rezoning of lot from R2 Low Density Residential to R3 Medium Density Residential and explore rezoning the entire block from R2 to R3.	Not supported at this time. Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.
2 Harbourne Road, Kingsford - Request to be included in the Kingsford B2 Local Centre Zone.	Request not supported, retain R2 Low Density Residential zone, no change to FSR and building height. Further details contained in CPP Attachment F(2) – Datasheets.
204 Malabar Road, South Coogee - Request for property to be rezoned from R2 Low Density Residential to R3 Medium Density Residential.	Not supported at this time. To be considered as part of the Maroubra Junction Town Centre Study to provide a holistic review of the site and surrounding locality. Further details contained in CPP Attachment F(2) – Datasheets.
178 Coogee Bay Road, Coogee - Request a rezoning of the subject property from R3 Medium Density Residential to E1 Local Centre zoning.	Not supported at this time. To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.1 & 3.2 of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.
26 Goorawahl Avenue, La Perouse - Request for property to be rezoned from B1 Neighbourhood Centre to R2 Low Density Residential.	Request not supported at this time, retain existing B1 zone. Further details contained in CPP Attachment F(2) – Datasheets.
20 Barker Street, Kingsford - Request for FSR to be changed to 3:1 and height of building to be 19m.	Request not supported, retain existing height and FSR controls. Further details contained in CPP Attachment F(2) – Datasheets.
Royal Randwick Racecourse, Alison Road, Randwick - Request To add additional uses to <i>Schedule 1 Additional Permitted Uses</i> of RLEP 2012 to permit <i>entertainment facilities, food and drink premises and commercial</i>	Request not supported at this time. Further details contained in CPP Attachment F(2) – Datasheets.

Key comment/issue	Response
<i>premises</i> in the 'Spectator Precinct' of Royal Randwick Racecourse.	
27- 29 Boronia Street, Kensington - Request for properties to be included in the Kensington North HIA.	Not supported at this time. To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.
33-43 Boronia Street, Kensington - Request for properties along the eastern side of Boronia Street (to Balfour Lane in the south) be included in the Kensington North HIA with a height control of 23m and FSR control of 2:1.	Not supported at this time. To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.
Meriton Site - 1406-1408 Anzac Parade, Little Bay - Request for site to be considered as a Housing Investigation Area with additional height and density, along with the Land and Housing Corporation site.	Request not supported. Further details contained in CPP Attachment F(2) – Datasheets.
24 Blenheim Street, Randwick - Request a rezoning of the property from R3 Medium Density Residential to B2 Local Centre.	Request not supported, retain R3 zoning. Further details contained in CPP Attachment F(2) – Datasheets.
47 Botany Street, Randwick - Requests for medical used to be classified as an additional permitted use for the site under Schedule 1 of the LEP. Requests an FSR increase of 3.3:1 and a height increase to 10-12 storeys. Requests for removal of site amalgamation requirements and reduction of parking rates.	The inclusion of medical uses into Schedule 1 of RLEP for the site and broader Arthur Street HIA as well as an increase to the proposed height and FSR controls are not supported. Further details contained in CPP Attachment F(2) – Datasheets.
471- 477 Anzac Parade, Kingsford - Requests for property to be included within Schedule 1 Additional Permitted Uses to allow development for the purpose of commercial premises.	Request not supported, no change. Further details contained in CPP Attachment F(2) – Datasheets.

Key comment/issue	Response
Increase proposed height of buildings to 19.5m Increase floorspace ratio to 2.1:1	
3, 5, 25 & 29 Blenheim Street, 24B & 24C Arthur Street and 40 Waratah Avenue - Request for Council to support the density and height uplift across the entire Arthur Street HIA.	Not supported at this time. HIA's will be reviewed at the 7-year review of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.
40- 44 Arthur Street, Randwick - Request for Council to support the density and height uplift across the entire Arthur Street HIA.	Not supported at this time. HIA's will be reviewed at the 7-year review of the Randwick Housing Strategy. Further details contained in CPP Attachment F(2) – Datasheets.

2. Government Agency and Stakeholder Submissions

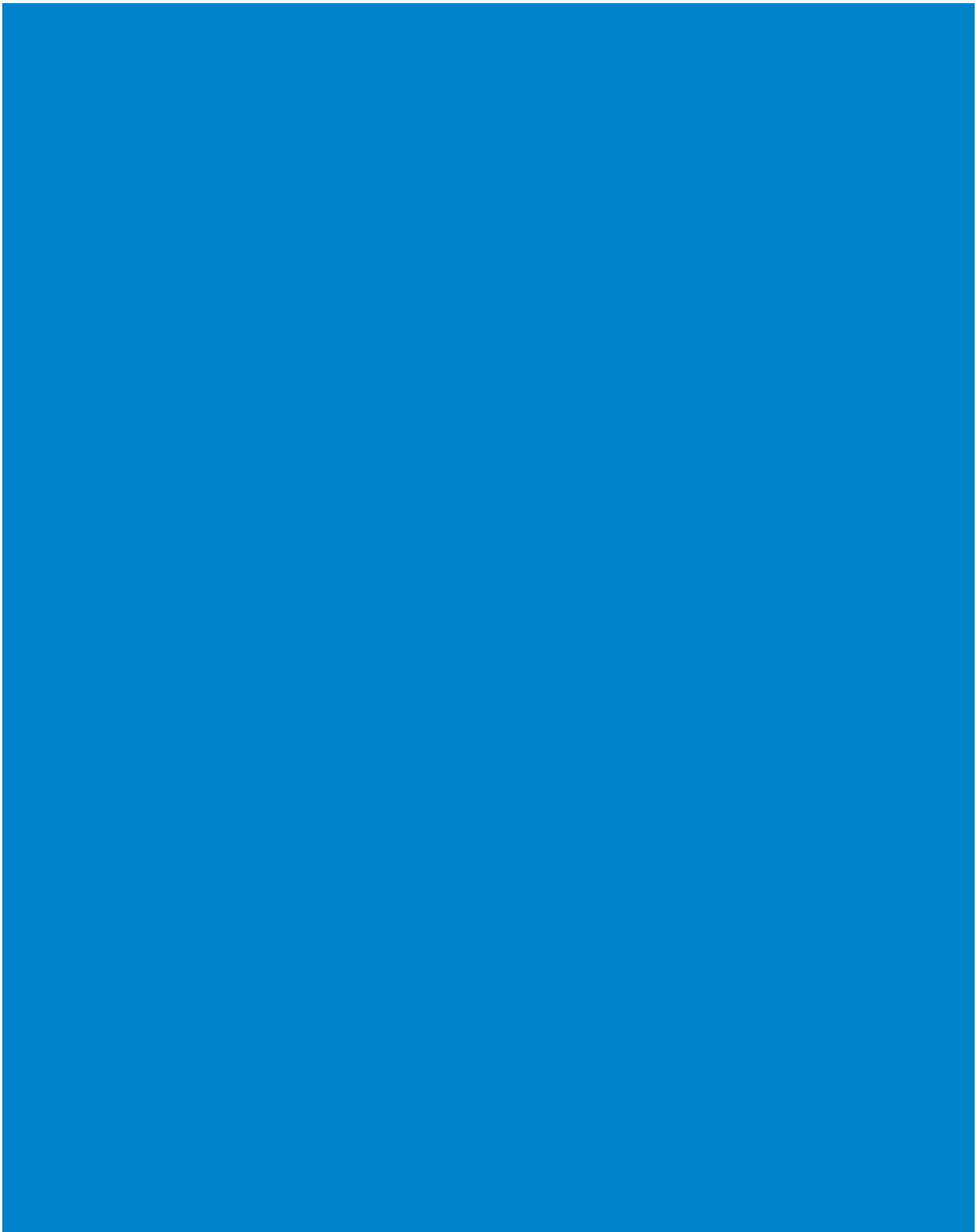
2.1. Australian Turf Club

Key comment / issue	Response
<p>Refence made to the draft Planning Proposal and Concept Master Plan informally submitted to Council in March 2021 for review. The proposal encompasses an area of approximately 11 hectares in and around the Spectator Precinct and proposed additional uses including commercial office floor space and food and drinks premises. The submission notes that the CPP does not include the additional uses included by the ATC within their draft Planning Proposal and Concept Master Plan and requests that Council consider these additional permitted land uses as part of the CPP.</p>	<p>Council Officers met with representative of the ATC in May 2021 to discuss their draft Planning Proposal and Concept Masterplan Plan for additional permitted uses on the RRR site. At this meeting and in formal correspondence provided to the ATC in August 2021, Council raised concerns with the amount of commercial office floor space proposed as well as the proposed height, bulk and scale of buildings contained within the Concept Masterplan. Council requested that additional work be undertaken to justify the requested additional uses and following these further studies, the ATC request a formal pre-planning proposal meeting. Additional analysis or justification requested by Council has not been provided and further pre-planning proposal meetings have not been requested by ATC. As such, further consideration of the proposal has not been undertaken.</p> <p>It is noted that while Council is not in receipt of a formal Planning Proposal for additional uses at the RRR site, a rezoning request assessment has been made as part of the post exhibition consideration of submissions. This assessment has concluded that the rezoning request for additional uses is not supported by Council.</p>

2.2. Ports NSW

Key comment / issue	Response
<p>Opposition to the proposed rezoning of 1401-1409 Anzac Parade, Little Bay for the following reasons:</p> <ul style="list-style-type: none"> The intensification of the land will likely increase potential exposure impacts from existing and future industrial and port-related development, would has the potential to exacerbate noise related complaints. The proposed increase in height and FSR for the site will allow for high-rise development which will have direct line-of-site to the Port Botany precinct, resulting 	<p>Concerns noted. The site, via the proposed inclusion on the LEP Key Sites Map would be subject to clause 6.12, which requires a development control plan be prepared for the site to address (amongst other things) design principles based on an analysis of the site and its context and built form controls. Design guidance with regard to address any potential amenity impacts could be incorporated into the DCP for the site prior to redevelopment.</p> <p>If the site is redeveloped as a residential flat building or shop top housing, the detailed sign of the proposal will be subject to the Apartment Design Guide, which outlines acoustic privacy requirements for protecting sound transmission between external and internal spaces and ensuring that designing for acoustic privacy considers the site contact and surrounding uses.</p>

Key comment / issue	Response
<p>in the site being more susceptible to acoustic impacts without appropriate acoustic mitigation.</p> <ul style="list-style-type: none"> Existing Council policy does not include appropriate dwelling design measures to protect residents from amenity impacts which are reasonably foreseeable given the proximity of the site to Port Botany and surrounding industrial areas. The proposed increase in height and FSR will lead to an increase in population on the site which may result in additional residential traffic which will pass through the Port Botany precinct. 	<p>The proposed increase in height and density is not expected to create additional traffic that will cause an unacceptable impact on the local road network.</p>
<p>Recommendation that Randwick Council adopt updated noise and amenity criteria (including noise attenuation) for residential and sensitive use development located in proximity to industrial areas. The submission also recommends a clause be included within the LEP to manage the impacts that industrial areas, ports and related infrastructure have on residents and other sensitive uses.</p>	<p>Noted. LEP amendments are further supported by objectives and controls in the Randwick Development Control Plan 2013. The inclusion of noise related criteria for residential development will be considered as part of the comprehensive review of the Randwick Development Control Plan 2013. Notwithstanding, it is noted that noise criteria for residential flat buildings are already contained within the Apartment Design Guideline.</p>



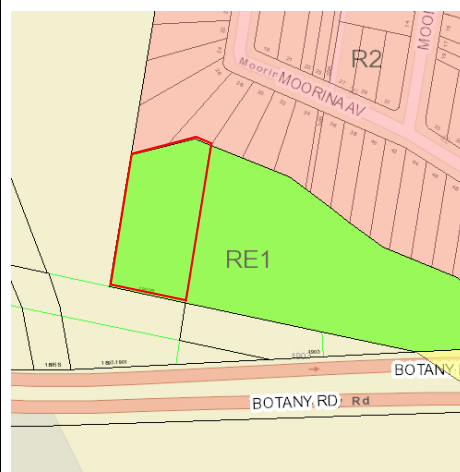
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Datasheets (Rezoning Requests Publicly Exhibited)

1903R Botany Road, Matraville	3
558A – 580 Anzac Parade, Kingsford (Souths Juniors Club at Kingsford)	5
1401-1409 Anzac Parade, Little Bay	20
59A-71 Boronia Street and 77-103 Anzac Parade, Kensington	23

1903R Botany Road, Matraville

Site Location Aerial Map (Near Maps)

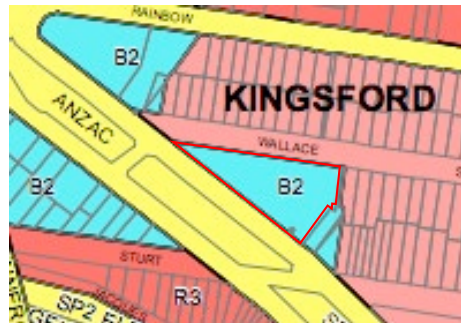


Existing Zoning Map

Address:	1903R Botany Road, Matraville	
Property Information:	Lot 1 DP219847 (1903R)	
Trim Reference:	D04034286, D04034284	
Applicant:	DBL Property Pty Ltd on behalf of the owners	
Summary of Planning Request:	Rezone from RE1 to RE2 Private Recreation	
Planning Controls	Current	Requested
Zone:	RE1 Public Recreation	RE2 Private Recreation
Permitted Max FSR:	No FSR Control	No change
Permitted Max Height:	No Height Control	No change
Other		
Analysis		
Site Description:	<p>1903R is a vacant lot with no public road access, located near Botany Road in Matraville. The lot is adjacent to the Port Botany industrial area. To the north of the site is suburban Matraville, zoned R2 and containing freestanding homes. The area surrounding the lot is predominantly vacant land, undergoing re-development. The adjacent lot is zoned RE1.</p> <p>The Bunnerong Creek waterway runs directly through the north section of the lot. The creek is a protected waterway, however, does not pose any flood risk. Future DAs for the site will need to address environmental impacts on this waterway.</p>	

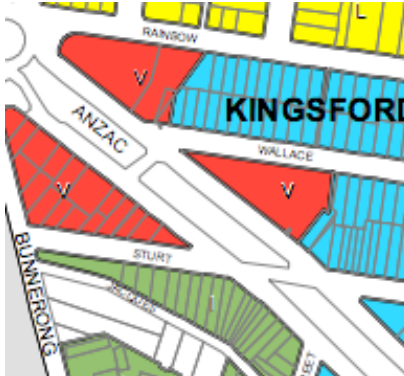

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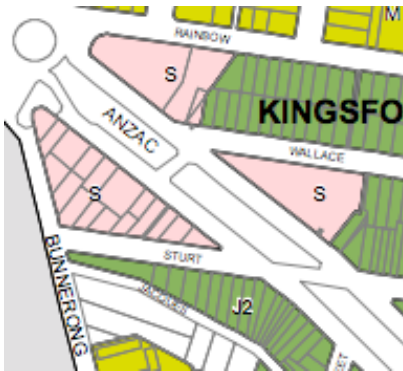
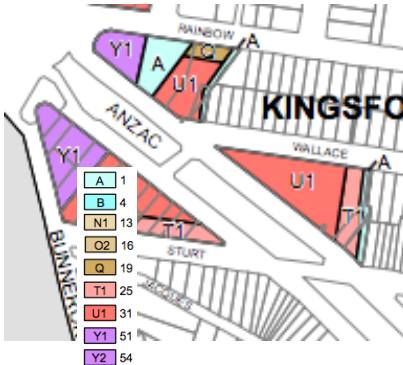
	<p>The lot is impacted by Class 4 acid sulphate soils. The land contains a drainage site at the rear of the property. There may be potential soil and groundwater contamination on the site. This should be investigated prior to finalising the rezoning request.</p> <p>It should be noted that the rezoning of the land from RE1 to RE2 Private Recreation is subject to an assessment provided under State Environmental Planning Policy No.55 – Remediation of Land.</p>
Topography and Access	The site is sloped on both the north and south sides, running down to the creek which divides the lot. The topography of the site significant impacts the potential for development.
Land use and Surrounding land use	The site is currently undeveloped (vacant). To the north is R2 residential land, to the east is RE1 Public Recreation land and to the south and west is developed and undeveloped industrial land.
Submitter's Justification:	<p>The current, and previous landowners have in the past offered the site to Council for purchase in accordance with the LEP provisions. In June 2019, Council again stated they were not able to purchase the land.</p> <p>Given that council are unable to purchase, the owners request that the land be rezoned to reflect the fact that it is not needed or used as a public recreation zone.</p> <p>Rather the owners would propose that the land simply change to the RE2 Private Recreation zone.</p>
Councils Response:	<p>Council officers have been in consultation with the site owners over this request.</p> <p>Council supports this request and agrees with the justification of the submitter. Considering that the site is under private ownership, rezoning the site RE2 Private recreation would be a more appropriate land use zone for this lot.</p>
Outcome:	<p>Supported.</p> <p>Rezoning subject site to RE2.</p>



Extract Land Zoning Map

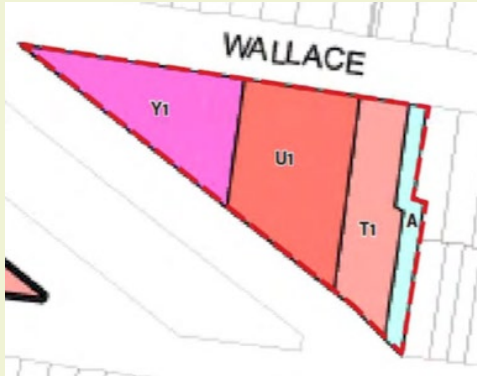
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Land Use Zone:	B2 Local Centre	No change.
Floor Space Ratio (FSR): Maximum Floor Space Ratio (n:1) D 0.5 G 0.65 H 0.7 I 0.75 J 0.8 L 0.9 N 1 O 1.1 P1 1.2 P2 1.25 Q 1.3 R 1.4 S1 1.5 S2 1.7 S3 1.8 S4 1.9 T 2 V 3	FSR 4:1 under Clause 4.4 <i>Floor space ratio</i> 	No change.
Alternative Residential Floor Space Ratio (n:1) X 4 Z 5	FSR 4:1 under Clause 6.17 <i>Community Infrastructure height of buildings and floor space at Kensington and Kingsford town centres and Alternative Floor Space Ratio Map.</i> 	No change.
Maximum Building Height:	Maximum height 24m under Clause 4.3 <i>Height of buildings</i>	No change.

<p>Height of Buildings Map - Sheet HOB_002</p> <p>Maximum Building Height (m)</p> <table><tr><td>A</td><td>1</td></tr><tr><td>B</td><td>4</td></tr><tr><td>I</td><td>8</td></tr><tr><td>J1</td><td>9</td></tr><tr><td>J2</td><td>9.5</td></tr><tr><td>K</td><td>10</td></tr><tr><td>L</td><td>11</td></tr><tr><td>M</td><td>12</td></tr><tr><td>N1</td><td>13</td></tr><tr><td>N2</td><td>14</td></tr><tr><td>O1</td><td>15</td></tr><tr><td>O2</td><td>16</td></tr><tr><td>P</td><td>18</td></tr><tr><td>R1</td><td>21</td></tr><tr><td>R2</td><td>22</td></tr><tr><td>S</td><td>24</td></tr><tr><td>T1</td><td>25</td></tr><tr><td>T2</td><td>28</td></tr><tr><td>U1</td><td>31</td></tr><tr><td>U2</td><td>34</td></tr><tr><td>W</td><td>44</td></tr><tr><td>X</td><td>47</td></tr></table>	A	1	B	4	I	8	J1	9	J2	9.5	K	10	L	11	M	12	N1	13	N2	14	O1	15	O2	16	P	18	R1	21	R2	22	S	24	T1	25	T2	28	U1	31	U2	34	W	44	X	47		
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<p>Alternative Building Height:</p> <table><tr><td>A</td><td>1</td></tr><tr><td>B</td><td>4</td></tr><tr><td>N1</td><td>13</td></tr><tr><td>O2</td><td>16</td></tr><tr><td>Q</td><td>19</td></tr><tr><td>T1</td><td>25</td></tr><tr><td>U1</td><td>31</td></tr><tr><td>Y1</td><td>51</td></tr><tr><td>Y2</td><td>54</td></tr></table>	A	1	B	4	N1	13	O2	16	Q	19	T1	25	U1	31	Y1	51	Y2	54	<p>Heights of 31m, 25m & 1m under Clause 6.17 <i>Community infrastructure height of buildings and floor space at Kensington and Kingsford town centres</i> and Alternative Building Heights Map.</p> 	<p>See map extract below showing the submitters proposed changes to the Alternative Building Heights Map.</p> <p>U1 (31m) (part) to Y1 (51m)</p> <p>U1 (31m) (part) – no change</p> <p>T1 (25m) – no change</p> <p>A (1m) – no change</p>																										
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<p>Design Excellence:</p>	<p>Clause 6.21 Design Excellence at Kensington and Kingsford Town Centres applies to land identified as Y1 or Y2 on Alternative Building Heights Map where development exhibits design excellence the height may exceed the Alternative Building Heights Map by up to 6 metres.</p>	<p>The requested amendment to the Alternative Building Heights Map (refer below) identifies the western corner of the site Y1 (51m) and would</p>																																												

		activate the Design Excellence Clause for that part of the site.
Analysis		
Site Description:	<p>The corner site is the location of the South Sydney Junior Rugby League Club (Souths Juniors Club at Kingsford) and is known as Lot 1001 DP1137832. The site is approx. 4,720m², with a frontage to Anzac Parade of approx. 130m and Wallace Street of approx. 135m.</p> <p>The low point of the site is the west corner, at Anzac Parade and Wallace Street, that is at RL28.5. The corner of Anzac Parade and Sturt Street is at RL30 and the northeast corner of the site on Wallace Street is at RL35. At the east boundary the level change is approx. 5m, and at the midpoint pedestrian link is approx. 2.5m (1in16 slope).</p> <p>The Souths Juniors Club at Kingsford is a part 3, 4 and 5 storey building occupying the entire site. The Planning Proposal application notes that the total floorspace of the existing club is close to 4:1. The Club has an active façade to Anzac Parade and relatively blank facade to Wallace Street, with few openings or articulation.</p> <p>Adjoining properties to the east are commercial development fronting Anzac Parade and detached dwellings fronting Wallace Street (refer Figures below).</p> <p>The site is located opposite the Juniors Kingsford Light Rail Terminus which serves as a dual transport interchange between light rail and buses.</p> <p>The site is located within the K2K Planning Strategy area and subject to the recent LEP and DCP amendments.</p>	
Topography and Access:	<p>The site is relatively level, with a slight fall to the west (refer Figure below). Surrounding land rises to the north and east (Wallace Street) and is generally level along Anzac Parade (refer Figures below).</p> <p>The main vehicle access to the site is from Anzac Parade, and Wallace Street provides for loading and back of house access (refer Figures below).</p>	
Land Use and Surrounding Land Use:	<p>To the east of the site are single storey dwelling houses, generally set below street level on the southern side of Wallace Street and single and two storey dwelling houses on the northern (higher) side of Wallace Street (refer Figure below). The northern (higher) side of Wallace Street also includes several older style residential flat buildings.</p>	

	<p>On Anzac Parade, immediately opposite and south of the site, is the Light Rail Terminus. Further south is a mix of dwellings, older style two storey residential flat buildings and commercial premises.</p> <p>The existing Souths Juniors Club at Kingsford building is a prominent feature on Anzac Parade and differs from the surround development in terms of height, bulk and form.</p>
Submitter's Justification:	<p>The submitter's justification is that:</p> <p>The increase in maximum building height will ensure that the site is capable of redevelopment to achieve the FSR of 4:1.</p> <p>Detailed massing study, Apartment Design Guide compliance and indicative plans have been provided in the Urban Design Study (AJ+C). Extracts of complying massing and proposed massing shown in Figures below.</p>
Councils Response:	<p><u>Urban Planning Objectives for the Site</u></p> <p>RDGP 2013 Volume 3, Part E – Specific Sites, Section 10.3 Block by Block Controls – Other Sites, Block 1 describes the Desired Future Character, Objectives and Block Envelope Controls. The objectives for the site are to:</p> <ul style="list-style-type: none"> • To provide a mix of uses that support the economic prosperity and liveability of the Kensington and Kingsford town centres. • To facilitate high quality built form outcomes that demonstrate design excellence and amenity. • To establish an appropriate scale, dimensions, form and separation of buildings. • To protect and enhance amenity between adjoining developments in terms of solar access and privacy. • To create a height transition between the centre and the surrounding residential area. • To improve connectivity and permeability within the block structure. • To ensure new development presents a human scale urban edge to the public realm. <p>The RDGP establishes three urban nodes within the Kensington and Kingsford Town Centres where taller tower buildings are permitted. These nodes coincide with major road intersections and Light Rail Stops along Anzac Parade.</p> <p>The groups of buildings in these nodes take on the tower building typology, marking these important crossroads within the overall urban fabric. They provide variety in building height along the Anzac Parade 'spine' and grow</p>

	<p>out of, and in some ways contrast with the general nine (9) storey 'extruded' building form.</p> <p>Whilst the west, pointy part of the subject site occurs within the general area of the node, it was not identified as a site for a tower when the study was undertaken and the DCP drafted.</p> <p>The RDCP 2013 built form controls currently permit a nine (9) storey building across most of the site stepping down to seven (7) storeys along the east edge of the site, and with a four (4) storey podium.</p> <p>A height transition is required from the nine (9) storeys across most of the site (zoned B2) to the east boundary where there is an interface with existing low scaled houses in a R2 Low Density Residential zone.</p> <p>Two important north-south pedestrian through site links are required to improve access and permeability.</p>
Outcome:	<p>The proposed height increase (apex of the triangular site) is supported:</p> <ul style="list-style-type: none"> Amend the Alternative Height Building Map to increase the height on part of the site from U1 (31m) to Y1 (54m)  <p><i>Proposed Alternative Building Heights Map (extract)</i></p> <ul style="list-style-type: none"> Consequently, clause 6.21 Design Excellence at Kensington and Kingsford town centres will also apply to that part of the site identified as Y1 on the Alternative Height Building Map. Satisfaction of the matters for consideration in this clause may allow for an additional 6 metres in height. <p>No change to the land use zone or FSR is proposed.</p> <p>The urban design analysis which supports the proposed height increase for part of the Souths Juniors Club at Kingsford site, is provided below:</p>

