

# Extraordinary Council Meeting

Tuesday 1 June 2021



## EXTRAORDINARY COUNCIL

Notice is hereby given that an Extraordinary Council meeting of Randwick City Council will be held in the Randwick Town Hall, 1<sup>st</sup> Floor, 90 Avoca Street, Randwick on Tuesday, 1 June 2021 at 7pm

### Prayer and Acknowledgement of the local indigenous people

#### Prayer

*"Almighty God,*

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

#### Acknowledgement of Country

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

### Apologies/Granting of Leave of Absences

### Declarations of Pecuniary and Non-Pecuniary Interests

### Address of Council by Members of the Public

*Privacy warning;*

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

*Audio/video recording of meetings prohibited without permission;*

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

### Director City Planning Reports (record of voting required)

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Therese Manns  
**GENERAL MANAGER**

## Director City Planning Report No. CP35/21

**Subject: Randwick Comprehensive Planning Proposal - Minimum Lot Sizes and dual occupancy provisions in the R2 Low Density Residential Zone**

### Executive Summary

- This report recommends that Council endorse that part of the Randwick Comprehensive Planning Proposal (Planning Proposal) in relation to minimum lot sizes and attached dual occupancy provisions for land zoned R2 Low Density Residential for submission to the Department of Planning, Industry and Environment seeking a Gateway Determination to enable its public exhibition.
- This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter, to be able to vote on other aspects of the Planning Proposal.
- Council's resolution on this report will be reflected in the Planning Proposal to be forwarded to the Department of Planning for Gateway determination.
- This report recommends that Council endorse part of the Planning Proposal in relation to minimum lot sizes in the R2 Low Density Residential zone as follows:
  - reducing the minimum lot size for all land zoned R2 Low Density Residential zone from 400m<sup>2</sup> to 275m<sup>2</sup> (with the exception of land within a Heritage Conservation Area)
  - increasing the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 550m<sup>2</sup> in the R2 Low Density Residential zone;
  - applying a new sliding scale FSR control for dual occupancy (attached) in the R2 Low Density Residential zone:
    - Lot sizes of 550m<sup>2</sup>-600m<sup>2</sup>: 0.65:1 FSR
    - Lot sizes of 600m<sup>2</sup> and greater: 0.6:1 FSR.
- The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.
- Council has considered a number of reports on separate topics (housing, heritage, environmental resilience, local character areas, economic development and rezoning requests). These reports included advice from the Randwick Local Planning Panel (RLPP).



### Recommendation

That Council:

- a) Consider the advice provided by the Randwick Local Planning Panel of 8 March 2021 (Attachment 1) in regard to changes to minimum lot sizes in the R2 Low Density Residential Zone;
- b) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to minimum lot sizes for the R2 Low Density Residential Zone as set out below:

- reducing the minimum lot size for all land zoned R2 Low Density Residential zone from 400m<sup>2</sup> to 275m<sup>2</sup> (with the exception of land within a Heritage Conservation Area)
  - increasing the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 550m<sup>2</sup> in the R2 Low Density Residential zone;
  - applying a new sliding scale FSR control for dual occupancy (attached) in the R2 Low Density Residential zone:
    - Lot sizes of 550m<sup>2</sup>-600m<sup>2</sup>: 0.65:1 FSR
    - Lot sizes of 600m<sup>2</sup> and greater: 0.6:1 FSR.
- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Planning Proposal and associated documents prior to submitting to the Department of Planning, Industry and Environment;
- d) Forward that part of the Planning Proposal relating to minimum lot sizes and dual occupancy provisions in the R2 Low Density Residential zone to the Department of Planning Industry and Environment as delegate to the Minister for Planning for a 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- e) Endorse the exhibition of the Planning Proposal once Gateway Approval is provided (subject to any conditions); and
- f) Resolve to commence the preparation of a new Randwick Comprehensive Development Control Plan to support the Planning Proposal.

#### Attachment/s:

1.  RLPP Advice - 8 March 2021
2.  Link to Draft Comprehensive Planning Proposal



## Purpose

The purpose of this report is to consider the part of the Planning Proposal in relation to minimum lot sizes in the R2 Low Density Residential zone.

The Proposal seeks to amend Randwick Local Environmental Plan 2012 to:

- reduce the minimum lot size for all land zoned R2 Low Density Residential from 400m<sup>2</sup> to 275m<sup>2</sup> (with the exception of land within a Heritage Conservation Area)
- increase the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 550m<sup>2</sup> in the R2 Low Density Residential zone
- apply a new sliding scale FSR control for dual occupancy (attached) in the R2 Low Density Residential zone:
  - Lot sizes of 550m<sup>2</sup>-600m<sup>2</sup>: 0.65:1 FSR
  - Lot sizes of 600m<sup>2</sup> and greater: 0.6:1 FSR.

## Background

This work was considered by the Randwick Local Planning Panel on 8 March 2021 (Attachment 1). The Panel supported the strategic intent of the minimum lot size and dual occupancy provisions addressed in this report.

The housing component of the Planning Proposal was considered by Council at the 23 March 2021 meeting. At this meeting, Council resolved to support the proposed changes outlined in this report.

The Council resolution from the 23 March 2021 meeting is as follows:

*That Council:*

1. *note that the draft comprehensive planning proposal will be reported to Council in May 2021; and*
2. *note that community consultation in relation to all inclusions within the draft comprehensive planning proposal will be undertaken following endorsement of the proposal by Council in its whole form and once a Gateway determination is issued; and*
3. *requests a revised report containing the following:*
  - a. *revising down building heights and densities within the Housing Investigation Area (HIAs);*
  - b. *an increased affordable housing contribution in identified HIAs;*
  - c. *the deletion of the Low-rise Housing Diversity Area;*
  - d. *incorporating the advice provided by the Randwick Local Planning Panel at its meeting of 8 March 2021 (Attachment 1) where not inconsistent with the above points;*
  - e. *maintaining all other actions outlined in the report where not inconsistent with the above points.*

### Legislative context

As per Clause 4.1C of Randwick LEP 2012, dual occupancies may be built on lots of 450sqm and greater in the R2 zone (subject to assessment under other relevant standards of the LEP and DCP).

Currently, a 400sqm minimum lot size standard applies to the R2 zone, meaning that dual occupancies may only be subdivided if the parent lot is 800sqm or more (2x 400sqm or more lots).

Clause 4.1A(4) states that the minimum lot size for strata subdivision of an attached dual occupancy in the R2 zone is not to be less than 400sqm.

Clause 4.1D relates to attached dual occupancies for which development consent was granted before 6 July 2018. It states that development consent may be granted for the subdivision of a dual occupancy if the development meets the relevant standards specified in Part 6 Subdivisions Code of *State Environmental Planning Policy (Exempt and Complying Development Code) 2008*. This clause was introduced following a comprehensive review of the minimum subdivision lot size standard in 2017. The LEP was amended in 2018 and Clause 4.1D was introduced to allow for the subdivision of attached dual occupancies under company title schemes if development approval was granted before 6 July 2018.

The Low Rise Housing Diversity Code (the Code) came into effect in Randwick City on 1 July 2020 and allows for the development of new dual occupancies built on lots of 450sqm or more. The minimum lot size for the development of a dual occupancy under the Code is based on the minimum lot size for dual occupancy development as specified in Clause 4.1C of the Randwick LEP.

#### Strategic context

Action 2.1 of the endorsed Randwick Housing Strategy states that Council will review LEP 2012 to amend subdivision provisions in the R2 Low Density Residential zone which is the basis for the proposed changes to the LEP contained within this report.

Lot size requirements for the subdivision of dual occupancies were one of the key issues raised by the community during the exhibition of the draft LSPS and Housing Strategy, with submissions in support of a further reduction to the minimum lot size required to subdivide dual occupancies.

After the endorsement of the final Housing Strategy, the Low Rise Housing Diversity Code came into effect in Randwick City. As previously stated, it allows for the development of dual occupancies on lots of 450m<sup>2</sup>, based on Clause 4.1C of the Randwick LEP.

The Housing Strategy discusses the potential for a reduction to the minimum lot size in the R2 zone from 400m<sup>2</sup> to 325m<sup>2</sup>. This would allow the subdivision for the purpose of a dual occupancy on a parent lot of 650m<sup>2</sup> and greater (2x 325m<sup>2</sup> lots). A detailed analysis has been undertaken based on varying lot size scenarios to understand the impacts on the low density character of R2 zoned land.

### **Planning Proposal**

This section provides an overview of the Planning Proposal relevant to minimum lot size within the low density residential zone and attached dual occupancy subdivision provisions including the objectives, explanation of provisions (changes to Randwick LEP 2012 clauses, schedules and maps) and summary of the relevant Randwick and State Government strategic plans, strategies and studies.

#### Objectives and Intended Outcomes

- Provide housing capacity to meet Council's 6-10 year housing target of 4,300 new dwellings by 2026
- Increase housing diversity and choice to support our growing and diverse population

#### Explanation of Provisions

The Planning Proposal seeks to:

- reduce the minimum lot size for all land zoned R2 Low Density Residential from 400m<sup>2</sup> to 275m<sup>2</sup> (with the exception of land within a Heritage Conservation Area)
- increase the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 550m<sup>2</sup> in the R2 Low Density Residential zone
- apply a new sliding scale FSR control for dual occupancy (attached) in the R2 Low Density Residential zone:
  - Lot sizes of 550m<sup>2</sup>-600m<sup>2</sup>: 0.65:1 FSR
  - Lot sizes of 600m<sup>2</sup> and greater: 0.6:1 FSR

The proposed changes to development standards in the R2 Low Density Residential zone are shown in Table 1.

**Table 1:** Summary of proposed changes to development standards in the R2 Low Density Residential zone

Development Standard	Existing Development Standard	Proposed Development Standard
Minimum lot size for subdivision of attached dual occupancy in the R2 zone	400m <sup>2</sup> (800m <sup>2</sup> parent lot)	275m <sup>2</sup>
Minimum development lot size for construction of dual occupancies (attached)	450m <sup>2</sup>	550m <sup>2</sup>
Minimum subdivision lot size	400m <sup>2</sup> (800m <sup>2</sup> parent lot)	275m <sup>2</sup> (550m <sup>2</sup> parent lot) (with the exception of Heritage Conservation Areas)

Lot size analysis undertaken by Council officers indicates that a minimum lot size of 275m<sup>2</sup> for residential development in the R2 zone is appropriate. Council's analysis of recently approved development applications for dual occupancies (attached) in the R2 zone between July 2018 and January 2021 indicate that 78% of approved dual occupancies are on lots of 550sqm or greater. The number of development approvals for dual occupancies (attached) on lots of 550sqm or less represents a relatively small number of approvals.

Analysis of the existing capacity of R2 Low Density zone indicates that there are approximately 2,845 lots of 550m<sup>2</sup> or more with a minimum frontage width of 15m or more. The estimated housing yield in the medium term (2021 to 2026) is 474 new dwellings.

Council has also conducted analysis on lot sizes of 450sqm+ and 650sqm+ in the R2 zone, with these findings shown in **Table 2**.

**Table 2:** Dual occupancy estimated dwelling yield in the R2 zone

Lot size	Total lots a frontage of 15m or more	Total estimated yield	Estimated 2021-2026 dwelling yield
450sqm+	4282	2141	714
<b>550sqm+</b>	<b>2845</b>	<b>1423</b>	<b>474</b>
650sqm+	1045	523	174

A sliding scale FSR is recommended to apply to the development of a dual occupancy (attached) in the R2 Low Density zone. This approach would realise a built form which is similar in scale to a semi-detached dwelling. The following FSRs are recommended for dual occupancy development:

- If the lot is more than 550 square metres, but not more than 600 square metres, an FSR of 0.65:1 would apply; or
- if the lot is more than 600 square metres, an FSR of 0.6:1 would apply.

Upon review of the recently approved development applications for dual occupancies (attached) in the R2 Low Density zone, it is evident that the proposed FSR controls can provide for adequate deep soil planting, permeable surfaces and landscaping on a lot size of 550sqm or greater. Development controls for site frontages, setbacks, landscaping, permeable and deep soil provision will be further reviewed as part of the comprehensive DCP review to ensure that there are sufficient landscaped areas on a site to allow for increased tree canopy cover across the R2 zone. The proposed changes to development standards for the development of dual occupancies in the R2 zone are shown in **Table 3**.

**Table 3:** Proposed changes to development standards for the development of dual occupancies in the R2 zone

Development Standard	Existing Standard	Development Standard
Frontage (DCP)	15m	15m (no change)
Building Height	9.5m	9.5m (no change)
Floor Space Ratio	0.5:1	Sliding scale dependent on lot size: 550-600sqm: 0.65:1 FSR 600sqm and greater: 0.6:1 FSR

Justification

Council officers' analysis has considered different minimum lot sizes as demonstrated previously in **Table 2** and recommend 550sqm as an appropriate lot size for dual occupancy development in the R2 Low Density Residential zone.

A reduction in the minimum lot size to 550sqm will allow for a moderate increase in density in the R2 Low Density zone. As identified in the Housing Strategy our population is growing and changing and ensuring that there is a mix of dwelling types across the LGA to meet dwelling demand is a key objective of the comprehensive planning proposal.

**Table 2** shows the potential dual occupancy dwelling yield in the R2 zone for lots of lot sizes of 450sqm+, 550sqm+ and 650sqm+. It is considered that a 650sqm minimum lot size would not provide the capacity to meet the needs of our growing and diversifying population, including growing families and downsizers. Alternatively, a reduction in the minimum lot size to 225sqm would result in a significant increase in density in the southern parts of the LGA. Based on the lot size analysis conducted, there are a greater number of lots within this range in the south of the LGA which are areas less serviced by public transport and with limited access to shops and services.

Reducing the minimum lot size for residential development in the R2 zone and harmonising this control with the minimum subdivision lot size control for dual occupancies will create consistency in Council's planning approach. As stated above, it is considered that a 550m<sup>2</sup> minimum lot size for the development of a dual occupancy responds to community feedback and aligns with Council's vision for growth. Council's DCP will provide more detailed controls to ensure there is sufficient space for deep soil planting and landscaping, which would allow for an increase in tree canopy in the R2 zone.

Moderate increases to FSRs (reflective of the reduction in minimum lot size) and no proposed changes to the height of building and minimum frontage widths for dual occupancy development will ensure that new dual occupancy developments will not impact on the existing low density character within the R2 zone.

**Strategic alignment**

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	4. Excellence in urban design and development.
Direction	4b. New and existing development is managed by a robust framework.

## Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2019-20 and 2020-21 budget allocations. The Comprehensive Planning Proposal was completed in-house by Strategic Planning officers with assistance from Consultant Strategic Planners.

