



RANDWICK CITY COUNCIL

Planning Proposal

Newmarket Site, Randwick



Adopted by Council

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1. Executive Summary

This Planning Proposal (PP) was adopted by Randwick City Council on 20 July 2010 (see attached report) for the rezoning of the land known as Newmarket, with frontage to Barker, Young, Botany and Jane Streets Randwick. The proposal is based on a submission by the applicant to rezone the large 5ha site from 2A Residential (low density residential) to mixed density residential and neighbourhood scale commercial uses, while recognising the existing heritage values. The PP has been prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (the Act) and the relevant Department of Planning guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The owner of the site, William Inglis and Son Limited, is intending to relocate their thoroughbred horse auction operations to Warwick Farm, to better accommodate future needs of their business. The submission on behalf of the owner, by Elton Consulting, is attached.

This rezoning process would run alongside Council's comprehensive planning work. It will amend various clauses in the current Randwick LEP and associated Maps and will be subsequently incorporated into the Comprehensive LEP.

This report considers the merits and justification for proceeding with the planning proposal. Following Gateway Determination detailed studies will clarify the rezoning details such as FSR, height and landscaping for the 2D Residential Zone, as well as any additional zones e.g open space or business.

2. Subject Site and Surrounding Area

The site of about 5 ha is located in the suburb of Randwick within the Randwick Local Government Area. It is made up of several lots generally bounded by Barker Street to the north, Rainbow Street Public School and Paine Reserve to the south, Randwick Boys and Girls High Schools to the east and Botany Street to the west.

The lots included in the planning proposal as submitted by the applicant are:

Lot	DP	Address
B	330407	29-30 Young Street 11 Young Street 1 Young Street
A	330407	164-174 Barker Street
1	1041725	158-162 Barker Street
2	1041725	8-12 Young Street
3	1041725	14-20 Young Street
1	541576	28 Young Street 30 Young Street
B	312682	21 Jane Street
3	1102370	181 Botany Street
1	85107	18 Jane Street
2	1041725	8-12 Young Street
1	87614	8-12 Young Street
B	344447	1 Jane Street 3-7 Jane Street 3 Jane Street
1	932027	Unit 1, 150 Barker Street Unit 2, 150 Barker Street
1	81877	152-154 Barker Street
4	1039981	152-154 Barker Street
4	165055	156 Barker Street
1	83414	90 Middle Street
1	1102864	32-42 Young Street
2	1102864	32-42 Young Street
3	1102864	32-42 Young Street
4	1102864	32-42 Young Street
5	1102864	32-42 Young Street
6	1102864	32-42 Young Street

The site is a significant parcel of land in one ownership within the Randwick Specialised Centre opposite the Randwick Hospitals Complex (Map 1 below). The area subject to the PP does not include all the land owned by Inglis-shown yellow on the Map below. The applicant has advised that 5 properties at 163 Botany Street, 17 Jane Street, 22 and 24 Young Street and 90 Middle Street are not part of the rezoning area (Map Map 1).

Map 1: Subject Site - Planning proposal boundary**Legend**

- Boundary of subject site
- Owned by Inglis and not included
- Properties queried by the Council for detailed review

Scale: 1:4090

The subject site has been owned and operated by the Inglis family since 1918 and has an even longer history of horse stabling dating back to 1877 when the horse drawn omnibus company used the Barker Street frontage for horse stabling. The property is well maintained within a formal garden setting, stable buildings, administration building, dwelling and large open car park at the rear.

The surrounding area has varied land uses and scale of development. Immediately north of the site is the Randwick Hospitals Campus and main vehicular entry to that site (Map 2). A Concept Plan for the Neuroscience Precinct on the Hospitals site which has its major frontage on Barker Street has been approved by the Department of Planning and is under construction (6 storeys along Barker Street and up to 12 within the site).

Barker Street has a mix of commercial and residential which range from 1 to 4 storeys and within Struggletown to the west, dwellings are single and two storey weatherboard, stone or brick dwellings. To the east of the site, buildings on the Randwick Boys and Girls High Schools are 2 storeys in height.



