

Director City Planning Report No. CP48/19

Subject: Kensington and Kingsford Town Centres Planning Proposal and contributions plans - post exhibition report

Executive Summary

- The draft Kensington and Kingsford Planning Proposal was exhibited for a 6 week period from 20 August until 1 October 2019. A total of 392 submissions were received. A summary of submissions received and responses to those submissions is contained in **Attachment A**.
- Of those who opposed the draft Proposal key concerns were: impacts on Kensington Public School, traffic and parking, overshadowing, capacity of the light rail, proposed node heights and the shallow groundwater table.
- Those who supported the Proposal mentioned the reasons being public domain improvements, infrastructure contributions, affordable housing, cycle ways and need to activate the town centres and review planning controls.
- A number of submissions from property owners requested that sites be included in the draft Planning Proposal and these are reviewed in **Attachment B**.
- Results of two random and representative telephone surveys from 885 interviews across the LGA showed that 74% overall were either very supportive, supportive or somewhat supportive of the draft Planning Strategy. The telephone survey showed that the broader community was significantly more supportive of the draft Proposal than the community who made written submissions.
- The draft Planning Proposal outlines the planning framework that will guide the future character, coordinated development and community infrastructure benefits that will apply to the two town centres. Supported by the draft K2K Planning Strategy, it seeks to amend the planning controls that will apply to the Kensington and Kingsford town centres under Randwick LEP 2012.
- In considering matters raised in submissions, a number of modifications are recommended to the draft Planning Proposal and are addressed in this report. These include amending the LEP height maps with more detailed height transition maps, modifying the heights, setbacks and built form next to Kensington Public School and including two sites within the boundaries of the Planning Proposal.
- Amendments to the exhibited s.7.12 Development Contributions Plan are proposed to reduce the levy from 3% to 2.5% due to a detailed feasibility analysis of the automated waste collection system showing that an area-wide scheme has limitations and would be unviable and a localised collection system of underground collection chambers is preferred. Removal of this system from the schedule of works in the Plan has resulted in the total cost of local infrastructure contributions being reduced accordingly.
- Minor amendments to the exhibited Affordable Housing Plan (to allow cash contributions for non-strata developments and updating terminology/references) are also recommended to respond to submissions made.
- Subject to Council's endorsement, the amended Planning Proposal will be submitted to the Department of Planning, Industry and Environment requesting that the modifications to Randwick LEP 2012 be made.
- It is recommended that Council endorse the amended Planning Proposal for the Kensington and Kingsford town centres, Community Infrastructure Contributions Plan, the 7.12 Plan, the Affordable Housing Plan and the Architectural Competition Policy for the two centres.

- It is further recommended that the Minister for Planning and Public Places be requested to make changes to the EPA Regulation to enable the levying of contributions of up to 2.5% of capital investment value in accordance with the K2K 7.12 Contributions Plan.

Recommendation

That Council:

- a) Endorse the following amendments to the draft Planning Proposal and associated maps arising from consideration of submissions:
 - i. incorporate building height maps showing transitional heights at the edges of the town centres;
 - ii. increase setbacks and reduce building heights for development adjoining Kensington Public School;
 - iii. incorporate two areas zoned R3 Medium Density Residential within the Planning Proposal boundary: 7 Addison Street, Kensington and 157 Todman Avenue to provide for a contiguous B2 Local Centre boundary and achieve better design, through site laneways and amenity outcomes consistent with the K2K Planning Strategy;
- b) Request that the Minister for Planning, include a new definition for student accommodation within the Standard Instrument to differentiate it from a 'boarding house' under the Affordable Rental Housing SEPP;
- c) Submit the amended Planning Proposal for the Kensington and Kingsford Town Centres (as outlined in recommendation (a) above) to the Department of Planning, Industry and Environment requesting that the amendments be made to Randwick Local Environmental Plan 2012;
- d) Endorse the Community Infrastructure Contributions Plan and Architectural Competition Policy for the Kingsford and Kensington Town Centres (including additional infrastructure items that were inadvertently omitted from the exhibited document as outlined in the report under 'Amendments to the Exhibited Plan');
- e) Endorse the Affordable Housing Plan for the Kingsford and Kensington Town Centres subject to an amendment to allow for cash contributions for non-strata developments;
- f) Amend the exhibited s.7.12 Plan for the Kingsford and Kensington Town Centres by reducing the maximum contribution rate to 2.5% of capital investment value to be applied to new development in the centres;
- g) Authorise minor editorial, grammatical and formatting changes to the Planning Proposal, Community Infrastructure Plan and s.7.12 Plan prior to submitting to the Department of Planning, Industry and Environment;
- h) Request that the Minister for Planning and Public Places make amendments to the EPA Act to enable the s.7.12 Plan for the Kingsford and Kensington Town centres to require a maximum contribution rate of 2.5%.

Attachment/s:

1. Attachment A Table of summarised issues raised by submissions
2. Attachment B Data Sheets for submissions requesting rezoning and/or height/FSR amendments

Purpose of Report

This report outlines the outcomes of the community engagement process for the Kensington and Kingsford Planning Proposal (K2K PP) undertaken between 20 August and 1 October 2019. The main issues raised in submissions are addressed in this report together with a response and/or recommended modification to the draft Planning Proposal. A detailed analysis and response to all matters raised in submissions is contained in **Attachment A**.

Background

The planning review of the two town centres commenced in 2015 with initial investigations and baseline gathering of the existing conditions, issues and opportunities that would foster a strong local economy, sustainable housing growth, create vibrant and attractive centres for the community and maximise public benefits.

Council commenced this work to ensure that a robust, comprehensive and place-based strategy is in place given the lodgment of five significant planning proposals from developers for tower buildings up to 25 storeys (85m high) along Anzac Parade. Council refused them all on the basis they are too tall, with no public benefits and not in the public interest. The former Joint Regional Planning Panel also refused these proposals given that Council was preparing its own planning strategy and that the future development of the sites should be considered in the context of this work.

In 2016, Council undertook an international urban design competition for the two town centres in response to a Council resolution which involved community input into the brief and community feedback on the four shortlisted entries that were selected by a jury of prominent design professionals. The competition and feedback helped define the urban design principles and vision for each of the two centres including themes and actions in the draft Strategy and subsequent Planning Proposal. Arising from this process were 10 key ideas contained in the draft Strategy (see below under 'Purpose of K2K Planning Strategy').

In January 2017 Council submitted the draft Planning Proposal for Kensington and Kingsford Town Centres to the Department of Planning

At the Ordinary Council meeting of 28 May 2019 Council endorsed the draft K2K Planning Proposal and associated documents for public exhibition.

Purpose of K2K Planning Strategy and draft Planning Proposal

The draft Planning Strategy and Proposal have been developed through an extensive strategic planning process informed by expert advice on urban design, traffic and transport, heritage, infrastructure funding mechanisms together with substantial community input. This place-based and integrated strategic approach is best practice recognised in various NSW Planning policies including the Greater Sydney Commission's regional and Eastern District Plan and the NSW Government Architect's policy for the built environment.