## Policy and legislative requirements

Relevant policies and legislation in relation to the Comprehensive Planning Proposal are:

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

## Conclusion

The purpose of this report is to consider the Planning Proposal in relation to minimum lot sizes and dual occupancy provisions in the R2 Low Density Residential zone. Specifically, the Planning Proposal seeks to amend Randwick Local Environmental Plan 2012 to:

- reduce the minimum lot size for all land zoned R2 Low Density Residential from 400m<sup>2</sup> to 275m<sup>2</sup> (with the exception of land within a Heritage Conservation Area)
- increase the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 550m<sup>2</sup> in the R2 Low Density Residential zone
- apply a new sliding scale FSR control for dual occupancy (attached) in the R2 Low Density Residential zone:
  - Lot sizes of 550m<sup>2</sup>-600m<sup>2</sup>: 0.65:1 FSR
  - Lot sizes of 600m<sup>2</sup> and greater: 0.6:1 FSR.

This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.

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**Responsible officer:** Timothy Walsh, Environmental Planning Officer; Stella Agagiotis, Manager Strategic Planning

**File Reference:** F2021/00188



## MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING HELD ON MONDAY, 8 MARCH 2021 AT 1:03PM

### Present:

<b>Chairperson:</b>	Annelise Tuor
<b>Expert Members:</b>	Jason Perica; Janette Murrell
<b>Community Representatives:</b>	Mio Margarit Chow (North Ward)
<b>Council Officers present:</b>	

Coordinator Development Application Assessments	Mr W Jones
Personal Assistant to the Manager DA	Ms A Halcro

### Declarations of Pecuniary and Non-Pecuniary Interests

Jason Perica declared a significant non-pecuniary interest in Item D9/21 as a friend of his has made a submission on the matter. Jason Perica has indicated that he will not take part in the debate or the voting on the matter and left the public meeting when item D9/21 was discussed.

### Address of RLPP by Councillors and members of the public

Deputations were received in respect of the following matters:

GR1/21	RANDWICK COMPREHENSIVE PLANNING PROPOSAL - HOUSING INVESTIGATION AREAS, AFFORDABLE HOUSING, LOW RISE 'DIVERSITY AREA', MINIMUM SUBDIVISION LOT SIZE AND EXEMPTION TO DUAL OCCUPANCY PROVISIONS OF THE LOW RISE HOUSING DIVERSITY CODE
<b>Councillor</b>	Councillor Veitch
<b>Councillor</b>	Councillor Neilson
D9/21	14 OCEAN STREET, CLOVELLY (DA/43/2019/A)
<b>Objector</b>	Mr Paul Say + Mr Tom Hordern (Northumberland St speaking together)
<b>Applicant</b>	Mr Chris Jordan - Architect on behalf of applicant

**After the above speakers had addressed the panel, the public meeting was closed at 1:42pm. The Panel then continued to deliberate and vote on each matter via Microsoft Teams.**

**The resolutions, reasons and voting outcomes for each item on the agenda are detailed below:**

## General Reports

**GR1/21      General Report - Randwick Comprehensive Planning Proposal - Housing investigation areas, affordable housing, low rise 'diversity area', minimum subdivision lot size and exemption to dual occupancy provisions of the Low Rise Housing Diversity Code (F2020/00633)**

### RESOLUTION:

That the Randwick Local Planning Panel advises Council that it generally supports the recommendations for the Planning Proposal within the Council Officer's report as being consistent with the strategic planning directions outlined within the Local Strategic Planning Statement and Housing Strategy. The Panel makes the following comments:

#### Housing Investigation Areas:

- i. The Panel supports the strategic intent and identification of the five (5) areas put forward for potential increased density and supporting controls.
- ii. The site specific merits of each area should be supported with further urban design studies to consider appropriate transitions to surrounding areas, landscaped character, tree canopy and open space. The logic and rationale of the relationship between the height and floor space ratio (FSR) standards should be clear and should demonstrate that the built form outcomes and desired future character can be achieved. The urban design studies should be exhibited with the draft Randwick Local Environmental Plan (RLEP).
- iii. The proposed controls rely on detailed controls in a future development control plan (DCP), which preferably should be exhibited alongside the new RLEP. If this is not possible, then the DCP should be finalised before gazettal of the new RLEP.
- iv. Consideration should be given to the new RLEP including standards in the Housing Investigation Areas in relation to minimum allotment size, minimum frontage, incentives for consolidation and affordable housing, possibly beyond the proposed 3%.
- v. Further consideration should also be given to areas that are currently within the Housing Investigation Areas but propose no increase in density based upon market analysis as opposed to strategic merit.

#### Low Rise Diversity Area

- i. The Panel supports the additional permitted use of 'attached dwellings' within the 'diversity area' and the minimum allotment size of 180m<sup>2</sup> for attached dwellings. For other forms of housing, the minimum allotment size should be reviewed to include minimum frontages to ensure appropriate built form outcomes.
- ii. The FSR for sites greater than 180m<sup>2</sup> should be in accordance with a sliding scale based on allotment size.

#### Exemption from the Dual Occupancy Provisions of the *Low Rise Housing Diversity Code* in the R2 Low Density Residential Zone

- i. This is a matter for Council and the Department of Planning, Industry and Environment. The Panel expresses no view.

#### Process / Submissions

- i. In terms of submissions from individuals and a request for deferral, the Panel notes that the long process ahead for a Planning Proposal provides various opportunities for public engagement and consideration.

#### CARRIED UNANIMOUSLY.

## Development Application Reports



**D9/21 Development Application Report - 14 Ocean Street, Clovelly (DA/43/2019/A)****RESOLUTION:**

That the RLPP, as the consent authority, approve the application made under Section 4.55 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Application No. 43/2019 for alterations and additions to dwelling house including front facade, enlarged basement and ground works, at No. 14 Ocean Street Clovelly, in the following manner:

**A) Amend Condition 1 to read:****Approved Plans & Supporting Documentation**

- The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>
Drawing 01 (Rev. A)	Christopher Jordan Architects	24/4/2019
Drawing 02 (Rev. A)		
Drawing 03 (Rev. A)		
Drawing 04 (Rev. A)		
Drawing 05 (Rev. A)		
Drawing 06 (Rev. A)		
Drawing 07 (Rev. A)		
Drawing 08 (Rev. A)		
Drawing 09 (Rev. A)		
Drawing 11 (Rev. A)		

**EXCEPT where amended by:**

- Council in red on the approved plans; and/or
- Other conditions of this consent; and/or
- the following Section 4.55 plans and supporting documents only in so far as they relate to the modifications highlighted on the Section 4.55 plans and detailed in the Section 4.55 application:

<b>Plan</b>	<b>Drawn by</b>	<b>Dated</b>
Drawing 01 (Rev. C)	Christopher Jordan Architects	30/03/2020
Drawing 03 (Rev. C)	Christopher Jordan Architects	30/03/2020
Drawing 05 (Rev. C)	Christopher Jordan Architects	30/03/2020
Drawing 06 (Rev. C)	Christopher Jordan Architects	30/03/2020
Drawing 07 (Rev. B)	Christopher Jordan Architects	30/03/2020
Drawing 08 (Rev. C)	Christopher Jordan Architects	30/03/2020
Drawing 09 (Rev. C)	Christopher Jordan Architects	30/03/2020
Drawing 11 (Rev. B)	Christopher Jordan Architects	30/03/2020

<b>BASIX Certificate No.</b>	<b>Dated</b>	<b>Received by Council</b>
A334543_03	15 September 2020	17 September 2020

**B) Delete Condition 2. b.****BASIX Requirements**

- In accordance with section 4.17 (11) of the *Environmental Planning & Assessment Act 1979* and clause 97A of the *Environmental Planning & Assessment Regulation 2000*, the requirements and commitments contained in the relevant BASIX Certificate must be complied with.

The required commitments listed and identified in the BASIX Certificate must be included on the construction certificate plans, specifications and associated documentation, to the satisfaction of the Certifier.

The design of the building must not be inconsistent with the development consent and any proposed variations to the building to achieve the BASIX commitments may necessitate a



new development consent or amendment to the existing consent to be obtained, prior to a construction certificate being issued.

#### **BASIX Requirements & Certification**

27. In accordance with Clause 154B of the *Environmental Planning & Assessment Regulation 2000*, a Certifier must not issue an Occupation Certificate for this development, unless it is satisfied that any relevant BASIX commitments and requirements have been satisfied.

Relevant documentary evidence of compliance with the BASIX commitments is to be forwarded to the *Principal Certifier* and Council upon issuing an Occupation Certificate.

#### **REASON:**

The Panel has visited the site or is familiar with the site and surrounding area, considered the submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.55 of the Environmental Planning and Assessment Act 1979, as amended.

The original DA included alterations and additions to an existing building, including to an existing double garage at the rear. The application provided less open space than is required under the RDCP, but was considered acceptable on the basis that the works related to an existing building. The proposed studio adds to the bulk of the double garage and, in conjunction with the existing dwelling, the overall bulk of the built form in relation to open space on the constrained site is beyond that anticipated by the planning framework.

In particular, whilst the proposal complies with the numerical requirements in relation to wall height and building height, it does not provide an integrated landscape design with screen planting to visually soften the outbuilding, and will result in excessive structural bulk as viewed from adjoining properties and the street, and therefore does not meet the requirements of clause 7.4 of Part C1 of the RDCP. The width of the site being less than 12m (7.6m) would not permit a double garage, and whilst the garage is existing, this would result in a studio with excessive bulk in relation to the narrow width of the site and the streetscape.

The amendments to the studio do not address the reasons for imposition of condition 2 a) of the original development consent and therefore this condition shall not be deleted and the consequential additional conditions shall not be imposed.

The Panel supports the deletion of condition 2 b) for the reasons given within the assessment report.

**CARRIED UNANIMOUSLY** (Note: Jason Perica was not involved in this decision).

#### **D10/21 Development Application Report - 82 Yorktown Parade, Maroubra (DA/62/2020)**

#### **RESOLUTION:**

That the RLPP refuse consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. D/62/2020 for demolition of existing structures, tree removal, and construction of a 3 storey residential flat building containing 9 units with affordable rental housing component, basement car parking, landscaping and associated works, at No. 82 Yorktown Parade, Maroubra, for the following reasons:

1. The requirements under Clause 4.6 - Exceptions to Development Standards in the Randwick Local Environmental Plan 2012 have not been satisfied.
2. The proposal does not comply with the State Environmental Planning Policy (Affordable Rental Housing) 2009 in that the proposal does not satisfy the character test given failure to comply with key envelope controls that results in the development not being in accordance with the desired future character.
3. The proposal does not comply with the State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development resulting in adverse amenity impacts with particular regards to the Design Quality Principles outlined in Schedule 1, and the associated Apartment Design Guide and as set out in comments by Council's Design Excellence Panel.

4. The proposal does not comply with the development standard under Clause 4.3 - Height of Buildings. The height will result in adverse amenity impacts upon neighbouring properties and the streetscape.
5. There is no certainty in the information provided by the applicant with regards to the inaccurate survey accompanying the report. This has important implications to the building height and flooding considerations.
6. The proposal does not comply with the relevant objectives and development controls of the Randwick Comprehensive Development Control Plan 2013 with regards to setbacks, wall height, landscape functionality and will result in adverse amenity impacts.

**REASON:**

The Panel has visited or is familiar with the site and surrounding area, considered the submissions and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel refuses the application for the reasons given in the resolution above.

**CARRIED UNANIMOUSLY.**

The meeting closed at 3.53pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Annelise Tuor (Chairperson)	Jason Perica
Janette Murrell	Mio Margarit Chow

## Director City Planning Report No. CP36/21

**Subject: Randwick Comprehensive Planning Proposal - Rezoning requests**

### Executive Summary

- This report recommends that Council endorse that part of the Randwick Comprehensive Planning Proposal (Planning Proposal) relating to rezoning requests for submission to the Department of Planning, Industry and Environment (DPIE) seeking gateway determination to enable its public exhibition.
- This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.
- Council's resolution on this report will be reflected in the Planning Proposal to be forwarded to the Department of Planning for Gateway determination
- This report recommends that Council endorse part of the Planning Proposal in relation to rezoning requests as follows:

*1903R Botany Road, Matraville – rezone from RE 1- Public Recreation to RE2 – Private Recreation subject to an assessment under SEPP 55 – Remediation of Land*

*558A – 580 Anzac Parade, Kingsford (Souths Juniors Site)*

Increase *Maximum* Height on part of the site from 31m to 51m and identify as a Key Site and introduce Design excellence provisions

*1401-1409 Anzac Parade, Little Bay* - Increase the maximum FSR from 1:1 to 1.2:1 and increase the maximum height from 9.5m to 15m and identify as a Key Site and introduce Design excellence provisions

*59A-71 Boronia Street and 77-103 Anzac Parade, Kensington* – Remove the applicable maximum FSR for the Boronia Street properties and increase the maximum height for the strip of land at the rear of the Anzac Parade properties.

- The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.
- Council has considered a number of reports on separate topics (housing, heritage, environmental resilience, local character areas, economic development and rezoning requests). These reports included advice from the Randwick Local Planning Panel (RLPP).





### Recommendation

That Council:

- Consider the advice provided by the Randwick Local Planning Panel on 13 April 2021 (Attachment 1) in regard to rezoning requests;
- Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the zoning and/or development standards of the land identified below:

- 1903R Botany Road, Matraville – rezone from RE 1- Public Recreation to RE2 – Private Recreation subject to an assessment under SEPP 55 – *Remediation of Land*
  - 558A – 580 Anzac Parade, Kingsford (Souths Juniors Site) - Increase Maximum Height on part of the site from 31m to 51m and identify as a Key Site and introduce Design excellence provisions
  - 1401-1409 Anzac Parade, Little Bay - Increase the maximum FSR from 1:1 to 1.2:1 and increase the maximum height from 9.5m to 15m and identify as a Key Site and introduce Design excellence provisions
  - 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington – Remove the applicable maximum FSR for the Boronia Street properties and increase the maximum height for the strip of land at the rear of the Anzac Parade properties
- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Planning Proposal and associated documents prior to submitting to the Department of Planning, Industry and Environment;
- d) Forward that part of the Planning Proposal relating to the above rezoning requests to the Department of Planning Industry and Environment as delegate to the Minister for Planning for a 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- e) Endorse the exhibition of the Randwick Comprehensive Planning Proposal once Gateway Approval is provided (subject to any conditions); and
- f) Resolve to commence the preparation of a new Randwick Comprehensive Development Control Plan to support the Draft Randwick Comprehensive Planning Proposal.

#### Attachment/s:

1.   RLPP Advice 13 April 2021
2.   Rezoning Data Sheets
3. Link to Randwick Comprehensive Planning Proposal

## Purpose

The purpose of this report is to consider that part the Planning Proposal in relation to the four rezoning requests previously supported by Council on 27 April 2021.

The Planning Proposal seeks to amend Randwick Local Environmental Plan 2012 in relation to the following rezoning requests:

- 1903R Botany Road, Matraville – rezone from RE 1- Public Recreation to RE2 – Private Recreation subject to an assessment under SEPP 55 – *Remediation of Land*
- 558A – 580 Anzac Parade, Kingsford (Souths Juniors Site) - Increase Maximum Height on part of the site from 31m to 51m and identify as a Key Site and introduce Design excellence provisions
- 1401-1409 Anzac Parade, Little Bay - Increase the maximum FSR from 1:1 to 1.2:1 and increase the maximum height from 9.5m to 15m and identify as a Key Site and introduce Design excellence provisions
- 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington – Remove the applicable maximum FSR for the Boronia Street properties and increase the maximum height for the strip of land at the rear of the Anzac Parade properties.