Map 2 Walking radius from subject site

3. The Proposal

The proposal is to rezone the land from 2A Residential to 2D Residential under Council's LEP 1998 (Consolidation) and, where appropriate, other residential, open space and business zones following review of technical studies to be prepared by the applicant. This will enable development for a range of densities of residential development and neighbourhood scale commercial and retail uses. Specific planning controls including controls for height, FSR and landscaping will be developed following an urban design study.

The applicant conducted a 3 day planning and design forum from 10-12 March 2010 bringing together their team of consultants, Council and State government representatives (including the Department of Planning) as well as UNSW, Area Health Service, Randwick Precinct Committee and The Spot Business Association and local residents. The outcomes of the Forum led to the development of the Newmarket vision and design concept which will continue to be refined as further investigations are carried out. Attendees were generally supportive of the forum outcomes.

The broad concept is for 800-900 dwellings on the site, with a range of studio, 1, 2, and 3 bedroom apartments and single dwellings. The proposal will also contain accessible and affordable accommodation. Indicative heights vary from 2-3 storeys (adjoining the existing residential area of Middle Street) to 6-8 storeys (fronting Barker Street and Paine reserve).

An indicative floor space ratio (FSR) for the whole site has not been provided. The applicant has suggested the use of heights and building envelope controls as alternatives, however the 2D Residential Zone provisions requires FSRs.

The dwelling numbers and heights vary and have not been endorsed by Council at this stage and will need to be reviewed following outcomes of various technical studies.

3.1 Preliminary Studies Submitted

The following preliminary technical studies have been submitted with the Proposal:

- Heritage Assessment Report (EJE Heritage): this is an initial review of the historical context of the site, heritage items (to be retained and conserved) and a conservation area (Struggletown) within the project rezoning area. The site has potential for both European and Aboriginal archaeological remains to be present. Further investigations/analysis is necessary to determine the degree of significance and management strategies. Newmarket Big Stable (c 1880) is on the State Heritage Register under the Heritage Act 1977 and the whole block on the eastern side of Young Street is a heritage item under Council's LEP 1998 (see Map 3). The other heritage items in RLEP 1998 are 22 Young Street and 90 Middle Street however these do not form part of the PP. The applicant's assessment report states that Newmarket is a

place of high local significance based on a number of Heritage Council criteria including historical, aesthetic and social significance.

- Traffic and Transport Review (Cardno Eppell Olsen): Parking for 775 cars has been indicated, lower than Council's standard requirements, based on the site's proximity to the University and Hospital, high frequency public transport services and proposed measures to minimise car ownership. The provision of parking and sustainable transport measures will need to be justified by further studies.
- Infrastructure Report (Cardno Eppell Olsen): examines the infrastructure servicing of the site and concludes that gas and electricity services can be upgraded to meet demand from the proposed development, Sydney Water is still assessing the proposal, on-site stormwater detention will be necessary and Water Sensitive Urban Design (WSUD) measures will be included in the final design as the existing stormwater network is unlikely to have capacity.
- Tree Survey/Assessment Report (Arborcraft): There are approximately 124 trees on the site, 13 of which are on the Council's Significant Tree Register.

The applicant's submission notes that these studies are preliminary only at this stage and further detailed studies are required subject to the proposal being acceptable at this 'gateway' stage, to the Council and the Department of Planning/Minister.

3.2 Further Studies

Given that the proposal is broad, specific outcomes for the site will need to be adequately supported through a series of further studies :

- *Heritage*: A Heritage Impact Study; proposed interpretation of site's history: market gardens and horse track (particularly under the main car park), equestrian uses and omnibus transport; adaptive reuse of heritage buildings;
- *Archaeology*: Comprehensive assessment/analysis to determine significance of archaeological resources, including Aboriginal/European heritage;
- *Urban Design*: Study that provides a basis for layout, character, scale, height, subdivision, road widths, setbacks and form of new development in the context of its landscape setting. It should also consider phasing of development;
- *Built Form*: arising from the urban design work, a Built Form Control Map, showing height and FSR and landscaped area on a block by block basis, setbacks;
- *Open Space*: Plan showing the extent and location of public open space, community facilities, land to be dedicated, retention of

significant trees (in context of new development); integration with Paine Reserve;

