

Amendment of zoning, height and floor space ratio controls for 1T Romani Way, Matraville

Proposal Title : **Amendment of zoning, height and floor space ratio controls for 1T Romani Way, Matraville**

Proposal Summary : **The planning proposal seeks to make the following amendment to the Randwick Local Environmental Plan 2012 (Randwick LEP 2012) for 1T Romani Way, Matraville:**

- **rezone the site from SP2 Infrastructure (Telecommunications Facility) to R3 Medium Density Residential;**
- **apply a proposed floor space ratio (FSR) of 0.75:1 to the site (no FSR currently applies to the site); and**
- **apply a proposed maximum building height of 9.5m to the site (a maximum building height currently does not apply).**

PP Number : **PP_2016_RANDW_002_00**

Dop File No : **qA397620**

Proposal Details

Date Planning : **20-Sep-2016**

Proposal Received :

LGA covered :

Randwick

Region : **Metro(CBD)**

RPA :

Sydney East Joint Regional Plan

State Electorate : **MAROUBRA**

Section of the Act :

55 - Planning Proposal

LEP Type : **Spot Rezoning**

Location Details

Street : **Romani Way**

Suburb : **Matraville**

City : **Sydney**

Postcode : **2036**

Land Parcel : **Lot 1 DP 107189**

DoP Planning Officer Contact Details

Contact Name : **Olivia Hirst**

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	8
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :
If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :
If Yes, comment :

Supporting notes

Internal Supporting
Notes :

Background

In June 2015 Omar Abdul-Rahman submitted a planning proposal to Randwick City Council seeking to amend various development controls under the Randwick Local Environmental Plan 2012 (Randwick LEP 2012) for 1T Romani Way, Matraville (the site). Specifically the proposal sought to:

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

On 21 October 2014, Randwick City Council approved DA/405/2014 for the subdivision of the site into two separate lots (a Section 96(1) Application was also approved on 9 January 2015 to amend a minor error to Condition 2a). The site originally accommodated the Telstra Matraville Telephone Exchange on its northern portion. The southern portion was no longer required for the telephone exchange operations and represented excess land. The northern portion of the land will remain as the Telstra Exchange and the southern portion will constitute 'the site'.

The site is fenced and the adjoining Telephone Exchange is separately fenced. The site is located to the immediate south-east of a large Housing NSW site, approximately 10 hectares (predominantly 2 storey townhouses) and private housing to the south (predominately low density, 1-2 storeys). The proposal intends to provide 8 units on the site.

On 8 September 2016 Council resolved not to support the proposal for the following reasons:

- a spot rezoning is not the best, most efficient or most time effective means of achieving a review of the planning controls that currently apply to the site;
- the need for the planning proposal has not been adequately demonstrated; and
- the future planning controls for the site should be investigated as part of a more comprehensive planning review process.

On 21 October 2015, the Department received a request for a pre-Gateway review of the planning proposal. The Department prepared an Information Assessment and Recommendation Report supporting the proposal to proceed to the Joint Regional Planning Panel (The Panel) noting it demonstrated strategic planning merit.

On 11 May 2016, the Panel recommended that the planning proposal should proceed to Gateway as:

- it has strategic merit as it proposes housing in an area close to public transport; and
- the proposed height and density of residential development is moderate and is likely to be compatible with future controls for the surrounding area.

The Panel accepted the Department's advice that Telstra, the Australian Communication and Media Authority, the Australian Radiation Protection and Nuclear Safety Agency and Housing NSW should be consulted on the proposal.

While the Council's opposition to the proposal was noted, the Department and Panel formed the view that the site has strategic merit and should proceed to public exhibition, as;

- the site will provide additional housing close to public transport;
- future development will be in character with the existing development in the locality; and
- the proposal has strategic and site specific merits and is capable of further development.

On 7 June 2016, Council was offered the RPA role to submit the planning proposal to the Department for Gateway determination. On 28 June 2016, Council resolved to decline the RPA role reconfirming their opposition to the proposal noting the same objections originally raised when resolving not to support the proposal.

As Council declined the RPA role the Sydney East Joint Regional Planning Panel (the Panel) has been appointed as an alternate RPA to progress the proposal. The Panel will be responsible for administering the plan-making process, including submitting the proposal for a Gateway determination, public exhibition, State and Commonwealth agency consultation, consideration of submissions and finalisation of the plan.