The above rezoning requests are being supported as they allow for the best use of the site in relation to social, economic and environmental considerations. Justification for these requests is provided below and in the Planning Proposal.

A number of rezoning requests were also considered in the April report; Council resolving either not to support or to consider the rezoning request in future planning investigations in accordance with the Randwick LSPS and Housing Strategy, including the review of transition and buffer areas around town and strategic centres and the future review of the Eastgardens-Maroubra Junction Strategic Centre.

## Background

This Proposal was considered by the Randwick Local Planning Panel on 13 April 2021 (Attachment 1).

Following this resolution, Council resolved at the 27 April Council meeting as follows:

**RESOLUTION: (Hamilton/Da Rocha) that Council:**

- a) Consider the advice provided by the Randwick Local Planning Panel at its meeting of 13 April 2021 and endorse the recommendations set out below for inclusion in the draft comprehensive planning proposal to be reported to Council (Attachment D);
- b) Supports the recommendations set out below to **include** the following sites in the draft Comprehensive Planning Proposal to be submitted for Gateway determination.

**a) Rezoning Request Supported: 1903R Botany Road, Matraville**

- Zone from RE1 Public Recreation to RE2 Private Recreation subject to an assessment provided under State Environmental Planning Policy No.55 – *Remediation of Land*
- Maximum FSR: No change
- Maximum Height: No change

**b) Rezoning Request Supported: 558A – 580 Anzac Parade, Kingsford (Souths Juniors Site)**

- Zone: No change
- Maximum FSR: No change
- Maximum Height: increase on part of the site from 31m to 51m (Alternative Building Height Map)
- Design Excellence: clause 6.21 will apply to part of the site
- Include the site in the Key Sites Map associated with clause 6.12 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes.

**c) Rezoning Request Supported: 1401-1409 Anzac Parade, Little Bay**

- Zone: No change
  - Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
  - Maximum Height: increase the maximum height from 9.5m to 15m
  - Include the site in the Key Sites Map associated with clause 6.11 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height and maximum FSR changes.
- d) **Rezoning Request partially Supported: 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington**
- Maximum FSR: Not include a maximum FSR standard for 59A, 61, 63-65 Boronia Street and 81-85 Anzac Parade (Part)
  - Maximum Height: increase the maximum from 1m to 31m for the strip of land at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported.
  - Prepare a DCP Amendment to introduce envelope controls for the three (3) Boronia Street residential properties and battle axe portion of 81-85 Anzac Parade, in a future review of the K2K Block Controls – Part B.
  - No change to the Land Use Zoning: Retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).
- c) Supports the recommendations set out below to **not include** the following rezoning requests in the Comprehensive Planning Proposal to be submitted for Gateway determination.
- e) **Rezoning Request Not Supported: 33-43 Boronia Street, Kensington**
- Zoning: Retain R3 Medium Density Residential
  - Maximum FSR: No change
  - Maximum Height: No change
- f) **Rezoning Request Not Supported: 204 Malabar Road, South Coogee**
- Zoning: Retain R2 Low Density Residential
  - Maximum FSR: No change
  - Maximum Height: No change
- g) **Rezoning Request Not Supported: 7 Kenneth Lane and 52-56 Middle Street, Kingsford**
- Zoning: Retain R2 Low Density Residential
  - Maximum FSR: No change
  - Maximum Height: No change
- h) **Rezoning Request Not Supported: 22-30 Victoria Street, Malabar (Souths Juniors, Malabar)**
- Zoning: Retain R2 Low Density Residential
  - Maximum FSR: No change
  - Maximum Height: No change
- i) **Rezoning Request Not Supported: 27 Jennifer Street, Little Bay**
- Zoning: Retain R3 Medium Density Residential
  - Maximum FSR: No change
  - Maximum Height: No change
  - That Council write to Crown Lands in relation to the future acquisition of 27 Jennifer Street, Little Bay site within Crown Lands.
- j) **Rezoning Request Not Supported: 129-135 Malabar Road and 2 Napper Street, South Coogee**
- Maximum FSR: No change
  - Maximum Height: No change
- d) Supports the recommendation to carry out **further strategic planning investigations** of the following sites in accordance with the Randwick LSPS and Housing Strategy Actions.
- k) **Rezoning Request: 29-45 Willis Street & 40 Middle Street, Kingsford**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**l) Rezoning Request: 100 Boyce Road, Maroubra**

*Consider the rezoning request in the future Eastgardens-Maroubra Junction Strategic Centre review under Action 9.4 of the Randwick LSPS.*

**m) Rezoning Request: 946 Anzac Parade, Maroubra Junction (Souths Juniors, Maroubra Junction)**

*Consider the rezoning request in the future Eastgardens-Maroubra Junction Strategic Centre review under Action 9.4 of the Randwick LSPS.*

**n) Rezoning Request: 217 Anzac Parade, Kensington**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**o) Rezoning Request: 2 and 4 Harbourne Road, Kingsford**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**p) Rezoning Request: 6 Harbourne Road, Kingsford**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**q) Rezoning Request: 80-82 St Pauls Street, Randwick**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**r) Rezoning Request: 1A Bradley Street, Randwick**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**s) Rezoning Request: 104-110 Todman Avenue, Kensington**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**t) Rezoning Request: 151-153 Perry Street, Matraville**

*Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.*

**MOTION: (Hamilton/Da Rocha) CARRIED - SEE RESOLUTION.**

## **Planning Proposal**

This section provides an overview of the Planning Proposal including the objectives, explanation of provisions (changes to Randwick LEP 2012 clauses, schedules and maps) and summary of the relevant Randwick and State Government strategic plans, strategies and studies.

### Objectives and intended outcomes

The objectives of Planning Proposal in relation to rezoning requests is to amend the RLEP 2012 to:

- Ensure that individual rezoning requests are considered strategically rather than on an ad-hoc basis.
- Respond to rezoning requests strategically to ensure that the land use zone and development standards on individual sites allows for the best use of the site in relation to social, economic and environmental considerations.



## Explanation of Proposed Provisions

The following changes are proposed in relation to the rezoning requests:

- **1903R Botany Road, Matraville**

Zone from RE1 Public Recreation to RE2 Private Recreation subject to an assessment provided under State Environmental Planning Policy No.55 – Remediation of Land as shown in the Land Zoning Map (existing and proposed) below. No change to maximum FSR and no change to maximum height.

The data sheets (Attachment 2)) provide a description of the site, background to rezoning request and reasons why the request is supported.

This rezoning request is supported given that it is in private ownership, is not intended or currently used for public recreation and Council does not intend to purchase the site. This zoning change will expand the range of permissible land uses on the site to include take away food and drink premises and registered clubs (currently not permissible in the RE1 Public Recreation Zone).

Existing zoning



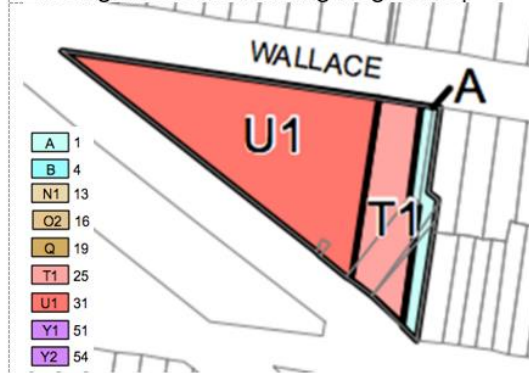
Proposed zoning



- **558A – 580 Anzac Parade, Kingsford (Souths Juniors Site)**

Increase Maximum Height on part of the site from 31m to 51m (Alternative Building Height Map) as shown in the Land Zoning Map (existing and proposed) below, note that the Design Excellence (clause 6.21) will apply to part of the site. The Proposal also includes the site in the Key Sites Map associated with clause 6.12 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes. No change is proposed to the land use zone or maximum FSR.

Existing alternative building heights map



Proposed alternative building heights map





Key Site map (include this site within the Key Sites Map)



The data sheets (Attachment 2) provide a description of the site, background to rezoning request and reasons why the request is supported.

The proposed height increase (apex of the triangular site) is supported. Council notes and agrees with the urban design report and rationale attached to the submission.

The proposed tower would reinforce the building grouping around the Light Rail Stop and would not be out of place in this urban setting. Permitting a tower on this site would not set a precedent as the site is a one-off occurrence within the Kingsford Town Centre, on a large existing consolidated site with neighbouring properties on the eastern side (the boundary of which is not impacted by the proposed height increase).

The proponent's proposal retains the LEP height controls on the east portion of the site, retaining the same transition in built form to the adjoining low scale residential properties to the east. The proponent does not request a change to the maximum 4:1 FSR permitted for the site. As there is no FSR change proposed, the impacts of the rezoning request are the potential impacts of the tower form on the Wallace Street and Anzac Parade intersection, including overshadowing to the south and west.

The K2K Strategy identified three (3) nodes for uplift across the two (2) town centre; one in Kensington and two (2) in Kingsford. The three (3) nodes were selected based on their individual site capacity to accommodate larger buildings, define the gateway to the town centre being located adjacent to key transport infrastructure and provide community benefits.

The subject site falls in close proximity to the Kingsford Junction Precinct (one of the Kingsford nodes) and can contribute to the nodes approach by further reinforcing the end/entry to Kingsford, complimenting and reinforcing the uplift cluster on the southern edge of the town centre. The site is also opposite the transport interchange, and like the two (2) adjacent sites included in the southern node, the subject site is triangular with two long street frontages where the primary roads converge.

- **1401-1409 Anzac Parade, Little Bay**

Increase the maximum FSR from 1:1 to 1.2:1 and increase the maximum height from 9.5m to 15m as shown in the Floor Space Ratio Map (existing and proposed) and Height of Buildings Map (existing and proposed) below. The Proposal also includes the site in the Key Sites Map (refer below) associated with clause 6.11 Design excellence to address design implications for the site of the recommended maximum building height and maximum FSR changes. No change is proposed to the land use zone.



**1401-1409 Anzac Parade, Little Bay increase FSR from 1:1 to 1.2:1**

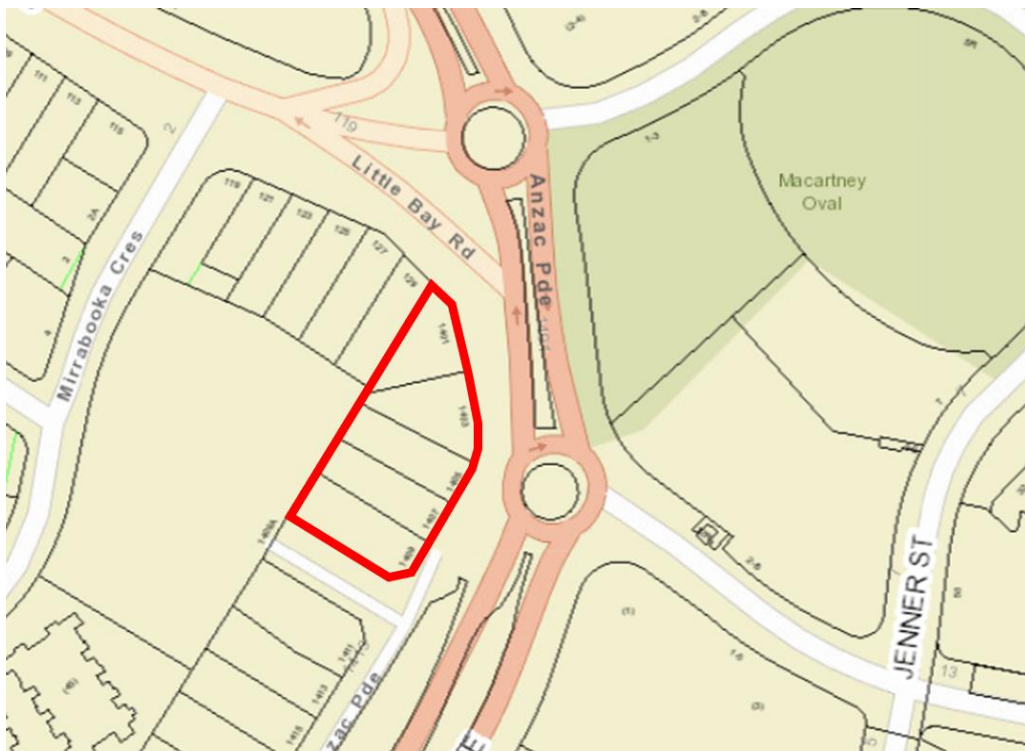
Existing FSR



Proposed FSR



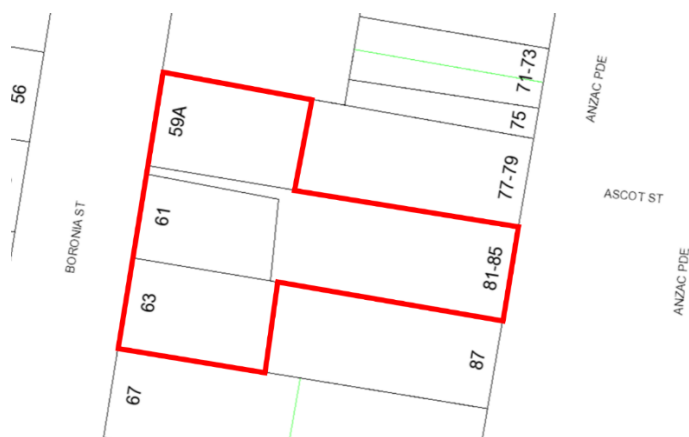
Key Sites Map (include this site in the Key Sites Map)



The data sheets (Attachment 2) provide a description of the site, background to rezoning request and reasons why the request is supported.

The proposed increase in maximum FSR and maximum height (allowing for a 4 storey built form) is supported for the B1 Local Centre zoned land for the following reasons:

- its key location and will compliment the existing four (4) and five (5) storey buildings opposite at the entrance to Prince Henry site,
  - the increase in FSR and height will strengthen the neighbourhood business land uses in this location,
  - the intersection of Little Bay Road and Anzac Parade is a significant location and provide access to the site from the north, south and west, increasing the catchment to which the B1 Neighbourhood Centre site services,
  - the width of Anzac Parade and Little Bay Road supports higher density and heights,
  - the public transport services operating along Anzac Parade.
- **59A-71 Boronia Street and 77-103 Anzac Parade, Kensington**  
The request was partially supported with the proposed changes including:  
No maximum FSR for 59A, 61, 63-65 Boronia Street and 81-85 Anzac Parade (Part) as shown in the Floor Space Ratio Map (existing and proposed) below.



Increase the maximum height from 1m to 31m for the strip of land at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington as shown in the Building Height Map (existing and proposed) below. No other height change is supported.

No change is proposed to the Land Use Zoning, i.e. retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).