	<p>The large consolidated site is suited to larger scale (and taller) buildings as Anzac Parade is a wide roadway (approx. 60m wide) with a wide landscaped median (25m).</p> <p>The tower as proposed is well located in the west corner of the site, as this reinforces the grouping of tower buildings of the node around the 'Five Ways' intersection and the Juniors Kingsford Light Rail Stop – the intention of the K2K Urban Design Strategy.</p> <p>The additional built form height (of the tower above the nine storeys permitted) would primarily be experienced when walking/driving southeast along Anzac Parade. The proposed tower would reinforce the building grouping around the Light Rail Stop and would not be out of place in this urban setting.</p> <p>Permitting a tower on this site would not set a precedent as the site is a one-off occurrence - a large existing consolidated site (triangular site with two street frontages) situated in the B2 zone and coinciding with the overall strategic urban nodes where tower buildings are proposed.</p> <p>Potential impacts from overshadowing, generated by a tower building located in the west corner of the site is likely to be minor in nature as the primary impact will be to the Anzac Parade road corridor, rather than impacting the amenity of private property owners.</p> <p>Detailed shadow diagrams should be provided of the proponents tower scheme illustrating the extra overshadowing that would occur - potentially impacting residential properties to the south, fronting Sturt Street and Anzac Parade, and other public outdoor gathering spaces associated with new development proposed in the 'Triangle Site' to the south.</p> <p>The proponent's alternate built form scheme (with an approx. 18-storey tower in the west corner) does not change the maximum 4:1 FSR permitted for the site. Therefore, density per se, and the associated potential impacts is not a consideration in this review.</p> <p>A two (2) storey commercial component is still encouraged as this provides an opportunity to maximise employment in the Town Centre and to provide active uses on the Wallace Street frontage.</p> <p>The proponent's proposal retains the DCP built form for the east portion of the site, retaining the same transition in built form to the adjoining low scale residential properties to the east. The progressive stepping up in building height</p>
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	<p>to the urban nodes along the Anzac Parade ‘spine’ is retained with the scheme. The scheme introduces more variety in the built form expression which is supported.</p> <p>The proposed height of the tower would need to comply with the Sydney Airport height control plane.</p> <p>The north-south through site pedestrian link at the middle of the site is proposed to be open to the sky, rather than internal (as per the DCP). This approach is supported and would require a future amendment to the DCP.</p> <p>The tower form is pulled back from the Wallace Street and Anzac Parade corner to create a small urban plaza. Whilst additional places in the public realm are supported, further study is required to ascertain any deleterious wind force effects that might eventuate, and the impact on the architecture in terms of providing a more ‘blunt/rounded’ building expression to this corner. Further 3D modelling studies would clarify whether this architectural expression is the best outcome.</p>
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Figures

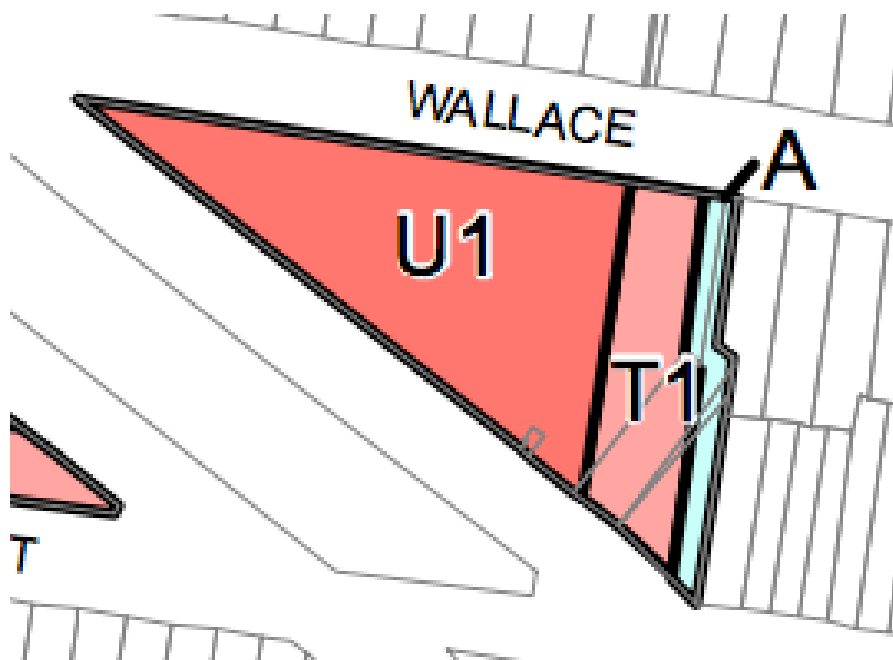


Figure 1: Extract – Existing Alternative Building Heights Map (Randwick LEP 2012).

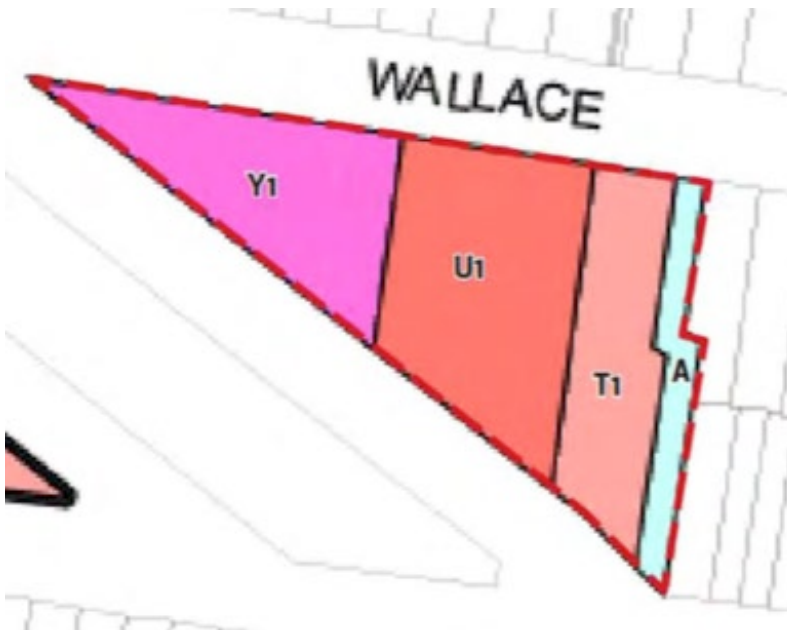


Figure 2: Proposed Alternative Building Heights Map (Source: gln planning proposal).

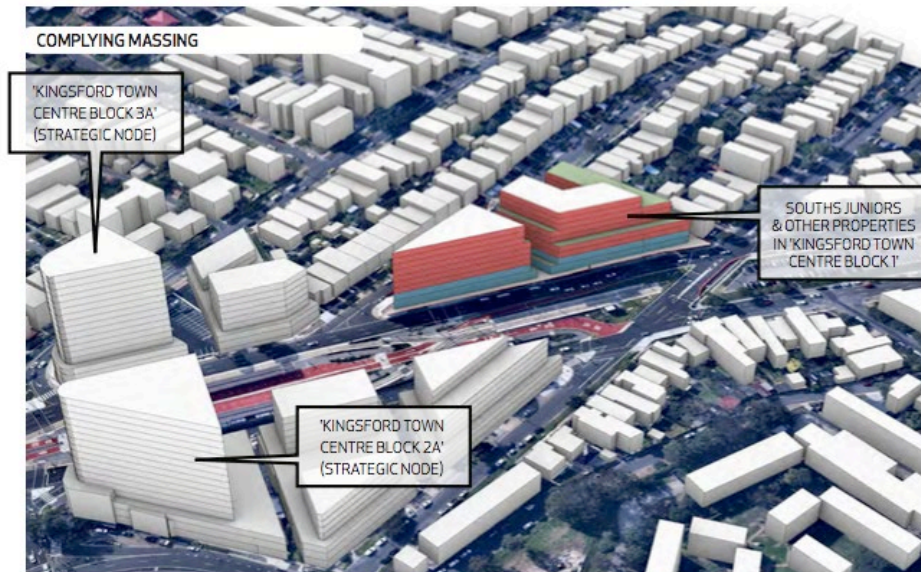


Figure 3: Complying Massing (Source: AJ+C Urban Design Study).



Figure 4: Proposed Massing (Source: AJ+C Urban Design Study).



Figure 5: View of rear of Souths Juniors Club at Kingsford building and adjacent development looking east along Wallace Street (Source: Google Maps).



Figure 6: Souths Juniors Club at Kingsford building looking east from corner Anzac Parade and Wallace Street (Source: Google Maps).



Figure 7: Anzac Parade frontage of Souths Juniors Club at Kingsford building looking east (Source: Google Maps).



Figure 8: Anzac Parade frontage of Souths Juniors Club at Kingsford building and adjacent development looking west (Source: Google Maps)



Figure 9: Souths Juniors Club at Kingsford building viewed from Anzac Parade looking north (Source: Google Maps).

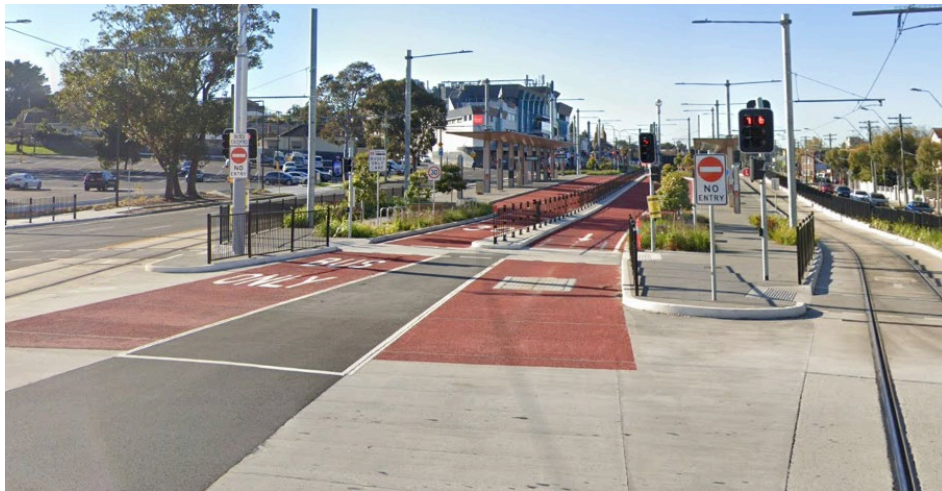


Figure 10: Souths Juniors Club at Kingsford building viewed from Anzac Parade, Gardeners Road intersection (Source: Google Maps).



Figure 11: Souths Juniors Club at Kingsford building and surrounding development viewed from Wallace Street looking west (Source: Google Maps).

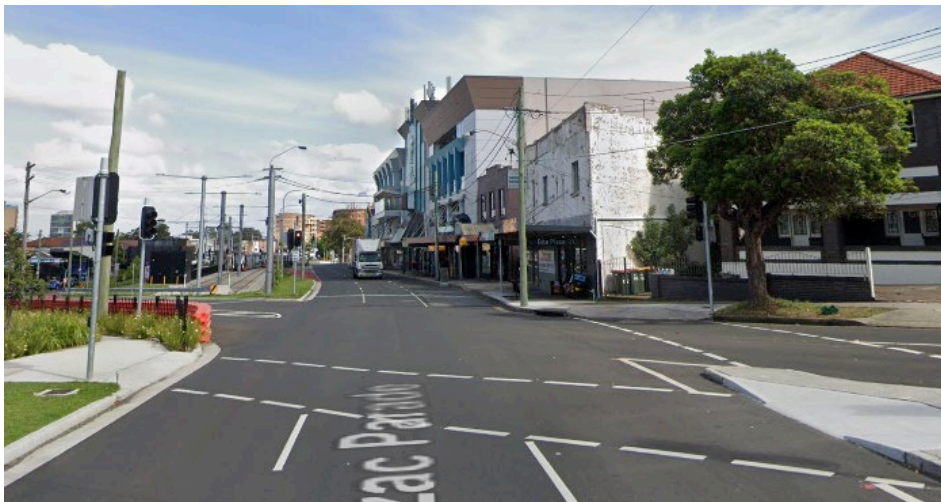
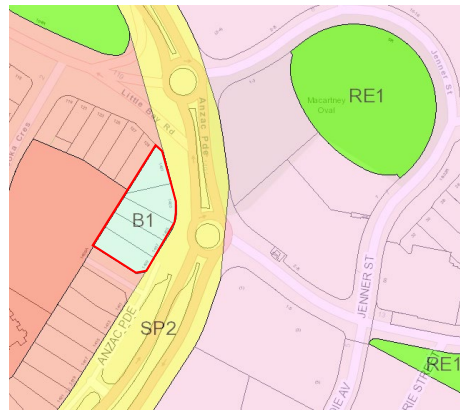


Figure 12: Souths Juniors Club at Kingsford building and surrounding development viewed from Anzac Parade looking west (Source: Google Maps).

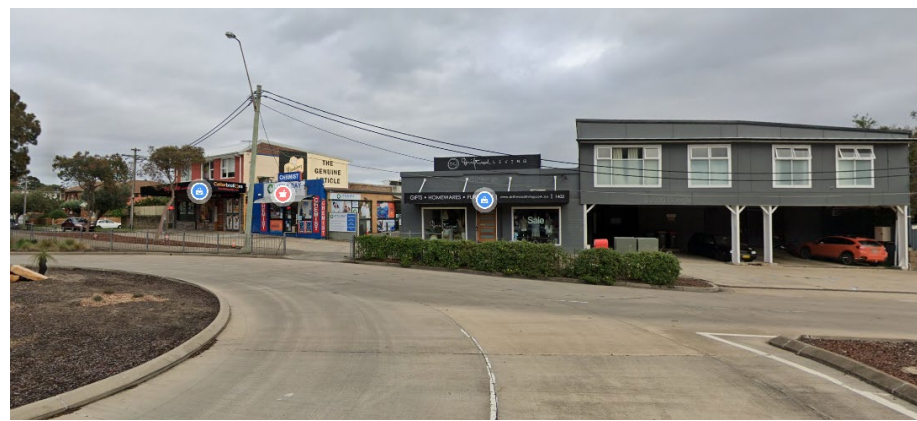
1401-1409 Anzac Parade, Little Bay



Site Location Aerial Map (Near Maps)



Existing Zoning Map



Street View / extra map

Address:	1401-1409 Anzac Parade, Little Bay
Property Information:	Lot 1849 DP 752015 (1401 Anzac Parade) Lot 2916 (1403 Anzac Parade) Lot 2917 (1405 Anzac Parade) Lot 2918 (1407 Anzac Parade) Lot 4253 (1409 Anzac Parade) DP 752015
Trim Reference:	D01487133
Applicant:	No data – deferred from 2012 Review
Summary of Planning Request:	Request refers to the (higher) height and density of the shops/commercial uses within the Prince Henry site, that are located opposite to the east, and includes envelope studies for the subject properties suggesting a height of 4 to 5 stories.

Planning Controls	Current	Requested
Zone:	B1 Neighbourhood Centre	No change
Permitted Max FSR:	1:1	Increase unspecified
Permitted Max Height:	9.5m	Increased to allow 4-5 stories (i.e. 20m)
Other		
Analysis		
Site Description:	<p>The subject site is located on Anzac Parade, Little Bay near the entrance to the Prince Henry Little Bay development. The site is known as 1401-1409 Anzac Parade and includes five (5) lots containing retail premises and residential accommodation.</p> <p>The total land area of the site is approx. 2,640m² and the site has a frontage to Anzac Parade of approx. 100m.</p> <p>To the east of the site on the corner of Anzac Parade and Pine Avenue, within the Prince Henry Little Bay development, is four (4) and part five (5) storey mixed use development with ground floor retail land uses, with shop top housing above.</p> <p>This corner site is zoned R1 General Residential (consistent with the Prince Henry site) and has a maximum height limit of 15m and a maximum FSR of 1.2:1. To the rear of the site, on Mirrabooka Crescent is Land and Housing Corporation residential accommodation and single and two (2) storey dwelling houses fronting Little Bay Road via a slip road.</p>	
Topography and Access	The site is relatively flat, with no constraining topographic features. All slots are accessed via Anzac Parade, with 1409 also having access via the private road that connects 1409A with Anzac Parade.	
Land use and Surrounding land use	Opposite the site on Anzac Parade is the Little Bay Town Centre, a medium to high-density mixed-use development. As a neighbourhood centre on a highly visible corner, the site is of strategic value.	
Submitter's Justification:	No justification on record – data differed from 2012 Review.	
Councils Response:	<p>The proposed increase in maximum FSR and maximum height is supported for the B1 Local Centre zoned land for the following reasons:</p> <ul style="list-style-type: none"> • Its key location and will complement the existing four (4) and five (5) storey buildings opposite at the entrance to Prince Henry site • The increase in FSR and height will strengthen the neighbourhood business land uses in this location • The intersection of Little Bay Road and Anzac Parade is a significant location and provides access to the site from 	

	<p>the north, south and west, increasing the catchment to which the B1 Neighbourhood Centre site serves</p> <ul style="list-style-type: none">• The width of Anzac Parade and Little Bay Road supports higher density and heights• The public transport services operating along Anzac Parade
Outcome:	<p>The following is supported for 1401-1409 Anzac Parade, Little Bay:</p> <ul style="list-style-type: none">• Zone: No change• Maximum FSR: increase from 1:1 to 1.2:1• Maximum Height: increase from 9.5m to 15m• Key Sites: include the site in the Key Sites Map associated with Clause 6.11 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height and maximum FSR changes.

59A-71 Boronia Street and 77-103 Anzac Parade, Kensington

Site Location Aerial Map (Near Maps)



Existing Zoning Map



Street View (Google Maps)



Street View / extra map

Address:	59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
Property Information:	Lot 2 DP 539543 (77-79 Anzac Parade) Lot A DP 345813 (81-85 Anzac Parade) Lot A DP 331643 (87 Anzac Parade) Lot 1 DP 605231 (89 Anzac Parade) Lot B DP 953401 (91-93 Anzac Parade) Lot 22 DP 3917 (95 Anzac Parade) Lot 2 DP 221584 (97-99 Anzac Parade) Lot C DP 30406 (101 Anzac Parade) Lot D DP 30406 (103 Anzac Parade) Lot 2 DP 605231 (67 Boronia Street) Lot A DP 953401 (69-71 Boronia Street) Lot 1 DP 539543 (59A Boronia Street) Lot B DP 345813 (61 Boronia Street) Lot B DP 331643 (63-65 Boronia Street)
Trim Reference:	D03701267
Applicant:	Urbis on behalf of Anson Group (The landowners).

Summary of Planning Request:	<p>The submission was lodged and addressed as part of the Kensington and Kingsford (K2K) Planning Proposal and it was also addressed in the K2K DCP as part of the built form controls.</p> <p>Request to rezoned from R3 Medium Density Residential to B2 Local Centre the following lots fronting Boronia Street - 59A, 61 and 63-65 Boronia Street, Kensington and part of 81-85 Anzac Parade (battleaxe handle fronting Boronia Street).</p> <p>Request to increase the maximum building height to 54m and an alternative building height of 16 storeys for the following lots 77-79 to 103 Anzac Parade, Kensington and 59 to 69-71 Boronia Street, Kensington. Flexible FSR requested.</p>	
Planning Controls	Current	Requested
Zone:	<p>77-79 to 103 Anzac Parade and 67 to 69-71 Boronia Street, Kensington: B2 Local Centre.</p> <p>59A, 61, 63-65 and Boronia Street, Kensington: R3 Medium Density Residential.</p> <p>81-85 Anzac Parade, Kensington: Part B2 Local Centre and part R3 Medium Density Residential (battleaxe handle only).</p>	<p>Retain the existing B2 Local Centre zoning on lots fronting Anzac Parade and Boronia Street.</p> <p>Rezone from R3 Medium Density Residential to B2 Local Centre the following lots fronting Boronia Street - 59A, 81-85 (part) Anzac Parade (battleaxe handle only), 61 Boronia Street and 63-65 Boronia Street.</p>
Permitted Max FSR:	<p><u>77-79 to 103 Anzac Parade, 67 to 69-71 Boronia Street, Kensington:</u></p> <p>No FSR applies to land within the Kensington Town Centre. Building envelope controls for each block are contained within the Randwick Development Control Plan 2013 (Section D1). Alternative FSR is 4:1 (Alternative LEP FSR Map).</p> <p><u>59A to 63-65 Boronia Street:</u></p> <p>Maximim FSR 0.9:1.</p> <p><u>81-85 (part) Anzac Parade, Kensington (battleaxe handle only):</u></p> <p>Maximim FSR 0.9:1.</p>	<p>Request states: "Flexible FSR".</p> <p>Interpreted to mean remove the Maximum FSR 0.9:1 from lots fronting Boronia Street.</p>

Permitted Max Height:	<p><u>77-79, 81-85, 87, 89 (part), 91-93, 95 (part), 97-99, 103 and 101 Anzac Parade, Kensington:</u></p> <p>Maximum Building Height 25m (supermarket clause 4.3A(5) applies to part).</p> <p>Rear of sites have Maximum Building Height 1m.</p> <p>Alternative Height Map (community infrastructure) also applies and allows for 31m building height.</p> <p><u>103 Anzac Parade:</u></p> <p>Maximum Building Height 9.5m.</p> <p><u>59A to 63-65 Boronia Street:</u></p> <p>Maximum Building Height 12m.</p> <p><u>81-85 (part) Anzac Parade, Kensington (battleaxe handle only):</u></p> <p>Maximum Building Height 12m.</p>	54m
Other		
Analysis		
Site Description:	<p>The site consists of 14 lots with an area of approx. 6,410m².</p> <p>The site is presently occupied by five 2 storey multi-business premises, two 2 storey business premises, two single storey dwellings, a three storey residential flat building (6 units), a dual occupancy and a private (at grade) car park. Commercial uses include: a gym, lighting store and vacant shops.</p> <p>A four storey residential flat building (44 units) and a vacant lot adjoin the site to the north. The south of the site is adjoined by four 2 storey semi-detached dwellings and a 2 storey mixed commercial (art gallery) and residential building.</p> <p>The subject urban block is characterised by residential and commercial uses. Commercial uses include retail (Peters of Kensington), automotive repair, gym, art gallery and a lighting store.</p> <p>The site is located within the Kensington Town Centre B2 Local Centre zone. The Planning Proposal proposes a maximum permissible building height of 31m (9 storeys) and a FSR of 4:1 for the site. The B2 Local Centre zone extends to the north, east and south of the site. An R3 Medium Density</p>	

	<p>Residential zone is located to the north, south and west of the site and is characterised by residential flat buildings, single and semi-detached dwellings.</p> <p>The properties 1, 3, 5 and 7 Duke Street adjoin the site to the south and are identified as potential items of heritage in RDCP 2013 (Section D1 Kensington Centre). 103A Anzac Parade also adjoins the site to the south and is identified in RDCP 2013 (Section D1 Kensington Centre) as contributory to the Kensington Town Centre.</p> <p>The site occupies a large strip along Anzac Parade and Boronia Street and is visible from numerous points.</p>
Topography and Access	<p>77-79 and 87 Anzac Parade have access to parking facilities from Anzac Parade.</p> <p>59A, 61, 63 Boronia Street and 89, 91-93 and 95 Anzac Parade have access to on-site garage parking facilities from Boronia Street.</p> <p>97-99, 101 and 103 Anzac Parade have no access to on-site parking facilities.</p>
Land use and Surrounding land use	<p>The subject sites are consistent with their respective B2 and R3 LEP zoning</p> <p>Anzac Parade has varied building heights ranging from one to seven storeys. Properties opposite the site on the eastern side of Anzac Parade are predominantly two storeys. Setbacks are generally consistent with the majority having a nil setback. Architectural styles vary. Boronia Street has varied building heights ranging from one to four storey. Building setbacks are generally consistent and fence setbacks are consistent. Architectural styles vary.</p>
Submitter's Justification:	<p><u><i>Request to extend the B2 Local Centre Zone to include 59A, 61 and 63 Boronia Street and to update the proposed Height of Buildings map for consistency.</i></u></p> <p>The submitters justification is based on the following:</p> <ul style="list-style-type: none"> • The three properties form part of a larger continuous landholding in the town centre that is ideally located adjacent to a new light rail stop. • The zoning change is critical to support the desired masterplan outcome for the site from a site area and permissibility perspective. • It makes sound planning to 'regularise' the B2 boundary in this part of the centre to align with land ownership areas. • The presence of a new residential flat building immediately north of 59A Boronia Street means there is a clear termination point for this minor boundary adjustment along Boronia Street and thus will not trigger any other reasonable zoning boundary changes.