- *Traffic, Access, Movement*: assessment of traffic impacts, cumulative impacts, extension of existing road network into the site, amelioration of impacts and alternative forms of travel; shareways, access and movement to and within the site;
- *Sustainability*: comprehensive report addressing Green Travel Plan; Green Star rating, opportunities to deliver sustainable design, construction, on going management (best practice);
- *Infrastructure*: confirmation that existing facilities can be extended, and/or augmented, Water Sensitive Urban Design measures;
- *Groundwater/contamination*: preliminary investigation to determine whether past activities on and off site have resulted in contamination.

The key planning controls such as height, FSR and landscaped area will be incorporated into a draft LEP and other urban design controls will be incorporated into a draft DCP, which should be concurrently prepared and submitted to Council. Council officers and the applicant have liaised and agreed on the need for the applicant to prepare the above studies.



Sales Ring



Barker Street



Cnr Barker and Young St, Randwick; horse training. Southern carpark looking towards Botany St

4. Previous development consents

In November 2005 Council approved a mixed use development on part of the land within the subject area at No.s 152-156 Barker Street (currently unoccupied dry cleaning building and associated off-street car park at No. 154-156 and a dwelling house at No.152) comprising 18 units and 225m² of commercial floor area (FSR 1.39:1). The approval provides for 3 storeys along Barker Street (ground floor commercial and two levels of residential) with four storeys towards the rear. This application has not commenced.

Other development consents issued for the site relate to demolition, alterations and erection of new stables and buildings.

5. Relevant Planning Documents

5.1 Randwick City Plan

Council's 20 year plan sets out the directions for Randwick City over the long term. The Randwick Health and Education Specialised Centre was identified as an important precinct within the City for services, employment and housing. The City Plan is consistent with the Sydney Metropolitan Strategy and draft East Sub-Regional Strategy, which identifies this Specialised Centre and its planning needs (See Map 3).

Randwick Specialised Centre location map



■ Location of Subject Site

Map 3 Specialised Centre

5.2 Randwick LEP 1998 (Consolidation)

The site is zoned 2A Residential under Randwick Local Environmental Plan 1998 (RLEP) (Map 4). Schedule 2 to RLEP 1998 permits additional uses on the site to be used for commercial breeding, boarding, training, sale or care of horses.

The 2A Zone permits use of the site for low density residential development as well as community uses such as childcare centres, health consulting rooms, churches and recreation facilities. The 2A zone permits development density of 0.5:1, maximum height of 9.5m and landscaped area of 40% (for uses other than dwelling houses).



The Struggletown Conservation Area covers part of the subject site: the blocks of land west of Young Street to Botany Street. Heritage Items on the land owned by Inglis that are listed in Council's LEP: 22 Young Street