The overarching drivers for the preparation of the Strategy and Planning Proposal are:

- Developing appropriate planning controls that are fair and equitable rather than ad hoc planning proposals determining the future character of the centres;
- Council taking the lead in developing a planning strategy informed by an international design competition, expert advice and community input;
- Provision of a range of essential community benefits for the area;
- The need to create sustainable, planned and coordinated growth that facilitates the long term rejuvenation of the Centres;
- Responding to population forecasts and dwelling targets for the area

Key ideas/themes derived from the competition put 'people' and 'place' at the centre of future planning with a focus on sustainability, liveability, walkability, cycling and improving the environmental amenity of the public domain. The following 10 themes were included in the draft

Strategy as a basis for developing the vision for each centre and subsequent planning controls in the draft Planning Proposal:

1. Widen Anzac Parade to form a Boulevard: 'Anzac Parade for the People'
2. Integrate sustainability infrastructure into the precinct
3. Establish a "green grid" of walkable streets that link plazas and parks
4. Community spaces and a range of public benefits
5. Concentrate activity and built form at nodes
6. Nine-ways transformed into Kingsford Junction, as a new civic transport and urban hub
7. Prioritise walking, cycling and public transport
8. Increased provision of affordable housing
9. Leverage the university and health campus to foster innovation uses
10. Create new and reinvigorated plazas for people to gather.

The draft Planning Proposal may potentially provide for approximately 1,500 new dwellings between the two centres and unlock up to 3,600 dwellings (under existing controls) resulting in a total estimated dwelling capacity of 5,100 dwellings. Redevelopment across the two centres would be staged over the 15 year timeframe under the draft Strategy, with a higher rate of development activity anticipated in the next five years up to 2026 once the LEP is finalised.

As outlined in the draft exhibited Housing Strategy, the Kensington and Kingsford town centres are a major contributor to Council's 6-10 year housing target providing approximately 2,000 of the estimated 4,300 new dwellings across the LGA.

More detailed design guidelines that will apply to development applications in the two centres are currently being prepared as an amendment to Randwick DCP 2013. These draft controls will be reported to Council in early 2020 for public exhibition.

Community Engagement

Council's six week extensive community engagement activities involved letters to all residents, ratepayers, landowners and occupants of properties in the suburbs of Kensington and Kingsford. There were 17,787 letters sent to the local community in these suburbs including all business owners and tenants.

Engagement activities involved on-line 'YourSay' content; hard copies of documents exhibited in Council's Customer Service Centre and libraries; and two random telephone surveys to gain a broader understanding of community awareness, attitudes and level of support for the Planning Proposal. The online content included a video offering visual explanation of the proposal and public benefits and an interactive map enabling users to click onto a property and find existing and proposed controls. Council officers also undertook three pop up sessions in Kensington and Kingsford town centres which enabled the community to view the suite of documents and ask questions about the draft Proposal. One of the pop-up session was located close to Kensington Public School around school pick-up time. Other engagement activities included:

- Email to Your Say Randwick subscribers (4427 residents): 20 August 2019
- Randwick Council ad in *Southern Courier*: 20 August, 3 & 24 September 2019
- Half page advertisement in *Southern Courier*: 20 August 2019
- Randwick News (weekly email): 21 August, 4 and 29 September 2019
- Facebook post on 22 and 26 August 2019 reaching 21,609 people and generating 268 reactions, 186 comments and 56 shares
- Targeted email to eNews subscribers in Kensington and Kingsford: 20 August 2019
- Translated summary brochure and letter in simplified Chinese available online or in hardcopy if requested
- Stakeholder meetings
- Business forum at South Juniors on 11 September 2019
- Media release: 20 August 2019
- Listing on Randwick City Council's Current Consultations webpage
- Email to all resident precinct groups sent on 21 August 2019

- Digital display screens at all libraries and Council's Customer Service Centre
- Meetings with key agencies and stakeholders including Kensington Public School Principal, Department of Education, Department of Planning, Industry and Environment.
- Visiting all businesses in Kingsford and Kensington to inform them of the exhibition and drop off a flyer
- Mail out to all residents in the Bayside Council suburb of Daceyville.

A total of 392 written submissions were received during the public consultation period, with 64% received through Council's web site and 36% via email or letter.

A telephone survey was carried out with 885 Randwick City randomly selected residents across the LGA by research consultant Micromex. It is important to note that this telephone survey was 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. By comparison, the response rate from written submissions was 2.2% of the 17,787 letters mailed out.

The table below shows the outcome of responses:

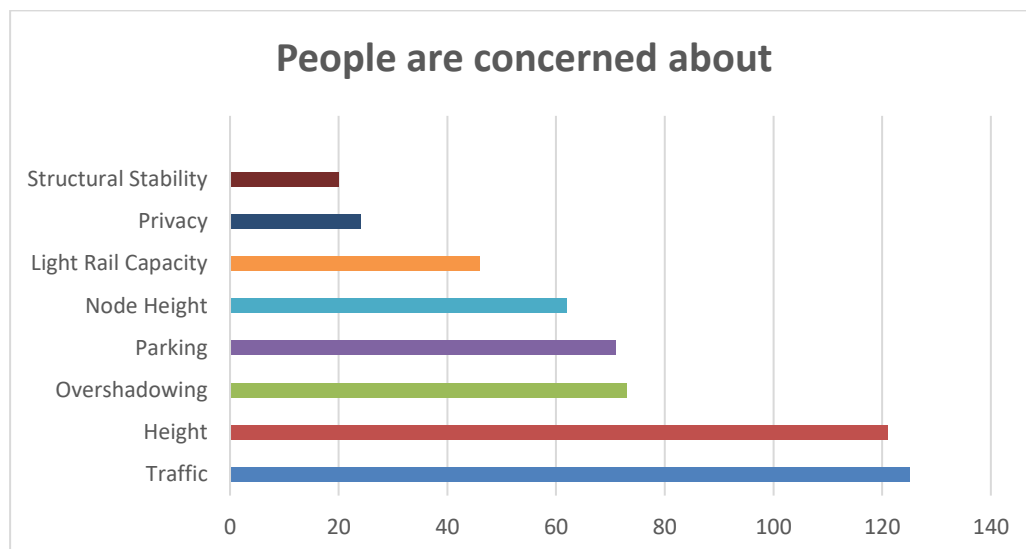
Written submissions	Response
Supportive	23% (90)
Opposed	71% (278)
Neutral	5.1% (21)
Unsure	0.8% (3)
Total	392

Telephone survey	Response
Overall response - Very supportive, supportive or somewhat supportive	74%
Kensington residents - very supportive, supportive or somewhat supportive	81%
Kingsford residents - very supportive, supportive or somewhat supportive	76%
Not very supportive, not at all supportive-	
Overall response	26%
Kensington	23%
Kingsford	23%
Total	885

As can be seen from the above tables, there are variations in the level of support and opposition to the draft Planning Proposal between those who made a written submission and those who responded to the telephone survey. The telephone respondents were more supportive and significantly less opposed to the Planning proposal. Those from non-English speaking backgrounds were also more supportive of the Proposal. In the telephone survey, Kingsford and Kensington residents were more supportive of the Strategy than residents of other suburbs. The research study has concluded that there are reasonable levels of support for the draft Planning Strategy. The community benefits package appeared to offset the concerns that residents had towards the development.

The two key issues of concern are traffic and height of buildings followed by overshadowing, parking, node heights, light rail capacity, loss of privacy from residential apartments and the structural stability of new buildings given the high water table. Similarly in the telephone survey respondents mentioned that they were concerned about high density, overcrowding, capacity of infrastructure as well as traffic and parking issues.

From the written responses, the matters people are concerned about are graphed below:



Submissions in support

For those who stated that they support the draft Planning Proposal in both submissions and in the telephone survey, the following reasons were given:

- The public benefits including proposed public areas, street trees, landscaping and plazas
- Cycle way improvements
- Affordable housing provisions
- Design excellence provisions
- Activation of the town centres
- Need for upgrading of the area
- Need for review of planning controls applying to existing sites
- Council controlling future development

These comments in support of the draft Proposal have been addressed in the submissions table in **Attachment A** and reinforce the importance of taking an integrated approach to align land use, transport, community infrastructure, affordable housing and liveability in the two centres.