	<ul style="list-style-type: none"> The current B2 Local Centre zoning pattern in Kensington is varied and, in some parts, extends to sites well back from Anzac Parade. The request would therefore not be inconsistent with the current zoning pattern. <p><u>77-79 to 103 Anzac Parade, Kensington and 59 to 69-71 Boronia Street, Kensington – Request to increase the maximum permissible building height to 54 metres and an alternate building storey height of 16 storeys. Flexible FSR.</u></p> <p>The submitters justification is based on the following:</p> <ul style="list-style-type: none"> The proposed FSR will not be able to be achieved for sites with a proposed 31m height control. To ensure that the anticipated new density can be achieved, the building height controls need to be revised. As a minimum the building height must be increase to provide the ability to submit a development that could meet the maximum FSR control. A better urban design outcome in the centre could be achieved by allowing the following: <ul style="list-style-type: none"> Creating a more sympathetic and interesting transition in building heights from the ‘tall tower’ sites on the Todman Avenue and Anzac Parade intersection. Allow alternative height distribution on significant/key sites to promote delivery of slender built form with the provision of reasonable proportions of view and solar corridors between built form. Consistent street wall heights along Anzac Parade to incorporate ‘human scale’ and active uses for more vibrant pedestrian atmosphere.
Councils Response:	<p>In response to a previous request under the K2K Planning Proposal in late 2019, Council did not support changes to the maximum Height of Building (HOB), land use zone or FSR for the subject site. The recommendation below is consistent with the previous recommendation, other than (as discussed below):</p> <ul style="list-style-type: none"> Request to amend the FSR for the residential properties fronting Boronia Street Request to remove the one (1) metre height limit through the rear of the Anzac Parade sites. <p><u>Zoning Change</u></p> <p>Council does not intent to extend the Kensington Town Centre B2 Local Centre zone. As such, Council does not support the rezoning of the three (3) residential lots fronting Boronia Street (and battleaxe of 81-85 Anzac Parade) from R3 Medium Density Residential lots to B2 Local Centre.</p> <p>The Kensington Town Centre primarily fronts Anzac Parade, with several properties extending across the block to Boronia Street (and zoned B2 Local Centre) and provide alternative access for properties fronting Anzac Parade. The three (3) residential lots have only frontage to Boronia Street, with the</p>

	<p>residential development consistent with the character of the street.</p> <p><u>FSR Change</u></p> <p>The proposed removal of the maximum FSR of 0.9:1 from the three (3) properties fronting Boronia Street (and the battleaxe of 81-85 Anzac Parade) is supported, consistent with the development standard (FSR) to south of the site on Boronia Street where a site specific envelope control has been introduced in the K2K DCP Part B. It is recommended that the DCP be amended to include the three (3) residential lots in the block control drawings to ensure that these lots are considered in the overall development scheme for the land.</p> <p><u>Height Change</u></p> <p>Council's urban design strategy for the town centres provides for a mid-rise building typology for most of the town centres to reinforce the spine with appropriate transition to existing development. Higher building form for the subject land would result in a departure from the consistent approach established under the urban design strategy for the town centre.</p> <p>The proposal to increase the maximum building height on the three (3) Boronia Street properties (zoned R3) from 12m to 54m is not supported. The proposal to increase the maximum building height on the Anzac Parade properties to 54m is also not supported.</p> <p>As noted above, there is a one (1) metre height limit running north south along the rear of the properties, originally introduced to provide rear access for the Anzac Parade properties. It is recommended that the maximum building height at the rear of the 95, 91-93, 89, 87 and 81-85 Anzac Parade properties be increased from one (1) metre to be consistent with the other parts of the lots (i.e. Maximum 31m).</p>
Outcome:	<p>Land use zone change from R3 Medium Density Residential to B2 Local Centre – not supported.</p> <p>Maximum FSR change from 0.9:1 to no maximum – supported.</p> <p>DCP Amendment include the three (3) Boronia Street residential properties (and battleaxe of 81-85 Anzac Parade) in a future review of the K2K Block Controls – Part B.</p> <p>Maximum Building Height change from 12m and 31m, to 54m – not supported.</p> <p>Maximum Building Height change from 1m to 31m at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington - supported.</p>

Director City Planning Report No. CP49/22

Subject: Randwick Comprehensive LEP Planning Proposal - Economic Development

Executive Summary

- This report provides an overview of key issues raised by submissions on the recently exhibited draft Comprehensive Planning Proposal (CPP) in relation to economic development matters. The proposed changes are aimed at improving the economic capacity of Randwick City, supporting local businesses and the creative sectors, protecting the existing stock of neighbourhood centres and stimulating job creation.
- The CPP has been prepared to update the *Randwick Local Environmental Plan 2012* (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council retain its endorsement in relation to the following economic development matters submitted as part of the publicly exhibited draft CPP as follows:
 - Measures to activate and diversify the night time economy to implement recommendations of the Randwick City Night Time Economy Study and Economic Development Strategy encompassing: new land use objectives for the B1 Neighbourhood Centre and B2 Local Centre zones (referred to as E1 Local Centre and E2 Commercial Centre zones under the Employment Zone Reforms) to support a diverse, safe and inclusive night time economy; new exempt development criteria permitting later trading for shops and low impact businesses without requiring development consent; and permitting galleries and maker spaces in residential zones with development consent;
 - Rezoning of 20 existing clusters of shops across Randwick City from residential to B1 Neighbourhood Centre zone (E1 Local Centre under the Employment Reforms) to recognise existing land uses, facilitate greater certainty about zoning and land use permissibility, protect employment lands and facilitate walkable neighbourhoods with easy access to shops and services;
 - Rezoning of the Randwick Hospital Campus expansion area from R2 Low Density Residential/R3 Medium Density Residential to SP2 Health Services Facility with revised heights to recognise State Government investment into new health, education and research facilities;
 - Rezoning of the light rail stabling facilities at the Royal Randwick Racecourse from RE1 Public Recreation to SP2 Infrastructure to reflect existing infrastructure uses.
- It is also recommended that the proposed exempt development provisions allowing small scale cultural activities be deleted to avoid misalignment with the Exempt and Comply Development Codes SEPP.

- Council's resolution on this report will be reflected in the post exhibition Randwick Comprehensive Planning Proposal to be forwarded to the Department of Planning and Environment, with the request that the amendments be made to *Randwick Local Environmental Plan 2012*.

Recommendation

That Council:

- a) Endorse that part of the Planning Proposal that amends Randwick Local Environmental Plan 2012 in relation to the economic development amendments outlined below:
 - 1) Amend the RLEP 2012 to introduce an objective for the B1 Neighbourhood Centre and B2 Local Centre zones (E1 Local Centre and E2 Commercial Centre zones under the Employment Reforms) on supporting a diverse, safe and inclusive night time economy;
 - 2) Amend the RLEP 2012 to introduce Exempt Development Provisions to permit shops, business premises and kiosks located in the B1 Neighbourhood Centre and B2 Local Centre zones (E1 Local Centre and E2 Commercial Centre zones under the Employment Reforms) to trade from 7am to 11pm without requiring development consent, subject to criteria on noise, parking, loading and waste management;
 - 3) Delete the proposed Exempt Development provisions allowing small scale cultural activities to occur in office, retail, business, restaurants, cafes and/or community facilities in the B1 Neighbourhood Centre and B2 Local Centre zones without requiring development consent subject to criteria on patron numbers, hours of operation, noise and amenity impacts.
 - 4) Amend clause 6.13 of the RLEP 2012 to include '*information and education facility*' as a permitted use with development consent in the R1 General Residential, R2 Low Density and R3 Medium Density zones.
 - 5) Amend the RLEP 2012 as follows:

Gardeners Road Cluster

- i. Rezone 118 Gardeners Road, 120-122 Gardeners Road, and 124 Gardeners Road – KINGSFORD from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Todman Avenue Cluster

- ii. Rezone 57, 59 and 61 Todman Avenue, KENSINGTON from R2 Low Density Residential to B1 Neighbourhood Centre zone (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Anzac Parade Cluster

- iii. Rezone 627 Anzac Parade, 629 Anzac Parade, and 631-633 Anzac Parade – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Bunnerong Road Cluster

- iv. Rezone 167 Bunnerong Road, 169 Bunnerong Road, and 169A Bunnerong Road - MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Malabar Road Cluster

- v. Rezone 496-504 Malabar Road MAROUBRA from R3 Medium Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Moverly Road Cluster

- vi. Rezone 56 Moverly Road, 58 Moverly Road, and 60 Moverly Road – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Avoca Street Cluster

- vii. Rezone 341-347 Avoca Street - RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1. Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use and amend the LEP maps as well.

Barker Street Cluster

- viii. Rezone 140-142 Barker Street, 144-146 Barker Street, and 148 Barker Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Canberra Street Cluster 1

- ix. Rezone 1 Canberra Street, 3 Canberra Street, 5 Canberra Street, 7 Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Canberra Street Cluster 2

- x. Rezone 16-18 Canberra Street, 20 Canberra Street, 22 Canberra Street, and 22A Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Carrington Road Cluster

- xi. Rezone 33-37 Carrington Road, 48 Carrington Road, 50-54 Carrington Road – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1. Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 33-37 Carrington Road and amend the LEP maps as well.

Clovelly Road Cluster 1

- xii. Rezone 23 Clovelly Road, 29 Clovelly Road – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Clovelly Road Cluster 2

- xiii. Rezone 49 Clovelly Road, 51 Clovelly Road, 53 Clovelly Road from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

- xiv. Rezone 1 Gilderthorpe Avenue – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

King Street Cluster

- xv. Rezone 101 King Street, 103 King Street, and 105 King Street – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Arden Street Cluster

- xvi. Rezone 371-373 Arden Street, 374-376 Arden Street, 378 Arden Street, and 99-101 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Malabar Road Cluster 1

- xvii. Rezone 2-4 Malabar Road, and 6-8 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Malabar Road Cluster 2

- xviii. Rezone 169-173 Malabar Road, 175-177 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1. Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 169-173 Malabar Road and amend the LEP maps as well.

Burnie Street Cluster

- xix. Rezone 17 Burnie Street, 21 Burnie Street, 25 Burnie Street, 27 Burnie Street, 29 Burnie Street, 31 Burnie Street, 37 Burnie Street, 39 Burnie Street, 41-43 Burnie Street, 45-51 Burnie Street – CLOVELLY, from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.
- xx. Rezone 34 Burnie Street, 36 Burnie Street, 38 Burnie Street, 40 Burnie Street, 42 Burnie Street, 44 Burnie Street, 46 Burnie Street, 48 Burnie Street, 50 Burnie Street – CLOVELLY from R3 Medium Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.

Beach Street Cluster

- xxi. Rezone 98-104 Beach Street – COOGEE from R3 Medium Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1:1.


Dudley Street Cluster

- xxii. Rezone 63A Dudley Street, 65-73 Dudley Street, and 19-23 Havelock Avenue – COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre (E1 Local Centre under the Employment Zone Reforms) with an applicable FSR of 1.5:1.

- 6) Amend the RLEP 2012 in relation to the Randwick Hospital's Campus Expansion Area as follows:

- i. Rezone the block from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility;
 - ii. Remove the existing residential (9.5m and 15m) Height of Building (HOB) controls for the Randwick Hospital Campus Expansion Area; Remove part of the current Randwick Hospital western perimeter height control;
 - iii. Remove the applicable FSR in line with the protocol for all special purpose and infrastructure zones.
- 7) Amend RLEP 2012 to rezone the existing Light Rail Stabling Yard from RE1 Public Recreation to SP2 Infrastructure in the area indicated on the zoning maps.
- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to economic development and associated documents prior to submitting to the Department of Planning and Environment
- c) Forward that part of the Planning Proposal relating to economic development to the Department of Planning and Environment and requesting that the amendments be made to the Randwick Local Environmental Plan 2012.

Attachment/s:

1.  Table of Community and Stakeholder Submissions and Responses - Economic Development

Purpose

This report outlines key issues raised in submissions to the draft Comprehensive Planning Proposal (CPP) in relation to economic development matters. The CPP includes draft provisions relating to the night time economy as well as the rezoning of a number of clusters of shops from residential to the B1 Neighbourhood Centre zone (E1 Local Centre under the Employment Zone Reforms). This report seeks Council's endorsement on the recommendations outlined by planning officers for these economic development amendments.

A separate report has been included in the current Council Agenda (Extraordinary Meeting of 30 August 2022) summarising the consultation process/activities undertaken and matters raised in submissions received during public exhibition period of the Comprehensive LEP.

Discussion

Economic Development Amendments

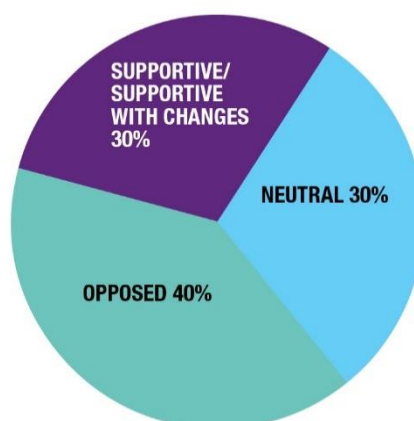
Background and overview of submissions

The proposed economic development amendments are centred on:

- Developing and enhancing the night time economy
- Protecting neighbourhood centres through appropriate zoning and development standards
- Recognising the Randwick Collaboration Area Place Strategy's vision to create an integrated and connected innovation district through appropriate zoning and development standards within the Randwick Hospital Campus Expansion area
- Supporting the Light Rail Stabling Yard and associated facilities by zoning the land to SP2 Infrastructure.

Comments relating to the proposed economic development amendments were raised a total of 10 times in the submissions received from the community. The following table and graph provide a summary of the community submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position or were unclear.

Economic development submissions	Response
Supportive/supportive with changes	30% (3)
Opposed	40% (4)
Neutral	30% (3)
Unsure	0% (0)
TOTAL	100% (10)



Comments in relation to the economic development provisions were also received from the following stakeholders.

- Randwick Racecourse Trust / Australian Turf Club
- Bayside Council
- Environmental Protection Authority
- UNSW
- Coogee Precinct.

This report discusses each of the economic development amendments separately under the headings night-time economy, neighbourhood centres, Randwick Hospital Campus rezoning and light rail stabling yard rezoning.

Night-Time Economy

Background and Context

The exhibited draft CPP contains a number of planning measures to help build the economic capacity of Randwick City by supporting local business and diversifying the nighttime economy. These changes are in response to recommendations of the Randwick City Night Time Economy Study 2019 which outlines practical initiatives to foster economic development, support live music and the creative sectors, and to facilitate a diverse offering of night time activities for a wider demography. The subsequent Economic Development Strategy Outcome 2 is “*Randwick City has a 24-hour economy including diverse night time activities and experiences*”

The Study, underpinned by substantial input from industry leaders, has found that Randwick City has the potential to reap socio- economic benefits from cultivating a well-managed and diverse night-time economy. Growth and diversification of the night time economy would have a positive impact for local businesses through increased patronage over longer and different time periods. It would help stimulate job creation, particularly flexible employment, support retail and the cultural and creative sectors, while also boosting local tourism.

In terms of community benefits, a mix of businesses and social and cultural attractions would help increase wider participation, and facilitate more connected, inclusive and resilient communities. Having a broad range of people participating in the night time economy would also have a positive impact on the perception of safety at night and potentially assist in reducing crime. The night time economy can also play an important role in urban renewal and revitalisation, helping to create a sense of place and identity, and contributing to thriving vibrant town centres. This is particularly pertinent for urban renewal areas such as Kensington and Kingsford town centres and the Randwick Collaboration Area which would benefit from a thriving night time economy that builds reputation, reinforces local character and inspires new uses of public space.

Stimulation of the night time economy via the land use planning framework is an essential measure in supporting economic recovery post pandemic, and aligns with the State Government’s program to develop a 24 hour economy for NSW.

Summary of exhibited changes

The draft CPP amendments translate key findings and recommendations from the Night Time Economy Study, as well as input from the Night Time Economy Committee which has been instrumental in highlighting barriers to the live music and creative sectors as well as identifying interventions to reduce red tape and provide more opportunities for artists and creatives to make and present their work. The proposed amendments to the RLEP 2012 comprise:

- New land use objectives for the employment zones (B1 Neighbourhood Centre and B2 Local Centre zones) on supporting a diverse, safe and inclusive day and nighttime economy;
- An amendment to Clause 6.13 to permit art galleries, studios and the like (defined under the LEP as “*information and education facilities*”) in existing purpose-built commercial buildings within the residential zones with development consent;
- Amendments to Clause 3.1 and Schedule 2 (Exempt Development) to allow low impact businesses such as shops, and unlicensed business to operate from 7am to 11pm without requiring development consent, subject to the following criteria being met:
 - Must be located on land zoned B1 Neighbourhood Centre or B2 Local Centre (E1 Local Centre and E2 Commercial Centre under the Employment Zone Reforms);
 - Must be a shop, business premises or kiosk;
 - Not be a food and drink premises, gym or licensed premise in accordance with the definition under the Liquor Act 2007;

- Must comply with all conditions of the consent for the use of the premises including noise, parking, loading or waste management, and;
 - If conditions of development consent do not specify hours for the loading or delivery of goods to, or the removal of waste from the premises-only be carried out between 7.00am and 7.00pm on any day, and
 - Must not cause an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997
- Amendments to Clause 3.1 and Schedule 2 (Exempt Development) to allow small scale creative and cultural activities to take place without requiring development consent subject to the following criteria:
 - Must be located on land zoned B1 Neighbourhood Centre or B2 Local Centre (E1 Local Centre and E2 Commercial Centre under the Employment Zone Reforms);
 - Must take place in a building that can be lawfully used for the purpose of shop, office premises, restaurant, cafe or community facility.
 - Must occur in a building with a current annual fire safety statement that is registered with Council.
 - Must not contravene any fire safety requirements or obstruct exits of paths of travel to an exit.
 - Must ensure adequate access in accordance with Australian Standards and Building Code of Australia requirements.
 - Must not involve building works, unless those works are otherwise exempt or approved development.
 - Must occur between the hours of 7.00am and 10.00pm.
 - Must not occur more than 26 days in a 12 month period, 4 days in any single week and 8 days in any single calendar month and details of compliance must be provided to Council upon request.
 - Must have a maximum duration of 7 hours on each day, excluding set up and pack down.
 - Must not involve the use of pyrotechnics, theatrical smoke or dangerous goods.
 - Must accommodate no more than 1 person per square metre in the area accessible by patrons, up to a maximum of 100 people, excluding staff and performers.
 - Must only include the service of alcohol if it is consistent with a liquor license issued under the Liquor Act 2007, or served under a caterer's authorisation issued under the Liquor Act 2007. Randwick Comprehensive Planning Proposal Page 24 of 79
 - Must provide adequate access to sanitary facilities in accordance with Building Code of Australia and Australian Standards.
 - Must not contravene any existing condition of any active development consent that applies to the land relating to car parking, vehicular movement, traffic generation, loading or waste management.
 - Where there is no condition relating to waste management, waste must be removed from the premises and not placed on the public way at any time, and glass is not to be emptied or transferred anywhere in a public place. (
 - Must ensure the orderly entry and egress of patrons and not detrimentally affect the amenity of the neighbourhood, including queueing of patrons while ensuring adequate public access to other pedestrians on footpaths.
 - Must not cause an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
 - Must ensure that prior to 5 days prior to the commencement of activity or event, display in a clearly visible place outside of the premises a sign notifying of the nature of the event, duration and completion date, the name and contact details of the person responsible for the event.

Nb: Small Scale Cultural Activities means an activity involving live entertainment, including the presentation of music, film, theatre, spoken word, comedy or dance, or an event associated with an exhibition of art, craft, design, media, image or technology, with no more than 100 participants.

Key issues and responses

Key issues and comments raised in submissions from the community and stakeholders in response to the proposed night time economy amendments are summarised below. Detailed responses are provided in **Attachment 1**.

- Support for Night Time Economy Measures - Submissions were received expressing strong support for the proposed measures, noting that the new land use objectives for the business zones and exempt development provisions would play a key role in revitalising the night-time economy and supporting economic growth by encouraging foot traffic in our centres, patronage of local businesses and increasing local job prospects.

Response – Support noted.

- Traffic and on-street parking – Objection to the proposed measures on the basis that an increase in business activity at night would exacerbate existing on-street parking and traffic generation issues. It raised concern that these issues are likely worsen given recent State Government cuts to bus services, the preference for people to drive during the pandemic and prevalence of shift/key workers who park in the local street network.

Response – It is acknowledged that limited on-street parking and traffic generation is an issue for certain areas in Randwick City. Pending the take up of extended trading hours, there is opportunity to undertake parking assessments on a case by case which would include, but is not limited to:

- Surveying the participating businesses of number of visitors/ workers during the extended hours;
- Assessing existing parking demand/capacity near the businesses;
- Monitoring and assessing the impact on parking demands due to business hour extension; and
- Implementing mitigation measures.

Should parking in the residential area be impacted by possible additional parking demand generated by night time economy, one consideration would be the extension of the resident parking scheme in the impacted residential area. There are also other parking measures, such as providing 5 to 10 minute parking restrictions for pick-up and drop-off spaces after the peak hour restrictions to support visitors/customers. The type and the extent of the mitigation measures would be determined in the general business area or case by case following the review of the parking impact assessment. This is in line with Council's Transport Strategy, to implement Outcome 3 "A parking system that caters to the needs of residents, freight delivery, visitors and workers" and Strategic Approach 3.2 to "Develop and implement a set of principles to guide parking management and the resident parking scheme within and near to our town centres and coastal areas, informed by community feedback, and the adopted Transport Hierarchy by 2025."

- A submission received on behalf of AMP (as owners of the Randwick Junction Shopping Centre) requested that Council consider stronger measures to stimulate the night time economy, with suggestions including:
 - Permitting small scale cultural activities in offices, retail and the like to take place 52 days (as opposed to 26 days) per calendar year without requiring development consent;
 - Increasing patronage of small scale cultural activities from 100 to 300 to align with the Draft Fun SEPP; and
 - Redefining "small scale cultural activities" to also include an 'event' as well as 'markets' to create greater flexibility and opportunity to stimulate the night time activity.

Response – The proposed Exempt Development provisions permitting small scale cultural activities in shops, offices and the like without requiring development consent were prepared in consideration of a variety of environmental planning issues, including the need to minimise potential land use conflicts, while supporting the arts and creative sectors, and ensuring patron safety and amenity.

The need to support the arts and creative sectors has been a critical aspect of the Government's plans for activating the night time economy across NSW. As such, an opposition Bill amending the Exempt and Complying Development Codes SEPP was made via the *Liquor Amendment (24-hour Economy) Bill 2020* in December 2021. The amendments (amongst other things) introduced provisions under Clause 15AB allowing small scale cultural activities and entertainment to take place in non-residential zones without requiring development consent. These new provisions were made after the Gateway Determination for the CPP was made. Notably, detail of the proposed amendments were not exhibited and broad consultation was not undertaken.

The exempt development provisions under the SEPP are consistent with Council's objectives for supporting art and cultural activities whilst being substantially less onerous than the exhibited CPP. The SEPP has no limits on patron capacity or trading hours; rather small scale cultural activities/entertainment would be required to comply with the conditions of consent for the building. As the SEPP overrides the provisions of an LEP, and an LEP cannot contain provisions that are more onerous than a SEPP, it is recommended that the CPP be amended to omit the proposed Exempt Development provisions for small scale cultural activities.

Recent consultation with the State Government has confirmed that additional measures are currently being considered including:

- Amending the Code SEPP to allow shops and food and drink premises to change to an 'entertainment facility' or 'information and education facility' eg art gallery or small venue (maximum 300m² floor area) without requiring development consent; and
- Amending the State Environmental Planning Policy (Transport and Infrastructure) 2021 to allow councils to authorise temporary structures on their land as exempt development. This will allow larger structures than the Codes SEPP currently allows, such as stages for temporary events.

In regard to redefining 'small scale cultural activities' to include 'events' and 'markets', as noted above, clause 15AB of the Codes SEPP allows for small scale entertainment and the like in non-residential zones subject to existing conditions of consent. The intention of the provisions is to unlock underutilised indoor office and retail space to support artists and creatives with ancillary entertainment activity, while strengthening the community's cultural life without major investment in infrastructure, resources or subsidy. The CPP is unable to amend the provisions of the SEPP to include markets and events. Clause 15AB of the Codes SEPP is reproduced below:

Subdivision 15AB Entertainment associated with existing premises

2.30AC Specified development

Low impact performance of live music or arts is development specified for this code if it is not carried out in a residential zone.

2.30AD Development standards

- (1) *The standards specified for this development are that the development—*
 - (a) *must be carried on inside a building, and*

(b) must not contravene an existing relevant condition of the most recent development consent, other than a complying development certificate, that applies to the premises, and

(c) must not contravene the Protection of the Environment Operations Act 1997, and

(d) must not be primarily used for adult entertainment, including, for example, a strip club, and

(e) must not be carried on in connection with a proposed change of use of premises.

(2) In this clause—

existing relevant condition means a condition relating to any of the following—

(a) the number of persons permitted in the building,

(b) hours of operation,

(c) noise, other than a condition mentioned in the Liquor Act 2007, Schedule 1, clause 70(1),

(d) car parking, vehicular movement and traffic generation,

(e) loading management of waste,

(f) landscaping.

It is not recommended to introduce stand alone Exempt Development provisions for markets and events in offices and the like as this would allow an alternative category of activity to take place with different infrastructure/floor space needs and amenity impacts. The CPP proposes amendments to Schedule 2 to include 'markets' as Exempt Development subject to a number of criteria being met (refer to CPP Report-Housekeeping for further information).

- Although generally supportive, the submission received from the **Australian Turf Club** noted that the proposed RLEP 2012 amendments would only provide small benefits to low impact businesses on land zoned B1 Neighbourhood Centre and B2 Local Centre (E1 Local Centre and E2 Commercial Centre under the Employment Zone Reforms), and thus recommend provisions to be extended to permit small scale cultural activities on RE1 land as Exempt Development.

Response – As noted in this report, it is recommended that the proposed Exempt provisions regarding small scale cultural activities be omitted from the final CPP due to recent amendments to the Exempt and Complying Codes SEPP (Clause 15AB) which permits small scale entertainment to occur in non-residential zones (including RE1 zoned land) without requiring development consent, provided that conditions of development consent are met. These SEPP provisions achieve Council's objectives for supporting art and cultural activities.

- A submission received from the **Environment Protection Authority** raised concerns that extended trading hours for low impact uses may result in adverse noise impacts on sensitive receivers where development is proposed in proximity to residences. There is a greater risk of this occurring given the proposal's focus on increased infill development. The EPA suggests that the Council be guided by the Noise Guide for Local Government (EPA, 2013) to ensure that these potential impacts are considered in the strategic planning stage.

Response – The proposed extended trading hours for low impact businesses such as shops is a diversification strategy to encourage a greater variety of people to frequent our centres in the evening, and to help meet the needs of workers who work outside the traditional hours of 9am to 5pm. Randwick City's town and neighbourhood centres permit a wide range of uses, and most businesses and retailers do not have a negative impact on the local area such as excessive noise or anti-social behaviour.

The proposed Exempt development provisions apply to low impact retail businesses only, such as clothing shops, book stores and pharmacies situated in our town and neighbourhood centres. They do not apply to businesses that have the potential for excessive noise such as food and drink premises, licensed premises or gyms and the like. Moreover, the provisions require the premises to comply with existing conditions of consent including noise, parking, loading or waste management matters. Furthermore, the provisions stipulate that the premises must not cause an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

It is considered that the proposed provisions provide adequate flexibility for low impact businesses to trade later to respond to changing retail opportunities or circumstances that temporarily may increase the local customer base such as longer summer evenings, festivals and special events. Moreover, it would provide more opportunities for people to shop locally after work and contribute to a more vibrant and diverse night economy in our City.

- A submission received from **Bayside Council** raised concerns with respect to the following night time economy proposals:
 - Concern that the proposed exempt development trading hours provision would result in unacceptable noise, traffic, parking and lighting impacts on low density residential dwellings within the Bayside LGA;
 - Clarification sought on:
 - the number of days businesses would be allowed to operate;
 - what constitutes low impact business and unlicensed business;
 - how trading hours would be regulated?
 - Request that exempt development trading hours be limited to local town centres as opposed to neighbourhood centres; and
 - Concern over provisions permitting art galleries and studios with development consent in residential zones as this would not align with the objectives of the residential zone and would potentially impact the amenity of residents within the Bayside LGA. The submission recommends that these uses be limited to residential-zoned areas within proximity to identified local centres.