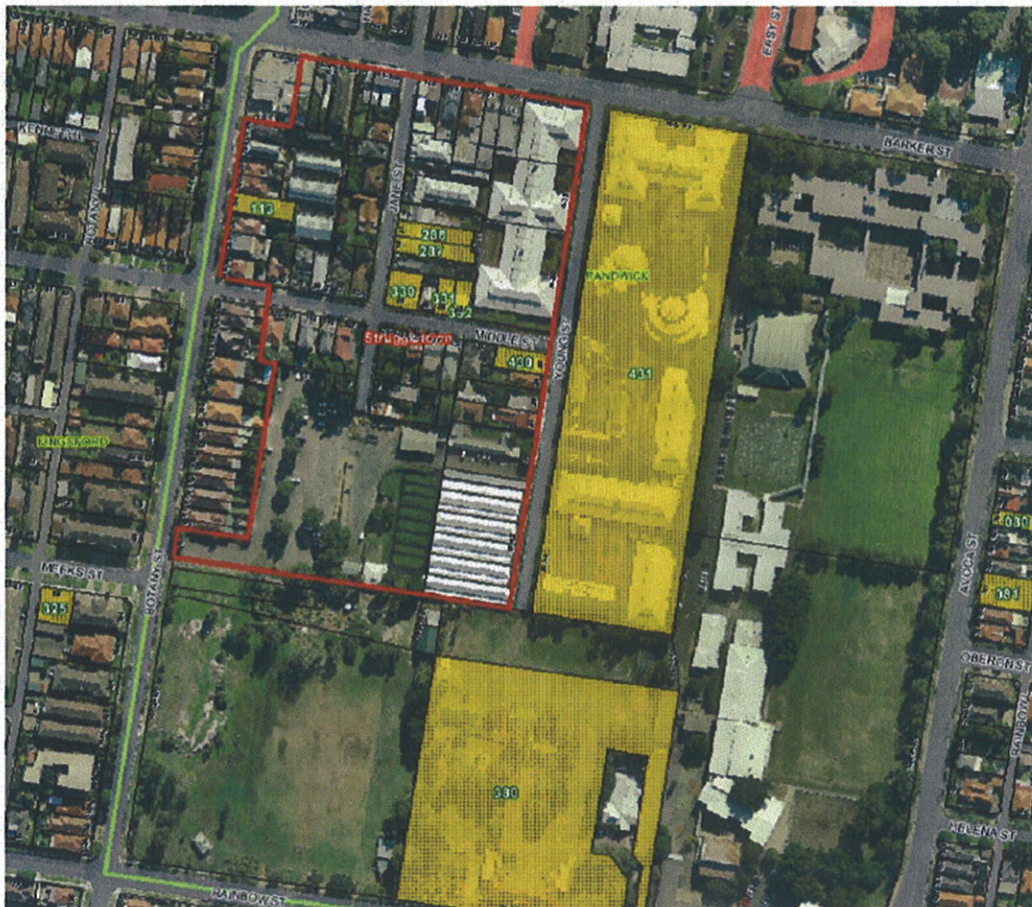
(weatherboard cottage), 90 Middle Street (timber cottage) and the land east of Young Street which includes Newmarket Sale Ring, Big Stable (also on State Heritage Register) and Newmarket House. Also listed is the Sandstone Kerb and guttering to Young Street. 90 Middle Street, 22 Young Street are not included in the rezoning area. See Map 5.

5.3 Randwick DCPs

Development Control Plan: Dwelling Houses and Attached Dual Occupancies

Development Control Plan: Multi-unit Housing; and

Development Control Plan: Parking



- Heritage Conservation Area
- LEP Heritage Items

Map 5 Heritage

6. Department of Planning Criteria for Justifying planning proposals

The following Parts 1 to 4 addresses the questions set out in the Department of Planning's "A Guide to Preparing Planning Proposals".

Part 1: Objectives or intended outcomes of the Planning Proposal

The objectives address a range of matters to ensure the orderly development of the site that respects and enhances the local area. These objectives are consistent with the broader key directions for the Specialised Centre which are to support and strengthen the Centre to form a more intense node for employment, research and business. The objectives for the site address: variety of housing forms (including affordable and seniors housing); neighbourhood scale mixed use development; high architectural quality of development; management of heritage; open space network; pedestrian, cycle and car movements to and within the site; sustainable transport and building design; and site management (e.g contamination and infrastructure). The list of objectives have been modified subsequent to their inclusion in the Planning Proposal, in consultation with the applicant. These are considered suitable and address the Department's requirements and all the key issues for the rezoning.

Objectives of the Planning Proposal

The objectives of the planning proposal are to:

1. Enable the redevelopment of the site for:
 - o Residential infill that will contribute to subregional housing targets in a manner that respects and enhances the local character, scale and amenity of the area and the Specialised Health and Education Precinct;
 - o Neighbourhood scale mixed use development that respects the amenity of the surrounding neighbourhood and may include uses such as neighbourhood shops, offices and medical suites;
 - o Infrastructure that appropriately services development at the site and supports the needs generated by users of the site.
2. Promote the development of buildings that are of high architectural quality and provides innovative solutions that are compatible with the surrounding area.
3. Encourage varied housing types to create a vibrant community that can accommodate a diversity of people, including seniors, staff and students which are the 'anchors' of the Randwick Education and

Health Specialised Centre.