Submissions received from property owners

Submissions received from property owners were generally supportive of the draft Planning Proposal and raised comments/made suggestions regarding the Architectural Competition Policy, contributions plans, the operation of the affordable housing scheme, the minimum commercial floor space requirement on key sites and impacts on development feasibility. These matters are addressed below. A number of submissions also requested zoning changes and increases to proposed densities and height controls. **Attachment B** to this report provides the analysis and recommendations of each of the requests for changes zoning and/or standards applying to specific sites.

Design Excellence process and Architectural Competition Policy

All new developments will be required to demonstrate that they can achieve the objectives of design excellence and provisions contained in the Randwick LEP and DCP. Design excellence has been highlighted and integrated into the Planning Strategy as a key principle for future development for both buildings as well as public and private spaces. On key sites with higher building forms, future development will be required to achieve additional design solutions in relation to sustainability, public benefits and undertaking an architectural competition policy. These requirements will be incorporated into the RLEP.

The Architectural Competition Policy outlines the required processes for proponents undertaking competitions which will be a legislative requirement under Council's LEP for the strategic node sites within the two town centres. Some submissions have raised concerns about the cost and potential delays and have outlined suggested minor changes to the Guidelines to improve clarity, flexibility and provide for more streamlined processes for conducting competitions.

Response:

The Policy outlines a clear and comprehensive process for undertaking architectural competitions for the key sites and has been based on other council policies that have been in place for a considerable time, with best practice aimed at achieving good design outcomes. Having reviewed the matters raised, it is considered that the current wording of the Policy is satisfactory and no changes are recommended.

Infrastructure Contributions Plans (s. 7.12 Contributions Plan and Community Infrastructure Contribution (CIC))

The draft Planning Proposal provides for two contribution plans to apply to new development in the centres in order to fund the identified local and community infrastructure improvements.

The new community infrastructure contribution plan (CIC) will apply to development applications seeking to achieve an uplift in height and density within the town centres as identified on the alternative height and density maps. This will ensure that growth will be coordinated with the delivery of appropriate and essential public infrastructure. Draft Guidelines were exhibited with the draft Planning Proposal explaining how the levy will be applied, the rate per square metre and what type of infrastructure will be needed.

The second contribution mechanism is a new s.7.12 Contributions Plan for the two centres which will allow Council to impose, as a condition of development consent or complying development certificate, a requirement that the applicant pay a fixed contribution based on the cost of carrying out works. Council's existing s. 7.12 Contributions Plan (which applies to the entire LGA) allows the imposition of a levy up to 1% of capital cost. The exhibited draft Planning Proposal provided that a 3% levy will apply to the Kensington and Kingsford town centres. The Minister for Planning will be requested to endorse an amendment to the EP&A Regulation to enable the increased levy to apply to the town centres.

Submissions received from property owners questioned the impact of the proposed infrastructure contributions on development feasibility.

Response:

Council's consultant has undertaken analysis which shows that the introduction of a contribution will not affect the viability of development when development sites are priced to reflect the planning controls and applicable contributions, including affordable housing contributions. It is therefore essential for any contributions to be clearly defined so that prospective purchasers are informed at the outset and are able to make informed decisions at the time of site acquisition.

Where there is sufficient warning provided to the market, the levy can be tolerated without having any negative impact on development viability. This Planning Proposal therefore allows for the staged introduction of the affordable housing levy in Kensington and Kingsford town centres; the economic testing was underpinned by the practice of capturing a proportion of land value uplift for the purposes of public benefit, whether for public domain works, land dedication or affordable housing.

Cumulative impact of contributions

A number of submissions received from individual developers, planning consultants on behalf of developers and development industry groups have raised concern regarding the cumulative impact of contributions (community infrastructure, s7.12 contributions and affordable housing).

Ethos Urban on behalf of a developer specifically, raised that the burden of contributions should be paid by those who would benefit most from infrastructure investment undertaken via voluntary planning agreements rather than a standard contribution across the entire precinct.

Response:

Councils approach towards infrastructure and affordable housing delivery provides certainty to developers and the wider community on what is expected in terms of contributions payable and infrastructure delivery. The three contribution mechanisms were outlined and made public as part of the draft Planning Proposal endorsed by Council in December 2016 and forwarded to the Department of Planning in January 2017. There is broad community knowledge of the proposed contributions which should be reflected in decisions on new property acquisitions. A negotiated voluntary planning agreement approach on a site by site basis for infrastructure and affordable housing delivery is not equitable, does not provide certainty and not able to deliver benefits in an integrated manner as necessary for infrastructure and public domain improvements.

Draft Kensington and Kingsford town centres affordable housing contributions scheme

A key objective of this Planning Proposal is to increase the amount of affordable housing within the Kensington and Kingsford town centres. Several submissions raised concern regarding the impact of the affordable housing contribution would have on development viability.

Response:

The economic advice obtained from Hill PDA property consultants recommended that a staged introduction to the affordable housing contribution be considered. This approach acknowledges that affordable housing contributions are only viable where the prices paid for development sites reflect the planning controls and applicable contributions liability. It is therefore imperative for any affordable housing contributions to be clearly defined so that prospective purchasers are informed at the outset and able to make informed decisions at the time of site acquisition.

The Planning Proposal therefore allows for the staged introduction of the affordable housing contribution. This will not impact the development of sites already acquired, (unless sites were acquired based on speculative planning controls coming into effect) and will allow market expectations to adjust prior to the contribution coming into effect. In contrast, a number of submissions suggested that the proposed affordable housing levy is too low and a higher (eg. 30-50%) levy should be applied. In response, the proposed 3-5% levy was set taking into consideration the cumulative impact of the infrastructure contributions including the affordable housing levy to ensure they would not have unreasonable impact on the viability of development.

Minimum commercial floor space

Submissions raised concerns that the minimum commercial floor space (of 1:1 on the key node sites) is too high and may restrict the development of residential floor space.

Response:

The draft Planning Strategy recommends the inclusion of a minimum amount of commercial floor space to be provided on the key sites. This is in response to analysis which showed that a new developments in the town centres were providing a significantly lower commercial floor space as ground floor commonly provides for entry lobby areas, ramps, loading docks and storage facilities. If current trends continue, there will be a commercial floor space supply deficit in the future thereby compromising the economic role of the centres. The draft Planning Proposal therefore proposes that a minimum non-residential FSR of 1:1 to apply to the key nodes of Todman Ave/Anzac Kensington and Strachan St/Anzac and Kingsford Junction.

Development feasibility

To understand the economic impacts of the proposed contribution schemes (affordable housing, s7.12 contributions and community infrastructure contribution), Council obtained independent economic advice to test the impact of the contributions scheme on a number of atypical sites across both centres. The financial feasibility testing undertaken by Hill PDA tested a number of atypical sites across both centres. Hill PDA provided further response to assist Council in responding to comments made in submissions.

While the testing found that the affordable housing contribution has the biggest impact on development viability especially with a 5% affordable housing contribution, the testing suggested that the affordable housing contribution be incrementally increased to 5% over time. This would allow for the market to adjust and for the contribution to be considered ahead of time in land purchases and development projects.

Despite this, a submission on behalf of a purpose built student accommodation provider raised concern that the financial testing did not model the financial impacts of the proposed contribution schemes on other development such as purpose built student accommodation.