Response – As noted throughout this report, the proposed extended trading hours apply to low impact businesses such as shops and pharmacies, 7 days a week, and would not apply to businesses that have the potential to create noise such as licensed premises, gyms and food and drink premises. Premises would be required to meet conditions of consent relating to noise and must not cause an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*. The proposed provisions would help diversify the night time economy by encouraging a variety of people to frequent neighbourhood and town centres in the evening including shift workers, which would also help improve the perception of safety after dark. It is considered that the provisions would be appropriate to both neighbourhood centres and town centres as the type of businesses these provisions apply to is unlikely to have a negative impact on the local area such as excessive noise or anti-social behavior.

In regard to permitting galleries and the like with development consent in residential zones, Clause 6.13 of the RLEP 2012 already permits a variety of businesses in residential zones in purpose built commercial buildings including business premises, restaurants, cafes and shops. The CPP proposes to amend Clause 6.13 to include 'information and education facility' (which covers galleries, studios and the like) to permit these uses with development consent.

It is important to note that Clause 6.13(b) specifically requires that the consent authority be satisfied that proposals must not affect residential amenity of the surrounding locality. Any proposals for a gallery and the like would therefore be required to meet the requirements of the clause including residential amenity considerations. This is considered to be a balanced approach by encouraging low impact creative space with development consent in residential areas.

- The **Coogee Precinct** provided a submission opposing the proposed extended trading hours for low impact businesses on the basis of potential amenity impacts for surrounding residents.

Response – As highlighted above, the proposed extended trading hours apply to low impact businesses only such as shops and pharmacies, and would not apply to businesses that have the potential to create noise such as licensed premises, gyms and food and drink premises. The proposed provisions are considered appropriate and provide a balanced approach by facilitating greater flexibility for low impact businesses to operate later, diversifying the night time economy and enhancing a safer public domain, while ensuring that amenity impacts are capable of being minimised through compliance with existing conditions of development consent (eg noise, waste etc) and the *Protection of the Environment Operations Act 1997*.

- A submission received from **NSW Health** is supportive of the economic development measures including criteria excluding licensed premises from the Trading Hours for Low Impact Uses exempt development provisions.

Response – Support noted.

Recommendation

It is recommended Council endorse the exhibited measures to activate and diversify the night time economy to implement recommendations of the Randwick City Night Time Economy Study encompassing:

- new land use objectives for the B1 Neighbourhood Centre and B2 Local Centre zones (referred to as E1 Local Centre and E2 Commercial Centre zones under the Employment Zone Reforms) on supporting a diverse, safe and inclusive night time economy,
- new exempt development criteria permitting later trading for shops and low impact businesses in business zones without requiring development consent, and permitting galleries and maker spaces in residential zones with development consent.

As outlined above, to avoid misalignment with the Exempt and Comply Development Codes SEPP, it is recommended that the exhibited exempt development criteria permitting small scale cultural activities in business zones without requiring development consent be removed from the Comprehensive Planning Proposal.

Neighbourhood Centres

Background and Context

The draft CPP proposes to rezone a number of existing clusters of shops currently zoned residential to the B1 Neighbourhood Business Centre zone (E1 Local Centre under the Employment Zone Reforms). These proposed rezonings are in response to the 2019 Randwick Economic Analysis Report which identifies an increased demand for retail floorspace for all neighbourhood and local centres across Randwick City over the next 20 years. The proposed clusters were identified in the Randwick Neighbourhood Centres Study 2020 which applied a number of criteria in the identification of clusters for rezoning including:

- Number of shops/businesses (minimum of three business premises adjacent to one another);
- Whether the cluster provides small-scale local retail/business services to people who live or work at walking distance: 10 min walking radius (400m);
- Whether the centre fulfils the overall objectives of the B1 zone;

- Whether the centre fulfils the permitted uses of the B1 zone;
- Premises with a floorspace under 1,000 sqm;
- Consideration of local advantages such as proximity to parks and public transport; and
- Location outside K2K, Randwick Junction, Newmarket, and HIAs areas

The proposed amendments are intended to reflect existing land uses, help protect and retain existing small scale retail within neighbourhoods, encourage sustainable transport/ walkability and continue the historical use of shops located within heritage conservation areas.

Key issues and responses

- Objection to the proposed rezoning of clusters of shops - Submissions were received opposing the proposed rezoning of existing clusters of shops from residential to a B1 Neighbourhood Centre zone (E1 Local Centre under the Employment Zone Reforms). Two submissions raised concerns that insufficient analysis has been undertaken particularly regarding the potential impacts of the rezonings on the amenity of neighbouring residential areas as well as transport, parking and road congestion. Moreover, concerns are raised that the rezoning existing clusters of shops would incrementally lead to greater heights and densities as developers seek to maximise development yield and envelopes.

Response – The proposed rezoning of existing clusters of shops currently zoned residential, was undertaken to protect existing small scale retail/commercial uses and employment land that exist within walkable catchments in residential neighbourhoods. The approach rationalizes the zoning to simply reflect existing land uses, and would support sustainability by encouraging/strengthening localised shopping and access to services and meet the needs of people who work from home and the broader community.

The CPP does not propose changes to the existing maximum height limit for the identified clusters of shops. However, it does propose an increase to the FSR to align with the prevailing FSR for the B1 Neighbourhood Centre zone (ie an increase from 0.5:1 to 1:1). This increase in gross floor area in conjunction with the retention of existing height limits would mean that any uplift would generally be confined to the rear of the site with minimal additional impacts upon solar access to neighbouring properties.

In terms of impacts upon traffic and parking, only those clusters within reasonable access to public transport were identified for rezoning. Furthermore, as the proposed zoning change is to simply reflect existing commercial uses, it is unlikely that this would result in increased parking and traffic congestion in the local area. Furthermore, should any redevelopment occur within the identified clusters, the proposal would be required to meet the parking rates stipulated in the DCP 2013 and submit a Parking and Traffic Assessment.

- The AMP raised the following concerns with regard to the rezoning of neighbourhood clusters:
 - The proposed rezoning of existing cluster of shops to B1 Neighbourhood centre (and ultimately E1 Local Centre under the State Government's Employment Lands Reforms) would undermine the centres hierarchy and permit the development of broader 'commercial premises' including large-scale retail uses such as supermarkets, specialised retail premises. This would not reflect the intended rezoning of the clusters of shops which is to protect and recognise local small-scale retail and commercial floorspace;
 - The clusters should retain a residential land use zoning or objectives and local provisions be introduced to retain the centres hierarchy.

Response – As noted above, the proposed rezoning of existing clusters of shops, was undertaken to protect existing small scale retail/commercial uses and employment land that exist within walkable catchments in residential neighbourhoods.

In regard to larger format retail being permitted in the clusters of shops, it is agreed that the State Government's employment zone reforms would result in all neighbourhood centres being translated to the E1 Local Centre zone which permits 'commercial premises' as a mandatory use. 'Commercial premises' is a broad term encompassing shops and the like and also larger format retail including supermarkets. Nevertheless in most cases, larger floor plate proposals are unlikely to be achievable in our neighbourhood centres due to FSR constraints (ie 1:1 FSR) and fragmented ownership patterns which would preclude amalgamation.

It is worth noting that as part of Council's response to the State Government's employment zoning reforms, a new local provision is proposed requiring development proposals consider the smaller scale, fine grain village nature of neighbourhood centres. These measures combined are considered to be sufficient enough to limit larger format premises in existing neighbourhood centres. Refer to CPP Report- Employment Zones for further discussion on Council's approach to the State Government's Employment Reforms.

- The **NSW Health** submission expressed support for the rezoning of existing shop clusters to the business zones noting that it would help serve the needs of the surrounding area. The submission further noted that the rezonings would create city 'villages' which has the potential to enhance the physical and mental well being of the community.

Response – Support noted.

Recommendation

It is recommended that Council endorse the exhibited proposal to rezone 20 existing clusters of shops currently zoned residential to the B1 Neighbourhood Business Centre zone (E1 Local Centre under the Employment Zone Reforms) to recognise existing land uses, facilitate greater certainty about zoning and land use permissibility, protect employment lands and facilitate walkable neighbourhoods with easy access to shops and services.

Randwick Hospital Campus Expansion

Background and Context

The CPP proposes to rezone the campus expansion area at the Randwick Hospitals Campus and amend the development standards to reflect approved development and the desired future character for the block. The campus expansion area (currently under construction) will accommodate a 13 storey (59m) Integrated Acute Services Building (ASB) and associated works including expanded emergency and intensive care unit departments, four new operating theatres, helipad, research, education and training facilities, and contemporary facilities for a number of specialties. In addition, the expansion will include new state of art pediatric health, medical research and education facilities as part of the Sydney Children's Hospital Stage 1 and the Children's Comprehensive Cancer Centre redevelopment project, as well as a new 'Health Translation Hub' (HTH) to physically integrate the hospitals campus with the UNSW with purpose built education, training and research facilities, clinical schools, retail premises and over 2,500m² of publicly accessible open space.

The campus expansion area is currently zoned R2 Low Density Residential and R3 Medium Density Residential under the RLEP 2012 with an applicable height limit of 9.5m and 15m respectively. An FSR of 0.5:1 applies to that part of the block that is currently zoned R2 Low Density Residential. The current zoning and applicable development standards are inconsistent with the approved development and intended desired future character of the block.

The CPP proposes the following:

- Rezoning the block from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility;
- Removing the existing residential (9.5m and 15m) Height of Building (HOB) controls for the Randwick Hospital Campus Expansion Area and remove part of the current Randwick

Hospital western perimeter height control to reflect the SSD process and zoning protocols; and

- Removing the applicable FSR in line with the protocol for all special purpose and infrastructure zones

Figure 1: Proposed Amendments to the Randwick Hospitals Expansion Area



Key issues and responses

- A submission was received from **UNSW** in regards to the proposed changes. The submission is supportive of the proposed rezoning of the Randwick Hospitals Campus noting it would align with recently approved State Significant Development Applications for the UNSW Health Translation Hub and Integrated Acute Services Building under construction. The submission notes that the alignment recognises UNSW role in supporting and partnering with other organisations in the Randwick Health and Education

Precinct (and Randwick Collaboration Area) and will deliver benefits to the community in terms of improved health outcomes as well as employment opportunities.

Response – Support noted.

- A submission received from **NSW Health** also expressed support for the proposed amendments as a means of supporting significant investment in health, research and education facilities.

Response – Support noted.

Recommendation

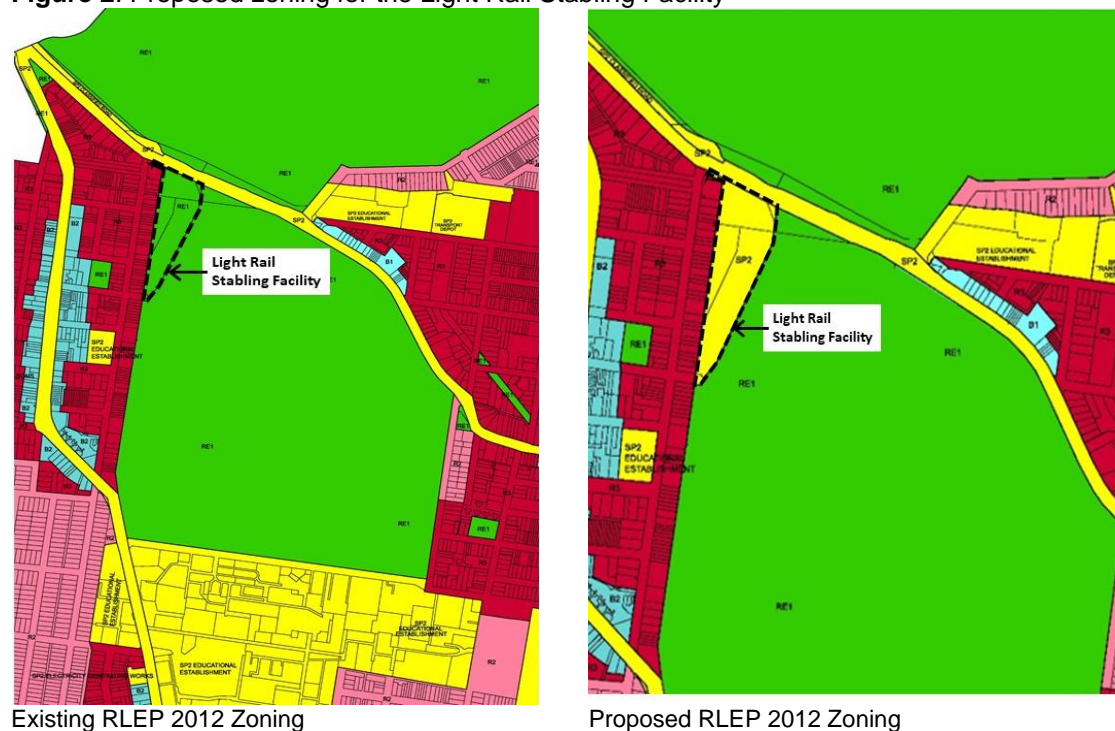
It is recommended that Council endorse the exhibited proposed rezoning of the Randwick Hospitals Campus from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility and remove the Height of Building and FSR controls.

Royal Randwick Racecourse- Light Rail Stabling Yard Facility

Background and Context

The CPP proposes to rezone the Stabling Yard at the Royal Randwick Racecourse (RRR) from RE1 Public Recreation to SP2 Infrastructure in the area indicated in the map below (Figure 2). The proposed SP2 zone would correct an anomaly in the current zoning, and recognize the existing land use of the CBD and South East Light Rail stabling yard and associated facilities infrastructure on the subject land. No Height of Building (HOB) or FSR control is proposed for the Stabling Yard site, in line with the transport infrastructure land use and zoning protocol.

Figure 2: Proposed zoning for the Light Rail Stabling Facility



Key issues and responses

No submissions were received regarding the proposed rezoning.

Recommendation

It is recommended that Council endorse the exhibited proposed rezoning of the Stabling Yard at the RRR from RE1 Public Recreation to SP2 Infrastructure.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Economic Development
Outcome	A city with a 24-hour economy including diverse night time activities and experiences
Objective	Increase night time spending by 7% by 2032 Note: night time is defined as 6pm - 6am
Delivery program commitment	Continue to implement changes to the planning framework, as identified in the Night Time Economy Study, to encourage organisations to host cultural/creative experiences in retail or commercial spaces such as a shop hosting a performance, art exhibition or public talk.
Delivery program commitment	Continue to implement changes to the planning framework as identified in the Night Time Economy Study to focus on encouraging a diverse mix of business and cultural activities including trading hours for small, low impact businesses, and business zonings while ensuring the impact on residential amenity is minimised particularly in both residential and business zones.

Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2021/22 budget and allocations. The review, data collection and analysis of the submissions received was completed in-house by Strategic Planning officers.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement.

Conclusion

This report has considered submissions received by Council on the CPP in relation to economic development matters. The proposed amendments to the RLEP 2012 outlined in the CPP address and respond to a number of planning priorities relating to economic development in the Eastern District Plan and Randwick City LSPS. The proposed measures aim to build on the economic capacity of Randwick City, create economic certainty, attract new investment opportunities, advance creative entrepreneurship and small business development and stimulate job creation.

A summary of the submissions have been considered with responses found in this report and in **Attachment 1**. As a result, it is recommended that Council retains the original decision to support proposed the RLEP 2012 amendments in relation to economic development, with the exception of proposed Exempt Development provisions allowing small scale cultural activities to occur in shops, business premises and the like, which are adequately covered by Clause 15AB of the Exempt and Complying Development Codes SEPP.

Whilst the draft Randwick CPP was exhibited as one document, it contains various proposals for amendments to Randwick LEP 2012 that are separate and independent of each other. This part of

the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.

Responsible officer: Stella Agagiotis, Manager Strategic Planning; Natasha Ridler,
Coordinator Strategic Planning

File Reference: F2021/00188

CP49/22

CP49/22

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses Economic Development

30 August 2022

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Overview

This document includes a summary of all economic development related issues that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to economic development amendments. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on heritage conservation are commented on in the heritage conservation report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
Strong support for measures to revitalise the night time economy through changes to objectives and exempt development provisions. The proposals will support economic growth and will assist in boosting foot traffic, and support local job prospects.	Support noted.
Objection to proposed rezoning of 20 cluster of shops from residential to B1 Neighbourhood Centre Zone. The proposed amendments have failed to consider impacts upon amenity of adjoining	The proposed amendments are aimed at rationalising the zoning of existing clusters of shops to reflect existing land uses and protect the existing stock of small neighbourhood centres in Randwick City. The proposed rezonings would:

Key comment/issue	Response
residential neighbourhoods and parking and traffic generation. The proposals favour business and developers and not existing residential uses. Concerns raised that the rezoning would result in developers seeking greater uplift beyond existing height and FSR.	<ul style="list-style-type: none"> • Help meet a short fall in employment floor space, identified in the 2019 Randwick Economic Analysis Report which identifies future demand for retail and commercial floorspace in in Randwick City; • Ensure that Randwick City's residential neighbourhoods continue to have easy access to shops and services; • Support trends for working from home by facilitating localised shopping and services; • Help protect the heritage values of a number of conservation areas by ensuring the historic continuation of retail/commercial uses in existing shop clusters; • Permit a versatility of commercial uses to meet the changing needs of the local community; • Facilitate sustainable transport by encouraging walking or cycling to centres. <p>In terms of built form, no changes are proposed to the maximum height limits. The proposed amendments adjust the FSR (changing from 0.5:1 to 1:1) to allow for a moderate amount of gross floor area to meet contemporary retail/commercial needs and is consistent with the prevailing FSR for neighbourhood centres across the LGA. This would allow for a marginal increase in gross floor area generally towards the rear of the site within the existing height limit which would ensure that solar access and privacy issues would be minimised. All DAs would be assessed under the planning framework including the heights and FSR where amenity impacts and parking requirements would be rigorously assessed.</p> <p>The final CPP will include a new local provision to ensure that any development proposals within a neighbourhood centre consider the fine grain character of such centres. It is also important to note that a key objective of the employment zones is to ensure that any adverse amenity impacts upon residences within and adjoining the centre are minimised.</p> <p>In terms of parking and traffic impacts, the identified clusters are generally in proximity to public transport. Furthermore any proposal within the identified clusters would be required to meet the parking requirements under the DCP and where relevant submit a Traffic and Parking report analysing the impacts of the proposal on the local street network which would form part of the assessment. Given the retention of existing heights and only marginal increase in FSR it is unlikely that the proposed rezonings would result in an intensity of development that would result in adverse parking/traffic generation impacts within the locality.</p>
Concerns about impacts of night time economy proposals on on-street parking. Later hours would mean more visitors and workers utilising the street network to park. This issue is exacerbated by dense residential suburbs, recent cuts to bus services, preference to drive due to the pandemic and high prevalence of key workers who live outside the LGA who drive in to work. Angle	<p>It is acknowledged that on street parking and traffic generation is an issue for certain areas in Randwick City. Given that the recent amendments to the Exempt and Complying Development Codes SEPP allows trading up to 10pm and the CPP proposed amendments (developed prior to the Codes SEPP amendments) permit trading up to 11pm, pending on the take up on trading hours, there is opportunity to engage a consultant to undertake a parking assessment which would include, but not limited to:</p> <ul style="list-style-type: none"> • surveying the participating businesses of number of visitors/ workers during the extended hours • assessing existing parking demand/capacity near the businesses

Key comment/issue	Response
parking should be introduced. The Frenchman's Road neighbourhood centre is a case in point whereby the introduction of one hour parking has resulted in workers utilising residential streets for parking.	<ul style="list-style-type: none"> monitoring and assessing the impact on parking demands due to business hour extension provide general guidance on possible mitigation measures. <p>Should parking in the residential area be impacted by possible additional parking demand generated by night time economy, one consideration would be the extension of resident parking scheme in the impacted residential area. There are also other parking measures, such as providing 5 to 10 minute parking restrictions for pick-up and drop-off spaces after the peak hour restrictions to support visitors/customers. The type and the extend of the mitigation measures would be determined in the general business area or case by case following the review of the parking impact assessment.</p> <p>For future developments, reviewing RCC's on-site car parking requirements for staff and visitors based on the outcome of the consultant's study may be beneficial as well as requiring Green Travel Plan that would identify ways to support sustainable transport, such as secure bicycle parking/ amenities, employee travel plan, etc.</p>
Concerns about mismatch between Housing Investigation Areas and rezoning of clusters of shops. In HIAs, commercial uses are provided on the ground floor, with residential above is zoned residential, yet under the "Economic Development" proposals, very small scale, low rise buildings currently used as shops are proposed to be rezoned commercial. There is demand for some commercial floor space above what is planned for in medium density zoned areas.	<p>To clarify, the ground floor of development within HIAs would be generally residential, unless it is a use permitted under a State Policy such as the Transport and Infrastructure SEPP (2021) which permits health and medical facilities, childcare and education facilities. Although the R3 Medium Density Residential zone permits business premises, neighbourhood shops and the like, clause 6.13 of the RLEP 2012 clarifies that these types of non-residential uses would only be permitted in purpose-built development that already exists (ie new neighbourhood shops, business premises and restaurants are not permitted in the R3 Medium Density zone unless located in an existing commercial building).</p> <p>The proposed amendments are aimed at rationalising the zoning of clusters of shops to reflect existing land uses and protect the stock of small neighbourhood centres in Randwick City so that the community have access to services within a walkable catchment.</p>
<p>Strong support for proposals on night time economy but request that Council adopt a bolder approach by:</p> <ul style="list-style-type: none"> Permitting small scale cultural activities in offices, retail and the like to take place 52 days per calendar year which would align with the intent of Clause 2.8 of the Standard Instrument (temporary events) but through a streamlined Exempt Development Pathway; Increasing patronage of small scale cultural activities from 100 to 300 patrons consistent with the Draft Fun SEPP. 	<p>During the preparation of the proposed Exempt Development provisions for small scale cultural activities, an opposition bill amending the <i>Exempt and Complying Development Codes SEPP</i> was made via the Liquor Amendment (24-hour Economy) Bill 2020. The amendments (amongst other things) introduce provisions under Clause 15AB allowing small scale cultural activities and entertainment to take place in non-residential zones without requiring development consent. Notably, detail of the proposed amendments were not exhibited and broad consultation was not undertaken. The exempt development provisions under the SEPP are substantially less onerous than the CPP, with no limits on patron capacity or trading hours; rather small scale cultural activities/entertainment would be required to comply with the conditions of consent for the building. As the SEPP overrides the provisions of an LEP, it is recommended that the proposed Exempt Development provisions for small scale cultural activities under the CPP be deleted.</p> <p>Recent consultation with the State Government has confirmed that additional measures are being considered including:</p>

Key comment/issue	Response
<ul style="list-style-type: none"> Redefining the definition of “small scale cultural activities” to also include an event (i.e. not just an event associated with an exhibition of art, craft, media, image or technology) as well as markets to create greater flexibility and opportunity to stimulate the night time activity. 	<ul style="list-style-type: none"> Amending the Code SEPP to allow shops and food and drink premises to change to an ‘entertainment facility’ or ‘information and education facility’ eg art gallery or small venue (maximum 300m2 floor area to take advantage of the small live music or arts venue provisions and retain their existing Class 6 building classification) without requiring development consent; and Amending the State Environmental Planning Policy (Transport and Infrastructure) 2021 to allow councils to authorise temporary structures on their land as exempt development. This will allow larger structures than the Codes SEPP currently allows, such as stages for temporary events.
<p>Concerns raised that the proposed rezoning of clusters of shops would undermine the centres hierarchy as the subsequent translation into the E1 Local Centre zone would permit larger format retail/commercial uses such as supermarkets. This would undermine the intended rezoning of the clusters of shops which is to protect and recognise local small-scale retail and commercial floorspace.</p> <p>It is recommended that the clusters be retained as residential or new objectives and local provisions be introduced to retain the centres hierarchy.</p>	<p>The proposed amendments are aimed at rationalising the zoning of existing clusters of shops to reflect existing land uses and protect the stock of small neighbourhood centres in Randwick City. The proposed rezonings would:</p> <ul style="list-style-type: none"> Help meet a short fall in employment floor space, identified in the 2019 Randwick Economic Analysis Report which identifies future demand for retail and commercial floorspace in in Randwick City; Ensure that Randwick City’s residential neighbourhoods continue to have easy access to shops and services; Help protect the heritage values of a number of conservation areas by ensuring the historic continuation of retail/commercial uses in existing shop clusters; Permit a versatility of commercial uses to meet the changing needs of the local community; and Facilitate sustainable transport by encouraging walking or cycling to centres which is pertinent given trends for working from home. <p>In terms of larger format retail including supermarkets, it is considered that the FSR (1:1) and fragmented ownership patterns would make it unlikely that large scale supermarkets would be achievable in the identified clusters. Moreover, given the small neighbourhood catchments in which the clusters are located, it is unlikely that a large-scale supermarket would be feasible. Additionally, it is recommended that a new local provision be included in the final CPP requiring proposals to consider the fine grain scale and character of neighbourhood centres.</p>

2. Government Agencies and Key Stakeholders Submissions

Comments raised in submissions have been summarised. As outlined above, where Government Agencies and Key Stakeholders' submissions have raised other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on housing investigation areas are responded to in the housing investigation areas report).

2.1. Environment Protection Agency

Key comment / issue	Response
With regard to the proposed exempt development provisions for extended trading hours for low impact businesses, these proposed amendments may result in adverse noise impacts on sensitive receivers where development is proposed in proximity to residences. There is a greater risk of this occurring given the proposal's focus on increased infill development. The EPA suggests that the Council be guided by the <i>Noise Guide for Local Government</i> (EPA, 2013) to ensure that these potential impacts are considered in the strategic planning stage.	The proposed exempt development provisions for extended trading hours are limited to low impact businesses only and these premises must comply with existing noise, parking. Loading and waste conditions. Uses that have the potential to create amenity and noise impacts on adjoining properties such as food and drinks premise, gyms and licensed premises are not permitted to utilise the exempt development provisions for extended trading hours.