The Proposal

The proposal submitted for a Gateway determination is consistent with the provisions of the proposal submitted in October 2015 pre-Gateway review.

External Supporting
Notes :

The planning proposal seeks to amend various development controls under the Randwick Local Environmental Plan 2012 (Randwick LEP 2012) for 1 Romani Way, Matraville.

Specifically, it seeks to:

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

The proposal will yield 8 residential apartments, providing housing in a location well-served by public transport. The site is located within the Global Economic Corridor and in close proximity to the Randwick Health and Education Precinct as well as Sydney Airport and Port Botany Transport Gateways.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

The proposal states that its primary objective is to enable the redevelopment of 1T Romani Way, Matraville, for medium density, residential housing, with high quality urban design that will make a meaningful contribution to the subregional housing targets.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

The proponent intendeds to achieve the objectives of this Planning Proposal by making the following amendments to the Randwick LEP 2012 (Maps 008 and 009 of each series) for the site:

- rezone the site from SP2 infrastructure (Telecommunication Facility) to R3 Medium Density Residential by amending the Land Zoning Maps;
- approve a maximum floor space ratio of 0.75:1 by amending the Floor Space Ratio Maps; and
- apply a maximum building height of 9.5 metres by amending the Height of Building Maps.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.3 Home Occupations

3.4 Integrating Land Use and Transport

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Infrastructure) 2007

e) List any other matters that need to be considered :

s.117 Directions

The proposal is consistent with all relevant S.117 directions.

State Environmental Planning Policies

SEPP 55 - Remediation of Land

The proposal states the site has previously been associated with telecommunications infrastructure and not subject to known contamination or contaminating uses. A Stage 1 Preliminary Site Contamination Report has been prepared and submitted with the proposal. The report concluded that there is no history of contaminating uses, no contamination was found on site during the investigation and therefore, further investigation is not warranted. The Council Report states Council's Environmental Health Officers reviewed the preliminary contamination report and consider the report to not be comprehensive and that it did not consider contaminants like asbestos. The report has been reviewed and it has been concluded that it provides a comprehensive history of the site and there is no evidence of industrial or other contaminants, including asbestos, being present on this site. The preliminary contamination report is considered satisfactory. However, any contamination that is subsequently found on the site must be appropriately managed in accordance with the SEPP and any other relevant policies and controls and must also be addressed at the DA stage. The planning proposal is considered to be consistent with this SEPP.

State Environmental Planning Policy (Infrastructure) 2007

This SEPP facilitates the delivery of infrastructure across the state, including assessment requirements for infrastructure projects or development near major infrastructure. The site adjoins Telstra's Matraville Telephone Exchange and is surplus land which is currently being subdivided. The planning proposal states future development of the site will require existing utility services to be upgraded or augmented and that works will be undertaken in accordance with the SEPP. The SEPP does not impose any additional development controls on land adjacent to telecommunications facilities. Despite the infrastructure SEPP not being particularly relevant to this proposal, significant consideration has been given to co-locating residential uses near telecommunications facilities. A range of policies and standards have been reviewed, including, the

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Commonwealth's Radiocommunication (Electromagnetic Radiation- Human Exposure) Standard 2007 and Telecommunications Act 1997, which control development near telecommunication exchanges and control exposure to electromagnetic radiation from these facilities. Consultation with Telstra, the Australian Communications and Media Authority and the Australian Radiation Protection and Nuclear Safety Agency is recommended.

Have inconsistencies with items a), b) and d) being adequately justified?

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal contains sufficient mapping. The mapping clearly demonstrates existing and proposed development controls for the site. Further, the proposal contains images of the site in its context and has also provided a concept master plan for future development.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The planning proposal suggests a community consultation and public exhibition period of 28 days. The proposal states consultation with relevant public agencies will be confirmed by Gateway determination. The Department agrees with the proposed 28 day public consultation period.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The proposal is considered adequate and sufficient detail has been provided.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation
to Principal LEP :

Assessment Criteria

Need for planning
proposal : **This proposal is the result of a pre-Gateway review that recommended the planning proposal progress to the Gateway determination stage as it has strategic merit. The proposal will yield approximately eight residential apartments, providing housing in a location well-served by transport and close to strategic centres.**

Consistency with strategic planning framework :

The proposal is consistent with key strategic, State and Local policies.