Response:

The financial modelling did not specifically test the financial impact of the infrastructure and affordable housing contribution schemes on 'new generation boarding houses' or proposals intended for purpose built student accommodation. However, the commercial attractiveness of student accommodation and significant uptake in new generation boarding houses since 2009 within the wider precinct would indicate that these types of development are generally feasible given the likely ongoing demand. Moreover, the Department of Planning, Industry and Environment in their peer assessment of Council's financial modelling did not raise any issues in relation to the type of development included in the model.

In relation to the Community Infrastructure Contribution (CIC), it is noted that this will apply only to new floor area achieved by the uplift to planning controls, therefore development viability will not be affected by the requirement.

As with all contributions, landowner expectations and industry behaviour are expected to adjust over time. Implementation that provides clear notice to the market and incorporates a staged approach will ensure sufficient and appropriate notice to the market and mitigate any adverse impact to future investment.

In relation to the s.7.12 (former s.94A) Plan, Council has received specialist advice that the installation of the automated waste system would require significant excavation of existing roadways and the construction of large collection stations in each town centre and is therefore not feasible and practical to implement. As an alternative, local collection systems with on-site storage connected to external vacuum collection is a potential that can be incorporated into the DCP. There would be minimal costs to Council associated with implementing this system as the costs would be associated with on-site collection and storage facilities. It is proposed therefore, to remove this cost from the draft schedule of works. This will reduce the total contribution amount required by \$14M and therefore reduce the s7.12 contributions payable from 3% down to 2.5%.

A reduction in the s.7.12 contributions payable (at 2.5%) would generate approximately \$44M, enough to fund the list of all other items and works specified in the draft Plan.

Submissions received – government agencies

The following section summarises comments received from key government agencies and responses. These agencies were required to be consulted as part of the gateway determination:

Transport NSW and RMS

The submission is generally supportive of the draft Planning Proposal and has requested further information on a number of matters that do not affect the finalisation of the Planning Proposal and will be provided to Transport and RMS:

- Clarification of the assumptions on mode share and traffic generation rates

Response: explanation of the assumptions has been provided and was outlined in the draft Planning Proposal

- the proposed layout and geometric requirements of intersection improvements be identified and agreed with TfNSW and Roads & Maritime and form part of the Planning Proposal

Response: This is being undertaken by Council's consultants and will be provided to TfNSW and RMS

- Any bus priority measures (if any) required to support the development uplift in the corridor be identified in consultation with TfNSW and Roads & Maritime and included in the Planning Proposal.

Response: Bus priority measures have been completed along Anzac Pde as part of the CBD and SE Light rail works through carriageway widening and footpath narrowing. No further bus priority measures can be accommodated.

- Further discussion will need to occur with TfNSW, Roads & Maritime and Department of Planning, Industry and Environment (DPIE) as to the best mechanism to implement the changes if the investigations identify infrastructure improvements required to support the proposed uplift.

Response: Noted. Council can meet with agencies following finalisation of the Planning Proposal to discuss opportunities outlined in Council's Planning Strategy and additional work being undertaken by Council's Traffic consultant Arup.

- Consultation with TfNSW and RMS on a precinct specific DCP

Response: Council is preparing a DCP for the town centres and will be consulting with agencies and the broader community as part of the public exhibition process in early 2020

- TfNSW requests that the Proposal should consider:

- the provision of safe, high quality walking and cycling links that cater for local community movement to centres, stations and bus stops, schools, parks (including on the Green Grid) and other trip attractors (hospitals), and can accommodate increased use;
- New walking and cycling links are designed to comfortably cater for growing volumes and different types of micromobility devices; and
- Planning for interconnected paths and cycleways immediately outside the subject site and between adjacent local government areas and connecting regional routes, including routes on the Principal Bicycle Network.

Response: as part of the preparation of the draft Planning Strategy Council investigated local public domain improvements within and around the two centres including green boulevards, green links, cycleways, through site links and measures to support Council's Bicycle Route Construction Priorities. Council's traffic consultant is also currently investigating an area wide plan to show how the precinct can connect to existing bicycle facilities to respond to the TfNSW recommendation. This will include safe, high quality walking and cycling links to connect centres, stations, schools, parks, hospitals and other attractors, consideration of micromobility devices and the Principle Bike Network. This work will also feed into the Integrated City-wide Transport Strategy to be prepared by Council in early 2020

- It is requested electronic copies of the traffic models and calibration documentation be submitted to TfNSW and Roads & Maritime to review

Response: This model will be provided and Council's consultant has advised that further modelling is not necessary given that the model is current. Further discussions will be held with RMS and Transport for NSW in early 2020.

State Transit Authority

No concerns raised, however requested that developers contact STA during construction phase to avoid disruption and delays to services.

Department of Education

The Department of Education has advised that initial forecasting estimates would impact on primary school teaching spaces at Kensington Public School. This School cannot accommodate increased enrolments due to site constraints, including site size, heritage buildings and lack of play space. The four high schools in the catchment are able to meet additional growth within the town centres.

The submission also raises concern with potential amenity impacts (overshadowing, visual privacy, wind etc) at Kensington Public School.

Response: Council met with the Department of Education and the Department of Planning and provided further information on more realistic dwelling projections in the corridor which were based on a 15 year horizon, taking into account some of the sites likely to be developed for student housing rather than residential apartments. The Department of Education has carried out further analysis and has subsequently advised Council that one additional teaching space would be required at Kensington Public School. The submission states that to meet projected demand, the Department will need to review School operations so as to optimize teaching spaces.

The issue of potential amenity impacts at Kensington Public school is addressed below under 'Key issues raised by the Community'.

Health Infrastructure

No comments provided in relation to the draft Planning Proposal however Council officers will continue to provide updates in relation to the Proposal through the Collaboration Area Working Group.

Sydney Water

Sydney Water has advised that it will need to undertake a planning study to investigate water, wastewater and possible recycled water servicing requirements. Further information on dwelling projections and timing of new development was requested and provided to Sydney Water. Sydney Water has advised that specifications for the ultimate future augmentation requirements of the system will be determined.

Ausgrid

Ausgrid has advised that increased demand on the Ausgrid network infrastructure will be assessed during the annual Ausgrid network planning review. Ausgrid's demand forecasting model is based on the Department of Planning's household growth projections which will capture growth in this corridor.

Response: Comments noted.

Land and Housing Corporation

Land and Housing has advised that no they have no comments on the Proposal.

Department of Infrastructure, Transport, Cities and Regional Development (Aviation Environment Branch)

The aircraft limitations affect land in the Kingsford town centre. The Department has advised that any future development that exceeds 51 metres AHD (which is the obstacle limitation surface or OLS) will be subject to an assessment process under the Regulations. In order to address this restriction, DCP provisions will need to specify that applications in the area will be subject to consideration under the Airports (Protection of Airspace) Regulations 1996 (the Regulations). The Department also recommends that Council continue to liaise with Sydney Airport on the acceptability of the proposed maximum building heights as well as arrangements for any associated crane activities to ensure that approvals required under the Regulations are obtained prior to construction commencing.

Response: These comments are noted and it is reasonable to include an explanation and requirement in the draft DCP in relation to requirements under the Airports Act.

Air Services

Air Services has advised that that advice should be sought from Sydney Airport on any airspace aspects and will not be making a submission. Previous consultations with Sydney Airport, Air Services and CASA in 2016 were considered in formulating the proposed heights in Kingsford.