2.2. Randwick Racecourse Trust / Australian Turf Club

Key comment / issue	Response
Recommendation that exempt development provisions relating to small scale cultural activities and extended trading hours for low impact uses be extended to allow these provisions to apply to the RE1 zoned land without requiring a development consent.	Proposed exempt development provisions relating to small scale cultural activities are limited to the B1 Neighbourhood and B2 Local Centre zones (or equivalent zones under the employment zone reforms). As noted in the submission, the Royal Randwick Racecourse site is zoned RE1 Public recreation. However it is proposed that these provisions be omitted from the final CPP due to a recent amendment to the Exempt and Complying Development Codes SEPP (Clause 15Ab) which allows small scale entertainment to occur in non residential zones as an ancillary part of the business, provided the conditions of the development consent are met. On this basis, the provisions of the SEPP would prevail and small scale entertainment is permitted on the Racecourse as Exempt Development under Clause 15AB of the SEPP. These provisions seek to primarily support the business zones by attracting a variety of users to neighbourhood and local centres, support and provide flexibility to local businesses and enhance the community's access to the arts, culture and film sectors while utilising existing business premises. While

Key comment / issue	Response
	it is acknowledged that the RRR site does have business and entertainment activities present on the site, the primary objective of the public recreation zone is to enable use for public recreation purposes. As such, the exempt development provisions should remain confined to the B1 and B2 zones.

2.3. Bayside Council

Key comment / issue	Response
Concern that the proposed exempt development trading hours provision will result in unacceptable noise, traffic, parking and lighting impacts on low-scale residential dwellings within the Bayside LGA that adjoin existing and proposed business zones in the Randwick LGA. Clarification on the number of days businesses would be allowed to be operating, what is considered low impact business and unlicensed business, and how trading hours would be regulated? Further recommendation from Bayside that exempt development trading hours are limited to local town centres as opposed to neighbourhood centres.	The proposed extended trading hours apply to low impact businesses such as shops and pharmacies, 7 days a week, and would not apply to businesses that have the potential to create noise such as licensed premises, gyms and food and drink premises. Premises would be required to meet conditions of consent relating to noise and must not cause an 'offensive noise' as defined in the <i>Protection of the Environment Operations Act 1997</i> . The proposed provisions would help diversify the night time economy by encouraging a variety of people to frequent neighbourhood and town centres in the evening including shift workers, which would also help improve the perception of safety after dark. It is considered that the provisions would be appropriate to both neighbourhood centres and town centres as the type of businesses these provisions apply to are unlikely to have a negative impact on the local area such as excessive noise or anti-social behaviour.
Concern over the provision to allow art galleries and studios with development consent in residential zones as this would not align with the objectives of the residential zone and would potentially impact the amenity of residents within the Bayside LGA. Recommends these uses be limited to residential-zoned areas within proximity to identified local centres.	Clause 6.13 of the RLEP 2012 already permits a variety of businesses in residential zones in purpose built buildings including business premises, restaurants, cafes and shops. The CPP proposes to amend Clause 6.13 to include "information and education facility" (which covers galleries, studios and the like) to permit these uses with development consent. It is important to note that Clause 6.13(b) specifically requires that the consent authority be satisfied that proposals must not affect residential amenity of the surrounding locality. Any proposals for a gallery and the like would therefore be required to meet the requirements of the clause including residential amenity considerations. This is considered to be a balanced approach by encouraging low impact creative space with development consent in residential areas.

2.4. UNSW

Key comment / issue	Response
Supportive of the rezoning of the Randwick Hospitals Campus to align with recently approved State Significant Development Applications for the UNSW Health Translation Hub and Integrated Acute Services Building under construction. This alignment recognises UNSW role in supporting and partnering with other organisations in the Randwick Health and Education Precinct (and Randwick Collaboration Area) and will deliver benefits to the community in terms of improved health outcomes as well as employment opportunities.	Support noted

2.5. Health Infrastructure / South Eastern Sydney Local Health District

Key comment / issue	Response
Support for economic development measures including criteria excluding licensed premises from the Trading Hours for Low Impact Uses exempt development provisions. Support for the rezoning of existing neighbourhood shop clusters to business zones to that will serve the needs of the surrounding area as the creation of city 'villages' has the potential to enhance the overall physical and mental health benefits to individuals and the community. Support for the rezoning of the Randwick Hospitals Campus expansion area as means of supporting significant investment in health, research and education facilities.	Support noted



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Director City Planning Report No. CP50/22

Subject: Randwick Comprehensive LEP Planning Proposal - Employment Zone Translation

CP50/22

Executive Summary

- This report provides an overview of key issues raised by submissions in relation to proposed employment zone translation options under the Comprehensive Planning Proposal (CPP). The proposed employment zone options are in response to the State Government's employment zone reforms which entail an overhaul of the existing Standard LEP Instrument employment zoning framework, including substantially reducing the number of existing employment zones, expanding permissible uses, and updating a number of land use terms to reflect emerging industries.
- The CPP has been prepared to update the *Randwick Local Environmental Plan 2012* (RLEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities), Eastern City District Plan and the Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council endorse the following employment zones which were exhibited as options for Randwick City's business centres and industrial zoned precinct:
 - All B1 Neighbourhood Centres: translated to the E1 Local Centre zone;
 - B2 Local Centres – Coogee and Matraville town centres: translated to the E1 Local Centre zone;
 - B2 Local Centres – Randwick Junction, Kensington, Kingsford and Maroubra Junction town centres: translated to the E2 Commercial Centre zone; and
 - The IN2 Light Industrial zone: translated to the E4 General Industrial zone.
- In addition, this report recommends that Council endorse the following local provisions for inclusion in the CPP:
 - A new local provision requiring consideration of existing character and retention of the fine grain village character of development located within neighbourhood centres; and
 - A new local provision to prohibit the granting of development consent for the purpose of freight transport facilities on land within the E4 General Industrial zone.
- Council's resolution on this report will be reflected in the post exhibition Randwick CPP to be forwarded to the Department of Planning and Environment, with the request that the amendments be made to *Randwick Local Environmental Plan 2012*.



Recommendation

That Council:

- a) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to employment zones as set out below:
 - i. Translate all B1 Neighbourhood Zoned Centres to the E1 Local Centre Zone;

- ii. Translate Coogee and Matraville Town Centres (currently zoned B2 Local Centre) to the E1 Local Centre Zone;
 - iii. Translate Randwick Junction, Kensington, Kingsford and Maroubra Junction Town Centres (currently zoned B2 Local Centre) to the E2 Commercial Centre Zone;
 - iv. Translate the IN2 Light Industrial Zone to the E4 General Industrial Zone;
 - v. Include a new local provision requiring any new development in the E1 Local Centre Zone to consider existing character and retention of the fine grain village character of development located within neighbourhood centres;
 - vi. Include a local provision to prohibit the granting of development consent for the purpose of freight transport facilities on land within the E4 General Industrial zone.
- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the that part of the Planning Proposal relating to employment zone reforms and associated documents prior to submitting to the Department of Planning and Environment; and
- c) Forward that part of the Planning Proposal relating to employment zone reforms to the Department of Planning and Environment and request that the amendments be made to Randwick Local Environmental Plan 2012.

Attachment/s:

1.  Attachment M: Table of Community and Stakeholder Submissions and Responses - Employment Zone Reforms
2.  Attachment L: Employment Zone Translation Paper

Purpose

This report outlines the outcomes of the community engagement feedback for the employment zone component of the Randwick Comprehensive Planning Proposal (CPP) undertaken for a 6 week period between 31 May and 12 July 2022.

This report seeks Council's endorsement on the recommendations outlined by planning officers in line with the considerations and assessments set out within **Attachment 1** Table of Community and Stakeholder Submissions and Responses. The report also seeks the endorsement of the proposed employment zone translations for existing business and industrial zones, as per the assessment set out within **Attachment 2** Employment Zones Translation Paper.

A separate report has been included in the current Council Agenda (Extraordinary Meeting of 30 August 2022) summarising the consultation process and activities undertaken and matters raised in submissions received during the public exhibition period of the Randwick CPP.

Discussion

Background and Context

In November 2020 the State Government announced a review of the Standard LEP Instrument employment zone framework. The reforms are intended on supporting productivity and jobs growth, by simplifying the number of employment zones within the Standard LEP Instrument, providing greater clarity about their application, as well as more flexibility around permissible land uses.

The review is timely given the Standard LEP Instrument has been in effect for 15 years, and the nature and operation of business in NSW has seen considerable changes, some of which has been exacerbated over the course of the Covid 19 pandemic. These include the growth of online retailers, increased reliance on freight and logistics services, flexible working from home arrangements, greater use of local shops and services, and multi-use businesses.

Key aspects of the reforms include:

- Reducing the number of existing employment zones available under the Standard LEP template from 12 to 5 zones;
- Expanding land use permissibility within the proposed new employment zones; and
- Introducing new and updated land use definitions to reflect up to date and emerging business trends.

Summary of exhibited changes

The exhibited draft CPP did not include employment zone translations. Rather, a number of options for the rezoning of existing business and industrial zones were put forward for consideration and review. Translation zone options that were exhibited are outlined in the table below.

Business/Industrial Centre	Randwick LEP 2012 zone	Exhibited Zone Option
All existing Neighbourhood Centres and those proposed under the Randwick Comprehensive Planning Proposal	B1 Neighbourhood Centre. Includes Maroubra Beach, Frenchmans Road, The Spot. Refer to Attachment L(1) of the Comprehensive Planning Proposal for a full list of existing B1 Neighbourhood Centres.	E1 Local Centre

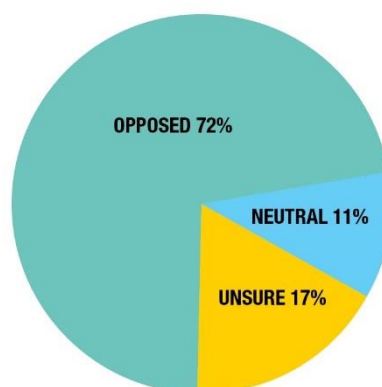
Business/Industrial Centre	Randwick LEP 2012 zone	Exhibited Zone Option
Matraville town centre	B2 Local Centre	E1 Local Centre or MU1 Mixed Use
Coogee town centre	B2 Local Centre	E1 Local Centre or MU1 Mixed Use
Maroubra Junction town centre	B2 Local Centre	E1 Local Centre, MU1 Mixed Use or E2 Commercial Centre
Randwick Junction town centre	B2 Local Centre	E1 Local Centre, MU1 Mixed Use or E2 Commercial Centre
Kensington town centre	B2 Local Centre	MU1 Mixed Use or E2 Commercial Centre
Kingsford town centre	B2 Local Centre	MU1 Mixed Use or E2 Commercial Centre
Matraville industrial land	IN2 Light Industrial	E4 General Industrial

A full background to the employment zone process and recommendations for employment zones under the post exhibition CPP is contained in **Attachment 2 (Employment Zone Translation Paper)**. Further details of exhibited zone options, implications for Randwick and recommendations for zone translations are provided in the Business Zones and Industrial Zones sections of this report.

Overview of submissions

Comments relating to the exhibited employment zone translation options were raised a total of 18 times in the submissions received from the community. The following table and graph provide a summary of the community submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position or were unclear.

Employment zone reform submissions	Response
Supportive/supportive with changes	0% (0)
Opposed	72% (13)
Neutral	11% (2)
Unsure	17% (3)
TOTAL	100% (18)



Comments in relation to the economic development provisions were also received from the following stakeholders.

- Environmental Protection Authority
- Ports NSW
- Coogee Precinct
- Matraville Precinct.

This report discusses the issues raised as a result of exhibited zone translation options separately under the headings Business Zones and Industrial Zones.

Business Zones

Existing Business Zones (Business Centres)

Business centres under the RLEP 2012 currently fall within one of two Standard LEP Instrument zones namely the B1 Neighbourhood Centre zone and B2 Local Centre zone. The B1 Neighbourhood centre zone applies to smaller neighbourhood centres that are located within local residential neighbourhoods. These centres provide an important role in servicing the day to day needs of residents in walkable catchments. There are currently 30 B1 Neighbourhood centres located across the Randwick City LGA. In addition to these, the comprehensive planning proposal proposes to rezone 20 existing clusters of shops from residential to B1 Neighbourhood Centre zone to reflect existing land use and character. Figure 1 below shows the location of all business zones and the Matraville industrial zone.

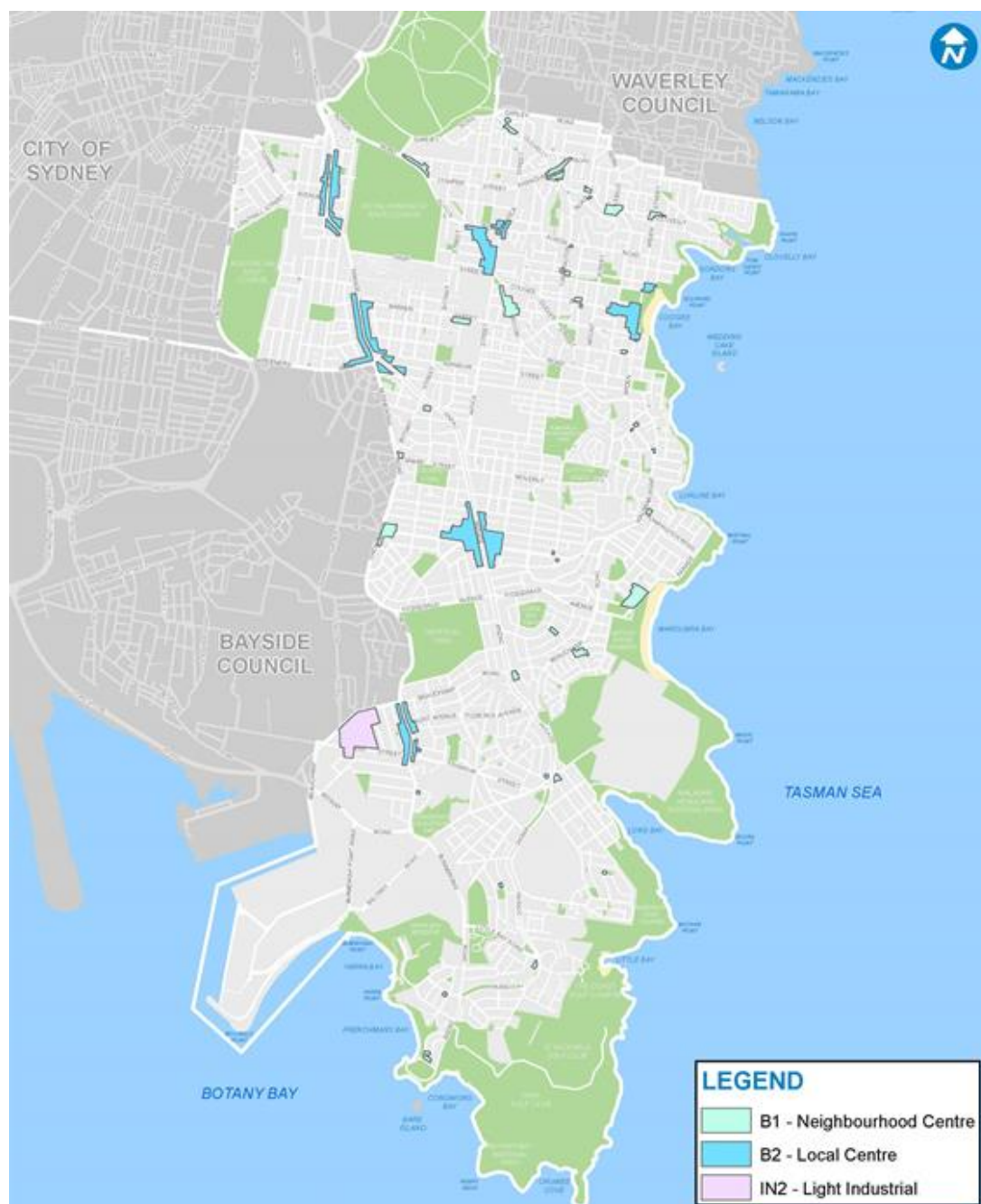


Figure 1. Location of existing B1 Neighbourhood Centres, B2 Local Centres and IN2 Light Industrial zoned land in Randwick City. Please note: Additional neighbourhood centres are also currently proposed under the Randwick Comprehensive Planning Proposal.

The B2 Local Centre zone applies to larger town centres that provide a wider range of retail, business, entertainment, and community uses that serve the needs of people who live, work, and visit the local area. B2 Local centres serve a wider catchment than neighbourhood centres, have a larger mix of uses and employment options, and generally have access to frequent public transport services. Centres that are zoned B2 Local Centre under the RLEP 2012 include the town centres of Kensington, Kingsford, Coogee, Matraville, Randwick Junction and Maroubra Junction.

Proposed Employment Zone Options

Under the employment zone reforms, 5 new employment zones have been introduced in the Standard LEP Template to replace the existing 12 business zones. The new framework comprises the following five employment zones:

- **E1 Local Centre:** replaces the B1 Neighbourhood Centre zone and some B2 Local Centres;
- **E2 Commercial Centre:** Replaces the commercial core zone and some B2 Local Centres. Nb: There is no commercial core zoned business centre under the RLEP 2012;
- **E3 Productivity Support:** Replaces B5 Business Development and B6 Enterprise Corridor B7 Business Park. Nb: There is no commercial core zoned business centre under the RLEP 2012;
- **E4 General Industrial:** Replaces the IN1 General Industrial and IN2 Light Industrial zones; and
- **E5 Heavy Industrial:** Replaces IN3 Heavy Industrial zone and potentially some IN1 General Industrial zones.

The Local Centre and Commercial Centre zones are applicable to existing business zones; the General Industrial and Heavy Industrial are the key industrial zones; and Productivity Support provides a transition between the centres, industrial and other zones.

To accommodate land uses in existing B or IN zones that are not primarily productivity related, three further zones have also been introduced under the reforms:

- **MU1 Mixed Use:** Replaces B4 Mixed Use, some B2 Local Centres. Nb There are currently no mixed use zoned areas under the RLEP 2012;
- **W4 Working Waterfront:** Replaces IN4 Working Waterfront Zone. Nb There are currently no waterfront zoned areas under the RLEP 2012; and
- **SP4 Enterprise:** Application for limited existing developed or partially developed areas where development does not meet the strategic intent and/or objectives of any of the new zones (e.g. parts of the B8 Metropolitan Centre in the City of Sydney LGA or large planned commercial office parks)

Each zone has mandatory objectives and permitted and prohibited land uses prescribed by the Government. Council is able to supplement these with additional objectives to suit the local context, and can specify additional land uses which are permitted and prohibited within a certain zone.

It is important to note that although the employment zones are changing, the built form of development would continue to be determined by development standards such as height and FSR under the amended LEP, as well as setbacks, building separation and landscaped area provisions under the Randwick Development Control Plan 2013 (DCP 2013). In other words, the change in zoning terminology would have no impact upon the height and scale of development within our centres.

The Government has undertaken a translation approach to existing centres across NSW and has pre-determined the employment zones for the majority of councils generally focusing on the best

fit with recommendations exhibited over May/June 2022. Given the progress on the draft Randwick CPP, Council was permitted to determine the employment zones for Randwick City, within the new framework.

The following three zone options were selected for the public feedback to replace the B1 Neighbourhood Centre and B2 Local Centre zones:

Zone	Summary Description/ Strategic Intent	Replaces	Comment
E1 Local Centre	<p>To provide centres of all sizes and scales that offer:</p> <ul style="list-style-type: none"> a diversity of retail, business, office, community, accommodation and entertainment uses to the community a focus for active vibrant communities to come together employment opportunities in accessible locations where available, a focus for public transport. 	B1 Neighbourhood Centre and some B2 Local Centre zones	The B1 zone is the only available zone to replace the existing B1 Neighbourhood Centre zones and would be suitable to cover some B2 Local centres.
E2 Commercial Centre	<ul style="list-style-type: none"> Provides for large-scale commercial, retail, business and compatible associated uses like community uses, recreational and health care services. Emphasises a centre's business and employment focus. Supports council community facilities to create a central community hub (e.g. with main libraries, community and cultural facilities and council offices). Supports an area's night-time economy. Avoids mandating residential uses although higher density residential may be appropriate in some areas so long as the primary 	Replaces the commercial core zone and some B2 Local Centres.	The B2 Commercial Centre zone would be appropriate for some larger centres in Randwick City that provide a substantial amount of commercial floor space, a mix of businesses, community hubs, a thriving night time economy and which are well serviced with public transport nodes. The E2 Commercial Centre zone would help maintain a centre hierarchy in Randwick City.

Zone	Summary Description/ Strategic Intent	Replaces	Comment
	employment focus is preserved.		
MU1 Mixed Use	<ul style="list-style-type: none"> Supports a mix of residential, retail, light industry and tourist accommodation. Supports genuine mixed use development rather than one dominant use. Promotes and encourages activities at ground floor and on street fronts. 	Replaces B4 Mixed Use, and some B2 Local Centres.	There is potential to apply the MU1 zone to centres or areas that transition between centres and residential neighbourhoods where a genuine mix of uses may be sought.

The following table summarises the employment zone options for each specific centre that were exhibited as part of the CPP. A discussion on the IN2 Industrial lands translation options and key issues raised by submitters in relation to industrial lands is provided in the second half of this report.

Existing Centre	Current RLEP 2012 Zone	Proposed Zone Options
All neighbourhood centres	B1 Neighbourhood Centre zone	E1 Local Centre
Kensington and Kingsford Town Centres	B2 Local Centre	<ul style="list-style-type: none"> MU1 Mixed Use zone E2 Commercial Centre zone
Randwick Junction	B2 Local Centre	<ul style="list-style-type: none"> MU1 Mixed Use zone E1 Local Centre E2 Commercial Centre zone
Maroubra Junction	B2 Local Centre	<ul style="list-style-type: none"> MU1 Mixed Use zone E1 Local Centre E2 Commercial Centre zone
Matraville	B2 Local Centre	<ul style="list-style-type: none"> MU1 Mixed Use zone E1 Local Centre
Coogee	B2 Local Centre	<ul style="list-style-type: none"> MU1 Mixed Use zone E1 Local Centre

Overview of Business Zone submissions

Key issues and comments raised in submissions from the community and stakeholders in response to the proposed business zone translation are summarised below. Detailed responses are provided in **Attachment 1**.

- One submission was received from AMP (on behalf of Royal Randwick Shopping Centre) expressing support for the rezoning of Randwick Junction to a E1 Local Centre zone. The submission requested that there be no loss to existing permissible land uses in the zone translation and that all existing permissible land uses be carried across to the new zone. The submission further requests that 'intensive plant agriculture' be included as a permissible use in the zone to facilitate urban farming in underutilized areas of the shopping centre (such as the roof top carpark) for urban farming.

Response – the draft Randwick CPP documentation identified three zoning options for Randwick Junction, being E1 Local Centre, E2 Commercial centre and the MU1 Mixed use centre zone. Of these, it is considered that the character, mix of uses and strategic intent of Randwick Junction town centre lends itself to an E2 Commercial Centre zoning for the following reasons:

- Randwick Junction is situated within the Randwick Strategic Centre/Collaboration Area and is in close walkable proximity to the Hospitals Campus and UNSW. The Randwick Strategic Centre/Randwick Collaboration Area will generate future demand for more floor space for retail/commercial/medical uses part of which would need to be accommodated in nearby centres including Randwick Junction;
- Randwick Junction has excellent access to frequent public transport including the Sydney CBD to South Light Rail network which terminates on High Street as well as a number of bus services; and
- An E2 Commercial Centre zoning would reinforce a centres hierarchy in Randwick City, with neighbourhood centres and smaller town centres zoned E1 Local Centre and larger town centres within strategic centres zoned E2 Commercial Centre.

It is important to note that the proposed translation from B2 Local Centre zone to E2 Commercial Centre zone would not result in a down zoning nor loss of existing permissible uses. All existing B2 Local Centre permissible uses together with the Standard Instrument mandatory uses and current development standards would be transferred across to the E2 Commercial Centre zone. A separate planning proposal will address future development standards and provisions pertaining to Randwick Junction.

In terms of 'intensive plant agriculture' as a permissible use, it is not considered that this would be an appropriate land use for business zones as it is inconsistent with the land use objectives and has the potential for land use conflicts (e.g. dust generation, noise from harvesting activities, chemical usage and spray drift and pest control methods). Intensive plant agriculture is more suited to a rural agricultural setting where potential land use conflicts are capable of being managed appropriately.

- The **Coogee Precinct** raised opposition to the merging of the B1 Neighbourhood Centre zone and the B2 Local Centre zone into a new stand alone E1 Local Centre zone. Concerns are raised that the zone translation would undermine residential amenity.

Response – The suite of zones proposed under the economic reforms are now formally included in the Standard LEP Instrument and cannot be changed. The E1 Local Centre zone covers both neighbourhood centres and some local centres. It is recommended that the E1 Local Centre zone be applied to Coogee as it is not considered to be a large scale centre.

It is important to note that even though the B1 Neighbourhood Centre zone and B2 Local Centre zone would be merging into the E1 Local Centre zone, the character and scale and intensity of development would be limited by the zone objectives and development standards (e.g. height and FSR). It is considered that the height and FSR for Coogee town centre is appropriate and therefore proposed to be transferred to the amended LEP with no change.

In addition, it is recommended that a new local provision be included in the amended LEP requiring proposals within the E1 Local Centre zone consider existing character and retention of the fine grain character of development. Furthermore, amenity impacts such as noise, parking and privacy would be assessed under the development assessment

process where relevant DCP provisions addressing these matters would be taken into account.

Mixed Use Zone Issues

The new MU1 Mixed Use zone is intended for centres or areas where there is a genuine mix of land uses including light industry, rather a dominant use. Examples of areas that are proposed to be zoned MU1 Mixed Use zone include Green Square/Waterloo, Redfern and Woolloomooloo in the City of Sydney, and Crows Nest in North Sydney.

Although many of Randwick City's centres have evolved from traditional retail centres to mixed use centres (with retail/commercial on the ground and residential above), it is not recommended to utilise the MUI Zone at this point in time for the following reasons:

- The outcomes of a mixed-use centre are readily achievable under the E1 Local Centre and E2 Commercial Centre zones through the objectives and proposed land use mix;
- The E1 Local Centre and E2 Commercial Centre zones give priority to business uses while allowing a range of other uses. Applying these employment zones would ensure the continued importance and priority of businesses and reflect the strategic intent of our centres as a focus of employment and productivity;
- The Randwick CPP is not seeking to introduce major changes in respect to business zonings and permitted uses in our commercial centres – it seeks primarily to transfer existing planning provisions, where these are already operating suitably, into the new employment zone framework. Any significant changes to centres (including zoning which departs from the strategic intent of the centre) would be identified during detailed town centre planning/design reviews; and
- There is potential to investigate the suitability of the MU1 Mixed Use zone for residential areas surrounding town centres which provide an important economic role in supporting the economic function of town and strategic centres. This would align with the Randwick Housing Strategy (Priority 3) where a key action is to review the zoning and planning controls to ensure a suitable transition/buffer area around town and strategic centres. It is noted that this further study would require a comprehensive analysis of the suitability of the MU1 Mixed Use zone in the context of the range of uses that would be permitted with development consent, including light industry (covering creative industries, high tech and artisan food and drink premises), local distribution centres, seniors housing, and vehicle repair services.

