

Planning Services

Plan Finalisation Report

Local Government Area: Randwick

File Number: IRF17/717

1. NAME OF DRAFT LEP

Randwick Local Environmental Plan 2012 Amendment No 4 (draft LEP).

2. SITE DESCRIPTION

The planning proposal applies to land at 1T Romani Way, Matraville.

The site comprises the Telstra Matraville telephone exchange. The southern portion of the site is approximately 840m² in area, vacant and no longer required for telephone exchange operations. This portion has been approved by Randwick City Council to be excised from the northern portion of the site, which contains the telephone exchange.

Land surrounding the site comprises a mix of single dwellings, duplexes, townhouses, residential flat development and public housing.



Figure 1: Site (bounded in yellow). Source: SIX Maps.

3. PURPOSE OF PLAN

The draft LEP seeks to:

- rezone the site from SP2 Infrastructure (Telecommunications Facility) to part R3 Medium Density Residential;
- apply a maximum floor space ratio (FSR) of 0.75:1; and
- apply a maximum height of buildings of 9.5m.

No minimum lot size control applies to the site, nor is one proposed under this LEP amendment. This is consistent with Council's approach for managing lot sizes in the R3 Medium Density Zone via controls in its development control plan (DCP).

It is envisaged that the proposal will facilitate up to 8-12 new residential dwellings on the site in a three-storey residential flat development.

4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Maroubra Electorate. Mr Michael Daley is the State Member for Maroubra.

The Hon Matt Thistlethwaite MP is the Federal Member for Kingsford Smith.

To the regional planning team's knowledge, neither MP has made any written representations regarding the proposal.

NSW Government Lobbyist Code of Conduct: There have been no meetings or communications with registered lobbyists with respect to this proposal.

NSW Government reportable political donation: There are no donations or gifts to disclose and a political donation disclosure is not required

5. PRE-GATEWAY REVIEW

The planning proposal was subject to a pre-Gateway review process as Council had determined that it did not support the proposal due to concerns that adequate justification had not been provided for a spot rezoning. Council considered that the controls for the land should be reviewed as part of a wider strategic review of the area.

Both the former Sydney East Joint Regional Planning Panel (now Sydney Eastern City Planning Panel) and the Department of Planning and Environment determined that the proposal had merit and should not be delayed (**Attachment D**).

Council declined the role of relevant planning authority (RPA) to progress the matter. The Sydney Eastern City Planning Panel has been appointed as the alternate RPA to progress the matter.

6. GATEWAY DETERMINATION

The Gateway determination (**Attachment C**) issued on 25 October 2016 determined that the proposal should proceed subject to conditions.

The time frame for completing the LEP has lapsed, being 25 July 2017.

7. PUBLIC CONSULTATION

In accordance with the Gateway determination, community consultation was undertaken by the Panel from 22 February 2017 to 23 March 2017.

No community submissions were received.

8. ADVICE FROM PUBLIC AUTHORITIES

The Panel consulted Randwick City Council, Sydney Water, Energy Australia, NSW Department of Education, NSW Police Force and Transport for NSW in accordance with the Gateway determination.

Submissions were made by Sydney Water, Transport for NSW and Council.

A summary of the submissions is provided below:

Sydney Water

Sydney Water raised no objections or issues that need to be addressed as part of the rezoning process. It highlighted that the existing water network can accommodate the demand generated by the development and provided advice regarding service extension and connection requirements.

Transport for NSW

Transport for NSW raised no objections or issues that need to be addressed as part of the rezoning process. It highlighted the existing and future public transport services around the site and supplied details regarding traffic and access that will need to be considered under any future design and development application work.

Randwick City Council

Council does not support the proposal as it considers that the planning controls that apply to the site and wider area need to be reviewed more broadly and not through spot rezonings.

Council noted that there are inconsistencies between the proposed concept design and Council's DCP, and raised uncertainties regarding the suitability of the site considering potential land contamination issues and radiation output from the telecommunications facility. Council also noted that these matters can be reviewed through a development application process.

The Panel resolved that the rezoning of the land was suitable and noted that the issues raised by Council were the same that were considered under the pre-Gateway review process (**Attachment E**).

Council has requested that if the LEP is supported by the delegate of the Greater Sydney Commission, that it be delayed until the newly approved subdivision is registered on title so the new zone boundaries align with this new subdivision.

A copy of the final plan of subdivision has been provided to the Department's ePlanning GIS team and the zone boundaries have been mapped to align with this final plan. The new subdivision title has not been registered and the proponent is seeking finalisation of the LEP amendment.

It is considered reasonable that the amendment be finalised based on the mapping prepared by ePlanning GIS. Minor zone boundary amendments could be undertaken through a future housekeeping planning proposal should they not match the registered cadastre.

9. ASSESSMENT

The proposal will facilitate new housing opportunity on a disused vacant site, which is surrounded by medium-density development and close to public transport. The proposed controls are the same as the surrounding land and will therefore ensure development on the land will be consistent with the character of the area.

Draft Greater Sydney Region Plan

This plan was released for consultation in October 2017. It provides a 40-year vision for Greater Sydney, promoting collaboration across government to align land-use planning with

future transport services. It is designed to inform district plans, local plans and the assessment of planning proposals. The proposal is generally consistent with the 10 Directions outlined in the plan. There are no provisions under the plan that preclude the finalisation of the LEP.

Revised Draft Eastern City District Plan

The Greater Sydney Commission released this plan for consultation in October 2017. The proposal is considered consistent with the priorities and actions of the plan as it provides new housing opportunity on disused land and in an existing residential area. There are no provisions under the plan that preclude the finalisation of the LEP.

Section 117 Directions

The proposal was considered under the Gateway determination as being consistent with all relevant section 117 Directions. The final proposal has not changed since the Gateway determination was issued and therefore remains consistent with these directions.

State environmental planning policies

SEPP No 55 – Remediation of Land

It was considered under the Gateway determination that the contamination report that supports the proposal confirms that the site is suitable for rezoning. Should remediation be required, this can be managed through the development application process. No further review of this SEPP is considered necessary.

SEPP (Infrastructure) 2007

It was noted under the Gateway determination that there are suitable mechanisms for assessing and managing potential radiation impacts for development near telecommunication facilities through the development application process. No further review of this SEPP is considered necessary.

10.MAPPING

The following maps will be amended as part of this amendment:

Land zoning map:

- LZN_008
- LZN_009

Floor space ratio map:

- FSR_008
- FSR_009

Height of building map:

- HOB_008
- HOB_009

The maps and map cover sheet have been approved by the Department's e-Planning team and provided to Parliamentary Counsel.

11.CONULTATION WITH THE PANEL

The Panel was consulted on the terms of the draft instrument (**Attachment F**). The Panel confirmed on 22 December 2017 that the draft LEP was appropriate and should be made (**Attachment G**).

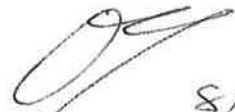
12. PARLIAMENTARY COUNSEL OPINION

On 15 December 2017, Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at **Attachment PC**.

13. RECOMMENDATION

It is recommended that the Greater Sydney Commission's delegate determine to make the draft LEP because:

- it will facilitate increased housing provision in an established residential location that is serviced by public transport and close to jobs;
- the proposed controls for the site are the same as the surrounding area and will facilitate development on the site that is consistent with the character of the area;
- there were no issues raised by the community and the matters raised by public agencies do not require an alteration to the proposal; and
- the proposal is consistent with the Draft Greater Sydney Region Plan, Revised Draft Eastern City District Plan, and relevant SEPPs and section 117 Directions.



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