Sydney Airport

Sydney Airport has advised that the OLS (which is 51 metres AHD) affects part of the Kingsford town centre and any building or crane structure that intrudes into the OLS will be a “controlled activity” under the Airports Act 1996. The proposed height limit of 54 metres above ground level at Kingsford Junction may result in future development being a controlled activity. Any building above this height will penetrate the PANS-OPS surface which is not permitted.

Response: As noted above, it is reasonable to include an explanation in the draft DCP in relation to the specific requirements under the Airports Act that will apply to development in Kingsford that exceeds 51 metres AHD.

UNSW

UNSW appreciates the opportunity to comment on the draft Planning Proposal and the draft contributions plans and has suggested a number of editorial and mapping clarifications, to improve understanding of the various documents. The submission notes that the Randwick Collaboration Area Place Strategy of which Kensington and Kingsford town centres are a part of, should be given greater consideration in the draft Planning Strategy. The submission is generally supportive of the draft infrastructure contribution schemes and draft Affordable Housing Plan. However, UNSW has raised concern with the proposal to increase the maximum payable infrastructure contribution from 1% to 3%.

Response: Suggested editing and mapping clarifications will be made to the draft Planning Proposal prior to the document being submitted to Department of Planning for finalisation of the planning controls. In relation to comments regarding the contributions schemes, these are addressed in **Appendix A**.

Bayside Council

The submission made on behalf of Bayside Council was generally supportive of the proposal and acknowledged its necessity given the proximity of the centres to the light rail and Health and Education precinct. Notwithstanding this the submission raised the following points:

- It is requested that consideration be given to existing road and transport network improvements connecting to the Bayside LGA.
- No assessment has been undertaken regarding how the proposal may impact upon the heritage significance of Daceyville Gardens. In particular the proposal has the potential to cause overshadowing to the Park and will result in a built form that is significantly larger than the adjoining area. It is requested that a heritage impact assessment be undertaken and

overshadowing diagrams be provided to determine the impact of the proposal on Daceyville Garden and associated heritage items and areas.

- The Proposal has the potential to increase demand for parking within the Bayside LGA given people will be driving and parking to use the light rail. Additionally the Proposal has the potential to result in increased traffic congestion along Gardeners Road. It is requested that modelling and assumptions around model shift should be further investigated to determine the impacts of vehicle movements.

Response:

The traffic assessment report undertaken for Council as part of the K2K Strategy determined that the anticipated level of traffic and demand for parking from both residential and commercial development will be able to be accommodated in the precinct. Council has obtained further advice (November 2019) from traffic consultants Arup which incorporates new census data and confirms that assessment and modelling carried out in 2017 for Council remains valid. This work has also shows that there has been a significant drop in car use for both employees and residents in the area. This aligns with the proposed future trend.

Council identified buildings of heritage significance during initial studies relating to the project. It is proposed that new infill development be required to respect the height, scale and character of contributory buildings (see Part C, Section 6 of the Strategy for more information).

Woollahra Council:

The submission made on behalf of Woollahra Council commends Council on the Planning Proposal including the integrated approach to align land use, transport, community infrastructure, affordable housing and liveability infrastructure. In particular the following points are made:

- Support for the proposed reform of the infrastructure contributions system to allow local government areas to fund delivery of affordable housing and liveability infrastructure works including public domain improvements, which are vital for achieving liveability outcomes identified in strategic plans including the Eastern City District Plan.
- Support for the uplift in town centres given it is accompanied by plans that deliver public benefits which will protect and enhance the liveability and amenity for residents, businesses and visitors for now and into the future.

Response: Comments in support of the Planning Proposal are noted

Waverley Council:

The submission made on behalf of Waverley Council commends council for showing leadership and ensuring the community is seeing benefits from growth, including growth from uplift resulting in shared value for owners and residents. In particular they raised the following points:

- Strong support for the design excellence provisions, specifically the proposed minimum Green Star rating of 5 stars for key sites which will result in more sustainable buildings.
- Support for the minimum non-residential floor space ratio, also making the recommendation that this clause be strengthened to propose that key sites be required for key services and employment generating uses such as supermarkets, retail, child-care, shared work spaces so as to limit quasi-residential uses such as serviced apartments.
- Support for the inclusion of an apartment mix however suggested that this be more specific to ensure a suitable mix is achieved.
- Commends the proposed community infrastructure contribution in particular how it changes the usual model which results in the entire community getting a share in the windfall resulting from uplift.
- Support for the affordable housing contributions however stated that the proposed rate is low and could have been set higher given it will be easily absorbed by developers.

Response:

Support for the proposed contribution schemes including affordable housing is noted. However, the submission raises that in particular the CIC rate is a low amount and that a higher amount could be set. In response, the CIC rate was set given that it has been market tested (i.e already

operational in Green Square) and it was considered reasonable in terms of development feasibility particularly given the additional contributions also proposed.

Key issues raised by community

Key issues raised in submissions are summarised below and a response is provided. Modifications to the draft Planning Proposal are suggested in some cases where the review and analysis considers this to be appropriate and reasonable.

Height of buildings

The exhibited height of buildings maps for the two centres in the draft Planning Proposal show the maximum overall building height permitted on any given site. The exhibited LEP heights are 9 storeys across the majority of the town centres with 16 storeys (up to 18 storeys if a development exhibits 'design excellence') at two nodes and 15 (up to 17 storeys with 'design excellence') at Kingsford Junction. Within the draft Strategy, the height transition maps for each centre showed 5 storey forms to ensure appropriate transition to adjoining development and more detailed and prescriptive heights including shared zones and proposed plazas. These transition maps were intended to be included in the draft DCP for the town centres.

A high number of submissions raised concerns about the proposed urban design approach to increase heights, in particular, the 16-18 storeys at the three nodes adjoining light rail stops. Most of the concerns about height came from residents in Kensington. Submissions mentioned that increased heights would have an impact on the character of the town centres and the existing low-rise character of the suburb and that height increases should be limited to 9 storeys. Some submissions mentioned that development along the length of the corridor will result in a canyon like visage and will not be attractive to residents and visitors. People have raised concerns that the 18 storey buildings will set a precedent for other owner land owners seeking spot rezoning along Anzac Parade.

Response:

The proposed heights for the entire corridor are underpinned by design principles set out in the draft Planning Strategy. These principles were informed by the international urban design competition for the two centres held in 2016 and consideration of projected residential and employment growth. In drafting the Planning Strategy, Council worked with urban design consultants to develop built form controls for each block with consideration of impacts on nearby development, achieving good design and public benefits. The review established that mid-rise building heights will provide for a more human scale for the precinct, with higher, more slender buildings being located at key intersections where they act to create distinctive urban form and facilitate growth around light rail infrastructure. The important part of new buildings is the ground plane at the base of buildings that will become an integral part of the streetscape where people can mingle that is appropriately designed to have adequate circulation, high quality finishes, common seating areas and well-designed landscaping. New buildings at key nodes must provide minimum 2.5m setback from the front of each block and at other locations a 1.5m setback is required. This will widen the existing footpath and over time will achieve continuous, wider footpath along the length of Anzac Parade.

Council's consultants tested a 12 storey 3D building height scenario across the entire town centres as an alternative to the exhibited draft Strategy of tower forms at the nodes. The 3D modelling compared the 9 and 12 storey built form scenarios and has identified a significant difference in the street scale experienced by pedestrians. Adopting a 12 storey height limit would generate a large, almost continuous 'wall-like' effect along the Anzac Parade frontages – out of scale with the width of the street and creating the experience of a large barrier. The 12 storey buildings would create more continuous overshadowing of Anzac Parade generally, and of the footpath zone in particular, and would have greater overshadowing of key public places and open space.