Land Use Permissibility Issues

E1 Local Centre Zone - Land Use Permissibility Issues

The new E1 Local Centre zone would result in a number of new additional land uses being permitted in neighbourhood centres, subject to development consent from Council. These new uses are either mandated uses under the new E1 Local Centre zone, or, are a result of the merging of the B1 Neighbourhood Centre and B2 Local Centre zones into the new E1 Local Centre zone, thus carrying across permissible uses under the B2 Local Centre zone across to neighbourhood centres. The most notable of these are:

Amusement centres (result of merging of the B1 and B2 zones)

Currently not permitted in the B1 Neighbourhood Centre zone, amusement centres are permitted under the new E1 Local Centre zone as a mandated use. The RDCP 2013 (Section D9) contains a number of provisions to guide the location, design and activities of amusement centres, to minimise adverse amenity impacts on the site and immediate locality. These include acoustic provisions, requirements for Management Plans to address patron behaviour and noise, and trial periods on trading hours to monitor the ongoing management of a premises and its impact on amenity and public safety. Permitting amusement centres (with development consent) in existing neighbourhood centres is unlikely to be a significant issue for Randwick City given their decline

due to changing technology, reduced consumer demand and growth of home gaming. Moreover, any proposal for an amusement centre would be subject to the DA process where the aforementioned DCP provisions on amenity and sound management would apply.

Commercial Premises (result of merging of the B1 and B2 zones)

'Commercial premises' is an umbrella term covering retail premises, office premises and business premises, and is permitted with development consent in the B2 Local Centre zone. Although commercial premises as a group term is not permissible in the B1 Neighbourhood Centre zone, the subset land uses of office and business premises are permitted with development consent, whereas retail premises are prohibited.

The merging of the B1 Neighbourhood Centre zone and the B2 Local centre zone into the E1 Local Centre zone would result in 'commercial premises' being permissible in existing neighbourhood centres. Although this would align with existing permissibility with regards to office premises and business premises, it would also result in retail premises being permissible in existing neighbourhood centres (where it is currently prohibited).

Retail premises is a broad term encapsulating a range of uses including food and drink premises, cellar door premises, landscaping material supplies, plant nurseries, roadside stalls, rural supplies, specialised retail premises, and timber yards. Many of these additional uses are large format premises that would require greater floor plates. Notwithstanding this, it is unlikely that larger format retail would be achievable in the neighbourhood centres, which are generally finer grain with small lot sizes, fragmented ownership patterns and FSR constraints (i.e.: the majority of neighbourhood centres have an FSR of 1:1 which is unlikely to accommodate large format retail).

Furthermore, to ensure that the fine grain character of neighbourhood centres continues to be maintained, it is proposed to include a new local provision in the CPP requiring new development to retain the fine grain character and development pattern of smaller centres which would apply for any proposals in neighbourhood centres.

Local distribution premises (mandated use)

'Local distribution centres' generally covers premises such as parcel lockers and 'click and collect' facilities which have become prevalent since the pandemic and the rise of online shopping. Local distribution centres are currently not permitted in the B1 Neighbourhood Centre and B2 Local Centres as they fall under the definition of 'warehouse and distribution centre' which is a prohibited use in these zones.

Under the reforms, 'local distribution centres' have been uncoupled from the group term of 'warehouse and distribution centre' and are permissible as a mandatory use with development consent in the E1 Local Centre zone. This means that local distribution centres will be permissible in existing neighbourhood centres and local centres under the Comprehensive Planning Proposal.

Local distribution centres are unlikely to be a significant issue for Randwick City's business centres given the fine grain scale of existing neighbourhood centres and the general requirement for greater floor space to accommodate this type of use which would be limited by the LEP FSR provisions.

Restricted Premises (result of merging of B1 Neighbourhood and B2 Local centre zones)

Restricted premises refer to business premises or retail premises, which, due to their nature, restrict access to patrons over the age of 18 and includes sex shops but does not include sex services premises (i.e. brothels) and the like. Restricted premises are currently permissible within consent in the B2 Local Centre zone, however prohibited in the B1 Neighbourhood centre zone.

The merging of the B1 Neighbourhood Centre zone and the B2 Local Centre Zone into the E1 Local Centre zone would result in restricted premises being permissible (with development consent) in existing neighbourhood centres. Restricted premises are unlikely to be problematic due to the largely online nature of this use and would be subject to strict merit assessment under the DA process.

Section D14 of the DCP 2013 contains a raft of provisions to ensure that both sex services premises and restricted premises are well located, designed and managed to avoid adverse impacts on the surrounding area. These include requirements for separate entries, the location of such premises above the ground floor, privacy and noise provisions and restrictions on the display of material on windows, doors and public areas.

The RLEP 2012 includes a model provision on sex services premises which does not apply to restricted premises. The provisions cover proximity to sensitive land uses and anti-clustering. As Model LEP provisions generally cannot be amended, it is recommended that the DCP provisions be further strengthened for restricted premises to address proximity to sensitive land uses and anti-clustering and this be further investigated as part of the DCP comprehensive review.

Tourist and Visitor Accommodation (result of merging of B1 Neighbourhood Centre and B2 Local Centre zones)

Tourist accommodation is broad term encompassing backpackers' accommodation, bed and breakfast accommodation, farm stay, hotel or motel accommodation and serviced apartments. Tourist accommodation is permitted with consent in the B2 Local Centre zone. Although tourist accommodation is prohibited in the B1 Neighbourhood Centre zone, the subset land uses of 'hotel and motel accommodation' and 'bed and breakfast' are permissible with development consent.

The merging of the B1 Neighbourhood Centre and B2 Local Centre into the E1 Local Centre zone would result in a range of tourist accommodation types being permissible with development consent in neighbourhood centres including 'backpackers' accommodation', 'serviced apartments' and 'farm stay accommodation'. The following matters are considered with respect to permissibility of tourist accommodation in the new E1 Local Centre zone:

Backpackers Accommodation

Backpackers' accommodation provides short term accommodation on temporary basis generally with shared facilities such as communal bathrooms, living areas, kitchen and/or laundry. They are often located in areas that are highly frequented by tourists such as coastal areas, night life precincts and/or where there are a high level of services, facilities and amenity. Randwick City currently has 3 approved backpackers accommodation premises located in Coogee, and Clovelly.

Backpackers accommodation if designed and managed well, can provide an important source of short term accommodation to meet tourism and visitor needs. Conversely, if not managed appropriately, backpackers accommodation can potentially have adverse amenity impacts such as anti-social behaviour and noise. As such, section D10 of the DCP contains a number of provisions to ensure that backpacker's accommodation is appropriately located, provides high quality accommodation for occupants and is suitably managed to minimise any adverse amenity impacts on the locality in which they are situated. Provisions focus on design requirements for the premises, management plan requirements and minimum acoustic and privacy requirements.

The inclusion of backpackers' accommodation as a permissible use with consent within existing neighbourhood centres is unlikely to be problematic for the following reasons:

- The market for backpackers' accommodation is in decline with the rise of Airbnb and other short term accommodation options. This is reflected by anecdotal evidence from Council's Compliance and Regulatory Department which notes a substantial reduction in complaints about existing backpacker accommodation premises;
- Backpackers' accommodation is a type of short term accommodation premises which is subject to a three-fold regulatory framework threshold including:
 - Requirements for hosts/operators to be subject to a formal Mandatory Code of Conduct administered by the NSW Fair Trading;
 - Mandatory registration of premises being used for short term accommodation; and
 - Mandatory minimum fire safety standards.
- Randwick City's planning framework contains a raft of provisions to ensure that applications for backpackers' accommodation are rigorously assessed under a merit-

based process. Any proposal for a backpacker's premises would thus be subject to the LEP and DCP backpacker requirements including design, management and amenity.

Serviced Apartments

Serviced apartments refer to a building or part of a building providing self contained accommodation for tourists or visitors on a commercial basis that is regularly serviced by the owner or building manager. They are currently permitted with development consent in the B2 Local Centre zone and R3 Medium Density Residential zone, however prohibited in the B1 Neighbourhood Centre zone. The new E1 Local Centre zone would result in serviced apartments being permissible in neighbourhood centres with development consent.

Development applications for serviced apartments would be subject to relevant LEP and DCP provisions covering built form, amenity and management requirements and would be subject to the aforementioned State Government mandatory regulatory framework.

Farm stay Accommodation

Farm stay accommodation refers to a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production. These types of uses occur in rural settings and as such are not relevant to the context of Randwick City.

E2 Commercial Centre Zone - Land Use Permissibility Issues

The translation of the B2 Local Centre zone to the E2 Commercial Centre zone would result in a number of land uses being permissible with development consent that are currently not addressed within the current planning framework. These are discussed as follows:

- *Local distribution centre*: as noted earlier, 'local distribution centres' are a new stand alone land use that is mandated in the E1 Local Centre and E2 Commercial Centre zone.
- *Artisan food and drink premises*: these premises refer to a building or a place where the principal purpose is the making or manufacture of boutique, artisan or craft food or drink products. The premises must also include retail, a restaurant or café or facilities for holding tastings, tours or workshops. Artisan food and drink premises is a mandatory use in the E2 Commercial Centre zone (with development consent) and is considered to suitably align with the desired future character of the strategic centres as vibrant, commercially focused precincts that support innovation and creativity with a diverse mix of uses and activity and a thriving night-time economy. Any applications for an artisan food and drink premises would be subject to a merit based assessment process where potential amenity impacts would be assessed.
- *Mortuaries*: The E2 Commercial Centre zone mandates 'mortuary' as a permissible use with development consent, however it is prohibited in the B2 Local Centre zone. A mortuary refers to premises that are used for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation. They are defined separately to a 'funeral home' which comprise premises which arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons. Mortuaries are generally associated with hospitals or forensic units and therefore are unlikely to be constructed as a stand alone use in the town centres.

Recommended Employment Zones for Business Zones

It recommended that Council endorse the zone translation respect to the zoning of neighbourhood centres and town centres in Randwick City as per the table below.

It is also recommended that Council endorse a local provision requiring proposals within the E1 Local Centre zone consider existing character and retention of the fine grain character of development.

An example of this is as follows:

6. X Centres hierarchy

(1) *The objectives of this clause are to –*

(a) *Reinforce the hierarchy of business centres to retain the character and function of those areas; and*

(b) *Ensure development in local business centres is of a scale that responds to its surrounding context and character.*

(2) *This clause applies to land within the E1 Local Centre zone shown on the Land Zoning Map.*

(3) *Development in the E1 Local Centre zone should provide for a range of retail, business, entertainment and community uses of a small scale that achieves the desired fine grain village character of the centre.*

Existing Centre	Proposed Zone	Justification
All neighbourhood centres	E1 Local Centre zone	<p>There are no alternative zone options available to cover neighbourhood centres.</p> <p>It is proposed to introduce a new local provision in the LEP requiring the consideration of the fine grain character and development pattern of neighbourhood centres in the development process.</p>
Coogee town centre	E1 Local Centre zone	<ul style="list-style-type: none"> Vibrant seaside village with a hospitality and retail focus. Coogee is not envisaged to accommodate an intensity of residential floor space; Clear fine grain village character and supports a centre that is smaller than the E2 Commercial Centre in the centres' hierarchy; Provides a range of retail, business, entertainment and community uses that serve the needs of people who live, work or visit the local area; and Although it is serviced by frequent bus services, Coogee does not have a significant public transport node that would support a larger catchment.
Matraville town centre	E1 Local Centre zone	<ul style="list-style-type: none"> Evolving centre that services the local catchment; Although it is serviced by frequent bus services, Matraville does not have a significant public transport node that would support a larger catchment; Fine grain village character with range of retail, medical, business, entertainment that serve the needs of people who live, work or visit the local area; Pending a future study where the zoning of the centre would be examined holistically in conjunction with land

Existing Centre	Proposed Zone	Justification
		use mix, densities, transport planning and public realm works, an E1 Local Centre zoning would be appropriate.
Maroubra Junction	E2 Commercial Centre	<ul style="list-style-type: none"> Located in the Maroubra East Gardens strategic centre. A holistic study is under pending in 2023 where the strategic intent, mix of uses, densities, public transport and urban design matters will be considered; Significant amount of commercial floor space; Good access to frequent public transport services; Strong local population serving role offering retail, health and community services.
Kensington and Kingsford town centres (K2K)	E2 Commercial Centre zone	<ul style="list-style-type: none"> Located in the Randwick Health and Education Strategic Centre where health, education and commercial floor space needs are to be accommodated in part in K2K; New planning controls have been recently implemented to protect the employment focus of these centre including active street frontages provisions on the ground floor of most sites, and the application of a non-residential FSR for strategic node sites; Well serviced by public transport including the Sydney to South East light rail and terminus which is a major public transport node for the City and provides direct links to key institutions and the Sydney CBD; Strong synergies with key institutions such as the University, TAFE and Hospitals Campus, and as such play a key role in supporting an emerging innovation district centred on these anchor institutions; Earmarked to provide community hubs and innovation space at strategic node sites through gross floor area bonuses, to help stimulate economic activity and the creation of jobs through clustering of start-ups, business incubators and accelerators in a physically compact, accessible urban environment; and Identified as key precincts in which to sustain and enhance the night time economy, catering to the student and key worker population through later trading hours and planning controls which support the establishment of a diverse range of low impact businesses and cultural activities which occur at night.
Randwick Junction town centre	E2 Commercial Centre zone	<ul style="list-style-type: none"> Located within the Randwick Strategic Centre, in walkable proximity to the cluster of University/Hospital services and facilities. Largely serviced by the Sydney CBD to South Light Rail network which terminates on High Street as well as a number of bus services; Future growth of the centre, particularly the increase in commercial floor space would need to be sensitively managed to ensure that the heritage significance of sites

Existing Centre	Proposed Zone	Justification
		<p>within the centre and the broader conservation area is respected and not be adversely affected;</p> <ul style="list-style-type: none"> Currently subject to a separate planning process which includes a recently prepared planning strategy identifying potential modest height increases on nominated sites, setbacks (for envelope controls), active street frontages, new heritage items, public domain improvements, car parking rates, affordable housing levy and infrastructure contributions.

Industrial Zone

Existing Context

In Randwick City, only a small area of land located adjacent to Port Botany is zoned industrial (IN2 light industrial) under the RLEP 2012. Port Botany itself is unzoned under the RLEP 2012 as development is controlled and managed under the provisions of the SEPP (Transport and Infrastructure) 2021 previously referred to as the Three Ports SEPP 2013. Land within the Port Botany industrial area comprises large lots accommodating logistics, freight, container storage and other port related activities.

The IN2 light industrial zoned area in Matraville currently provides a buffer between the Three Ports land to the west and residential lands to the east, however, portions of residential land in Matraville are located directly adjacent to Three Ports zoned land. Existing uses within the Matraville IN2 Light Industrial zone comprise general and light industrial uses and ancillary uses including car repair, transport, logistics, offices and warehouses.

Industrial Zone Options

Under the Employment Zone Reforms, the following industrial zones have been introduced:

Existing Centre	Strategic Intent	Comments
E4 General Industrial Zone	<ul style="list-style-type: none"> To provide suitable land and floor space for a range of industrial activities 	Generally replaces IN1 General Industrial and IN2 Light Industrial zones.
E5 Heavy Industrial	<ul style="list-style-type: none"> To provide suitable areas for industries that need to be separated from other land uses To minimise the impact of heavy industry on other land uses 	Replaces IN3 Heavy Industrial zone and potentially some IN1 General Industrial zones

Translation of IN2 Light Industrial to E4 General Industrial

As noted above, all IN2 Light Industrial zoned land and IN1 General Industrial land is to be merged into a stand alone E4 General Industrial zone. In the context of Randwick City, given the availability of only 2 industrial zones being E4 General Industry and E5 Heavy Industry, the only suitable translation option for the Matraville IN2 Light Industrial zone is the E4 General Industry zone.

The translation of the RLEP 2012 IN2 Light Industrial zone into the proposed new E4 General Industrial zone would reduce the hierarchy of industrial zoned lands as it removes the 'light industrial' zone, although light industrial uses would continue to be permitted with consent in the E4 General Industrial zone.

The following table summarises the employment zone option for the IN2 land that was exhibited as part of the CPP.

Zone	Summary Description/ Strategic Intent	Replaces
E4 General Industrial Zone	<ul style="list-style-type: none"> Primarily accommodates light and general industrial uses and warehousing uses. Allows for infrastructure and utilities. Limits general retailing to meet workers' daily needs or to sell products manufactured on site. Does not support residential uses. 	Generally replaces IN1 General Industrial and IN2 Light Industrial zones.

E4 General Industrial Zone - Land Use Permissibility Issues

The merging of the existing General and Light Industrial zones into one E4 General Industrial zone would introduce the following uses that are currently not permitted under the IN2 Light Industrial zone:

- General industry:* This refers to a building or place used to carry out an industrial activity however specifically excludes heavy industry (i.e. hazardous or offensive uses). It is noted that 'general industry' is a broad term and amenity impacts upon adjoining residential areas would need to be carefully managed through the development assessment process.
- Freight transport facilities:* This provides for facilities that deal with the bulk handling of goods, loading and unloading of goods, as well as parking, servicing, repair of transport vehicles themselves.

Council objects to freight transport facilities being a mandated use within the General Industrial zone. Council's preference is to remove this land use from the proposed the E4 zone pertaining to the Randwick Council area. Discussions with the Department of Planning and Environment have indicated that this approach would not be supported as changes to the mandated uses within the Standard Instrument are not permitted by Parliamentary Counsel. As an alternative, the Department advised that a local provision could be pursued. In response, to address this issue, Council will reiterate its strong objection in the CPP to the mandated use of freight transport facility within the General Industrial zone. It is intended that a suitable local provision be introduced that prohibits development consent from being granted for freight transport facilities on land within the E4 General Industrial zone.

An example of a local provision is as follows:

6.XX Prohibition on development for the purposes of freight transport facilities in the E4 General Industrial zone

(1) *The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between freight transport facilities and residential land uses.*

(2) *Despite any other clause in this plan, development consent must not be granted for development for the purpose of a freight transport facility on land within the E4 General Industrial zone.*

The above approach mirrors that within the State Environmental Planning Policy (Transport and Infrastructure) 2021. The SEPP, (previously the Three Port SEPP), includes a clause that prohibits development for the purpose of container depots in certain land within the General Industrial zone that are adjacent to residential areas of Matraville.

Overview of Industrial Zone Submissions

Key issues and comments raised in submissions from the community and stakeholders in response to the proposed industrial zone translation are summarised below. Detailed responses are provided in **Attachment 1**. A number of the submissions were received from Bayside residents who live along the northern side of Beauchamp Road in Hillsdale. All of these submissions opposed the proposal to translate the IN2 Light Industrial Zone to the E4 General Industrial zone, with concerns that the proposed zoning change would increase noise, pollution, traffic and rubbish generation.

- Opposition to freight transport facilities - freight transport facilities which will add noise; the area is already affected by night noise of loud trucks driving on adjacent roads and forklifts. With higher density housing in the area (Bayside) more residents will be impacted by the noise pollution from this additional activity.

Response – The new E4 General Industry zone includes the addition of two new mandated uses that are currently not permitted under the IN2 Light Industrial zone under the RLEP 2012, being freight transport facilities and general industries. These development types generally require heavy vehicles for their operations and subsequently may have a greater impact on surrounding sensitive residential areas. To address this issue, a local provision is proposed to prohibit development consent from being granted for freight transport facilities on land within the E4 General Industrial zone. This will extend to residential areas located in both the Randwick and Bayside Council areas.

In relation to the definition of general industries (which specifically excludes heavy industry), the definition references “the carrying out of an industrial activity”. It covers a broad range of industrial and manufacturing processes that would be determined following consideration of the nature of a proposed activity. Therefore it is considered that a merit assessment of potential amenity impacts would be managed via conditions of consent.

*“**industrial activity** means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity”.*

- Opposition to change from light industrial to general industrial – impact of this proposal on residential areas adjacent to current Light Industrial zones, increased traffic with trucks and possible polluting industries.

Response – Council acknowledges that the introduction of freight transport facilities as a permissible use in the Matraville industrial area may potentially increase the number of heavy and articulated trucks accessing premises within the industrial zone. Currently, Perry Street has a 3.5 tonnage limit which prevents heavy vehicles from accessing the road. Council imposed this restriction on heavy vehicles as a means to minimise the intrusion of large trucks on local roads and encourage heavy vehicles to use state and regional roads. The existing heavy vehicle restriction, in conjunction with the proposed local provision prohibiting development consent from being granted for freight transport facilities within the E4 General Industrial zone will alleviate this issue.

- General industry will support the establishment of an incinerator in Matraville – this change to the LEP does not support the communities opposition to heavy industry and will impact residents living in the area.

Response – the proposed general industrial zone specifically excludes heavy industry (i.e. hazardous or offensive uses). These land uses would only be permissible under a E5

Heavy Industrial zone and separated from other land uses. Therefore an incinerator facility would not be permissible under the proposed E4 General Industrial zoning given it is a hazardous use and adequately covered under the E5 Heavy Industrial zone.

- **Bayside Council** requested that Council consider and address the submissions received from Hillsdale residents in regard to the translation of the Matraville light industrial zone to E4 General Industrial.

Response – All submissions received from Hillsdale residents have been addressed above or within Attachment 1 to this report.

- The **Matraville Precinct** raised opposition to proposed zoning change on the basis that it would attract more freight forwarding companies, trucks, noise, pollution, and businesses operating outside hours on residential streets.

Response – The suite of zones proposed under the economic reforms are now formally included in the Standard LEP legislative instrument and cannot be changed. The proposed E4 General Industrial zone is the most suitable zone option for the IN2 zoned land. To address the issue of traffic, noise and pollution, a local provision is proposed to prohibit development consent from being granted for freight transport facilities within the E4 General Industrial zone.

- A submission was received from **NSW Ports** supporting the retention of the Matraville Industrial Estate and the rezoning of the land to E4 General Industrial, noting that the zone translation does not result in any uses that are currently permissible in the Light Industrial zone being lost as a result of the rezoning.

Response – Support noted. In line with the State Government Industrial Lands Retain and Manage Policy, Council is supportive of the protection of existing light industrial businesses within the Matraville Industrial Area, subject to the appropriate management of amenity impacts on adjoining properties.

- The **Environmental Protection Authority** recommended that the translation from IN2 Light Industrial to E4 General Industrial be informed by a consideration of whether transitioning zoning from light to general industrial uses in this area may result in activities in this zone requiring an Environment Protection License (EPL) from the EPA; or may also increase the chance of land use conflict between intensive industrial uses and nearby sensitive receivers. For example, any transition of land uses should consider potential air quality, odour and noise impacts on adjacent residential uses, in particular where an EPL might be required.
- **Response** – Noted, however as outlined above, in the context of Randwick City, given the availability of only two industrial zones being E4 General Industry and E5 Heavy Industry, the only suitable translation option for the Matraville IN2 Light Industrial zone is the E4 General Industry zone.

Environmental Protection Licences issued by the EPA under the *Protection of the Environment Operations Act 1997* (POEO Act) are required for 'scheduled activities' listed in Schedule 1 of the POEO Act. These activities include industrial, agricultural, transport, extractive or waste related activities that may impact upon the environment. Most activities in Schedule 1 of the POEO Act specify a threshold above which a licence is needed. The requirement for a EPL will be assessed at the development application stage.

Regarding the potential for land use conflicts between industrial land and nearby sensitive receivers, the final draft Planning Proposal includes a local provision to manage the potential impacts of Freight transport facilities on nearby residential uses.

Recommended Industrial Employment Zones

It recommended that Council endorse the following zone translation respect to the zoning of industrial land in Randwick City:

- translation of the IN2 Light Industrial Zone to E4 General Industry.

It is also recommended that Council endorse a local provision that prohibits development consent from being granted for freight transport facilities on land within the E4 General Industrial zone.

An example of a local provision is as follows:

6.XX Prohibition on development for the purposes of freight transport facilities in the E4 General Industrial zone

(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between freight transport facilities and residential land uses.

(2) Despite any other clause in this plan, development consent must not be granted for development for the purpose of a freight transport facility on land within the E4 General Industrial zone.

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Economic Development
Outcome	A city with diverse, active places for businesses, including vibrant town and neighbourhood centres
Objective	Ensure 86% or more of our community are satisfied* with the vitality of town centres by 2032
Delivery program commitment	Undertake a strategic review of industrial land by 2026 to ensure current levels are effectively managed and retained.

Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2021/22 budget and allocations. The review, data collection and analysis of submissions received was completed in-house by Strategic Planning officers.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- NSW Employment Zone Reforms 2022

Conclusion

This report has considered the submissions on the new employment zones received by Council in relation to the CPP and the proposed changes to the *Randwick Local Environmental Plan 2012*.

The report addresses the submissions Council has received that were exhibited with the draft CPP during the public consultation period from 31 May to 12 July 2022. As part of the exhibition of

the draft CPP, several key issues were raised by the community and stakeholders in response to the proposed amendments.

This report recommends that Council endorse the following in relation to the final CPP:

- Translate all B1 Neighbourhood Centre zoned centres to the E1 Local Centre zone;
- Translate B2 Local Centre zoned centres (Coogee and Matraville town centres) to the E1 Local Centre zone;
- Translate B2 Local Centre zoned centres (Kensington, Kingsford, Randwick Junction and Maroubra Junction town centres) to the E2 Commercial Centre zone;
- Translate the IN2 Light Industrial zone to the E4 General Industry zone;
- Include a new local provision for proposals to consider the fine grain village character and development pattern of neighbourhood centres; and
- Include a new local provision prohibiting freight transport facilities within the E4 General Industrial zone.

Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick LEP 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.