4. Provide for affordable housing accommodation that meets the needs of the local area and particularly key workers and students.
5. Encourage the ongoing management and enjoyment of listed heritage buildings on the site through adaptive re-use.
6. Recognise and celebrate the heritage value of the site and encourage development which respects and does not compromise heritage items, archaeological sites, potential archaeological deposits or sites within identified heritage conservation areas.
7. Create a publicly accessible open space network through the site that is attractive, permeable and safe.
8. Facilitate legible, safe, accessible and efficient pedestrian, bicycle and private car movement within and to the site that provides good access to key destinations such as the Hospitals Campus, UNSW, nearby schools (Rainbow Activity Centre and School, Randwick Boys and Randwick Girls School), local parks (Paine Reserve, Simeon Pearce Park) and commercial centres (the Spot Village, Randwick Town Centre and Kingsford Town Centre).
9. Promote sustainable transport through walking, cycling and public transport use.
10. Provide for the orderly and economic subdivision of land.
11. Promote sustainable building and infrastructure design and management.
12. Ensure that any site contamination issues are addressed and remediated to the appropriate standard to facilitate the future intended uses at the site.
13. Identify any flood risks on the site so they are managed in an effective manner that minimises risk to future users and development at the site

Part 2: Explanation of Provisions

The objectives or intended outcomes of the PP can be achieved by adopting the current 2D Residential Zone, identifying other suitable zones e.g open space and amending various clauses in Randwick LEP 1998 (Consolidation). This zone allows for a diversity of residential development on large sites, and related uses and provides for block by block FSR and height and landscape controls for large sites.

This zone also provides for non residential uses in accordance with clause 35A where land is identified as an "activity strip". This clause allows uses such as business premises, neighbourhood shops and medical centres to

serve the local community. Following gateway determination the applicant will prepare an urban design study that will inform the density, landscape and height controls to be applied across the site on a block by block basis.

The proposed key provisions will include:

- Zoning
- Objectives
- Definitions
- FSR
- Wall height, building height and no. of Storeys
- Heritage
- Affordable housing for key workers/students etc
- Site Specific provisions as required following technical studies, community consultation, public authority consultation and gateway determination advice.

The following clauses relate to the current planning proposal:

- Clause 20C *Site Specific development controls*: the "built form control map" will have an additional inset relating to the subject site
- Clause 20D *Traffic and Transport measures for Zone 2D*: any relevant traffic and transport measures will be met
- Clause 35 A *Certain non-residential uses in Zone 2D*: this clause allows non-residential uses on land identified as an "activity strip". An amendment may be required to include the subject land and the definition of 'medical centres' may also need to be amended to be consistent with the definition of 'health services facility' in the Standard Instrument
- Clause 40A *Site Specific development control plans*: this clause sets out heads of consideration for preparing a development control plan (formerly masterplans)
- Schedule 2 and clause 42 *Development of Land for certain additional purposes*: this clause currently permits the site to be used for additional purposes relating to veterinary purposes and exhibition and sale of horses. The continued permissibility of these uses may need to be reviewed in line with the site rezoning.

Part 3: Justification

The case for changing the zones and/or development controls on the land affected by the proposed LEP is justified in the following questions A-D as informed by the applicant's submission. It is appropriate that the site be rezoned to provide a more flexible range of residential and neighbourhood scale non-residential uses to enable more efficient use of this inner city site and respond to the growth pressures of the Specialised Centre. These questions below are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

A. Need for the Planning Proposal

The applicant's submission notes that the rezoning will enable the site to be redeveloped for a variety of housing forms and densities and create opportunities for a cohesive and active neighbourhood precinct along Barker Street to support needs of residents and workers. It will consider the site in a comprehensive manner, including scale of development suitable within the heritage context of this locality and as well as the growth context of the Specialised Centre.