The analysis showed that this scenario is repetitive in its built form, whilst the 9 storey scenario introduces variety to the town centre. The benefit of a 9 storey form is that it has a lower height generally, whilst emphasising the taller tower buildings located at key intersections and key light

rail stations. The proposed corner mixed use higher node buildings are of appropriate height in these locations (and in some cases limited by Sydney Airport height controls). The designs for these buildings will be incentivised to achieve design excellence and will be limited in their floor plate - to generate tall slender tower buildings.

As mentioned above, guidelines for the design excellence provisions will be prepared as part of the draft DCP which will stipulate that development applications within the K2K boundary will need to demonstrate that they can achieve high standard of design, amenity and sustainability.

To ensure transitional heights and setbacks for shared zones are given greater weight and provide greater certainty and clarity, it is recommended that the height transition maps be incorporated as LEP provisions rather than the DCP. The height maps show heights transitioning to adjoining sensitive developments from 5 to 9 storeys.

In relation to the issue of precedence, new proposed height and density provisions for each site will be incorporated into the LEP as maximum controls, meaning that new development applications will need to demonstrate compliance and be assessed against the objectives, principles, design excellence and other controls specified in the LEP and DCP. It is not uncommon to have varying height limitations in town centres to ensure that the built form is distributed in response to local conditions/context.

Kensington Public School

Issues raised:

Residents and parents raised concerns that the proposed heights and density directly adjacent to the School will result in impacts to the students' amenity including increased overshadowing, potential for overlooking, safety of students, urban heat island and wind tunneling. Comments have also been raised that the proposal will create demand for enrolments at the School.

Response:

In response to concerns about amenity impacts on the School, urban design consultant's CM+ were engaged to undertake a more detailed analysis of the block bound by the School, Todman Ave, Anzac Pde and Bowral St.

Part C of the draft Strategy included a built form height transition map for each of the two centres. These maps were intended to be included in the draft DCP (to be prepared and exhibited in early 2020) providing flexibility for more detailed design at the development application stage. Given the concerns raised in submissions and to ensure clarity of requirements, height controls have been reviewed for incorporation in the LEP. In Kensington town centre, the block between the School and Anzac Parade, incorporated a laneway to separate the school from adjoining buildings and to provide a north south access way through to Bowral Street. Adjoining the proposed laneway, the maximum building height shown was 5 storeys, which is the same height under the existing planning controls (Randwick DCP 2013). Along Todman Ave the exhibited maximum building height transition shown was 9 stories (31m) and up to 18 storeys fronting Anzac Parade. In reviewing the block, the heights and setbacks have been modified as shown in the image below extracted from the CM+ analysis to address concerns raised:



2.1 Site Plan

Revised Scheme (with additional setbacks)



Figure 1 – Modifications to built-form adjoining Kensington Public School (Source: CM+)

The six modifications shown in Figure 1 are: increasing the setback from 6m to 9m and incorporating new tree planting to address privacy concerns (1 and 2), increasing the northern and southern building separations from 6m to 12m to ensure more open area next to the school playground (3), introducing a 2.5m frontage setback to Todman Ave to align with the School building (4), include residential courtyards to the west between the existing flats and new buildings (5) and require greater building setback west of the School to address mid-winter overshadowing and potential overlooking into the School grounds. As a result of the changes, the playground closest to the boundary will have improved mid-winter sun light access and improved amenity.

Built form and shadow testing has shown that the revised scheme which incorporates additional ground level and upper level building setbacks along the common boundary with the School provides the optimum urban design outcome, and is therefore recommended. The proposed buildings on Anzac Parade have no overshadowing impacts on the School in mid-winter. Overshadowing from the lower 4/5 storey forms to the west of the School start casting shadows after 2pm and there is no overshadowing at all from the 18 storey buildings. There is also no overshadowing created by the proposed built form during the lunch time period from 1 to 1:45pm. Buildings, structures and trees within the School grounds also cast shadow on the playgrounds.

In relation to School capacity, a submission from the Department of Education (addressed above) outlines the demand on teaching spaces and site constraints. It notes that the School is at capacity and cannot expand on its current site however the Department will need to review operations to identify how demand can be met (see above under Department of Education submission).

Council officers also met with the Kensington Public School Principal to discuss the draft Proposal and provide an opportunity for questions and clarifications in relation to the proposed built form/design of the block between the School and Anzac Pde. Specific matters of height transition, future building setbacks, safety of students and construction management were discussed. Officers also offered to meet with the School P&C executive.

Traffic and parking

Issues raised:

The issues of traffic and parking have been raised in a large number of submissions. Specifically, submissions expressed the view that increased density will result in increased traffic congestion, loss of parking for surrounding residents, impacts on pedestrian safety and cyclists.

Response

One of the key principles of the draft Planning Strategy is prioritising active transport – pedestrian walking paths and cycling infrastructure. This is consistent with the 10 ideas from the competition, regional and district planning principles and Council transport policy.

A traffic and parking analysis was undertaken for Council by ARUP in 2017 to investigate the anticipated level of traffic from both residential and commercial development. This two part study was placed on public exhibition with the draft Planning Proposal. Modelling analysis undertaken was informed by RMS assumptions and expected traffic movements within the precinct in the context of new light rail infrastructure. It is expected that there will be reduced reliance on cars as a greater proportion of existing and new residents and employees will use the light rail and buses. Traffic modelling showed that increased traffic movements can be accommodated on the street network and that two key intersections would need modified to improve their performance - the intersections of Todman/Anzac Pde and Barker/Anzac Pde. These will be funded from proposed infrastructure contributions and be undertaken in the next 2-3 years.

In November 2019, Arup undertook a statement of currency to assess whether the base data and assumptions used for the 2017 transport assessment and modelling remain valid. Arup has confirmed that their original assessments and modelling remain valid. As part of this review, Arup analysed the 2016 Census data (which is the latest mode share data available) which was not released when the original analysis and modelling was carried out. The data shows a trend towards greater public transport and active transport use (walking and cycling) within the precinct which supports the earlier prediction that future car usage will reduce. The information provided by Arup has been reviewed and endorsed by Council's Integrated Transport Team.

Arup is also currently developing concept plans for the two intersection improvements at Todman Ave and Barker Street. It is noted that improvements to the Todman intersection have been installed recently as part of the light rail works. A segregated two way cycle-way along the northern kerb line of Todman Ave will be considered and consideration of any further changes to the lane configuration will be required. In relation to the Barker Street/Anzac Pde intersection, an extra lane to the westbound approach is being considered by Arup with potential for increased building setback and land dedication along the boundary with the petrol station and potentially the McDonald's site along Barker St.

A balanced approach to the issue of traffic congestion has been taken in the draft Strategy which considers the benefits of reduced on-site parking given the proximity and availability of frequent public transport along Anzac Pde. NSW Government policy and best practice planning guidelines advocate reduced parking requirements to promote a reduction in car dependency and encourage walking, cycling and public transport. Council DCP 2013 contains provisions which promote sustainable options for development particularly along transport corridors such as Anzac Pde. Arup has advised that new residents and employees in the centres are expected to have lower rates of car ownership. Parking rates will be further considered as part of the DCP for the town centres and will be designed to ensure that they not only complement the public transport infrastructure in place but also meet the likely demand generated by the uses in any new development.

Light Rail capacity

The community raised questions about the capacity of the new SE CBD light rail to handle peak hour demand with additional growth, given the analysis by Council's transport consultant's study that it will reach capacity when operational. A number of submissions have requested that the Planning Proposal be deferred until after the light rail is operational.