Responsible officer: Stella Agagiotis, Manager Strategic Planning; Natasha Ridler, Coordinator Strategic Planning

File Reference: F2021/00188

Director City Planning Report No. CP51/22

Subject: Randwick Comprehensive LEP Planning Proposal - Remainder of Draft LEP Changes (open space and recreation, environmental resilience and housekeeping amendments)

CP51/22

Executive Summary

- This report outlines the remainder of the Comprehensive Planning Proposal (CPP) changes to the Randwick Local Environmental Plan 2012 (RLEP 2012) under consideration by Council, being the open space and recreation changes, environmental resilience changes and the housekeeping amendments.
- The CPP has been prepared to update the RLEP 2012 in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).
- Whilst the CPP was exhibited as one document, it contains various proposals for amendments to Randwick Local Environmental Plan 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.
- This report recommends that Council retain its previous endorsement of the open space and recreation changes, environmental resilience changes and the housekeeping amendments while also endorsing additional amendments suggested by the Environment, Energy and Science Group at the Department of Planning and Environment, Greater Sydney Parklands and Council Planning Officers.
- Council's resolution on this report will be reflected in the post exhibition Randwick Comprehensive Planning Proposal to be forwarded to the Department of Planning and Environment, with the request that the amendments be made *to Randwick Local Environmental Plan 2012*.

Recommendation

That Council:

Open Space and Recreation

- Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following open space and recreation:

Aims of the Plan

- To include a reference to connectivity of open space in the overarching Aims of the Randwick LEP.

RE1 Public Recreation

- Include a new zone objective which addresses open space connections.

Meeks Street Plaza, Kingsford

- Rezone from B2 Local Centre to RE1 Public Recreation.

17R Pine Avenue, Little Bay

- iv) Rezone from R1 General Residential to RE1 Public Recreation.

Newmarket Playground (5R Young Street, Randwick)

- v) Rezone from R1 General Residential to RE1 Public Recreation and specify no maximum FSR, no maximum height and no minimum lot size consistent with all RE1 Public Recreation zoned land.

Environmental Resilience

- a) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following environmental resilience amendments:

Aims of the Plan

- i) To include a reference to resilience in the overarching Aims of the Randwick LEP.

E2 Environmental Conservation Zone

- ii) Amend the objectives of zone to make reference to 'nationally significant' and/or high ecological, scientific, cultural or aesthetic values.

Clause 6.4 Stormwater management

- iii) To amend the clause objectives to include the protection and improvement of water quality within waterways and receiving waters including coastal beaches and Botany Bay.
- iv) To amend subclause (3) to ensure that the consent authority is to be satisfied that the development is designed to incorporate water sensitive urban design if practicable.

Clause 6.11 Design excellence

- v) To amend subclause (4) to include urban heat island mitigation and onsite or near site (to allow for Greenpower purchases to achieve carbon neutrality) renewable energy sources as a matter for consideration for design excellence.

Clause 6.12 Development requiring the preparation of a development control plan

- vi) To amend subclause (4)(m) to include the urban heat island effect as an environmental constraint.
- vii) To amend subclause (4)(n) to include consideration of dual reticulation systems for potable and non-potable use when preparing a site specific development control plan.
- viii) To include a new subclause (4)(o) which includes capacity and connection to existing areas of open space as a matter for consideration.

Clause 6.5 Terrestrial biodiversity

- ix) To update the Terrestrial Biodiversity Maps to reflect the Department of Planning, Industry and Environment mapping layer (January 2021).


Housekeeping Amendments

- a) Endorse the part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following minor LEP and housekeeping amendments:

- i) Correct '*Randwick Environmental Heritage Conservation Area*' by renaming to '*Randwick Environment Park Heritage Conservation Area*'.
- ii) Correct the '*Henry Fort Complex*' item by renaming to '*Henry Head Fortification Complex*'.
- iii) Correct the following addresses for heritage listed items on the former Prince Henry Hospital Site.
 - Item I177 'Former Coast Hospital Water Tower' amended from 5R Coast Hospital Road, Little Bay to 1 Coast Hospital Road, Little Bay.
 - Item I179 'The Dam' amended from 5R Coast Hospital Rd, Little Bay to 1 Coast Hospital Road, Little Bay.
 - Item I180 'Former Male Lazaret Site' amended from 5R Coast Hospital Rd, Little Bay to 1 Coast Hospital Road, Little Bay.
 - Item I181 'Former Coast Hospital Services Area Retaining Walls' amended from 5R Coast Hospital Road, Little Bay to 1 Coast Hospital Road, Little Bay.
- iv) Add the Tramway Turnstile Building Complex – Royal Randwick Racecourse to Schedule 5 of the RLEP.
- v) Delete Item I18 16 Douglas Street, Clovelly from Schedule 5 in the RLEP:
- vi) Amend the following heritage item descriptions and Heritage Conservation Area map boundaries to rectify existing discrepancies:
 - Kamay Botany Bay National Park Heritage Conservation Area to align with the State Heritage Register Map.
 - Figtree Heritage Conservation Area to remove the Contemporary Campus Living Development.
 - Curtilage of the existing I310 Randwick Barracks Heritage Site to include the courtyard spaces and motor garages.
 - Existing Heritage Item I466 Newmarket House to fully cover Lot 38 DP 1264010.
 - Existing Heritage Item I292 Newmarket Sale Ring so that it does not overlap the boundary of Lot 34.
 - Existing Heritage Item I17 No.379-401 Clovelly Road, Clovelly to exclude 3 Donnellan Circuit (Lot 100 SP 84741).
- vii) Correct the following mapping anomalies relating to zonings on the Newmarket site (162-166 Barker Street, Randwick):
 - Lots 1 and 2 DP 159697 and SP 101097 to be amended so that these lots are completely within the B1 Neighbourhood Centre Zone.
- viii) In Schedule 1 Additional permitted uses 1. Use of land at 58-64 Carr Street, Coogee (2), amend the clause to read:
 - Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP.
- ix) Remove the reference to the maximum area of temporary structures from the Special events and temporary use of land (including erection of associated temporary structures such as stalls, shade structures, marquees, stages, etc) provision within Schedule 2 Exempt development of the Randwick Local Environmental Plan 2013.
- x) Rename the Botany Bay National Park Heritage Conservation Area to the Kamay Botany Bay National Park Heritage Conservation Area as suggested by the Environment, Energy and Science Group at the Department of Planning and Environment.
- xi) Amend Clause 4.1AA Minimum subdivision lot size for community title schemes to:
 - Amend the minimum lot size in subclause (3A) to 275 square metres.
- xii) Amend Clause 4.1A Minimum subdivision lot size for strata plan schemes in Zone R2:
 - Amend subclause (4) to clarify the meaning of a lot
 - Amend the minimum lot size in subclause (4) to 275 square metres.

- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to in that part of the Planning Proposal relating to environment, open space and recreation and housekeeping matters and associated documents prior to submitting to the Department of Planning and Environment.
- c) Forward that part of the Planning Proposal relating to the environment, open space and recreation and housekeeping amendments to the Department of Planning and Environment and requesting that the amendments be made to Randwick Local Environmental Plan 2012.

Attachment/s:

1.  Table of Community and Stakeholder Submissions - Open Space and Recreation, Environmental Resilience and Housekeeping

Purpose

This report outlines the outcomes of the community engagement process for the open space and recreation, environmental resilience and housekeeping components of the Comprehensive Planning Proposal (CPP) and the associated changes to the Randwick Local Environmental Plan (RLEP) 2012.

This report seeks Council's endorsement on the recommendations outlined by planning officers in line with the considerations and assessments set out within this document and **Attachment 1**.

A separate report has been included in the current Council Agenda (Extraordinary Meeting of 30 August 2022) summarising the consultation process/activities undertaken and matters raised in submissions received during public exhibition period of the Comprehensive LEP.

Discussion

Background

The CPP has been prepared to update the RLEP 2012 in accordance with the policy approach of the State Government's Standard Instrument Local Environmental Plan, which encourages councils to undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and LSPS.

The CPP implements the findings and recommendations of studies and strategies undertaken by Council over recent years including the Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy and Informing Strategies. Rezoning requests received since the commencement of the Randwick RLEP 2012 are also considered in the Planning Proposal.

At the Extra Ordinary meeting of Council held on 1 June 2021, Councillors endorsed draft Comprehensive Planning Proposal for submission to the Department of Planning seeking a Gateway Determination to enable its public exhibition. The Planning Proposal was considered as five separate reports covering various aspects of the Planning Proposal. A Gateway Determination was issued by the Department on 12 September 2021 with conditions.

On 26 October 2021, Council resolved to endorse a Council Officer submission seeking a review of certain conditions on the Gateway Determination.

At the Ordinary Council meeting held on 22 March 2022, Council considered a report that advised of the outcome and implications of the Gateway Review and Alteration that was submitted to the DPE on 7 November 2021. At this meeting Councillors noted the outcome of the Gateway Review that required amendments to the Planning Proposal prior to public exhibition and resolved that *"the amended Planning Proposal be presented at the Ordinary Council Meeting in April for consideration prior to public exhibition."*

On 26 April 2022, the draft Planning Proposal was considered by Councillors in accordance with the above resolution. At this meeting Councillors resolved to make changes to the Planning Proposal in relation to the Economic Development section; use of land at 58-64 Carr Street Coogee and to amend the minimum lot size for dual occupancy to 650m².

An Extra Ordinary Council meeting was held on 3 May 2022 to deal with a recission motion to the resolution of 26 April 2022, received from a number of Councillors. At this meeting the following resolution was endorsed by Councillors:

RESOLUTION: (Said/Neilson) that Council:

- a) endorse the exhibition of the Comprehensive Planning Proposal and associated document;

- b) *authorise the Director of City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Comprehensive Planning Proposal and associated documents prior to public exhibition;*
- c) *that the public exhibition/consultation communications are explicit in outlining Council's objection to the Gateway conditions imposed, the overall housing target imposed on the Randwick LGA which this planning seeks to achieve, and that Randwick City Council is under direction by the NSW Government to prepare an updated LEP document. That the consultation also ask residents as to the suitability of encouraging additional dual occupancy development considering impacts on-street parking impacts, frontages, greenery, and the appropriateness of specified locations concerning transportation for such a style development.*

Volume 1 Objectives and Intended Outcomes 1.2.4 Economic Development (p8) Third bullet - add the words "in Business zones where appropriate" so it reads: "Standardise and extend trading hours for shops and low impact business premises in Business zones where appropriate."

Volume 2 A. Planning Proposal Timeline Attachment B. LEP Clause and Schedule Changes Schedule 1 Additional permitted uses

1. Use of land at 58-64 Carr Street, Coogee (2) add "in conjunction with the site specific DCP." So this item to read "Development for the purpose of restaurants or cafes is permitted with development consent in conjunction with the site specific DCP."

The specific amendments outlined in the above resolution were actioned by Council officers in the draft Planning Proposal and exhibited material.

On the 31 May 2022, the CPP was placed public exhibition for 6 weeks until the 12 July 2022 as part of an extensive and well publicised community engagement process.

Review and analysis of submissions seeking rezoning requests was undertaken in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis of Three Cities, Eastern City District Plan, Randwick Local Strategic Planning Statement and Randwick Housing Strategy.

Open Space and Recreation

Background and context

Randwick City Council recognises the importance of open space and recreation areas within the local government areas (LGA) and understands that growth in Randwick City's population, as well as across the District, will add pressure to existing open space and recreational assets, as well as increase the demand for additional provision and access. To respond to this, Council completed an Open Space and Recreation Strategy in 2021 which provides a vision on how Council will deliver the variety of open space and recreational facilities for its community - setting objectives, strategic approach and the intended outcomes. As part of the 'open space and recreation' changes in the CPP, Council aims to add an objective to the RE1 Public Recreation zone, update the aims of the RLEP 2012 and rezone three pieces of land to public recreation. Implementing these changes will address some outcomes of Council's Open Space and Recreation Needs Study and improve Randwick's open space.

Summary of exhibited changes

The publicly exhibited CPP amendments for open space and recreation are comprised of two parts, being a strengthening of the objectives of the RE1 Public Recreation zone and the rezoning of three sites to open space (RE1 Public Recreation) to formalise existing areas of open space into Council's public open space network.

An amendment to the objectives of the RE1 Public Recreation zone is proposed to include an additional objective to address public access and connections to public open space as follows:

- *To facilitate and manage public access within and between areas of open space including the coastline, waterways, nature reserves, parks and plazas.*

This change was identified as a consideration in the Randwick Open Space and Recreation Needs Study and Strategy.

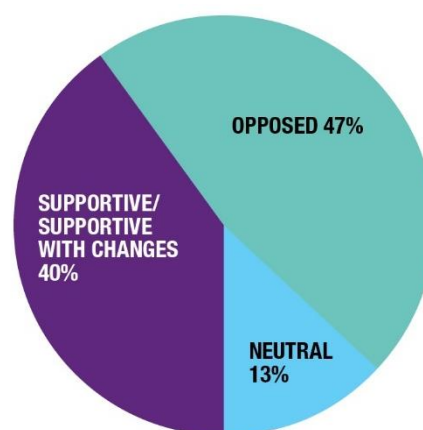
Three sites were also proposed to be rezoned as follows:

- Meeks Street Plaza, Kingsford (road closure of Anzac Parade)
 - Rezone from B2 Local Centre to RE1 Public Recreation
- Pine Avenue Park (17R Pine Avenue), Little Bay (Lot 41 DP 270427)
 - Rezone from R1 General Residential to RE1 Public Recreation
- The Newmarket Playground (5R Young Street, Randwick, Lot 34 DP 1262464)
 - Rezone from R1 General Residential to RE1 Public Recreation
 - Remove maximum FSR, maximum building height and minimum lot size standards, consistent with RE1 zoned land.

Overview of submissions

Comments relating to the proposed open space and recreation amendments were raised a total of 15 times in the submissions received from the community. The following table and graph provides a summary of the submissions received according to those in support; those not in support; those which were neutral; and those submissions which did not clearly indicate a position.

Open space and recreation submissions	Response
Supportive/supportive with changes	40% (6)
Opposed	47% (7)
Neutral	13% (2)
Unsure	0% (0)
TOTAL	100% (15)



* None of the 'opposed' submissions from community members were against the proposed open space and recreation changes, they were opposed as they believed the changes do not go far enough.

Comments in relation to open space and recreation were also received from the following stakeholders:

- Greater Sydney Parklands (on behalf of Centennial Park and Moore Park Trust).

Key comments and responses

Key community and stakeholder comments raised in response to the proposed open space and recreation amendments are summarised below and a response is provided. A list of all these key comments and their associated responses are provided in **Attachment 1**.

- Further provision of open space – submissions were received from community members who raised the importance of increasing the provision of open space in line with the increase in housing densities.

Response – Controls are currently in place to ensure both private and public open space is provided in line with increases in residential densities. The Randwick Development Control Plan 2013 and Apartment Design Guide contain controls covering the provision of private and communal open space to ensure residents recreation needs are supported. Additionally, the Randwick Section 7.12 (former s.94A) Contributions Plan levies charges on new developments which are used, among other things, to fund the provision of public open space and ensure infrastructure keeps pace with development. In recent years, improvements identified under the section 7.12 Plan have included the planning and construction of coastal walkways, the creation of synthetic playing fields, playground upgrades and general park upgrades. Additionally, money in the plan is specifically put aside for various projects to upgrade Heffron Park, the largest recreational park in Randwick City including a rectangular sports field and car park, landscaping and an upgrade of the bushland adjacent to Jersey Road.

- Trees should be protected and planted – Concern was raised over how the increased development associated with the Planning Proposal would interact with existing trees and whether Council would be taking steps to protect existing trees and plant new ones.

Response - Council places a high priority on the preservation of trees located on both public and private land. In accordance with Council's Environment Strategy Strategic Approach 1.5 the Randwick DCP will be reviewed to strengthen requirements for new and replacement tree planting and native vegetation in new developments. Further, Strategic approach 2.1 seeks to monitor and increase the number of trees so as to achieve the target of 40% tree canopy cover across the LGA by 2040. A development application or tree removal permit is required for the removal of any tree that does not meet the exempt requirements. New developments are generally required to retain any existing mature trees by incorporating them into the holistic design of the site. Where retention isn't possible, replacement tree planting is required. To ensure Randwick meets its priority of increasing urban tree canopy cover, Council is implementing a range of initiatives including allowing residents to request new trees for their area and a 'Plant with Us' campaign focused on the planting of trees and groundcover. Council has also received NSW *Greening our City* Grants to plant over 6,000 extra trees in Randwick and to review and update Council's Street Tree Masterplan.

- Current lack of open space – Residents raised the issue that there is currently a lack of open space within parts of Randwick.

Response – Currently 86% of homes within the Randwick LGA are within 400m (approximately a five-minute walk), of open space. In areas where residents are not within this close proximity to open space, Randwick is committed to expanding its open space network and improving the quality of spaces as detailed in the Randwick Open Space and Recreation Strategy 2021. The first objective of the strategy is that "every home in Randwick City will have open space of 1000m² within 800m by 2031." To achieve this objective, Council has been investigating expanding and creating public open spaces.

- Reduction in open space – Some community members were concerned the planning proposal would reduce already-existing public open space.

Response – the Comprehensive Planning Proposal does not propose to reduce the available areas of public open space other than changing the zoning of the land at 1903R Botany Road to private recreation which will still be accessible by the public.

- Open space upgrades – Concern was raised over the status of some already-existing open spaces in Randwick, and it was suggested that they be upgraded to ensure they remain fit for purpose.

Response – Council is committed to expanding and upgrading its open spaces. In Council's Section 7.12 (former 94A) Contributions Plan, \$13,800,000 out of the \$31,200,000 expected revenue from development contributions is allocated to be spent on "Places for People, Parks, Beaches and Sportsgrounds" which includes the expansion and upgrade of existing open spaces. In specific terms, the Randwick City Open Space

and Recreation Strategy 2021 outlines numerous planned upgrades to open spaces from optimising sports field layouts to improving accessibility to beaches, reserves and ocean pools.

- Connections to open space in the Local Environmental Plan – the **Greater Sydney Parklands** suggested an amendment to clause 1.2 of the RLEP 2012 to assist with embedding connections to open space within the aims of the plan as follows: (a) *to foster a liveable city that is accessible, safe and healthy with quality public spaces, **connections to open space** and attractive neighbourhoods and centres...*

Response – The suggested amendment to the aims of the RLEP 2012 is supported by Council Planning Officers. The amendment will assist in strengthening connections to open space and build on the proposed amendments already included in the draft Planning Proposal under clause 6.12.

Recommendation

It is recommended that Council endorse the exhibited proposed open space and recreation amendments to address some of the outcomes of Council's Open Space and Recreation Needs Study and improve Randwick's open space. Additionally, it is recommended that Council endorse the suggested amendment by Greater Sydney Parklands to include connections to open space in the aims of the RLEP 2012 as it will assist in strengthening connections to open space and build on the proposed amendments already included in the draft Planning Proposal.

Environmental Resilience

Background and context

The environmental resilience section of the CPP seeks to amend the RLEP 2012 to establish a new resilience-based approach to land use planning in Randwick. To do this, it introduces new provisions relating to flood planning, heat island mitigation, water conservation and biodiversity protection. This process implements relevant sustainability actions from the LSPS and the Randwick Environment Strategy which outline the key outcomes that will contribute to a sustainable and resilient Randwick.

Summary of exhibited changes

The publicly exhibited Comprehensive Planning Proposal amendments for environmental resilience comprised of the following:

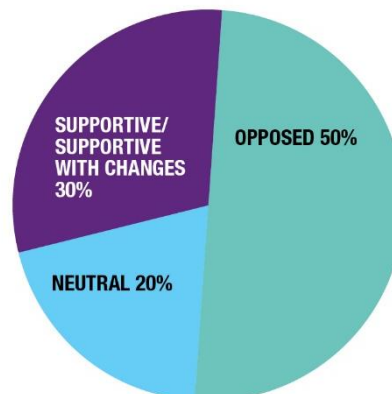
- Include a reference to resilience in the overarching Aims of the Randwick LEP.
- Amend the objectives of the E2 Environmental Conservation Zone to make reference to 'nationally significant' and/or high ecological, scientific, cultural or aesthetic values.
- Amend clause 6.4 Stormwater management to include the protection and improvement of water quality within waterways and receiving waters and require the consent authority is satisfied that development incorporates water sensitive urban design if practicable.
- Amend clause 6.11 Design excellence to include urban heat island mitigation and onsite or near site renewable energy sources.
- Amend clause 6.12 Development requiring the preparation of a development control plan to ensure new large developments consider the urban heat island effect as an environmental constraint, include consideration of dual reticulation systems for potable and non-potable use and includes capacity and connection to existing areas of open space as a matter for consideration.

- Amend clause 6.5 Terrestrial biodiversity to update the Terrestrial Biodiversity Maps to reflect the Department of Planning, Industry and Environment mapping layer (January 2021).

Overview of Submissions

Over the consultation period, eight submissions on the environmental resilience changes were received by Council.

Environmental resilience submissions	Response
Supportive/supportive with changes	30% (3)
Opposed	50% (5)
Neutral	20% (2)
Unsure	0% (0)
TOTAL	100% (10)



* The 'opposed' submissions from community members raised concerns that the proposed amendments do not go far enough.

Comments in relation to open space and recreation were also received from the following stakeholders:

- Environment, Energy and Science (EES) Group of the Department of Planning and Environment
- Environmental Protection Authority
- Bayside Council
- Health Infrastructure / South Eastern Sydney Local Health District.

Key comments and responses

Key issues raised in response to the proposed environmental resilience amendments are summarised below and a response is provided. While there is general support for resilience provisions proposed within the Planning Proposal, comments were made that the measures do not go far enough. A list of all these key comments and their associated responses are provided in **Attachment 1**.

- Higher BASIX Targets** – A number of requests were received from residents requesting incentives to be provided to support the implementation of higher BASIX standards and thermal performance requirements such as Passive House.

Response – The NSW State Government Building Sustainability Index (BASIX) is the overarching NSW Policy for sustainable buildings. Councils cannot set development controls for residential development in their LGAs that exceeds the requirements of the BASIX SEPP. Notwithstanding, Council is reviewing the Randwick Development Control Plan to identify areas where sustainability incentives and measures can be incorporated that are not already covered by BASIX, including key sites within commercial business zones. At the Council meeting held 26 July 2022 Council resolved to:

- Strengthen and enhance sustainability development controls to include provisions to raise the standard in terms of rooftop solar, battery storage and Green Star rating (for all development not covered by BASIX) as part of the forthcoming preparation of the Comprehensive Randwick Development Control Plan; and
- Approach SSROC and ask them whether they would like to put in a joint submission to the NSW Minister for Planning advocating for higher BASIX

standards that include requirements for solar power generation and battery storage for new development.

Council Officers have approached SSROC in relation to a joint submission and are currently working on the draft DCP provisions. Officers will also continue to advocate for and implement increased sustainability requirements.

- Terrestrial Biodiversity layer – Some submissions asked why the terrestrial biodiversity layer mapping did not apply to all areas of Eastern Suburbs Banksias Scrub in the Randwick Council area.

Response – The Terrestrial Biodiversity layer applies to land outside of the C1 National Parks and Nature Reserves zone, which is why areas of Eastern suburbs Banksia Scrub within the Kamay Botany Bay National Park and the Malabar Headland National Parks are not shown in the terrestrial biodiversity mapping layers. The aims of the Terrestrial Biodiversity layer are to protect native fauna and flora, protect the ecological processes necessary for their continued existence, and encourage the conservation and recovery of native fauna and flora and their habitats. The layer applies to residential, open space and environmental conservation zoned land in the LGA. The C1 National Parks and Nature Reserves zone is afforded additional environmental protection under the National Parks and Wildlife Act 1974.

- Enlargement of areas pertaining to the Terrestrial Biodiversity Map – A submission has been received from the **Environment, Energy and Science Group** of the Department of Planning and Environment calling for mapping of vegetation under the terrestrial biodiversity clause to be expanded beyond listed species (under NSW Biodiversity Conservation and Commonwealth EPBC Act) to include adjacent remnant vegetation as steppingstone habitats.

Response – The habitat corridor mapping for Randwick City has been developed under the Southern Sydney Regional Organisation of Councils (SSROC) connected corridor mapping project (steppingstone habitat mapping). This mapping layer acknowledges that habitat connectivity is essential for the long-term conservation of biodiversity in all environments. This mapping was considered for inclusion in the draft Planning Proposal on the Terrestrial Biodiversity Map prior to exhibition. However, it more appropriate that this mapping be considered as part of Council's Development Control Plan which is currently being developed and which is expected to be placed on exhibition in 2023, to allow for flexibility in response to the changing nature of vegetation mapping.

- Loss of mature trees - Loss of mature and healthy trees and shrubs from new development and the impact on local flora and fauna.

Response – Council has a 40% canopy cover target under the Randwick City Environment Strategy and is currently reviewing provisions in the Randwick Development Control Plan 2013 in regard to deep soil provision requirements to ensure adequate tree canopy species can be accommodated on new development sites. Council is currently undertaking a street trees mapping project to assess current tree canopy and to identify opportunities for future canopy tree plantings. Council has also received NSW *Greening our City* Grants to plant over 6,000 extra trees in Randwick and to review and update Council's Street Tree Masterplan.

- Stormwater Management – A submission received from the **Environmental Protection Authority** supported the proposed changes to clause 6.4 Stormwater management and requested that the clause is further amended to require the consent authority to be satisfied that development implements principles contained in the *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions* (EPA, Office of Environment and Heritage, 2017).

Response – LEP amendments are further supported by objectives and controls in the Randwick Development Control Plan 2013. The inclusion of reference to the *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning*

Decisions document into Part B8 Water Management of Council's DCP will be considered as part of the comprehensive review of the Randwick Development Control Plan 2013.

Submissions of support – General submissions of support for environmental resilience measures were received from **Bayside Council** and the **South Eastern Sydney Local Health District**.

Response – Support noted.

Recommendations

In response to submissions, no amendments are proposed to the exhibited documents. However, the submissions have encouraged Council to take further action on resilience which will be achieved through the Randwick Development Control Plan 2013.

Housekeeping amendments

Background and context

Since the introduction of the RLEP 2012, the planning instrument has provided the main legal document for planning in Randwick, controlling how land can be used and developed. Over time however, minor issues, anomalies and errors have been discovered within the instrument and its associated range of maps. These errors, while minor in nature, can and have caused confusion within Council, stakeholders, and property owners. As part of the CPP, these errors were identified and proposed to be solved by the broadly termed 'housekeeping amendments'. Rectifying these errors will provide for a more accurate and easily understood planning instrument in Randwick, thereby reducing the potential for delays and confusion.