Is the planning Proposal a result of any strategic study or report?	No. This proposal has been submitted as a spot rezoning to facilitate relocation of the facility and site redevelopment. It is however located within the Randwick Education and Health Specialised Centre. A Discussion paper currently being finalised by Council (in partnership with the Department of Planning) will provide a framework for long term growth and development of the Centre as well as more detailed principles/strategies for areas adjoining the major institutions and what is proposed is generally consistent with the objectives of the Discussion paper. The PP also notes the range of studies required to confirm the appropriate LEP controls.
Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Yes. The planning proposal proposes a variety of housing forms and affordability and neighbourhood business uses on the site along with protection of the heritage values, provision of suitable open space and roads. This diversity is not available in the current 2A Zone.
Is there a net	Yes. The planning proposal is expected to provide a

community benefit?	variety of housing forms including affordable housing for students and key workers, home based workers and for the general community. Addressing housing needs is a key aspect of the strategic work for the Specialised Centre which recognises that affordable, adaptable and accessible housing is critical to ensuring greater community access to the institutions and assist key workers to live and work locally. The subject site also offers: -an opportunity to address and contribute to activation and cohesion along Barker Street, complementing existing and future non residential hospital related development; -creation of new through site links to better connect the surrounding residential area to the hospital, University and Randwick Junction, The Spot; - the opportunity to open up the site to enable public access and to enhance the use and appreciation of to heritage items which will be conserved and adaptively reused. The applicant will need to ensure these aspects are suitably addressed in the technical studies.
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B. Relationship to strategic planning framework

The subject site is consistent with the key directions of the Metropolitan and draft East Sub Regional Strategies.

Randwick Education and Health Specialised Centre Discussion Paper

The subject site and surrounding land including the UNSW and Randwick Hospitals Campus are identified within the Metropolitan and draft East Sub-regional Strategies as a 'Specialised Centre' of education, health and research. As part of the comprehensive LEP preparation, a discussion/precinct paper is being prepared for this Centre and will be reported to Council shortly for exhibition and consultation. The six objectives being addressed in the draft Specialised Centre Discussion Paper are:

- *Enhance the identity, character and attractiveness of the centre as a great place to live and work*
- *Understand and plan for the current and future needs of this nationally significant cluster, especially in regard to employment and housing*
- *Facilitate partnerships between the key stakeholders to encourage leadership in excellence and innovation*
- *Identify the Centre's needs for transport infrastructure and services and incorporate this into the planning framework*

- *Encourage sustainable travel and support this through safe walking and cycling networks linked to key destinations, public open space and recreation opportunities*
- *Support sustainable development and establish opportunities to showcase environmental performance and technologies*

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?	Yes. The subject site is consistent with the key directions of the draft East Sub regional Strategy to consolidate and strengthen the Specialised Centre by providing housing and local business functions in close proximity to the key land uses of education, health and research.
Is the planning proposal consistent with applicable state environmental planning policies?	Yes. See Appendix 1
Is the planning proposal consistent with applicable Ministerial Directions (s117 Directions)	Yes. See Appendix 2

C. Environmental, social and economic impact

The site does not contain any critical habitat or threatened species, populations, or ecological communities, or their habitats. Further technical studies will be provided by the applicant to consider likely social and economic effects.

Is there any likelihood that a critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	No. The site is within an urban setting and has been extensively cleared to accommodate the various stables, sales ring, administration building, turfed areas and paths. There are a number of significant large trees which will be retained and further assessed for soundness and protection. An ecological study is not considered necessary.
Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	Preliminary Studies have raised the key issues relating to rezoning of the site. The additional technical studies will examine the impacts of a more defined proposal prior to exhibition and will contain suggestions/options for mitigation

	e.g. contamination, flooding
How has the planning proposal adequately addressed any social and economic effects?	The technical studies to be submitted after the gateway determination will address social and economic impacts.

D. State and Commonwealth interests

The applicant has received responses from some state agencies and is committed to continuing to consult with additional agencies through this rezoning process. A list of agencies to be consulted under s.62 of the Act is provided below.