Response

As part of the preparation of the Planning Strategy, Council engaged Transport consultants EMM to analyse the capacity of the light rail, taking into account the expected growth in the corridor over the next 15 years.

Advice provided by Council's consultant is that public transport capacity can be met if the light rail together with buses continue to service the transport needs of the precinct. Transport for NSW (TfNSW) has advised that all express buses and some of the existing buses to the City from the east and south will be maintained and that the bus network will be scalable and flexible to respond to demand as the need arises. When open, the light rail will have 15 services/hour. This can increase to 20 services per hour with a 6 minute intervals. Transport has also advised that a transition period will be in place for the first few months of operation of the light rail to allow time to evaluate the bus network alongside the operation of the light rail.

As development in the corridor comes on-line in the next 10-15 years, transport services will need to be monitored, analysed and improved based on transport data. In the longer term, the EMM transport analysis recommended that additional transport capacity would likely be required in the form of new mass transit and additional bus services. There is also the potential for further improvements to public transport including mass transport (as outlined in the NSW Government's Future Transport Strategy) to meet the needs of the community in line with the 30 minute city direction in the Greater Sydney Region Plan – Metropolis of Three Cities. Council will also continue to plan for high quality, safe and green pedestrian and cycle connections to light rail and other key destinations and prioritise active transport over private vehicle use. Given advice from Council's transport consultant and response from Transport for NSW that both the new light rail and buses will meet the public transport needs of the area, it is considered that deferring a decision on the Planning Proposal until after the commencement of the light rail is unnecessary and will not alter transport planning outcomes. The original timeframe for exhibition of the draft Planning Proposal was mid-2017, with finalisation to have been well before the completion of the light rail. Further to this, delaying the Planning Proposal is not supported as it will also mean delaying the introduction of local infrastructure plans and importantly the legislative framework that provides its basis. It is likely that Council will receive planning proposals for individual sites and miss the opportunity to require public benefits. With previous ad hoc planning proposals seeking heights up to 25 storeys, deferring the current Planning Proposal may result in outcomes for the corridor which are significantly at odds with the urban design and strategic design work undertaken by Council officers and consultants.

Botany Dewatering / structural concerns:

A number of submissions raised concern that the process of dewatering of groundwater will impact the Botany Aquifer and surrounding 'zone of influence' during the construction of buildings which may result in structural problems to surrounding properties. Additionally, residents have raised concerns that the sandy soil will not be able to provide structural support to tall buildings such as those proposed on the node sites.

Response

Council's DCP Chapter D1(3.11) for the Kensington Town Centre recognises the shallow groundwater levels in the Centre, noting that levels are responsive to seasonal conditions and may fluctuate to about 1 metre from a period of dry conditions to a period of wet weather. The NSW Office of Water is involved in applications where a development intersects with the water table. RDCP Chapter B8 – Water Management also deals with groundwater and states that site geotechnical investigations early in the design process are necessary. Provisions require proponents to obtain a report from a qualified engineer to certify that the basement will preclude the need for dewatering after construction, will be suitably water proofed and tanked and include groundwater management systems to maintain natural flow paths of groundwater around the development. Where dewatering is needed, they must be referred to the Office of Water for assessment and approval and a water license may be needed to permit excavation.

Council's current DCP provisions are aimed at ensuring that construction activities do not adversely impact on the groundwater or neighboring properties. In response to issues raised in submissions, it is appropriate that the draft DCP for the town centres should be reviewed by a geotechnical and hydrogeological engineer and strengthened as appropriate.

Affordable Housing

Several submissions have raised concerns regarding the impact on property values and antisocial behaviour from the provision of affordable housing such as crime, litter and noise and the transient population.

Response:

Data shows that Randwick has continued to lose low cost housing due to gentrification processes which has occurred in the LGA over time. This has had an impact on the City's ability to attract and retain lower paid staff such as cleaners, retail staff, café workers etc needed to support the function of our major employment centre, the Randwick Education and Health Strategic Centre and is outlined in Council's affordable rental housing needs analysis, attached to the draft Affordable Housing Plan.

Increasing the stock of affordable housing is a benefit not only to those lower income households who may access it, but also to the wider community. Affordable housing is important to promote a diverse and sustainable community and to provide housing for lower income households who support the local economy and the community.

It is noted that affordable rental housing that has resulted from Council's current affordable housing program are of high design quality and are in keeping with the local context of those areas. There is also no evidence to suggest that the provision of affordable housing will bring a more transient population into the area. Many of the tenants who are provided housing assistance through Council's existing affordable rental housing program have been housed for a number of years.

There is no evidence to suggest that the existing Council affordable rental housing in suburbs such as Randwick, Maroubra or Little Bay has had any negative impact on property values. Further discussion on the need to provide for affordable housing to support the socio and economic functions of a city is outlined in the Affordable Rental Housing Needs Analysis attached to the Draft Affordable Housing Plan.

Student Housing

Issues in submissions regarding student accommodation were varied. Some submissions address the concern that student accommodation will not have adequate living space and parking for permanent residents. Comments were that the boom in overseas students will not last and, when demand for student accommodation drops, Kensington will have buildings that are undesirable. Additionally, student accommodation does not contribute to the community and results in isolated residents.

Several submissions also raised concerns about the development of 'new generation boarding houses' under the Affordable Rental Housing SEPP intended for purpose built student accommodation. A submission recommended that student housing should be separately defined so as to remove this type of land use from the SEPP and therefore such development would not be eligible for the floor space incentives under the existing AHSEPP. It is suggested that Council should request an exemption from the NSW Policy.

Response

The B2 Local Centres Zone that applies to both town centres permits a range of retail, business, residential and employment opportunities and student accommodation is a permissible use as it falls within the definition of a 'boarding house'. The future mix of land uses within the Kensington and Kingsford town centres will be largely determined by the market. The design of rooms and other building related matters will be assessed at the development application stage, when detailed designs are available. This current stage of the planning process is concerned with setting the planning framework, guidelines and requirements in which all future applications will be assessed.

In relation to the comments regarding the contribution of students to community life, whilst there are clear economic benefits in terms of local expenditure and jobs, there are also broader local

social and cultural benefits including more lively streets both day and night, social interactions in the public domain and the opportunities for integrating innovation, creative uses and start-ups by leveraging from the proximity to UNSW. Students also have higher public transport utilisation, higher rates of walking and cycling and low car ownership rates.

The demand for student housing in the precinct created by increasing enrolments at UNSW is unlikely to diminish. The Greater Sydney Commission's Randwick Collaboration Area Place Strategy anticipates growth in students over the next 10-15 years (from 68,116 students in 2016 to 74,754 by 2025). The provision of each room associated with student housing developments will be counted as a dwelling for the purposes of meeting overall dwelling forecasts for the LGA.

Buildings at the key nodes will contain a variety of uses including publicly accessible business uses and community spaces. Town centres are suitable locations for purpose built student accommodation and lessen the demand for housing stock in suburban areas. Amenity impacts on neighbours in a suburban location also tend to be greater due to the intensity of use associated with boarding house development in a lower density context. The increased demand for student accommodation in dwelling houses also impacts rental affordability.

In relation to floor space incentives for boarding house accommodation currently available through the SEPP Affordable Rental Housing, Council's draft Housing Strategy includes an action that Council should seek an exclusion to this Policy and identify local housing provisions in Council's LEP and DCP (to ensure appropriate built form, scale, access, setbacks, amenity etc). The Planning Proposal provides for uplift in the corridor and will allow for suitably sized and scaled building envelopes comprising a range of building types. As such, there has already been an incentive built into the planning controls. It is therefore appropriate that Council commence discussions with the NSW Department of Planning to seek an exemption to this Policy including requesting a new definition that more accurately reflects development for student rental accommodation.