It is noted that a DCP amendment will also be prepared to introduce envelope controls for the three (3) Boronia Street residential properties and battle axe portion of 81-85 Anzac Parade, in a future review of the K2K Block Controls – Part B.

The data sheets (Attachment 2) provide a description of the site, background to rezoning request and reasons why the request is supported.

It is recommended that the maximum building height at the rear of the 95, 91-93, 89, 87 and 81-85 Anzac Parade properties be increased from one (1) metre to be consistent with the K2K DCP and other parts of the lots (i.e. Maximum 31m).





Extract from K2K DCP (Block controls- Part B).

In response to a previous request under the K2K Planning Proposal in late 2019, Council did not support changes to the maximum Height of Building (HOB), land use zone or FSR for the subject site. The recommendation below is consistent with the previous recommendation, other than (as discussed below):

- Request to amend the FSR for the residential properties fronting Boronia Street
- Request to remove the one (1) metre height limit through the rear of the Anzac Parade sites.

#### Zoning Change

Council does not intend to extend the Kensington Town Centre B2 Local Centre zone. As such, Council does not support the rezoning of the three (3) residential lots fronting Boronia Street (and battleaxe of 81-85 Anzac Parade) from R3 Medium Density Residential lots to B2 Local Centre. The Kensington Town Centre primarily fronts Anzac Parade, with several properties extending across the block to Boronia Street (and zoned B2 Local Centre) and provide alternative access for properties fronting Anzac Parade. The three (3) residential lots have only frontage to Boronia Street, with the residential development consistent with the character of the street.

#### FSR Change

The proposed removal of the maximum FSR of 0.9:1 from the three (3) properties fronting Boronia Street (and the battleaxe of 81-85 Anzac Parade) is supported, consistent with the development standard (FSR) to south of the site on Boronia Street where a site specific envelope control has been introduced in the K2K DCP Part B. It is recommended that the DCP be amended to include the three (3) residential lots in the block control drawings to ensure that these lots are considered in the overall development scheme for the land.

#### Height Change

Council's urban design strategy for the town centres provides for a mid-rise building typology for most of the town centres to reinforce the spine with appropriate transition to existing development. Higher building form for the subject land would result in a departure from the consistent approach established under the urban design strategy for the town centre.

The proposal to increase the maximum building height on the three (3) Boronia Street properties (zoned R3) from 12m to 54m is not supported. The proposal to increase the maximum building height on the Anzac Parade properties to 54m is also not supported.

As noted above, there is a one (1) metre height limit running north south along the rear of the properties, originally introduced to provide rear access for the Anzac Parade properties. It is recommended that the maximum building height at the rear of the 95, 91-93, 89, 87 and 81-85 Anzac Parade properties be increased from one (1) metre to be consistent with the other parts of the lots (i.e. Maximum 31m).

### Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	6. A liveable city.
Direction	6d. A strategic land use framework provides for our lifestyle changes and for a continuing, yet steady rate of growth across our City.

### Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2019/2020 and 2020/2021 budget allocations. The Planning Proposal was completed in-house by Strategic Planning officers with assistance from Consultant Strategic Planners.

### Policy and legislative requirements

Relevant policies and legislation in relation to the Planning Proposal are:

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

### Conclusion

The purpose of this report is to consider that part of the Planning Proposal in relation to rezoning requests. Specifically, the following amendments to Randwick LEP 2012 are proposed:

*1903R Botany Road, Matraville – rezone from RE 1- Public Recreation to RE2 – Private Recreation subject to an assessment under SEPP 55 – Remediation of Land*

*558A – 580 Anzac Parade, Kingsford (Souths Juniors Site)-*  
Increase *Maximum* Height on part of the site from 31m to 51m and identify as a Key Site and introduce Design excellence provisions

*1401-1409 Anzac Parade, Little Bay -* Increase the maximum FSR from 1:1 to 1.2:1 and increase the maximum height from 9.5m to 15m and identify as a Key Site and introduce Design excellence provisions

*59A-71 Boronia Street and 77-103 Anzac Parade, Kensington –* Remove the applicable maximum FSR for the Boronia Street properties and increase the maximum height for the strip of land at the rear of the Anzac Parade properties

This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.

**Responsible officer:** Stella Agagiotis, Manager Strategic Planning

**File Reference:** F2021/00188

CP36/21

# FOR ACTION

## RANDWICK LOCAL PLANNING PANEL (PUBLIC)

13/04/2021

TO: Manager Strategic Planning (Agagiotis, Stella)

**Subject:** Randwick Comprehensive Planning Proposal - Rezoning Requests  
**Target Date:** 27/04/2021  
**Notes:**  
**Document No.:** D04162211  
**Report Type:** Report  
**Item Number:** GR4/21

CP36/21

### RESOLUTION:

That the Randwick Local Planning Panel advises Council that it supports the recommendations set out below to **include** the following sites in the draft Comprehensive Planning Proposal:

**a) Rezoning Request Supported: 558A – 580 Anzac Parade, Kingsford (Souths Juniors Site)**

- Zone: No change
- Maximum FSR: No change
- Maximum Height: increase on part of the site from 31m to 51m (Alternative Building Height Map)
- Design Excellence: clause 6.21 will apply to part of the site
- Include the site in the Key Sites Map associated with clause 6.12 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes.

**b) Rezoning Request Supported: 1401-1409 Anzac Parade, Little Bay**

- Zone: No change
- Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
- Maximum Height: increase the maximum height from 9.5m to 15m
- Include the site in the Key Sites Map associated with clause 6.11 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height and maximum FSR changes.

**c) Rezoning Request Partially Supported: 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington**

- Maximum FSR: Not include a maximum FSR standard for 59A, 61, 63-65 Boronia Street and 81-85 Anzac Parade (Part)
- Maximum Height: increase the maximum from 1m to 31m for the strip of land at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported at this stage, but it is recommended that 59A, 61, 63-65 Boronia Street be subject to further investigation as to whether the heights should increase to 16m
- Prepare a DCP Amendment to introduce envelope controls for the three (3) Boronia Street residential properties and battle axe portion of 81-85 Anzac Parade, in a future review of the K2K Block Controls – Part B.
- No change to the Land Use Zoning: Retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).
- Consider a reduction in the height control for 103A Anzac Parade from 31m to 12m to recognise that it is a contributory building.

That the Randwick Local Planning Panel advises Council that it supports the recommendations set out below to **not include** the following rezoning requests in the Comprehensive Planning Proposal:

**a) Rezoning Request Not Supported: 33-43 Boronia Street, Kensington**

- Zoning: Retain R3 Medium Density Residential
- Maximum FSR: No change
- Maximum Height: No change

**b) Rezoning Request Not Supported: 204 Malabar Road, South Coogee**

- Zoning: Retain R2 Low Density Residential
- Maximum FSR: No change
- Maximum Height: No change

**c) Rezoning Request Not Supported: 7 Kenneth Lane and 52-56 Middle Street, Kingsford**

- Zoning: Retain R2 Low Density Residential
- Maximum FSR: No change
- Maximum Height: No change

**d) Rezoning Request Not Supported: 22-30 Victoria Street, Malabar (Souths Juniors, Malabar)**

- Zoning: Retain R2 Low Density Residential
- Maximum FSR: No change
- Maximum Height: No change

**e) Rezoning Request Not Supported: 129-135 Malabar Road and 2 Napper Street, South Coogee**

- Maximum FSR: No change
- Maximum Height: No change

That the Randwick Local Planning Panel advises Council that it supports the recommendation to carry out **further strategic planning investigations** of the following sites in accordance with the Randwick LSPS and Housing Strategy Actions:

**a) Rezoning Request: 29-45 Willis Street & 40 Middle Street, Kingsford**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

**b) Rezoning Request: 100 Boyce Road, Maroubra**

Consider the rezoning request in the future Eastgardens-Maroubra Junction Strategic Centre review under Action 9.4 of the Randwick LSPS.

**c) Rezoning Request: 946 Anzac Parade, Maroubra Junction (Souths Juniors, Maroubra Junction)**

Consider the rezoning request in the future Eastgardens-Maroubra Junction Strategic Centre review under Action 9.4 of the Randwick LSPS.

**d) Rezoning Request: 217 Anzac Parade, Kensington**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

**e) Rezoning Request: 2 and 4 Harbourne Road, Kensington**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

**f) Rezoning Request: 6 Harbourne Road, Kensington**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.



**g) Rezoning Request: 80-82 St Pauls Street, Randwick**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

**h) Rezoning Request: 1A Bradley Street, Randwick**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

**i) Rezoning Request: 104-110 Todman Avenue, Kensington**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

**j) Rezoning Request: 151-153 Perry Street, Matraville**

Consider the rezoning request in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.

That the Randwick Local Planning Panel advises Council that it does not support the recommendations for the following sites and makes alternate recommendations:

**a) Rezoning Request: 1903R Botany Road, Matraville**

That further investigations be undertaken of the following matters to determine the appropriate zoning(s) for the site:

- Vehicular access to the site and traffic assessment of potential uses
- Protection of the waterways/environmental values of the northern part of the site, particularly its connection to the eastern recreation area
- An assessment provided under State Environmental Planning Policy No.55 – Remediation of Land
- The relationship, use and ownership of the adjoining industrial land
- The most appropriate use of the southern part of the site within its context

**b) Rezoning Request: 27 Jennifer Street, Little Bay**

That the current R3 Medium Density Residential zoning is inappropriate and should be changed. That further investigations be undertaken to determine a more suitable zoning reflective of the site's context, constraints and values such as an environmental zoning. Particularly its role as a vegetative corridor connecting the national park to the south and the E2 zone to the north and as a landscape buffer between the driving range and golf course.

That Council write to Crown Lands/NSW National Parks and Wildlife Service, as the owners of the adjoining lands, in relation to the future acquisition of 27 Jennifer Street, Little Bay site and its integration into the adjacent national park or golf course.

**REASON:**

The Panel has reviewed the Planning Proposal report prepared by Council officers. For the reasons within the report, the Panel supports the recommendations for the rezoning requests, with the exception of 1903R Botany Road, Matraville and 27 Jennifer Street, Little Bay for which it advises Council to undertake further investigations as to the most appropriate zoning for these sites to reflect their surrounding context, constraints and values. The Panel has also amended the recommendation for 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington to require further investigation as to the appropriate height for 59A, 61, 63-65 Boronia Street and 103A Anzac Parade to best reflect the desired future character of the area.

**CARRIED UNANIMOUSLY.**

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CP36/21

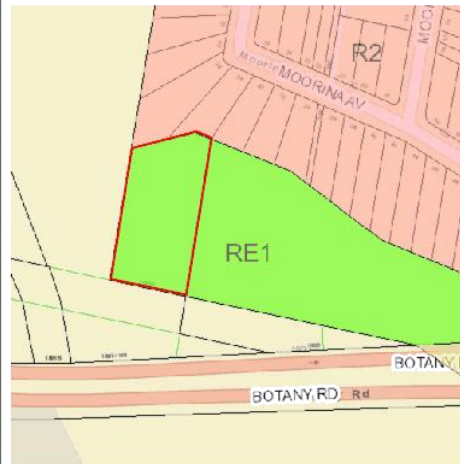
## Rezoning Requests Datasheets – Draft Comprehensive Planning Proposal

Location	Page #
1903R Botany Road, Matraville	2
558A–580 Anzac Parade, Kingsford (Souths Juniors Club at Kingsford)	4
1401-1409 Anzac Parade, Little Bay	19
59A-71 Boronia Street, Kensington and 77- 103 Anzac Parade, Kensington	22

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**1903R Botany Road, Matraville**

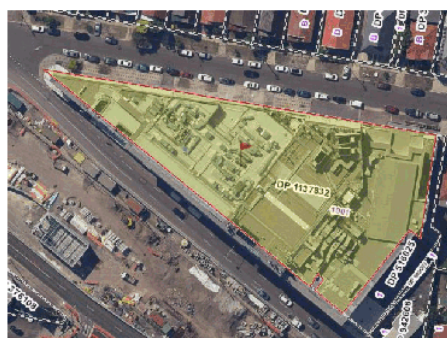
Site Location Aerial Map (Near Maps)



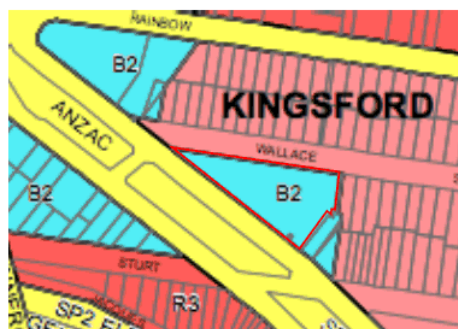
Existing Zoning Map

Address:	1903R Botany Road, Matraville	
Property Information:	Lot 1 DP219847 (1903R)	
Trim Reference:	D04034286, D04034284	
Applicant:	DBL Property Pty Ltd on behalf of the owners	
Summary of Planning Request:	Rezone from RE1 to RE2 Private Recreation	
Planning Controls	Current	Requested
Zone:	RE1 Public Recreation	RE2 Private Recreation
Permitted Max FSR:	No FSR Control	No change
Permitted Max Height:	No Height Control	No change
Other		
Analysis		
Site Description:	<p>1903R is a vacant lot with no public road access, located near Botany Road in Matraville. The lot is adjacent to the Port Botany industrial area. To the north of the site is suburban Matraville, zoned R2 and containing freestanding homes. The area surrounding the lot is predominantly vacant land, undergoing re-development. The adjacent lot is zoned RE1.</p> <p>The Bunnerong Creek waterway runs directly through the north section of the lot. The creek is a protected waterway, however, does not pose any flood risk. Future DAs for the site will need to address environmental impacts on this waterway.</p>	

	<p>The lot is impacted by Class 4 acid sulphate soils. The land contains a drainage site at the rear of the property. There may be potential soil and groundwater contamination on the site. This should be investigated prior to finalising the rezoning request.</p> <p>It should be noted that the rezoning of the land from RE1 to RE2 Private Recreation is subject to an assessment provided under State Environmental Planning Policy No.55 – Remediation of Land.</p>
Topography and Access	The site is sloped on both the north and south sides, running down to the creek which divides the lot. The topography of the site significantly impacts the potential for development.
Land use and Surrounding land use	The site is currently undeveloped (vacant). To the north is R2 residential land, to the east is RE1 Public Recreation land and to the south and west is developed and undeveloped industrial land.
Submitter's Justification:	<p>The current, and previous landowners have in the past offered the site to Council for purchase in accordance with the LEP provisions. In June 2019, Council again stated they were not able to purchase the land.</p> <p>Given that council are unable to purchase, the owners request that the land be rezoned to reflect the fact that it is not needed or used as a public recreation zone.</p> <p>Rather the owners would propose that the land simply change to the RE2 Private Recreation zone.</p>
Councils Response:	<p>Council officers have been in consultation with the site owners over this request.</p> <p>Council supports this request and agrees with the justification of the submitter. Considering that the site is under private ownership, rezoning the site RE2 Private recreation would be a more appropriate land use zone for this lot.</p>
Outcome:	<p>Supported.</p> <p>Rezoning subject site to RE2.</p>