Is there adequate public infrastructure for the planning proposal?	The applicant has consulted with various authorities and the following responses have been received: <i>Electrical services:</i> the existing high voltage network has sufficient capacity <i>Gas services:</i> capacity of the existing network is sufficient and service can be extended to the site <i>Water:</i> the land can be serviced and further engineering, environmental and social assessment would need to be carried out to determine the design and size of the infrastructure. Further assessment by Sydney Water is being carried out. Reuse of harvested stormwater is proposed to reduce demand by 20% each year. <i>Waste water:</i> Sydney Water is assessing the capacity of the sewer system to service the new development. <i>Flooding:</i> a study should be carried out by a qualified flood engineer to assess impacts.
What are the views of State and Commonwealth Public authorities consulted in accordance with the gateway determination, and have they resulted in variations to the planning proposal?	Council will be seeking the views of public authorities during the s.62 consultation stage. The applicant has sought the views of some authorities as indicated above, and in the 3 day design forum, and it is suggested that Council further consult with the following agencies: - Department of Planning – Heritage Branch and Sydney Region East - South West and Illawarra Area Health Service - NSW Health Department - RTA - State Transit Authority of NSW - Sydney Water Corporation - Energy Australia - NSW Department of Transport and Infrastructure

	- Department of Environment and Climate Change - Lifetime Care and Support Authority of NSW - NSW Department of Housing - NSW Department of Education and Training - NSW Police
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Part 4: Details of Community Consultation

The applicant has noted that they are committed to continuing the process of consultation which commenced with the 3 day planning forum following gateway determination and has set up a web site with Forum and contact details (www.talknewmarket.com.au). Council will liaise with the applicant throughout the rezoning process and will seek feedback on any issues raised and information provided through their web site and consultations. The Council will consult with all key government agencies such as DoP, Department of Environment, Climate Change and Water, Roads and Traffic Authority and Department of Transport and Infrastructure. Council proposes the full 28 day public exhibition period be undertaken.

7. Pro Forma Evaluation Criteria for Spot Rezoning

1.	Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800m of a transit node)? <i>The proposal will be consistent with the Metropolitan Strategy and draft East Sub-Regional Strategy to support and strengthen the Centre to form a more intense node for employment, research and business. The proposal will provide for increased residential and employment opportunities on a site which is within 400m of the University of NSW, 600m to The Spot neighbourhood centre and 800m of Randwick Junctions public transport and local services. Bus services are also available along Barker Street as well as higher frequency services along Avoca Street.</i>	Yes.
2.	Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions? <i>The proposal as submitted is capable of being consistent with State and regional policies and S.117 Directions as it proposes to create additional residential opportunities and extend the range of permissible land uses on a site, however further technical studies will be required to consider the appropriate form of development. It is appropriate that this be addressed before the plan is placed on public exhibition.</i>	Yes
3.	Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy? <i>The application for rezoning is within the Randwick Health and Education Precinct Specialised Centre under the Metropolitan East Sub-regional Strategy which has a vital economic and employment role with metropolitan-wide benefits. The rezoning should be considered within the context of the Precinct Plan for this Centre currently being prepared for the wider area which will address land use zones and associated built form, height, density controls. In particular zoning options will be considered for land fronting Barker Street.</i>	Yes
4.	Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands? <i>The proposal will potentially provide additional employment opportunities by enabling local business uses along Barker Street and "work at home" units.</i>	Yes
5.	Will the LEP be compatible/complementary with surrounding land uses? <i>Yes, the proposal is for mixed density residential uses and commercial activities which will complement existing land uses</i>	Yes

6.	Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?	No
	<i>The site is already zoned Residential, although used primarily for horse stabling and sales. It is not likely to create a precedent for other sites. The proposal involves a substantial land holding in Randwick and it is appropriate to consider the site's future redevelopment in the context of Council's work on the Specialised Centre.</i>	
7.	Will the LEP deal with a deferred matter in an existing LEP?	No
8.	Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	N/A
	<i>Council is not preparing any other spot rezonings at present nor had any recent spot rezonings nearby. However the land use zones and options are being considered for land fronting Barker Street as part of the Specialised Centre Discussion paper and this will be considered in light of this work.</i>	

Appendix 1 Consistency with State Environmental Planning Policies (SEPPs)