A Plan For Growing Sydney

The site is located within the Global Economic Corridor and the proposal intends to redevelop it for medium density housing (8 units). While the development will increase housing in an established residential area and is located within the Global Economic Corridor, the site is not located in a strategic centre or near a rail line. However, bus services operate along Anzac Parade (closest stop is approximately 300 metres) and link the site to the CBD, other centres as well as jobs and services within the Global Economic Corridor. The site is close to the Sydney Airport and Port Botany Transport Gateways and accessible to jobs in these Gateways. The proposal is considered to be generally consistent with the goals and guiding principles relating to the growth and development of strategic centres and transport gateways as outlined in the A Plan for Growing Sydney.

Goal 1 – A competitive economy with world-class services and transport

Direction 1.6: Expand the Global Economic Corridor

The proposal seeks to facilitate residential development on a small but vacant site within the Global Economic Corridor. The proposal is considered inconsistent with this direction, as it does not expand the range of activities encouraged for the Global Economic Corridor (eg. employment and mixed-use activities). Given the site's location in a residential area, it is unlikely the site would be redeveloped for employment uses. Residential development is the most appropriate use for the site and the inconsistency is considered to be minor.

Direction 1.7: Grow strategic centres - providing more jobs closer to home

The site is not in a strategic centre but within the Global Economic Corridor and close to the Randwick Health and Education Precinct and the Transport Gateways. The site is 300 metres from bus services on Anzac Parade and 400 metres from bus services along Beauchamp Road. The services provide links to the CBD and other strategic centres (Randwick Health and Education Precinct, Maroubra Town Centre, Bondi Junction, Sydney Airport and Port Botany). It is argued that increased housing in this location will assist in providing more homes near jobs. While the site is not located in a strategic centre, the proposal is consistent with this direction as it will increase housing supply in a location that is accessible to a number of centres.

Goal 2 – A city of housing choice, with homes that meet our needs and lifestyles

Direction 2.1: Accelerate housing supply across Sydney and Action 2.1.1 Accelerate housing supply and local housing choices. The proposal argues it will deliver a variety of apartment types at varying price points in line with market demand. It notes the Plan encourages additional housing in and around centres that are close to jobs and are serviced by public transport. Additionally, the site is surplus Telstra land which is in the process of being subdivided. The proposal is considered consistent with this direction and action, as it will provide housing close to public transport and proposes a range of apartment sizes to appeal to different household types.

Direction 2.3: Improve housing choice to suit different needs and lifestyles

The proposal states it responds to this direction by facilitating a range of apartment options which are in demand by the market and will suit the needs and lifestyles of future residents. It is noted the proposal aims to provide two and three bedroom apartments which may suit different household types. The proposal is considered to be partially consistent with this direction.

Goal 3 – A great place to live with communities that are strong, healthy and well connected

Direction 3.1: Revitalise existing suburbs

The proposal argues that Matraville will change in the future due to its location and proximity to services and jobs. The proposal contends the site is an opportunity for immediate redevelopment as it is a large lot under single-ownership and could act as a catalyst for future development in the locality. The proposal is considered to be consistent with this direction.

Direction 3.3: Create healthy built environments

The proposal states it is consistent with this direction as the rezoning will allow for the future construction of a pedestrian path, giving access to bus stops on Anzac Parade. The

proposal is considered to be consistent with the practical application of this direction.

Sydney Subregions – Central Subregion Priorities

The Plan establishes a number of goals for each district in metropolitan Sydney. The site is located in the Central subregion. There are no district priorities that are directly applicable to the site. Two priorities are indirectly applicable to this proposal: Improve access to the CBD including through Sydney Rapid Transit and the CBD and South East Light Rail and Randwick Health and Education Precinct - Work with council to identify if opportunities exist for urban renewal around Randwick's education and health facilities, including offices, retail, services, housing and SEPPs. The proposal is considered to be consistent with these priorities.

Regional Strategy

Until the District Plans are finalised, the planning proposal's consistency with the draft East Subregional Strategy (2007) has been reviewed. The proposal is considered consistent with the following actions:

- Action 1.4 Contain the rezoning of employment lands to residential zonings across Sydney;
- Action B2.1 Plan for housing in centres consistent with their employment role;
- Action C1.3 Plan for increased housing capacity targets in existing areas; and
- Action C2.3 Provide a mix of housing.