Summary of exhibited changes

The 'housekeeping amendments' is the name given to a series of 20 previously exhibited changes to the RLEP 2012 which are considered to be minor in nature and are being made to solve previously identified minor issues, anomalies and errors. The changes can be summarised as follows:

- Introducing a heritage item
- Removing of a heritage item
- Adjusting the boundaries of two heritage conservation areas
- Updating to the descriptions of four heritage items
- Correcting the name of a heritage item and heritage conservation area
- Correcting the addresses of for four heritage items
- Correcting a zoning anomaly
- Including markets in the special events and temporary use of land exempt development controls
- Amending the additional permitted uses of 58–64 Carr Street, Coogee.

Overview of submissions

No community submissions were received in relation to the proposed housekeeping amendments. Comments in relation to open space and recreation were received from the following stakeholders:

- Environment, Energy and Science (EES) Group of the Department of Planning and Environment
- The Australian Turf Club
- Heritage NSW.

Key comments and responses

- Renaming of Botany Bay National Park Heritage Conservation Area – The **Environment, Energy and Science Group** of the Department of Planning and Environment suggested

that Botany Bay National Park Heritage Conservation Area be renamed to Kamay Botany Bay National Park Heritage Conservation Area to reflect the current name of the national park and acknowledge the traditional owners of the park, the Gweagal people.

Response – The proposal to rename the Botany Bay National Park Heritage Conservation Area is noted and supported as it aligns with Planning Priority 5 of the LSPS that seeks to safeguard and celebrate our Indigenous cultural heritage. The Planning Proposal has been updated to include the amendment.

- Housekeeping amendments and the Royal Randwick Racecourse – The **Australian Turf Club** (ATC) did not raise any objection to the heritage listing of the Tramway Turnstile Building Complex, provided this does not place any additional obligations on ATC regarding its ongoing maintenance of this item and that its listing does not hinder any future redevelopment aspirations of the ATC elsewhere on the site. The ATC raised objections to the proposed amendments to exempt development provisions for temporary use of land, stating that the proposed 200m² limitation of temporary structures would impede the operation of various racing related and special events on the RRR site.

Response – The proposed amendments to the LEP exempt provisions that were exhibited included a new reference to *markets* and also placed restriction on the maximum combined area of temporary structures. No changes are proposed to the exhibited changes in relation to the inclusion of 'markets'.

Sub-clause 4 of the 'special events and temporary use of land' section was ambiguous regarding the total combined area of temporary structures permitted. The exhibited changes aimed to clarify the requirements. This clause has now been reviewed following feedback from the Department of Planning advising that State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will override any local exempt development provisions in relation to the area of temporary structures (currently the SEPP specifies a combined area of 300m² however this is being reviewed by the Department). Consequently, it is now proposed to delete sub-clause 4 to avoid inconsistency with the SEPP as shown below:

Special events, *markets* and temporary use of land (including erection of associated temporary structures such as stalls, shade structures, marquees, stages, etc)

- (1) *Must be a community activity, *market*, event or function.*
- (2) *Must take place on a road, or the grounds of a school, place of public worship, hospital or other public land or land that is in a recreation zone or a special purpose zone.*
- (3) *Despite Subclause 2, the use of a market must not take place on the grounds of a school.*
- ~~(4) *Maximum *combined* area of temporary structures 200m².*~~
- (5) *Must provide sufficient sanitary facilities for patrons and staff.*
- (6) *Operator must have made arrangements for the collection, by an authorised trade waste contractor, of waste and recyclable materials that are generated by the event or use.*
- (7) *Each stall and vendor must be registered with the Council before the event starts.*
- (8) *Must have obtained any necessary approval to stage the event.*

Note - The proposed event or temporary use may require approvals under the Local Government Act 1993. Such activities include: closure of public roads,

temporary structures, food stalls, mobile food vendors, activities on community land, certain amusement devices and public entertainment. Consultation with the Council will assist in identifying any requirements before organising the activity. Other legislation relating to matters such as fire safety, other safety standards and noise generated by the event must be complied with.

- (9) *If on Crown land or land under the care and control of the Council, golf courses, Randwick Racecourse or the University of New South Wales on an occasional basis, may be up to 10 days and with a maximum of 5,000 patrons at any one time and consistent with any plan of management that may apply to the land.*
- (10) *If not on land referred to in subclause (8), may be up to 3 days only, between 7.00 am and 10.00 pm, with a maximum of 2,000 patrons at any one time, except with the prior written approval of the Council.*

- Renaming of Botany Bay National Park Heritage Conservation Area – Heritage NSW expressed support for the alignment of the Botany Bay National Park Heritage Conservation Area's boundaries with the State Heritage Register curtilage.

Response – Support noted.

Recommendations

It is recommended that Council:

- Retain endorsement of the previously proposed and exhibited housekeeping amendments
- Endorse the renaming of the Botany Bay National Park Heritage Conservation Area suggested by the Department of Planning and Environment
- Endorse the removal of "Special events and temporary use of land (including erection of associated temporary structures such as stalls, shade structures, marquees, stages, etc)" provisions from Schedule 2 Exempt development of the RLEP 2012.

The recommended changes will provide for a more accurate and easily understood planning instrument.

Post exhibition housekeeping changes

A post exhibition review of existing LEP clauses was undertaken to ensure that provisions and controls are working as intended. This review involved consultation with Council's Development Assessment team, who raised concern with the below clauses.

Clause 4.1AA Minimum subdivision lot size for community title schemes

Clause 4.1AA outlines the minimum lot size for the subdivision of land under a community title scheme in the R2 Low Density zone. Subclause (3) relates the minimum lot size for subdivision to the Lot Size Map. The Lot Size Map generally corresponds to the R2 Low Density zone and specifies a minimum lot size of 400 square metres. Subclause (3A) goes on to specifically require a minimum lot size of 400 square metres for the subdivision of a dual occupancy (attached) and that one dwelling must be situated on each lot resulting from the subdivision.

Changes to the minimum lot size map under the Minimum Lot Size for Subdivision and Dual Occupancy report (Extraordinary Meeting of 30 August 2022) will amend the Minimum Lot Size Map to require a minimum lot size of 275 square metres. To ensure consistency between clauses, the minimum lot size of 400 square metres outlined in subclause (3A) will be amended to 275 square metres.

The recommended amendments to clause 4.1AA are as follows:

4.1AA Minimum subdivision lot size for community title schemes

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.*
- (2) *This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 2021 of land in any of the following zones—*
 - (a) *Zone R2 Low Density Residential, but does not apply to a subdivision by the registration of a strata plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 2021) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (3A) *Despite subclause (3), if the subdivision is of a lot on which there is a dual occupancy (attached) —*
 - (a) *the size of each lot resulting from the subdivision is not to be less than ~~400~~ 275 square metres, and*
 - (b) *1 dwelling must be situated on each lot resulting from the subdivision.*
- (4) *This clause applies despite clause 4.1.*

Clause 4.1A Minimum subdivision lot size for strata plan schemes in Zone R2

Clause 4.1A outlines the minimum lot size for the subdivision of land under a strata title scheme in the R2 Low Density zone. As with clause 4.1AA above, subclause (3) relates the minimum lot size for subdivision to the Lot Size Map, with the Map generally corresponding to the R2 Low Density zone and specify a minimum lot size of 400 square metres. Subclause (4) goes on to specifically require a minimum lot size of 400 square metres for the subdivision of a dual occupancy (attached) and that one dwelling must be situated on each lot resulting from the subdivision.

Clause 4.1A has led to differing interpretations over the definition of a 'lot'. It is Council's interpretation that reference to a lot within the clause is in relation to the minimum lot size for the site created under the subdivision i.e. the size of the land. However differing interpretations have been put forward that suggest the minimum lot size refers to the lot on the strata plan (excluding common property). As strata plan lots can be distributed over multiple storeys, this may result in the subdivision of a dual occupancy with a strata lot of 400 square metres but does not meet the minimum site (land) requirements of 400 square metres. As such, changes to the clause are recommended to clarify the meaning of a lot.

Changes to the minimum lot size map under the Minimum Lot Size for Subdivision and Dual Occupancy report (Extraordinary Meeting of 30 August 2022) will amend the Minimum Lot Size Map to require a minimum lot size of 275 square metres. To ensure consistency between clauses, the minimum lot size of 400 square metres outlined in subclause (4) will be amended to 275 square metres.

The recommended amendments to clause 4.1A are as follows:

4.1A Minimum subdivision lot size for strata plan schemes in R2 zones

- (1) *The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.*

- (2) *This clause applies to land in Zone R2 Low Density Residential.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the Strata Schemes (Freehold Development) Act 1973 or Strata Schemes (Leasehold Development) Act 1986) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*

Note—

Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that strata subdivision of a building in certain circumstances is specified complying development.

- (4) *Despite subclause (3), if the subdivision is of a lot on which there is a dual occupancy (attached)—*
- (a) ~~*the size of each lot resulting from the subdivision is not to be less than 400 square metres; the area of the strata lot, measured at ground level, must be no less than 400 275 square metres and*~~
- (b) *1 dwelling must be situated on each lot resulting from the subdivision.*

Strategic alignment

The relationship with our 2022-26 Delivery Program is as follows:

Delivering the Outcomes of the Community Strategic Plan:	
Strategy	Environment
Outcome	A city with diverse ecosystems that are restored and protected
Objective	Increase by at least 60% the number of native and indigenous plantings across Randwick City by 2030 from a 2018 baseline
Delivery program commitment	Improve preservation of native habitat through the mapping and conducting of various flora or fauna surveys of 10% of Council's managed bushland each year, particularly measuring the density and extent of threatened native flora and fauna species against that of introduced or competing pest plant or animal species (e.g. foxes).
Delivery program commitment	Review Council's Local Environment Plan (LEP) and Development Control Plan (DCP) by strengthening the requirements for new and replacement planting of native and indigenous species for new developments, and also for existing developments when tree and / or native vegetation removal is approved or permissible.
Outcome	A community more knowledgeable, proactive and responsive to climate change impacts
Objective	Achieve a 60% reduction in greenhouse gas emissions (CO2-equivalent) across Randwick City by 2030 from a 2018 baseline, while acknowledging the significance and importance of aspiring to a 100% greenhouse gas emissions reduction target for the same timeframe
Delivery program commitment	Monitor and increase the number of trees planted, retained and maintained to provide habitat, shade and heat reduction benefits and increase plantings by 100% (by approx. an additional 180 trees) in 2021 and annually increase after that to achieve meeting the Greater Sydney Commission target of 40% tree canopy cover across council managed land by 2040.

Delivery program commitment	Mandate that all future plans of Council (next 10 years) will detail the impacts that the plan will have on climate change using a consistent methodology for measuring this impact.
Outcome	A city that protects and conserves our limited natural resources
Objective	Reduce the consumption of energy and water across Randwick City per capita by 30% by 2030, from a 2017 baseline
Delivery program commitment	Increase the information provided in all development categories on sustainable design provisions and design excellence opportunities and potential savings in terms of achieving 50% of energy and water savings beyond BASIX requirements by 2022.
Outcome	A city with coastal and marine environments that are protected and conserved
Objective	100% of Randwick's beaches achieve a "Good" or "Very Good" result as monitored and reported in the NSW Government's Beachwatch water quality program
Delivery program commitment	Strengthen the LEP by 2021 to include new coastal planning provisions to ensure all new development complies with the community's desired future character principles for the coastal zones.
Delivery program commitment	Maximise stormwater harvesting at Coogee and partner with Sydney Water to divert stormwater from 1-month storm events into their infrastructure and away from Coogee beach by 2022, to achieve a "Good" or better water quality rating as per the NSW Department of Planning, Industry and Environment's Beachwatch water quality program.
Strategy	Arts and Culture
Outcome	A city where everyone can develop, express and enjoy creativity throughout their life
Objective	Increase the number of places by 20% that are available for people to participate in art and culture by 2031, using the 2019 cultural mapping baseline
Delivery program commitment	Transform Newmarket stables into a cultural hub and ensure that at least 50% usage is for local artists by 2027.
Delivery program commitment	Transform Blenheim House into a cultural hub and ensure at least 3 of the 4 studio spaces are used by local artists/performers; and a minimum 50% of exhibition/rehearsal time is for local artists by 2024.
Strategy	Open Space and Recreation
Outcome	A city with open space that grows and changes with the community
Objective	Every home in Randwick City will have open space of 1000m ² within 800m by 2031
Delivery program commitment	Acquire and repurpose identified strategic land parcels within Kensington and Kingsford town centres and the Randwick Junction town centre as public open space.
Delivery program commitment	Planning Proposals and major redevelopment sites should address the proximity to existing open space and capacity.

Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2021/22 budget and allocations.

The review of, and response to, submissions received as part of the CPP exhibition was completed in-house by Strategic Planning officers.

Policy and legislative requirements

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation 2000
- Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- Randwick Local Strategic Planning Statement
- Randwick Housing Strategy
- Randwick Open Space and Recreation Strategy
- Randwick Environment Strategy.

Conclusion

This report outlined the outcomes of the community engagement process for the open space and recreation, environmental resilience and housekeeping components of the CPP which was undertaken for a 6-week period between 31 May and 12 July 2022. The different sections of the report aim to provide Council with an overview of the proposed changes and amendments, the issues raised during consultation and Council's response to key issues. Through this, Council will be able to make informed decisions about the open space and recreation changes, environmental resilience changes and the housekeeping amendments.

It is suggested that all recommendations mentioned within this report are endorsed by Council as they would help Randwick City achieve its strategic goals as set out in the Randwick LSPS, Randwick Open Space and Recreation Strategy and Randwick Environment Strategy. The endorsement of the open space and recreation changes would address some outcomes of Council's Open Space and Recreation Needs Study and improve Randwick's open space. The endorsement of the environmental resilience changes would establish a new resilience approach to land use planning in Randwick. Finally, the endorsed housekeeping changes will provide for a more accurate and easily understood planning instrument.

Whilst the draft Randwick CPP was exhibited as one document, it contains various proposals for amendments to Randwick LEP 2012 that are separate and independent of each other. This part of the CPP is the subject of a separate report and recommendations in order to allow Councillors to manage any conflicts of interest.

Responsible officer: Natasha Ridler, Coordinator Strategic Planning; Stella Agagiotis, Manager Strategic Planning

File Reference: F2021/00188

COMPREHENSIVE PLANNING PROPOSAL

Summary of Submissions and Responses

Open Space and Recreation, Environmental Resilience and Housekeeping

30 August 2022



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randwick.nsw.gov.au

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Overview

This document includes a summary of all open space and recreation, environmental resilience and housekeeping submissions that have been provided in response to the exhibition of the Comprehensive LEP Planning Proposal.

Section 1.1 provides a summary of submissions received from the Community. Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders.

Section 1.2 is a summary of submissions received from Government Agencies and Key Stakeholders that relate to open space and recreation, environmental resilience and housekeeping amendments. Where Government Agencies and Key Stakeholders' submissions have commented on other topic areas of the Comprehensive LEP Planning Proposal, those are responded to in the respective topic area reports (e.g., comments on economic development are responded to in the economic development report).

1. Community Submissions

Comments raised in submissions have been summarised into relevant categories to avoid duplication of multiple issues and concerns.

To protect the privacy of submissions, names and addresses have been omitted, however specific property addresses remain to provide context where relevant.

Key comment/issue	Response
Open Space and Recreation	
General support for the open space and recreation changes	Noted.
Supportive of the mapping of Randwick Environmental Park	Noted.
Further high-quality open space needs to be provided to meet the increased densities	The Randwick Comprehensive Development Control Plan 2013 and the NSW-wide Apartment Design Guide both contain controls to ensure that future large residential developments, such as residential flat buildings, have sufficient areas of

Key comment/issue	Response
	private and communal open space to serve the needs of residents and enhance their quality of life. Additionally, the Comprehensive Planning Proposal proposes to amend Clause 6.12 of the Randwick Local Environmental Plan 2012 to require large-scale developments to consider capacity and connection to existing areas of open space in their applications. Finally, Randwick levies developer contribution payments on new developments which go towards funding the provision, maintenance and upgrade of public open spaces, among other things.
Existing trees should be protected, and new trees should be planted	Randwick City Council places a high priority on the preservation of public and private trees, with Part B5 of the Randwick Development Control Plan (DCP) focussed on the preservation of existing trees and vegetation. To this end, two of the objectives of the part are “to effectively protect the urban forest in Randwick City, with particular emphasis on retaining trees with cultural, heritage and natural significance” and “to encourage the preservation of trees and vegetation that contribute to native flora and fauna habitat.” Following this, to conduct tree works, development consent or a tree permit is generally required unless the requirements for an exemption are met. Randwick City Council also possesses a ‘Significant Tree Register’ which identifies and protects significant trees across the LGA. Finally, Council allows residents to request new trees and runs a ‘Plant with Us’ campaign focussed on the planting of trees and groundcover.
There is currently a lack of open space	The Randwick Local Government Area (LGA) is home to around 11km ² of open space, comprising 30% of total land, which hosts many significant open spaces such as Centennial Parklands, Heffron Park, Kamay Botany Bay National Park and Malabar Headland National Park. This regional and local green space allows 86% of homes to be within 400m, around five minutes’ walk, of open space. Additionally, in 2021 Randwick released an Open Space and Recreation Strategy which details how Randwick will conserve and expanding its existing open space. In particular, its first objective is that “every home in Randwick City will have open space of 1000m ² within 800m by 2031.”
The proposal will reduce public open space	The Comprehensive Planning Proposal does not propose to reduce or eliminate any land currently zoned RE1 Public Recreation. As part of the proposal, three sites are going to be rezoned to RE1 Public Recreation from other uses, cementing their use as public open space in Randwick.
Existing open spaces need to be upgraded	Randwick City Council is committed to expanding and upgrading its open spaces. Council’s Section 94A (s94A) Development Contributions Plan, outlines how \$13,800,000 out of the \$31,200,000 expected revenue from development contributions will be spent on “Places for People, Parks, Beaches and Sportsgrounds” which includes the expansion and upgrade of existing open spaces. Additionally, actions 2.1, 2.2, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.14, 2.17, 3.1, 3.10, 3.11 and 3.17 of the Randwick City Open Space and Recreation Strategy 2021 cover the actions Council will take over the next 10 years to improve Randwick’s existing open space.
Concern over changes to the mapping of Randwick Environmental Park and a potential loss of area.	No changes to the Randwick Environmental Park boundaries or Randwick Environmental Park heritage area are proposed.
Amendments suggested to the LEP and DCP to restrict the operation of mobile vendors on coastal walkways and within the RE1 zone	Randwick City Council notes the suggested amendments around mobile vendors and will consider them in future work.

Key comment/issue	Response
Environmental Resilience	
submissions asked why the terrestrial biodiversity layer mapping did not apply to all areas of Eastern Suburbs Banksias Scrub in the Randwick Council area.	The Terrestrial Biodiversity layer applies to land outside of the C1 National Parks and Nature Reserves zone, which is why areas of Eastern suburbs Banksia Scrub within the Kamay Botany Bay National Park and the Malabar Headland National Parks are not shown in the terrestrial biodiversity mapping layers. The aims of the Terrestrial Biodiversity layer are to protect native fauna and flora, protect the ecological processes necessary for their continued existence, and encourage the conservation and recovery of native fauna and flora and their habitats. The layer applies to residential, open space and environmental conservation zoned land in the LGA. The C1 National Parks and Nature Reserves zone is afforded additional protection under the National Parks and Wildlife Act 1974.
Enlargement of areas pertaining to the Terrestrial Biodiversity layer	Council has considered including this Connected Corridor Biodiversity habitat corridor mapping in the planning proposal to form part of the terrestrial biodiversity layer; however, it was thought this could cause confusion as to what vegetation is protected under the NSW Biodiversity Conservation Act and what areas are part of the habitat corridor. Consequently, Council has decided to include the habitat corridor mapping in Council's Development Control Plan
Implementation of for higher BASIX standards and thermal performance such as Passive House.	The NSW State Government Building Sustainability Index (BASIX) is the overarching NSW Policy for sustainable buildings. Councils cannot set development controls for residential development in their LGAs that exceeds the requirements of the BASIX SEPP. Notwithstanding, Council is reviewing the Randwick Development Control Plan to identify areas where sustainability incentives and measures can be incorporated that are not already covered by BASIX, including key sites within commercial business zones.
Loss of mature and healthy trees and shrubs form new development and the impact on local flora and fauna	Council has a 40% canopy cover target under the Environment Strategy, Council is reviewing provisions in the Development Control Plan in regard to deep soil provision requirements to ensure adequate tree canopy species can be accommodated on new development sites.

2. Government Agency and Stakeholder Submissions

2.1. Environment, Energy and Science (EES) Group of the Department of Planning and Environment

Key comment / issue	Response
Environmental Resilience	
Request for mapping of vegetation under the terrestrial biodiversity clause to be expanded beyond listed species (under NSW Biodiversity Conservation and Commonwealth EPBC Act) to include adjacent remnant vegetation as steppingstone habitats.	The habitat corridor mapping for Randwick developed under the Southern Sydney Regional Organisation of Councils connected corridor mapping project will be included in Council's development control plan. This mapping layer produced through the connected corridor project in 2015 acknowledges that habitat connectivity is essential for the long-term conservation of biodiversity in all environments. Council has considered including this Connected Corridor Biodiversity habitat corridor mapping in the planning proposal to form part of the terrestrial biodiversity layer; however, it was thought this could cause confusion as to what vegetation is protected under the NSW Biodiversity Conservation Act and what areas are part of the habitat corridor. Consequently, Council has decided to include the habitat corridor mapping in Council's Development Control Plan which is currently being developed and which is expected to be placed on exhibition in 2023.
Housekeeping Amendments	
Support for the Botany Bay National Park Heritage Conservation Area boundary alignment and notes the C1 zone will continue to apply in addition to section 2.73 of the SEPP (Transport and Infrastructure) 2021. Recommends Council consider updating the name of the HCA to reflect the current name of the national park and thereby acknowledge the traditional owners of the land.	The suggested amendment to the naming of the existing Botany Bay National Park Heritage Conservation Area (HCA) is noted and supported. The renaming of the HCA aligns with Planning Priority 5 within the LSPS that seeks to safeguard and celebrate our Indigenous cultural heritage. The Final Planning Proposal has been updated to amend the name to Kamay Botany Bay National Park Heritage Conservation Area in Schedule 5 of the LEP.

2.2. Environmental Protection Authority

Key comment / issue	Response
Environmental Resilience	
The proposal states that subclause 6.4(3)(a) of the Randwick Local Environmental Plan 2012 (LEP) should be amended to ensure that the consent authority is to be satisfied that	Noted. LEP amendments are further supported by objectives and controls in the Randwick Development Control Plan 2013. The inclusion of reference to the <i>Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions</i> document into Part B8 Water Management of

Key comment / issue	Response
<p>development is designed to incorporate water sensitive urban design if practicable.</p> <p>The EPA agrees with this proposal and recommends that this clause is further amended to require the consent authority to be satisfied that development implements principles contained in the <i>Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions</i> (EPA, Office of Environment and Heritage, 2017).</p>	<p>Council's DCP will be considered as part of the comprehensive review of the Randwick Development Control Plan 2013.</p>

2.3. Australian Turf Club

Key comment / issue	Response
Housekeeping Amendments	
<p>No objection to the proposed listing of the Tramway Turnstile Building Complex, provided this does not place any additional obligations on ATC in regard to its ongoing maintenance of this item and that its listing does not hinder any future redevelopment aspirations of the ATC elsewhere on the site.</p>	<p>The Tramway Turnstile Building Complex has been recommended for listing utilising criteria outlined by NSW Heritage. The listing has not been afforded any special criteria in this regard and any future development of the building itself or those within the RRR site in proximity to the site will require consideration of heritage impacts as outlined in clause 5.10 of the Randwick LEP 2012 and Randwick DCP 2013.</p>
<p>Concerns with the introduction of a new area limitation on temporary structures which have a 'combined' total of 200sqm as they relate to special events and temporary use of land, as this requirement will significantly limit ATC's ongoing events. Reference made to existing State Significant approvals that allow temporary structures to be erected in designated zones within the Royal Randwick Racecourse (RRR) site. Recommendation that the exempt development provision for the erection of temporary structures be amended to exclude the RRR site.</p>	<p>The proposed housekeeping amendments relating to 'special events and temporary use of land' have been amended to remove reference to the maximum combined area of temporary structures, following feedback from the Department of Planning of imminent changes to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 that will override any local exempt development provisions.</p>

2.4. Heritage NSW

Key comment / issue	Response
Housekeeping Amendments	

Key comment / issue	Response
Support expressed for the alignment of the Botany Bay National Park Heritage Conservation Area's boundaries with the State Heritage Register curtilage as this is considered to be an administrative amendment and is appropriate.	Support noted.

2.5. Bayside Council

Key comment / issue	Response
Environmental Resilience, Open Space and Recreation	
Support for the new provisions to promote environmental resilience, measures to preserve heritage and changes to strengthen and protect open space, parks and playgrounds.	Noted.

2.6. Health Infrastructure / South Eastern Sydney Local Health District

Key comment / issue	Response
Environmental Resilience	
Support for environmental resilience measures that will contribute to improved healthy buildings and influence the health and wellbeing of communities in the Randwick LGA. These include the inclusion of the term 'resilience' within the LEP aims, the inclusion of urban heat island and open space considerations within clause 6.12 and the rezoning of existing parks and plazas in Kingsford, Little Bay and Randwick to protect public open space.	Noted.

2.7. Greater Sydney Parklands (on behalf of Centennial Park and Moore Park Trust)

Key comment / issue	Response
Open Space and Recreation	
Support for the LEP provisions that better align with the strategic direction of the Greater Sydney Parklands including:	Noted.

Key comment / issue	Response
<ul style="list-style-type: none"> the proposed strengthening of open space requirements and creating new open space zones, particularly to ensure open space and connections for additional populations within the area the proposed additional RE1 zone objective, to facilitate and manage public access within and between areas of open space including the coastline, waterways, nature reserves, parks and plazas <p>amendments to clause 6.12 to ensure future DCPs for large sites address urban heat island effect and the capacity and connection to existing areas of open space.</p>	
<p>Recommendation of a minor amendment to clause 1.2 of the LEP to assist with embedding connections to open space within the aims of the plan as follows:</p> <p><i>(a) to foster a liveable city that is accessible, safe and healthy with quality public spaces, connections to open space and attractive neighbourhoods and centres...</i></p>	<p>The suggested amendment to the aims of the LEP will assist in strengthening connections to open space and build on the proposed amendments already included in the draft Planning Proposal under clause 6.12. The Final Planning Proposal has been updated to include the recommended amendment to clause 1.2.</p>

CP51/22



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