Existing State Environmental Planning Policies (SEPPs)	Consistency
SEPP No.55- Remediation of Land <i>This policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place to meet certain standards suitable to the proposed land uses.</i>	Not known. The site's historical uses include market gardens, horse stables, outbuildings, horse track and residential. A preliminary site contamination assessment will be required from the applicant prior to exhibition of the Planning Proposal to advise of any remediation works that may be necessary to make the site suitable for residential and other uses.
SEPP No 65—Design Quality of Residential Flat Development <i>This SEPP aims to improve the design quality of residential flat development through better built form and aesthetics of buildings, streetscapes and public buildings, satisfying demand from the changing demographic profile of the community while maximising safety and environmental efficiency</i>	Yes. The PP is consistent with the objectives of SEPP 65 in proposing to improve the design outcome of residential development. This Policy sets out design quality principles for residential flat development (3 or more storeys) and procedures for any Design Review Panels. Council's established Design Review Panel ensures a greater degree of design scrutiny for significant projects.
SEPP (Infrastructure) 2007 <i>The SEPP provides a planning regime for infrastructure and the provision of services, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.</i>	Yes. This PP and suggested planning provisions will intend to be consistent with the SEPP objectives.

Existing State Environmental Planning Policies (SEPPs)	Consistency
SEPP (Affordable Rental Housing) 2009 <i>The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals. It aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.</i> <i>The SEPP allows development on land in the following zones but only if development for the purposes of dwelling houses, multi-dwelling housing or residential flat buildings is permissible within the zones:</i> <i>(a) Zone R1 General Residential,</i> <i>(b) Zone R2 Low Density Residential,</i> <i>(c) Zone R3 Medium Density Residential,</i> <i>(d) Zone R4 High Density Residential.</i> <i>Floor space ratio (FSR) incentives are given above existing LEP controls and are dependent on the percentage of the residential building that is to be used as affordable housing.</i>	Yes. The PP is consistent with the SEPP objectives as it proposes to provide affordable housing directed to the needs of workers and students within a major employment centre of Sydney.
SEPP (Exempt and Complying Codes) 2008 (or Codes "SEPP") <i>This SEPP includes a range of exempt and complying development allowing for new dwellings, alterations and additions and commercial and industrial development to extend the flexibility of the planning system for minor development.</i>	Yes. The intended provisions of the draft plan will be consistent any SEPP requirements noting the site is partly heritage listed or within a heritage conservation area.

Appendix 2 Compliance with S.117 Directions

Existing Ministerial Directions (Section 117 (2))	Implications for Comprehensive LEP
1.1 Business and Industrial Zones To provide support the viability of identified strategic centres.	Consistent. Supports the Randwick Health and Education Specialised Centre and town centres.
2.2 Heritage Conservation This direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent. The proposal maintains the existing Struggletown Conservation Area and significant heritage items on the site. A preliminary heritage assessment and archaeological assessment has been carried out which states that the site is a place of high local significance for its association with the development of Randwick and the racing industry. The report recommends that a conservation management plan/policy be prepared to determine management strategies for maintaining and enhancing the heritage significance.
3.1 Residential Zones The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) To minimise the impact of residential development on the environment and resource lands.	Consistent. The proposal is to rezone the land so as to enable a higher density residential development and to create diversity of housing and choice of housing. The adjoining low scale residential area of Struggletown will be protected through design controls that will provide a transition in scale and density of new development.
3.3 Home Occupations The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Consistent. The proposal recognises the important role of home based businesses and will provide for opportunities within the new development by creating adaptable spaces.

3.4 Integrating Land use and Transport The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Consistent. The proposal will incorporate measures to increase sustainable travel and reduce reliance on private vehicle use.
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. This draft Plan will not introduce provisions requiring concurrence, consultation or referral of development applications to a minister or public authority. The applicant has commenced a process of community, stakeholder and state agency consultation and is committed to continuing this process following gateway determination.
6.3 Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent. The draft Plan will not introduce unnecessarily restrictive planning controls for sites.
7.1 Implementation of the Metropolitan Strategy The objective of this direction is to give legal effect to the vision, land use strategy, policies outcomes and actions contained in the Metropolitan Strategy.	Consistent. The planning proposal is consistent with the objectives of the draft East Subregional Strategy directions to consolidate and strengthen the whole Centre. More specifically the proposal will provide for housing and employment growth contributing to capacity targets, provide a mix/diversity of housing, create incentives for walking/cycling and create new public open space.