Local Strategy

The planning proposal is consistent with the following objectives of the Randwick City Plan (Randwick Council's 20 year Community Plan):

- improving the environmental performance of buildings and spaces, and achieving high quality urban design;
- managing the demands of development and infrastructure as a result of existing and future population growth, and growth in visitor numbers; maximising the identity, amenity and useability of neighbourhoods; and
- recognising and supporting the relationship that exists between transport and land uses.

The proposal states it is consistent with the following objective:

Facilitating a diverse and affordable range of housing to meet our housing needs.

The planning proposal is considered to be generally consistent with this objective. The objective focuses on provisions of affordable housing for low income, at-risk groups and key workers. The proposal argues it intends to provide apartment types that will cater for various price points and the increase in supply, although only units, will assist in reducing prices in this location.

Environmental social
economic impacts :

Environmental

There are no known critical habitats, threatened species or ecological communities within the site or its surrounds which will be affected by the proposal.

Prior to public exhibition of the proposal consultation with Telstra, the Australian Communications and Media Authority and the Australian Radiation Protection and Nuclear Safety Agency is recommended. This consultation is recommended to ascertain the level (if any) of any electromagnetic radiation being emitted from the site, the likelihood of potential human harm or effects of prolonged exposure to electromagnetic radiation as well as any other matters (for example, design for noise and vibration mitigation) that need to be considered when co-locating residential use with a telecommunications exchange facility. Should the proposal proceed, it is recommended the outcomes of the consultation, along with any other relevant information on human health and electromagnetic radiation, be placed on public exhibition along with the planning proposal.

Traffic and Access

As noted in the proposal the redevelopment may increase local traffic and construction may have temporary amenity impacts. While this is likely, it is considered that the construction of eight apartments will not substantially impact on local traffic movements. It is noted that a traffic study has not been provided. Pedestrian and vehicular access to the site will be from Pozieres Avenue. The proposal intends to provide underground car

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parking for residents.

Council's report noting that access arrangements to the telephone exchange need to be resolved is considered valid. Currently, the facility can be accessed by Romani Way or Pozieres Avenue, but Romani Way is a private access way owned by Housing NSW for their site. This should be resolved between the proponent, Council, Telstra and Housing NSW.

Social

The site is located to the immediate south-east of a large Housing NSW site, approximately 10 hectares (predominantly 2 storey townhouses). Housing NSW should be consulted regarding the development.

Economic

The proposal seeks to rezone the land to R3 Medium Density Residential - considering the location of the site it was unlikely to be utilised as for employment generating purposes.

It is not anticipated that the proposal will give rise to any unforeseen environmental, social or economic effects.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
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Timeframe to make LEP :	9 months	Delegation :	RPA
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Public Authority Consultation - 56(2)(d) :	Department of Education and Communities Family and Community Services - Housing NSW Energy Australia Transport for NSW NSW Police Force Sydney Water Telstra Other
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

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Documents

Document File Name	DocumentType Name	Is Public
Tag pre-Gateway Review Request - Planning Proposal Report - 1T Romani Way Matraville.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 3.3 Home Occupations
 3.4 Integrating Land Use and Transport

Additional Information : **It is recommended the planning proposal proceeds subject to the following conditions:**

1. Prior to public exhibition of the proposal consultation is required with the following public authorities:

- Housing NSW;
- Telstra Corporation Limited;
- The Australian Communications and Media Authority; and
- The Australian Radiation Protection and Nuclear Safety Agency.

Any comments or advice received by these agencies is to be notified to the Department of Planning and Environment and placed on public exhibition along with the planning proposal. If comment is not received within 21 days, the Panel is to exhibit the planning proposal and seek input from these public agencies during the consultation period.

2. During public exhibition of the proposal consultation is required with the following public authorities:

- Randwick City Council;
- Sydney Water;
- EnergyAustralia;
- NSW Department of Education and Communities;
- NSW Police Force; and
- Transport for NSW.

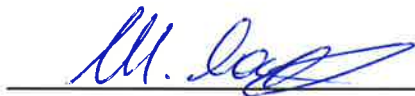
3. The planning proposal is to be publicly exhibited for a minimum of 28 days.

4. A public hearing is not required on the matter.

5. The planning proposal is to be completed within 9 months of the Gateway determination.

Supporting Reasons : **The planning proposal is recommended to proceed, as it satisfies State and subregional metropolitan strategy objectives by encouraging development that will facilitate increased housing provision in an established residential location well serviced by public transport and in good proximity to jobs.**

Signature:



Printed Name:

MARTIN COOPER

Date:

17/10/2016