**558A – 580 Anzac Parade, Kingsford (Souths Juniors Club at Kingsford)**



Site Location - Aerial Map (Six Maps)




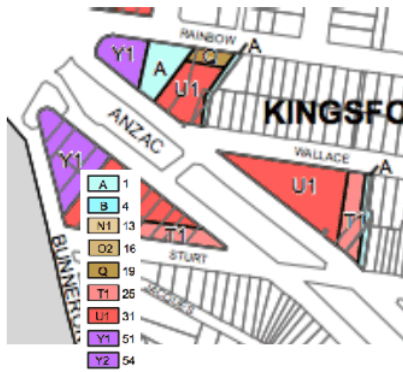
Extract Land Zoning Map

Address:	558A – 580 Anzac Parade, Kingsford	
Property Information:	Lot 1001 DP1137832	
Trim Reference:	D04165850, D04054165	
Applicant:	South Sydney Junior Rugby League Club Limited	
Summary of Planning Request:	<p>The Planning Request was lodged in February 2021 and included the following supporting documents:</p> <ul style="list-style-type: none"> <li>Correspondence from South Sydney Junior Rugby League Club,</li> <li>Planning Proposal (gln planning) (23/02/2021)</li> <li>Urban Design Study (AJ+C) (18/02/2021)<sup>1</sup></li> </ul> <p>The request proposed:</p> <ul style="list-style-type: none"> <li>No change to the land use zone (B2 Local Centre),</li> <li>No change to maximum FSR (4:1),</li> <li>Increase in the alternative building height on the western (apex) side of the site from 31m (approx. 9 storey) to 51m (approx. 15 storey) under Clause 6.17 <i>Community infrastructure height of buildings and floor space at Kensington and Kingsford town centres</i> and the Alternative Building Heights Map.</li> <li>The height increase (to 51m) would also subject the site to Clause 6.21 <i>Design excellence at Kensington and Kingsford town centres</i> which would provide (subject to requirements) an additional 6m (approx. two storey) in height (i.e. up to 57m (approx. 17 storey).</li> <li>No other changes are proposed.</li> </ul>	
Planning Controls	Current	Requested

<sup>1</sup> Study incorrectly dated 18/02/2020

Land Use Zone:	B2 Local Centre	No change.
Floor Space Ratio (FSR): <b>Maximum Floor Space Ratio (n:1)</b> D 0.5 G 0.65 H 0.7 I 0.75 J 0.8 K 0.9 N 1 O 1.1 P1 1.2 P2 1.25 Q 1.3 R 1.4 S1 1.5 S2 1.7 S3 1.8 S4 1.9 T 2 V 3	FSR 4:1 under Clause 4.4 <i>Floor space ratio</i> 	No change.
<b>Alternative Residential Floor Space Ratio (n:1)</b> X 4 Z 5	FSR 4:1 under Clause 6.17 <i>Community Infrastructure height of buildings and floor space at Kensington and Kingsford town centres and Alternative Floor Space Ratio Map.</i> 	No change.
Maximum Building Height:	Maximum height 24m under Clause 4.3 <i>Height of buildings</i>	No change.

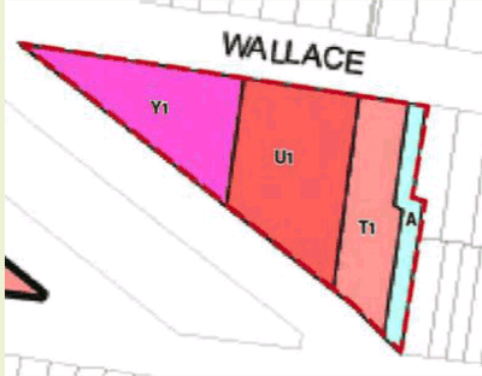


<p>Height of Buildings Map - Sheet HOB_002</p> <p>Maximum Building Height (m)</p> <table><tr><td>A</td><td>1</td></tr><tr><td>B</td><td>4</td></tr><tr><td>I</td><td>8</td></tr><tr><td>J1</td><td>9</td></tr><tr><td>J2</td><td>9.5</td></tr><tr><td>K</td><td>10</td></tr><tr><td>L</td><td>11</td></tr><tr><td>M</td><td>12</td></tr><tr><td>N1</td><td>13</td></tr><tr><td>N2</td><td>14</td></tr><tr><td>O1</td><td>15</td></tr><tr><td>O2</td><td>16</td></tr><tr><td>P</td><td>18</td></tr><tr><td>R1</td><td>21</td></tr><tr><td>R2</td><td>22</td></tr><tr><td>S</td><td>24</td></tr><tr><td>T1</td><td>25</td></tr><tr><td>T2</td><td>28</td></tr><tr><td>U1</td><td>31</td></tr><tr><td>U2</td><td>34</td></tr><tr><td>W</td><td>44</td></tr><tr><td>X</td><td>47</td></tr></table>	A	1	B	4	I	8	J1	9	J2	9.5	K	10	L	11	M	12	N1	13	N2	14	O1	15	O2	16	P	18	R1	21	R2	22	S	24	T1	25	T2	28	U1	31	U2	34	W	44	X	47		
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<p>Alternative Building Height:</p> <table><tr><td>A</td><td>1</td></tr><tr><td>B</td><td>4</td></tr><tr><td>N1</td><td>13</td></tr><tr><td>O2</td><td>16</td></tr><tr><td>Q</td><td>19</td></tr><tr><td>T1</td><td>25</td></tr><tr><td>U1</td><td>31</td></tr><tr><td>Y1</td><td>51</td></tr><tr><td>Y2</td><td>54</td></tr></table>	A	1	B	4	N1	13	O2	16	Q	19	T1	25	U1	31	Y1	51	Y2	54	<p>Heights of 31m, 25m &amp; 1m under Clause 6.17 <i>Community infrastructure height of buildings and floor space at Kensington and Kingsford town centres</i> and Alternative Building Heights Map.</p> 	<p>See map extract below showing the submitters proposed changes to the Alternative Building Heights Map.</p> <p>U1 (31m) (part) to Y1 (51m)</p> <p>U1 (31m) (part) – no change</p> <p>T1 (25m) – no change</p> <p>A (1m) – no change</p>																										
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<p>Design Excellence:</p>	<p>Clause 6.21 Design Excellence at Kensington and Kingsford Town Centres applies to land identified as Y1 or Y2 on Alternative Building Heights Map where development exhibits design excellence the height may exceed the Alternative Building Heights Map by up to 6 metres.</p>	<p>The requested amendment to the Alternative Building Heights Map (refer below) identifies the western corner of the site Y1 (51m) and would</p>																																												



		activate the Design Excellence Clause for that part of the site.
<b>Analysis</b>		
Site Description:	<p>The corner site is the location of the South Sydney Junior Rugby League Club (Souths Juniors Club at Kingsford) and is known as Lot 1001 DP1137832. The site is approx. 4,720m<sup>2</sup>, with a frontage to Anzac Parade of approx. 130m and Wallace Street of approx. 135m.</p> <p>The low point of the site is the west corner, at Anzac Parade and Wallace Street, that is at RL28.5. The corner of Anzac Parade and Sturt Street is at RL30 and the northeast corner of the site on Wallace Street is at RL35. At the east boundary the level change is approx. 5m, and at the midpoint pedestrian link is approx. 2.5m (1in16 slope).</p> <p>The Souths Juniors Club at Kingsford is a part 3, 4 and 5 storey building occupying the entire site. The Planning Proposal application notes that the total floorspace of the existing club is close to 4:1. The Club has an active façade to Anzac Parade and relatively blank facade to Wallace Street, with few openings or articulation.</p> <p>Adjoining properties to the east are commercial development fronting Anzac Parade and detached dwellings fronting Wallace Street (refer Figures below).</p> <p>The site is located opposite the Juniors Kingsford Light Rail Terminus which serves as a dual transport interchange between light rail and buses.</p> <p>The site is located within the K2K Planning Strategy area and subject to the recent LEP and DCP amendments.</p>	
Topography and Access:	<p>The site is relatively level, with a slight fall to the west (refer Figure below). Surrounding land rises to the north and east (Wallace Street) and is generally level along Anzac Parade (refer Figures below).</p> <p>The main vehicle access to the site is from Anzac Parade, and Wallace Street provides for loading and back of house access (refer Figures below).</p>	
Land Use and Surrounding Land Use:	<p>To the east of the site are single storey dwelling houses, generally set below street level on the southern side of Wallace Street and single and two storey dwelling houses on the northern (higher) side of Wallace Street (refer Figure below). The northern (higher) side of Wallace Street also includes several older style residential flat buildings.</p>	

	<p>On Anzac Parade, immediately opposite and south of the site, is the Light Rail Terminus. Further south is a mix of dwellings, older style two storey residential flat buildings and commercial premises.</p> <p>The existing Souths Juniors Club at Kingsford building is a prominent feature on Anzac Parade and differs from the surround development in terms of height, bulk and form.</p>
Submitter's Justification:	<p>The submitter's justification is that:</p> <p>The increase in maximum building height will ensure that the site is capable of redevelopment to achieve the FSR of 4:1.</p> <p>Detailed massing study, Apartment Design Guide compliance and indicative plans have been provided in the Urban Design Study (AJ+C). Extracts of complying massing and proposed massing shown in Figures below.</p>
Councils Response:	<p><u>Urban Planning Objectives for the Site</u></p> <p>RDCP 2013 Volume 3, Part E – Specific Sites, Section 10.3 Block by Block Controls – Other Sites, Block 1 describes the Desired Future Character, Objectives and Block Envelope Controls. The objectives for the site are to:</p> <ul style="list-style-type: none"> <li>• To provide a mix of uses that support the economic prosperity and liveability of the Kensington and Kingsford town centres.</li> <li>• To facilitate high quality built form outcomes that demonstrate design excellence and amenity.</li> <li>• To establish an appropriate scale, dimensions, form and separation of buildings.</li> <li>• To protect and enhance amenity between adjoining developments in terms of solar access and privacy.</li> <li>• To create a height transition between the centre and the surrounding residential area.</li> <li>• To improve connectivity and permeability within the block structure.</li> <li>• To ensure new development presents a human scale urban edge to the public realm.</li> </ul> <p>The RDCP establishes three urban nodes within the Kensington and Kingsford Town Centres where taller tower buildings are permitted. These nodes coincide with major road intersections and Light Rail Stops along Anzac Parade.</p> <p>The groups of buildings in these nodes take on the tower building typology, marking these important crossroads within the overall urban fabric. They provide variety in building height along the Anzac Parade 'spine' and grow</p>

	<p>out of, and in some ways contrast with the general nine (9) storey 'extruded' building form.</p> <p>Whilst the west, pointy part of the subject site occurs within the general area of the node, it was not identified as a site for a tower when the study was undertaken and the DCP drafted.</p> <p>The RDCP 2013 built form controls currently permit a nine (9) storey building across most of the site stepping down to seven (7) storeys along the east edge of the site, and with a four (4) storey podium.</p> <p>A height transition is required from the nine (9) storeys across most of the site (zoned B2) to the east boundary where there is an interface with existing low scaled houses in a R2 Low Density Residential zone.</p> <p>Two important north-south pedestrian through site links are required to improve access and permeability.</p>
Outcome:	<p>The proposed height increase (apex of the triangular site) is supported:</p> <ul style="list-style-type: none"> <li>Amend the Alternative Height Building Map to increase the height on part of the site from U1 (31m) to Y1 (54m)</li> </ul>  <p><i>Proposed Alternative Building Heights Map (extract)</i></p> <ul style="list-style-type: none"> <li>Consequently, clause 6.21 Design Excellence at Kensington and Kingsford town centres will also apply to that part of the site identified as Y1 on the Alternative Height Building Map. Satisfaction of the matters for consideration in this clause may allow for an additional 6 metres in height.</li> </ul> <p>No change to the land use zone or FSR is proposed.</p> <p>The urban design analysis which supports the proposed height increase for part of the Souths Juniors Club at Kingsford site, is provided below:</p>

	<p>The large consolidated site is suited to larger scale (and taller) buildings as Anzac Parade is a wide roadway (approx. 60m wide) with a wide landscaped median (25m).</p> <p>The tower as proposed is well located in the west corner of the site, as this reinforces the grouping of tower buildings of the node around the 'Five Ways' intersection and the Juniors Kingsford Light Rail Stop – the intention of the K2K Urban Design Strategy.</p> <p>The additional built form height (of the tower above the nine storeys permitted) would primarily be experienced when walking/driving southeast along Anzac Parade. The proposed tower would reinforce the building grouping around the Light Rail Stop and would not be out of place in this urban setting.</p> <p>Permitting a tower on this site would not set a precedent as the site is a one-off occurrence - a large existing consolidated site (triangular site with two street frontages) situated in the B2 zone and coinciding with the overall strategic urban nodes where tower buildings are proposed.</p> <p>Potential impacts from overshadowing, generated by a tower building located in the west corner of the site is likely to be minor in nature as the primary impact will be to the Anzac Parade road corridor, rather than impacting the amenity of private property owners.</p> <p>Detailed shadow diagrams should be provided of the proponents tower scheme illustrating the extra overshadowing that would occur - potentially impacting residential properties to the south, fronting Sturt Street and Anzac Parade, and other public outdoor gathering spaces associated with new development proposed in the 'Triangle Site' to the south.</p> <p>The proponent's alternate built form scheme (with an approx. 18-storey tower in the west corner) does not change the maximum 4:1 FSR permitted for the site. Therefore, density per se, and the associated potential impacts is not a consideration in this review.</p> <p>A two (2) storey commercial component is still encouraged as this provides an opportunity to maximise employment in the Town Centre and to provide active uses on the Wallace Street frontage.</p> <p>The proponent's proposal retains the DCP built form for the east portion of the site, retaining the same transition in built form to the adjoining low scale residential properties to the east. The progressive stepping up in building height</p>
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	<p>to the urban nodes along the Anzac Parade 'spine' is retained with the scheme. The scheme introduces more variety in the built form expression which is supported.</p> <p>The proposed height of the tower would need to comply with the Sydney Airport height control plane.</p> <p>The north-south through site pedestrian link at the middle of the site is proposed to be open to the sky, rather than internal (as per the DCP). This approach is supported and would require a future amendment to the DCP.</p> <p>The tower form is pulled back from the Wallace Street and Anzac Parade corner to create a small urban plaza. Whilst additional places in the public realm are supported, further study is required to ascertain any deleterious wind force effects that might eventuate, and the impact on the architecture in terms of providing a more 'blunt/rounded' building expression to this corner. Further 3D modelling studies would clarify whether this architectural expression is the best outcome.</p>
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Figures