Amendments to draft exhibited Plans

In response to submissions the following amendments are proposed to the exhibited documents:

Planning Proposal

- Include a height transition map for each town centre to replace the broad height map included in the exhibited draft Planning Proposal
- Include the Affordable Housing Contributions area map to the planning proposal list of maps.
- Amend the affordable housing contributions area map in the affordable housing plan to align with the planning proposal map (Figure 1 excludes the three sites that extend the boundary of the Kensington town centre as shown on page 109 of the draft Issues Paper and page 141 and Appendix 3 of the draft Planning Strategy.)

CIC plan

- Include infrastructure items and works that were inadvertently omitted from the Table of CIC items for the Kingsford town centre only and update the corresponding map with no change to the total cost of works. These items were contained in the original draft Planning Proposal and are: public domain works at Anzac/Gardeners Road and Rainbow St, Wallace St public realm, Anzac Pde footpaths and intersections, Southern Cross Close improvements and cycle parking/sharing facilities.

S7.12 plan

- reduce the contribution rate down to 2.5% from 3%
- Remove the automated waste scheme from the table of infrastructure items and adjust the total costs accordingly
- Make minor formatting changes to how the figures are titled for consistency (figures 1,2,3,4 – town centres should be referred to in the same order)

Affordable housing plan

- cl.1.6 The Randwick City Affordable Housing Program to include reference to the NSW Affordable Housing Ministerial Guidelines
- Cl.2.4: stipulates a minimum size of floorspace to be dedicated as affordable housing to be 50 sqm. However for new generation boarding houses, the rooms can be as small as 16 sqm. Therefore it is recommended that the affordable housing plan be amended to clarify that in these circumstances, an equivalent monetary contribution would be payable. The rate for the monetary contribution in lieu of providing units is \$324.38 per square metre for residential purposes up to June 2021 and \$540.62 per square metres from 1 July 2021. The rate will be updated in line with the NSW Governments Rent and Sales Report.
- Other minor formatting changes include: replace the term of Housing Association to Community Housing Provider; replace the term Department of Housing with Family and community Services.

K2K Development Control Plan

Council is currently updating the Randwick DCP 2013 provisions that apply to the Kensington town centre (Chapter D1) and Kingsford town centre (Chapter D2). It is intended that the new planning and design controls will be combined into a single chapter and apply to both town centres. New controls will complement the legislative provisions and development standards within the LEP and will provide more detailed guidance that to be addressed in future development applications. The draft DCP will be reported to Council in early 2020 and subject to its endorsement will be placed on public exhibition. It is intended that the timing of the draft DCP will be aligned with the finalisation of the LEP controls, infrastructure contribution plans and affordable housing plan so that new development applications can be assessed within the new planning framework as envisaged by the K2K Planning Strategy.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Direction 4	Excellence in urban design and development.
Outcome 4a	Improved design and sustainability across all development.
Outcome 4b	New and existing development is managed by a robust framework.
Direction 6	A Liveable City
Outcome 6a	Our public infrastructure and assets are planned, managed and funded to meet the community expectations and defined levels of service
Outcome 6c	The safety of our community is paramount and is acknowledged and supported through proactive policies, programs and strategies
Outcome 6d	A strategic land use framework provides for our lifestyle changes and for a continuing, yet low rate of growth across our City
Outcome 6e	Enhance housing diversity, accessibility and adaptability to support our diverse community.
Outcome 8	A strong Local Economy
Outcome 8a	Vibrant business, commercial, and industrial sectors that provide ongoing and diverse employment opportunities and serve the community
Direction 9	Integrated and accessible transport
Outcome 9a	A network of safe and convenient walking paths and cycle ways linking major land uses and recreation opportunities
Outcome 9b	The community is informed, educated and encouraged to use sustainable transport
Outcome 9b.1	Plan for safe, accessible and attractive pathways and encourage increased use of walking, public transport and cycling networks
Outcome 9c	Advocate and /or plan for integrated local and regional transport

improvements, including high capacity transport such as light/standard rail

Resourcing Strategy implications

Delivery of community and local infrastructure is estimated to cost 71.4 million. These include community spaces, innovation centres, cycle ways, public plazas, landscaped areas for water sensitive design and green links.

Policy and legislative requirements

Under the Environmental Planning and Assessment Act 1979, Council is the 'planning proposal authority' responsible for endorsing the changes to the Randwick LEP. Under s. 3.32 (2)(d) the Minister for Planning may direct the Planning Secretary take on this role if Council has not met its obligation to make the plan.

Under s.3.35 Council may vary the Planning Proposal as a consequence of its consideration of any submission or report during community consultation or for any other reason.

Should Council endorse the Planning Proposal, the Department will be requested to make arrangements for the drafting of the legislative amendments to give effect to the Planning Proposal.

Conclusion

The draft Planning Proposal for the Kensington and Kingsford town centres has been developed over a number of years commencing with a background issues paper in 2015 to gain an understanding of issues, drivers, opportunities and challenges, an international urban design competition that provided a broad range of ideas to rejuvenate and transform the centres and a strategic planning document outlining social, economic and environmental considerations and a vision that sets the future planning priorities and planning controls for the two centres. At the centre of planning for the two centres is people and place, ensuring good design and a high quality public realm. This work has also taken an integrated approach to planning for growth with a new infrastructure contributions framework that will enable the realisation of the vision for the two centres.

Extensive community engagement was undertaken to gain feedback on the draft Planning Proposal over a six week period from 20 August to 1 October 2019. In addition to this consultation, a telephone survey of randomly selected residents across the LGA provided a broader and representative sample of perceptions across Randwick City (weighted according to the demographic of the LGA) in relation to the draft Proposal. Respondents to the telephone survey were more supportive of the draft Strategy than those who made written submissions. By comparison written submissions represented a 2.2% response rate out of the 17,787 letters to the community within the suburbs of Kensington and Kingsford. The survey results show that Kensington and Kingsford respondents and younger residents across the LGA were more supportive of the Proposal than other respondents.

The key issues of concern were building heights, potential traffic congestion and parking impacts, overshadowing, privacy impacts and impacts on Kensington Public School. Of those supporting the draft Proposal, the key reasons given were the potential public benefits, green links, more trees, cycle ways, affordable housing and public realm improvements. There were also a number of requests for inclusion of properties within the draft Planning Proposal and these have been evaluated.

In considering views expressed, a number of amendments to the draft Planning Proposal and associated plans are recommended. These changes are consistent with the intended effect and substance of the draft Planning Proposal and are outlined in this report. Further detailed design guidance will be included in a new DCP for the town centres, to be separately reported to Council in early 2020.

On balance, and in consideration of the matters raised in submissions it is recommended that Council endorse the draft Planning Proposal, s.7.12 Contributions Plan, CIC Guidelines, Affordable Housing Plan and Architectural Competition Guidelines. It is also recommended that

the final amended Planning Proposal be submitted to the Department of Planning, Industry and Environment requesting that the legal drafting amendments to RLEP 2012 be made. Finally, it is further recommended that the Minister be requested to amend the EPA Regulation to enable Council to incorporate a development contributions levy up to 2.5% of capital costs.

Responsible officer: Stella Agagiotis, Coordinator Strategic Planning

File Reference: F2015/00419