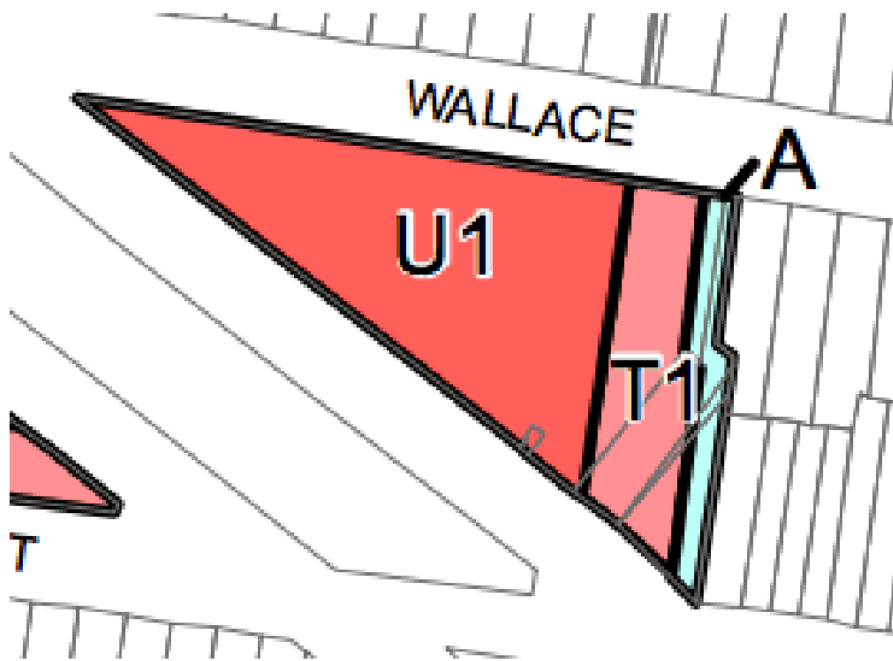
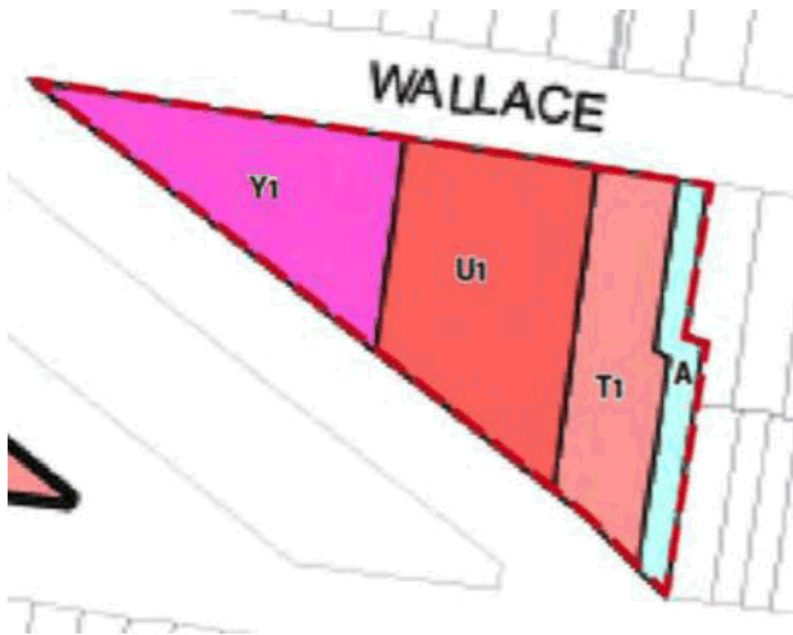


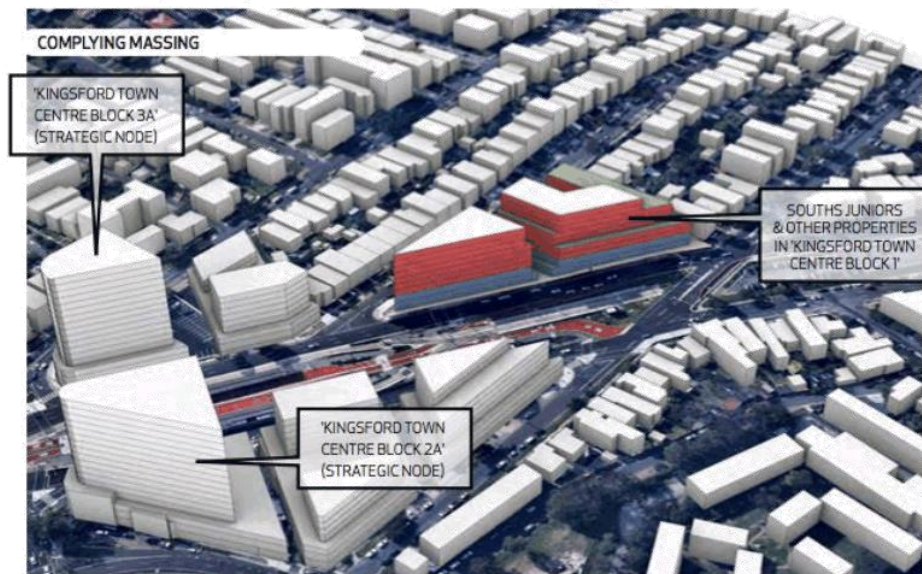
Figure 1: Extract – Existing Alternative Building Heights Map (Randwick LEP 2012).





**Figure 2:** Proposed Alternative Building Heights Map (Source: gln planning proposal).

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**Figure 3:** Complying Massing (Source: AJ+C Urban Design Study).



**Figure 4:** Proposed Massing (Source: AJ+C Urban Design Study).



**Figure 5:** View of rear of Souths Juniors Club at Kingsford building and adjacent development looking east along Wallace Street (Source: Google Maps).



**Figure 6:** Souths Juniors Club at Kingsford building looking east from corner Anzac Parade and Wallace Street (Source: Google Maps).





**Figure 7:** Anzac Parade frontage of Souths Juniors Club at Kingsford building looking east (Source: Google Maps).



**Figure 8:** Anzac Parade frontage of Souths Juniors Club at Kingsford building and adjacent development looking west (Source: Google Maps)



**Figure 9:** Souths Juniors Club at Kingsford building viewed from Anzac Parade looking north (Source: Google Maps).



**Figure 10:** Souths Juniors Club at Kingsford building viewed from Anzac Parade, Gardeners Road intersection (Source: Google Maps).



**Figure 11:** Souths Juniors Club at Kingsford building and surrounding development viewed from Wallace Street looking west (Source: Google Maps).

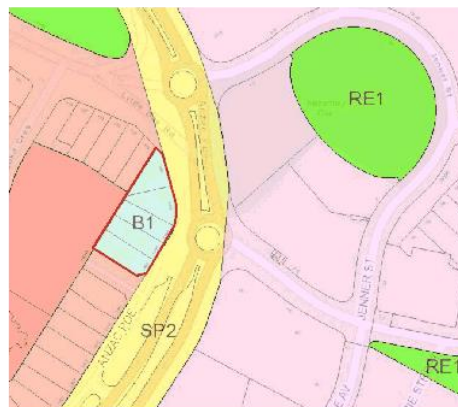


**Figure 12:** Souths Juniors Club at Kingsford building and surrounding development viewed from Anzac Parade looking west (Source: Google Maps).



**1401-1409 Anzac Parade, Little Bay**

Site Location Aerial Map (Near Maps)



Existing Zoning Map



Street View / extra map

Address:	1401-1409 Anzac Parade, Little Bay
Property Information:	Lot 1849 DP 752015 (1401 Anzac Parade) Lot 2916 (1403 Anzac Parade) Lot 2917 (1405 Anzac Parade) Lot 2918 (1407 Anzac Parade) Lot 4253 (1409 Anzac Parade) DP 752015
Trim Reference:	D01487133
Applicant:	No data – deferred from 2012 Review
Summary of Planning Request:	Request refers to the (higher) height and density of the shops/commercial uses within the Prince Henry site, that are located opposite to the east, and includes envelope studies for the subject properties suggesting a height of 4 to 5 stories.

Planning Controls	Current	Requested
Zone:	B1 Neighbourhood Centre	No change
Permitted Max FSR:	1:1	Increase unspecified
Permitted Max Height:	9.5m	Increased to allow 4-5 stories (i.e. 20m)
Other		
Analysis		
Site Description:	<p>The subject site is located on Anzac Parade, Little Bay near the entrance to the Prince Henry Little Bay development. The site is known as 1401-1409 Anzac Parade and includes five (5) lots containing retail premises and residential accommodation.</p> <p>The total land area of the site is approx. 2,640m<sup>2</sup> and the site has a frontage to Anzac Parade of approx. 100m.</p> <p>To the east of the site on the corner of Anzac Parade and Pine Avenue, within the Prince Henry Little Bay development, is four (4) and part five (5) storey mixed use development with ground floor retail land uses, with shop top housing above.</p> <p>This corner site is zoned R1 General Residential (consistent with the Prince Henry site) and has a maximum height limit of 15m and a maximum FSR of 1.2:1. To the rear of the site, on Mirrabooka Crescent is Land and Housing Corporation residential accommodation and single and two (2) storey dwelling houses fronting Little Bay Road via a slip road.</p>	
Topography and Access	The site is relatively flat, with no constraining topographic features. All plots are accessed via Anzac Parade, with 1409 also having access via the private road that connects 1409A with Anzac Parade.	
Land use and Surrounding land use	Opposite the site on Anzac Parade is the Little Bay Town Centre, a medium to high-density mixed-use development. As a neighbourhood centre on a highly visible corner, the site is of strategic value.	
Submitter's Justification:	No justification on record – data differed from 2012 Review.	
Councils Response:	<p>The proposed increase in maximum FSR and maximum height is supported for the B1 Local Centre zoned land for the following reasons:</p> <ul style="list-style-type: none"> <li>• Its key location and will complement the existing four (4) and five (5) storey buildings opposite at the entrance to Prince Henry site</li> <li>• The increase in FSR and height will strengthen the neighbourhood business land uses in this location</li> <li>• The intersection of Little Bay Road and Anzac Parade is a significant location and provides access to the site from</li> </ul>	

	<p>the north, south and west, increasing the catchment to which the B1 Neighbourhood Centre site serves</p> <ul style="list-style-type: none"> <li>• The width of Anzac Parade and Little Bay Road supports higher density and heights</li> <li>• The public transport services operating along Anzac Parade</li> </ul>
Outcome:	<p>The following is supported for 1401-1409 Anzac Parade, Little Bay:</p> <ul style="list-style-type: none"> <li>• Zone: No change</li> <li>• Maximum FSR: increase from 1:1 to 1.2:1</li> <li>• Maximum Height: increase from 9.5m to 15m</li> <li>• Key Sites: include the site in the Key Sites Map associated with Clause 6.11 which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height and maximum FSR changes.</li> </ul>

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## 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington



Site Location Aerial Map (Near Maps)



Existing Zoning Map



Street View (Google Maps)



Street View / extra map

Address:	59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
Property Information:	Lot 2 DP 539543 (77-79 Anzac Parade) Lot A DP 345813 (81-85 Anzac Parade) Lot A DP 331643 (87 Anzac Parade) Lot 1 DP 605231 (89 Anzac Parade) Lot B DP 953401 (91-93 Anzac Parade) Lot 22 DP 3917 (95 Anzac Parade) Lot 2 DP 221584 (97-99 Anzac Parade) Lot C DP 30406 (101 Anzac Parade) Lot D DP 30406 (103 Anzac Parade) Lot 2 DP 605231 (67 Boronia Street) Lot A DP 953401 (69-71 Boronia Street) Lot 1 DP 539543 (59A Boronia Street) Lot B DP 345813 (61 Boronia Street) Lot B DP 331643 (63-65 Boronia Street)
Trim Reference:	D03701267
Applicant:	Urbis on behalf of Anson Group (The landowners).



Summary of Planning Request:	<p>The submission was lodged and addressed as part of the Kensington and Kingsford (K2K) Planning Proposal and it was also addressed in the K2K DCP as part of the built form controls.</p> <p>Request to rezoned from R3 Medium Density Residential to B2 Local Centre the following lots fronting Boronia Street - 59A, 61 and 63-65 Boronia Street, Kensington and part of 81-85 Anzac Parade (battleaxe handle fronting Boronia Street).</p> <p>Request to increase the maximum building height to 54m and an alternative building height of 16 storeys for the following lots 77-79 to 103 Anzac Parade, Kensington and 59 to 69-71 Boronia Street, Kensington. Flexible FSR requested.</p>	
Planning Controls	Current	Requested
Zone:	<p>77-79 to 103 Anzac Parade and 67 to 69-71 Boronia Street, Kensington: B2 Local Centre.</p> <p>59A, 61, 63-65 and Boronia Street, Kensington: R3 Medium Density Residential.</p> <p>81-85 Anzac Parade, Kensington: Part B2 Local Centre and part R3 Medium Density Residential (battleaxe handle only).</p>	<p>Retain the existing B2 Local Centre zoning on lots fronting Anzac Parade and Boronia Street.</p> <p>Rezone from R3 Medium Density Residential to B2 Local Centre the following lots fronting Boronia Street – 59A, 81-85 (part) Anzac Parade (battleaxe handle only), 61 Boronia Street and 63-65 Boronia Street.</p>
Permitted Max FSR:	<p><u>77-79 to 103 Anzac Parade, 67 to 69-71 Boronia Street, Kensington:</u></p> <p>No FSR applies to land within the Kensington Town Centre. Building envelope controls for each block are contained within the Randwick Development Control Plan 2013 (Section D1). Alternative FSR is 4:1 (Alternative LEP FSR Map).</p> <p><u>59A to 63-65 Boronia Street:</u></p> <p>Maximim FSR 0.9:1.</p> <p><u>81-85 (part) Anzac Parade, Kensington (battleaxe handle only):</u></p> <p>Maximim FSR 0.9:1.</p>	<p>Request states: “Flexible FSR”.</p> <p>Interpreted to mean remove the Maximum FSR 0.9:1 from lots fronting Boronia Street.</p>

Permitted Max Height:	<p><u>77-79, 81-85, 87, 89 (part), 91-93, 95 (part), 97-99, 103 and 101 Anzac Parade, Kensington:</u></p> <p>Maximum Building Height 25m (supermarket clause 4.3A(5) applies to part).</p> <p>Rear of sites have Maximum Building Height 1m.</p> <p>Alternative Height Map (community infrastructure) also applies and allows for 31m building height.</p> <p><u>103 Anzac Parade:</u></p> <p>Maximum Building Height 9.5m.</p> <p><u>59A to 63-65 Boronia Street:</u></p> <p>Maximum Building Height 12m.</p> <p><u>81-85 (part) Anzac Parade, Kensington (battleaxe handle only):</u></p> <p>Maximum Building Height 12m.</p>	54m
Other		
<b>Analysis</b>		
Site Description:	<p>The site consists of 14 lots with an area of approx. 6,410m<sup>2</sup>.</p> <p>The site is presently occupied by five 2 storey multi-business premises, two 2 storey business premises, two single storey dwellings, a three storey residential flat building (6 units), a dual occupancy and a private (at grade) car park. Commercial uses include: a gym, lighting store and vacant shops.</p> <p>A four storey residential flat building (44 units) and a vacant lot adjoin the site to the north. The south of the site is adjoined by four 2 storey semi-detached dwellings and a 2 storey mixed commercial (art gallery) and residential building.</p> <p>The subject urban block is characterised by residential and commercial uses. Commercial uses include retail (Peters of Kensington), automotive repair, gym, art gallery and a lighting store.</p> <p>The site is located within the Kensington Town Centre B2 Local Centre zone. The Planning Proposal proposes a maximum permissible building height of 31m (9 storeys) and a FSR of 4:1 for the site. The B2 Local Centre zone extends to the north, east and south of the site. An R3 Medium Density</p>	



	<p>Residential zone is located to the north, south and west of the site and is characterised by residential flat buildings, single and semi-detached dwellings.</p> <p>The properties 1, 3, 5 and 7 Duke Street adjoin the site to the south and are identified as potential items of heritage in RDCP 2013 (Section D1 Kensington Centre). 103A Anzac Parade also adjoins the site to the south and is identified in RDCP 2013 (Section D1 Kensington Centre) as contributory to the Kensington Town Centre.</p> <p>The site occupies a large strip along Anzac Parade and Boronia Street and is visible from numerous points.</p>
Topography and Access	<p>77-79 and 87 Anzac Parade have access to parking facilities from Anzac Parade.</p> <p>59A, 61, 63 Boronia Street and 89, 91-93 and 95 Anzac Parade have access to on-site garage parking facilities from Boronia Street.</p> <p>97-99, 101 and 103 Anzac Parade have no access to on-site parking facilities.</p>
Land use and Surrounding land use	<p>The subject sites are consistent with their respective B2 and R3 LEP zoning</p> <p>Anzac Parade has varied building heights ranging from one to seven storeys. Properties opposite the site on the eastern side of Anzac Parade are predominantly two storeys. Setbacks are generally consistent with the majority having a nil setback. Architectural styles vary. Boronia Street has varied building heights ranging from one to four storey. Building setbacks are generally consistent and fence setbacks are consistent. Architectural styles vary.</p>
Submitter's Justification:	<p><u><i>Request to extend the B2 Local Centre Zone to include 59A, 61 and 63 Boronia Street and to update the proposed Height of Buildings map for consistency.</i></u></p> <p>The submitters justification is based on the following:</p> <ul style="list-style-type: none"> <li>• The three properties form part of a larger continuous landholding in the town centre that is ideally located adjacent to a new light rail stop.</li> <li>• The zoning change is critical to support the desired masterplan outcome for the site from a site area and permissibility perspective.</li> <li>• It makes sound planning to 'regularise' the B2 boundary in this part of the centre to align with land ownership areas.</li> <li>• The presence of a new residential flat building immediately north of 59A Boronia Street means there is a clear termination point for this minor boundary adjustment along Boronia Street and thus will not trigger any other reasonable zoning boundary changes.</li> </ul>

	<ul style="list-style-type: none"> <li>The current B2 Local Centre zoning pattern in Kensington is varied and, in some parts, extends to sites well back from Anzac Parade. The request would therefore not be inconsistent with the current zoning pattern.</li> </ul> <p><u>77-79 to 103 Anzac Parade, Kensington and 59 to 69-71 Boronia Street, Kensington – Request to increase the maximum permissible building height to 54 metres and an alternate building storey height of 16 storeys. Flexible FSR.</u></p> <p>The submitters justification is based on the following:</p> <ul style="list-style-type: none"> <li>The proposed FSR will not be able to be achieved for sites with a proposed 31m height control. To ensure that the anticipated new density can be achieved, the building height controls need to be revised. As a minimum the building height must be increase to provide the ability to submit a development that could meet the maximum FSR control.</li> <li>A better urban design outcome in the centre could be achieved by allowing the following: <ul style="list-style-type: none"> <li>Creating a more sympathetic and interesting transition in building heights from the ‘tall tower’ sites on the Todman Avenue and Anzac Parade intersection.</li> <li>Allow alternative height distribution on significant/key sites to promote delivery of slender built form with the provision of reasonable proportions of view and solar corridors between built form.</li> <li>Consistent street wall heights along Anzac Parade to incorporate ‘human scale’ and active uses for more vibrant pedestrian atmosphere.</li> </ul> </li> </ul>
Councils Response:	<p>In response to a previous request under the K2K Planning Proposal in late 2019, Council did not support changes to the maximum Height of Building (HOB), land use zone or FSR for the subject site. The recommendation below is consistent with the previous recommendation, other than (as discussed below):</p> <ul style="list-style-type: none"> <li>Request to amend the FSR for the residential properties fronting Boronia Street</li> <li>Request to remove the one (1) metre height limit through the rear of the Anzac Parade sites.</li> </ul> <p><u>Zoning Change</u></p> <p>Council does not intent to extend the Kensington Town Centre B2 Local Centre zone. As such, Council does not support the rezoning of the three (3) residential lots fronting Boronia Street (and battleaxe of 81-85 Anzac Parade) from R3 Medium Density Residential lots to B2 Local Centre.</p> <p>The Kensington Town Centre primarily fronts Anzac Parade, with several properties extending across the block to Boronia Street (and zoned B2 Local Centre) and provide alternative access for properties fronting Anzac Parade. The three (3) residential lots have only frontage to Boronia Street, with the</p>

	<p>residential development consistent with the character of the street.</p> <p><u>FSR Change</u></p> <p>The proposed removal of the maximum FSR of 0.9:1 from the three (3) properties fronting Boronia Street (and the battleaxe of 81-85 Anzac Parade) is supported, consistent with the development standard (FSR) to south of the site on Boronia Street where a site specific envelope control has been introduced in the K2K DCP Part B. It is recommended that the DCP be amended to include the three (3) residential lots in the block control drawings to ensure that these lots are considered in the overall development scheme for the land.</p> <p><u>Height Change</u></p> <p>Council's urban design strategy for the town centres provides for a mid-rise building typology for most of the town centres to reinforce the spine with appropriate transition to existing development. Higher building form for the subject land would result in a departure from the consistent approach established under the urban design strategy for the town centre.</p> <p>The proposal to increase the maximum building height on the three (3) Boronia Street properties (zoned R3) from 12m to 54m is not supported. The proposal to increase the maximum building height on the Anzac Parade properties to 54m is also not supported.</p> <p>As noted above, there is a one (1) metre height limit running north south along the rear of the properties, originally introduced to provide rear access for the Anzac Parade properties. It is recommended that the maximum building height at the rear of the 95, 91-93, 89, 87 and 81-85 Anzac Parade properties be increased from one (1) metre to be consistent with the other parts of the lots (i.e. Maximum 31m).</p>
Outcome:	<p>Land use zone change from R3 Medium Density Residential to B2 Local Centre – not supported.</p> <p>Maximum FSR change from 0.9:1 to no maximum – supported.</p> <p>DCP Amendment include the three (3) Boronia Street residential properties (and battleaxe of 81-85 Anzac Parade) in a future review of the K2K Block Controls – Part B.</p> <p>Maximum Building Height change from 12m and 31m, to 54m – not supported.</p> <p>Maximum Building Height change from 1m to 31m at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington - supported.</p>

CP36/21

## Director City Planning Report No. CP37/21

**Subject: Randwick Comprehensive Planning Proposal - Economic Development (business trading hours, cultural uses and short term rental accommodation)**

### Executive Summary

- This report recommends that Council endorse that part of the Randwick Comprehensive Planning Proposal (Planning Proposal) relating to Exempt Development (business trading hours, cultural uses and short term rental accommodation) provisions for submission to the Department of Planning, Industry and Environment (DPIE) seeking gateway determination to enable its public exhibition.
- This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter, to be able to vote on other aspects of the Planning Proposal.
- Council's resolution on this report will be reflected in the Planning Proposal to be forwarded to the DPIE for Gateway determination.
- This report recommends that Council endorse that part of the Planning Proposal in relation to provisions that permit the following without requiring development consent:
  - later trading hours for shops and low impact business premises in business zones,
  - small-scale cultural activities in shops, office premises, restaurant, cafe or community facilities located in business zones; and
  - non hosted short-term rental accommodation for a period of 90 days within a calendar year.
- The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.
- Council has considered a number of reports on separate topics (housing, heritage, environmental resilience, local character areas, economic development and rezoning requests). These reports included advice from the Randwick Local Planning Panel (RLPP).



### Recommendation

That Council:

- a) Consider the advice from the Randwick Local Planning Panel at its meeting of 13 April 2021 (Attachment 1) in regard to business trading hours, cultural uses and short term rental accommodation;
- b) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 to permit the following without development consent:
  - i) shops, business premises and kiosks located in the B1 Neighbourhood Centre and B2 Local Centre zones to trade from 7am to 11pm, subject to criteria on noise, parking, loading and waste management;
  - ii) small scale cultural activities to occur in office, retail, business, restaurants, cafes and/or community facilities in the B1 Neighbourhood Centre and B2 Local Centre zones

- subject to criteria on patron numbers, hours of operation, noise and amenity impacts;  
and
- iii) non-hosted short-term rental accommodation to operate for 90 days per calendar year.
- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Planning Proposal and associated documents prior to submitting to the Department of Planning, Industry and Environment;
- d) Forward that part of the Planning Proposal relating to business trading hours, cultural uses and short-term rental accommodation to the Department of Planning, Industry and Environment as delegate to the Minister for Planning for a 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979; and
- e) Endorse the exhibition of the Randwick Planning Proposal once Gateway Approval is provided (subject to any conditions); and
- f) Resolve to commence the preparation of a new Randwick Comprehensive Development Control Plan to support the Planning Proposal.

**Attachment/s:**

1.   RLPP Advice 13 April 2021
2. Link to Draft Comprehensive Planning Proposal



## Purpose

The purpose of this report is to consider that part of the Planning Proposal in relation to Exempt Development provisions to be incorporated into the Planning Proposal.

The Proposal seeks to amend Randwick Local Environmental Plan 2012 to include later trading hours for low impact shops and business premises in business zones, permitting small scale cultural activities in business zones and non hosted short term rental accommodation to operate for a period of 90 days without requiring development consent.

## Background

This work was considered by the Randwick Local Planning Panel on 13 April 2021 (Attachment 1). The Panel supported the recommendations, with the exception of the change to the day limit for the non-hosted short term rental accommodation (90 days) and minor changes to the wording of clauses relating to the introduction of exempt development provisions in relation to later trading hours for low impact shops and business premises in business zones and permitting small scale cultural activities in business zones.

The economic component of the Planning Proposal was considered by Council at the 27 April 2021 meeting. At this meeting, Council resolved to support the changes outlined in this report.

The Council resolution is provided below:

**RESOLUTION: (Parker/Da Rocha)** that Council consider the advice provided by the Randwick Local Planning Panel at its meeting of 13 April 2021 (Attachment 1) and endorse the following recommendations set out below for inclusion in the draft comprehensive planning proposal:

- a) Amend the RLEP 2012 to introduce an objective for the B1 Neighbourhood Centre and B2 Local Centre zones on supporting a diverse, safe and inclusive night time economy;
- b) Amend the RLEP 2012 to introduce Exempt Development Provisions to permit shops, business premises and kiosks located in the B1 Neighbourhood Centre and B2 Local Centre zones to trade from 7am to 11pm without requiring development consent, subject to criteria on noise, parking, loading and waste management;
- c) Amend the RLEP 2012 to introduce Exempt Development provisions allowing small scale cultural activities to occur in office, retail, business, restaurants, cafes and/or community facilities in the B1 Neighbourhood Centre and B2 Local Centre zones without requiring development consent subject to criteria on patron numbers, hours of operation, noise and amenity impacts.
- d) Amend clause 6.13 of the RLEP 2012 to include 'information and education facility' as a permitted use with development consent in the R1 General Residential, R2 Low Density and R3 Medium Density zones.
- e) Amend the RLEP 2012 to introduce Exempt Development provisions permitting non-hosted short term rental accommodation without requiring development consent for 90 days per calendar year;
- f) Amend the RLEP 2012 as follows:
  - i) **Gardeners Road Cluster**  
Rezone 118 Gardeners Road, 120-122 Gardeners Road, and 124 Gardeners Road – KINGSFORD from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - ii) **Todman Avenue Cluster**  
Rezone 57, 59 and 61 Todman Avenue, KENSINGTON from R2 Low Density Residential to B1 Neighbourhood Centre zone with an applicable FSR of 1:1
  - iii) **Anzac Parade Cluster**  
Rezone 627 Anzac Parade, 629 Anzac Parade, and 631-633 Anzac Parade – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - iv) **Bunnerong Road Cluster**  
Rezone 167 Bunnerong Road, 169 Bunnerong Road, and 169A Bunnerong Road - MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

- v) **Malabar Road Cluster**  
Rezoning 496-504 Malabar Road MAROUBRA from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- vi) **Moverly Road Cluster**  
Rezoning 56 Moverly Road, 58 Moverly Road, and 60 Moverly Road – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- vii) **Avoca Street Cluster**  
Rezoning 341-347 Avoca Street - RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.  
  
Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use and amend the LEP maps as well.
- viii) **Barker Street Cluster**  
Rezoning 140-142 Barker Street, 144-146 Barker Street, and 148 Barker Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.
- ix) **Canberra Street Cluster 1**  
Rezoning 1 Canberra Street, 3 Canberra Street, 5 Canberra Street, 7 Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- x) **Canberra Street Cluster 2**  
Rezoning 16-18 Canberra Street, 20 Canberra Street, 22 Canberra Street, and 22A Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- xi) **Carrington Road Cluster**  
Rezoning 33-37 Carrington Road, 48 Carrington Road, 50-54 Carrington Road – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.  
  
Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 33-37 Carrington Road and amend the LEP maps as well.
- xii) **Clovelly Road Cluster 1**  
Rezoning 23 Clovelly Road, 29 Clovelly Road – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- xiii) **Clovelly Road Cluster 2**  
Rezoning 49 Clovelly Road, 51 Clovelly Road, 53 Clovelly Road from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1  
  
Rezoning 1 Gilderthorpe Avenue – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- xiv) **King Street Cluster**  
Rezoning 101 King Street, 103 King Street, and 105 King Street – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- xv) **Arden Street Cluster**  
Rezoning 371-373 Arden Street, 374-376 Arden Street, 378 Arden Street, and 99-101 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- xvi) **Malabar Road Cluster 1**  
Rezoning 2-4 Malabar Road, and 6-8 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
- xvii) **Malabar Road Cluster 2**  
Rezoning 169-173 Malabar Road, 175-177 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1  
  
Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 169-173 Malabar Road and amend the LEP maps as well.

**xviii) Burnie Street Cluster**

Rezone 17 Burnie Street, 21 Burnie Street, 25 Burnie Street, 27 Burnie Street, 29 Burnie Street, 31 Burnie Street, 37 Burnie Street, 39 Burnie Street, 41-43 Burnie Street, 45-51 Burnie Street – CLOVELLY, from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 34 Burnie Street, 36 Burnie Street, 38 Burnie Street, 40 Burnie Street, 42 Burnie Street, 44 Burnie Street, 46 Burnie Street, 48 Burnie Street, 50 Burnie Street – CLOVELLY from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**xix) Beach Street Cluster**

Rezone 98-104 Beach Street – COOGEE from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**xx) Dudley Street Cluster**

Rezone 63A Dudley Street, 65-73 Dudley Street, and 19-23 Havelock Avenue – COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1.5:1

**g) Proposed Amendments to the RLEP 2012- Randwick Hospitals Expansion**

Amend RLEP 2012 in relation to the Hospital campus expansion area to match controls that currently apply to the Hospital campus as follows:

- i) Rezone the block from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility (refer to figures 22 and 23);
- ii) Remove the existing residential (9.5m and 15m) Height of Building (HOB) controls for the Randwick Hospital Campus Expansion Area. Remove part of the current Randwick Hospital western perimeter height control (Refer Figures 24 and 25);
- iii) Remove the applicable FSR in line with the protocol for all special purpose and infrastructure zones. Refer Figure 26 and 27.

**h) Randwick Racecourse (ATC)**

- i) Not support the ATC request that Council consider an amendment to Schedule 1 of the RLEP 2012 ("Additional permitted uses") and accompanying map to permit entertainment facilities, food and drink premises and commercial premises with development consent in the 'Spectator Precinct' of Royal Randwick Racecourse (RRR). Further consideration is required of the implications of the rezoning proposal and its impacts on the broader Randwick Strategic Centre as part of a separate planning proposal.
- i) Amend RLEP 2012 to rezone the existing Light Rail Stabling Yard from RE1 Public Recreation to SP2 Infrastructure in the area indicated on the zoning maps (Figures 33 and 34).

**MOTION: (Parker/Da Rocha) CARRIED UNANIMOUSLY - SEE RESOLUTION.**

**Planning Proposal**

This section provides an overview of the Planning Proposal relevant to exempt development provisions in relation to economic development including the objectives, explanation of provisions (changes to Randwick LEP 2012 clauses, schedules and maps) and summary of the relevant Randwick and State Government strategic plans, strategies and studies.

**Objectives and intended outcomes**

The objectives of Planning Proposal in relation to economic development is to amend the RLEP 2012 to:

- Strengthen Randwick City's cultural life and create a more diverse and inclusive night-time economy;
- Make it easier for shops and low impact businesses to trade in business zones from 7am to 11pm, 7 days a week;
- Make it easier for small scale cultural activities to take place in existing office, retail and community facilities; and
- Minimise the impacts of short term rental accommodation (STRA) on the supply of rental housing, residential amenity and local character in Randwick City.

## Explanation of Proposed LEP Provisions

The following changes are proposed in relation to hours of operation for businesses, small scale cultural uses and short term rental accommodation.

### ***Night Time Economy***

#### *Hours of Operation- Low Impact Shops and Businesses*

Randwick City's town and neighbourhood centres permit a wide range of uses, and most businesses and retailers do not have a negative impact on the local area such as excessive noise or anti-social behaviour. Operating hours for businesses are regulated through conditions of development consent via the Development Application (DA) approval process.

The majority of businesses in Randwick City typically apply for 8am to 6pm opening hours, which can limit flexibility of operation, should there be future opportunities for trading at night. If a business wishes to extend their opening hours to take advantage of seasonal fluctuations for instance, a new development consent is required which can be cost prohibitive and time consuming to obtain, particularly if it is for a one off occasion. Proposals for night time trading in Randwick City are assessed under the planning controls of the Randwick DCP 2013 (Section D13- Late Night Trading).

As a measure to diversify the night time economy, cater to the needs of the broader community (including shift/key workers) and activate town and neighbourhood streetscapes, it is proposed to introduce new Exempt Development provisions to permit approved shops and low impact unlicensed business premises to trade later without requiring development consent subject to the following development standards:

- a) Must be located on land zoned B1 Neighbourhood Centre or B2 Local Centre.
- b) Must be a shop, business premises or kiosk.
- c) Trading hours from 7.00am to 11.00pm is exempt development, subject to the following:
  - i. Not be a food and drink premises, gym or licensed premise in accordance with the definition under the Liquor Act 2007, and
  - ii. Must comply with all conditions of the consent for the use of the premises including noise, parking, loading or waste management, and
  - iii. If conditions of development consent do not specify hours for the loading or delivery of goods to, or the removal of waste from the premises-only be carried out between 7.00am and 7.00pm on any day, and
  - iv. Must not cause an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

### **Small scale cultural activities**

Council's planning framework is largely silent with respect to small scale cultural activities in venues such as retail and commercial spaces. While the abolishment of the Place of Public Entertainment consent requirements in 2009 has enabled hospitality establishments to have ancillary entertainment as part of their operations, there remains a level of uncertainty as to whether development consent is required for a shop or vacant site to host a temporary or once off small scale cultural activity or creative experience.

There is also very little guidance as to what extent a small-scale cultural activity may be considered 'ancillary' to the primary use of the venue. In other words, there are no guidelines or parameters to guide retail or business operators about what may be permitted with respect to cultural activity, and to what extent that activity is considered subordinate to the primary function of the venue (eg. no guidance on patron capacity, timeframe for the activity etc.).

A new RLEP 2012 Exempt Development provision is therefore proposed to permit small-scale cultural activities to occur without requiring development consent subject to the following development standards.

- a) Must be located on land zoned B1 Neighbourhood Centre or B2 Local Centre.
- b) Must take place in a building that can be lawfully used for the purpose of shop, office premises, restaurant, cafe or community facility.
- c) Must occur in a building with a current annual fire safety statement that is registered with Council.
- d) Must not contravene any fire safety requirements or obstruct exits of paths of travel to an exit.
- e) Must ensure adequate access in accordance with Australian Standards and Building Code of Australia requirements.
- f) Must not involve building works, unless those works are otherwise exempt or approved development.
- g) Must occur between the hours of 7.00am and 10.00pm.
- h) Must not occur more than 26 days in a 12 month period, 4 days in any single week and 8 days in any single calendar month and details of compliance must be provided to Council upon request.
- i) Must have a maximum duration of 7 hours on each day, excluding set up and pack down.
- j) Must not involve the use of pyrotechnics, theatrical smoke or dangerous goods.
- k) Must accommodate no more than 1 person per square metre in the area accessible by patrons, up to a maximum of 100 people, excluding staff and performers.
- l) Must only include the service of alcohol if it is consistent with a liquor license issued under the Liquor Act 2007 or served under a caterer's authorisation issued under the Liquor Act 2007.
- m) Must provide adequate access to sanitary facilities in accordance with Building Code of Australia and Australian Standards.
- n) Must not contravene any existing condition of any active development consent that applies to the land relating to car parking, vehicular movement, traffic generation, loading or waste management.
- o) Where there is no condition relating to waste management, waste must be removed from the premises and not placed on the public way at any time, and glass is not to be emptied or transferred anywhere in a public place.
- p) Must ensure the orderly entry and egress of patrons and not detrimentally affect the amenity of the neighbourhood, including queueing of patrons while ensuring adequate public access to other pedestrians on footpaths.
- q) Must not cause an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- r) Must ensure that prior to 5 days prior to the commencement of activity or event, display in a clearly visible place outside of the premises a sign notifying of the nature of the event, duration and completion date, the name and contact details of the person responsible for the event.

**Small Scale Cultural Activities** means an activity involving live entertainment, including the presentation of music, film, theatre, spoken word, comedy or dance, or an event associated with an exhibition of art, craft, design, media, image or technology, with no more than 100 participants.



### Non-hosted short term rental accommodation

The emergence of on-line short-term accommodation platforms such as Airbnb has created considerable public debate both locally and internationally on the impacts on housing availability and affordability. Whilst amenity issues have been the primary concern, the reduction in housing supply and increased rents in the long term is of particular concern in popular coastal and inner/eastern city areas of Sydney such as Randwick City. It is also creating a level of uncertainty and an added layer of complexity for private renters in inner city locations.

Recent research by the Australian Housing and Urban Research Institute (AHURI) titled "*Technological disruption in private housing markets: the case of Airbnb*" (October 2018) suggests that AirBnB is having an impact on the number of new rental bonds lodged in coastal areas of Sydney. This indicates that fewer properties are available for long term rental which may be contributing to unaffordability.

In 2015, there were 929 Airbnb listings across the LGA. As of December 2018, Randwick City had 3,346 active Airbnb listings, the 3<sup>rd</sup> highest of any Sydney metropolitan LGA (with Waverley and the City of Sydney being 2<sup>nd</sup> and 1<sup>st</sup> respectively). These are concentrated in coastal suburbs of the LGA, particularly Coogee, Clovelly Randwick and Maroubra.

In August 2019, the DPIE released a draft regulatory framework for short term rental accommodation (STRA) for public comment. It included a new state environmental planning policy (SEPP) incorporating a new definition for STRA, and exempt and complying provisions on length of stay, hosting presence, bushfire risk, and fire safety, together with changes to strata legislation and a new Code of Conduct.

Whilst Council was largely in support of the reforms, concerns were raised about a number of proposals that were not seen to adequately address the impacts of STRA on rental housing supply, residential amenity, sense of community and local character. In particular concerns were raised about the 180 day threshold for non-hosted STRA to be operated within a calendar year and subsequent impacts upon rental housing supply and amenity.

To address these issues a key action of the LSPS and Randwick Housing Strategy is to introduce a 90 day threshold on STRA in to the local planning framework. Limiting the time period in which STRA can operate to 90 days would help minimise the impacts on the supply of rental housing, residential amenity, and local character. A 90 day limit may provide a more balanced approach by allowing STRA operators or property owners (e.g owners travelling overseas on holiday) to rent out their dwellings over the peak summer period or split throughout the year (recognising that STRA contributes to the diversity of visitor and tourism accommodation) whilst ensuring a 275 day (9 month) period is available for medium term renters. This approach mirrors the limits within Byron Shire Council, which has experienced considerable community impacts in the LGA as a result of STRA.

### **NSW Government announcement April 2021 – Short Term Rental Accommodation (STRA)**

In April 2021, the NSW Government announced a new statewide policy for short term rentals which take effect from 30 July 2021. The new policy framework includes:

- A new definition for short term rental accommodation (hosted and non-hosted)
- Hosted accommodation as exempt development 365 days per year
- Non-hosted accommodation as exempt development 180 days per year in Greater Sydney
- Exemption of bookings of 21 consecutive days or more from the 180 day limit on non-hosted STRA
- New fire safety standards and penalties
- Creation of a new Government register that will ensure compliance with the new fire safety standards, as well as tracking the day limits of each STRA dwelling.

This Planning Proposal recommends that RLEP 2012 be amended by introducing a new Exempt Development provision limiting the number of days non-hosted STRA can operate in a calendar year to 90 days. In doing so, it is proposed that Council seek an exemption from clause 12(b) (Exempt Development – Non Hosted Short Term Accommodation) under the draft *State Environmental Planning Policy (Short Term Rental Accommodation 2019)* which imposes a 180 day threshold, in favour of the following provisions:



### Justification

The Randwick Night Time Economy Study 2019 (the Study) was prepared in response to a Council resolution (Notice of Motion 18/2018) which called for practical initiatives to enhance Randwick City's night time economy to foster economic development, support the live music and creative sectors, and deliver a diverse offering of night time activities to a wider demography.

The Study has found that Randwick City has the potential to reap substantial socio- economic benefits from cultivating a well-managed and diverse night-time economy. Research of Australia's night time economy has shown that it generates significant economic output and if well managed and supported will continue to grow and diversify.

At the local level, growth and diversification of the night time economy would have a positive impact for local businesses through increased patronage over longer and different time periods. It would help stimulate job creation, particularly flexible employment, support the cultural and creative sectors, while boosting local tourism, retail and non-core activities such as transport and security. These benefits are particularly critical given the current COVID pandemic, and stimulation of the night time economy via the land use planning framework would be an essential measure to supporting the economic recovery post pandemic.

In terms of community benefits, a mix of businesses and social and cultural attractions would help increase wider participation, attracting a diversity of ages and lifestyles, facilitating more connected, inclusive and resilient communities. Having a broad range of people participating in the night time economy would also have a positive impact on the perception of safety at night and potentially assist in reducing crime. The night time economy can also play an important role in urban renewal and revitalisation, helping to create a sense of place and identity, and contributing to thriving vibrant town centres. This is particularly pertinent for urban renewal areas such as Kensington and Kingsford town centres and the Randwick Collaboration Area which would benefit from a thriving night time economy that builds reputation, reinforces local character and inspires new uses of public space.

The planning proposal seeks to balance the economic benefits of short-term rental accommodation on our visitor economy with protecting medium to long term rental housing supply in high amenity areas. This would result in greater supply, choice, affordability, and stability in the local rental housing market and help protect the liveability and character of residential areas.

Placing limitations on the length of time for non-hosted short term rental accommodation would offer significant benefits including helping to retain availability of medium and long term rental housing, protecting the sense of community and character of localities.

### **Strategic alignment**

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	8. A strong local economy.
Direction	8a. Vibrant business, commercial and industrial sectors that provide ongoing and diverse employment opportunities and serve the community.

## Resourcing Strategy implications

The costs associated with the preparation of the Economic Development Study was funded from the 2019-20. This draft Planning Proposal was prepared by the Strategic Planning team.

## Policy and legislative requirements

Relevant policies and legislation in relation to the Comprehensive Planning Proposal are:

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

## Conclusion

The purpose of this report is to consider the Planning Proposal in relation to Exempt Development provisions allowing extended trading hours for low impact business premises, enabling small scale cultural activities and limiting the rental period for non-hosted short term accommodation.

This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.

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**Responsible officer:** Stella Agagiotis, Manager Strategic Planning

**File Reference:** F2021/00188

# FOR ACTION

## RANDWICK LOCAL PLANNING PANEL (PUBLIC)

13/04/2021

TO: Manager Strategic Planning (Agagiotis, Stella)

**Subject:** Randwick Comprehensive Planning Proposal - Economic Development  
**Target Date:** 27/04/2021  
**Notes:**  
**Document No.:** D04166341  
**Report Type:** Report  
**Item Number:** GR5/21

CP37/21

### RESOLUTION:

That the Randwick Local Planning Panel advises Council that it supports the Planning Proposal as set out below:

- a) Introduce an objective for the B1 Neighbourhood Centre and B2 Local Centre zones on supporting a diverse, safe and inclusive night time economy;
- b) Introduce Exempt Development Provisions to permit shops, business premises and kiosks (not food and drink premises, gyms and licensed premises under the Liquor Act 2007) located in the B1 Neighbourhood Centre and B2 Local Centre zones to trade from 7am to 11pm without requiring development consent, subject to existing conditions of consent and appropriate criteria on noise, parking, loading and waste management;
- c) Introduce Exempt Development provisions allowing small scale cultural activities (to be specifically defined) to occur in office, retail, business, restaurants, cafes and/or community facilities in the B1 Neighbourhood Centre and B2 Local Centre zones without requiring development consent subject to criteria on patron numbers, hours of operation, noise, amenity impacts and compliance with BCA and relevant Australian standards in relation to access, sanitary facilities and fire safety.
- d) Amend clause 6.13 to include '*information and education facility*' as a permitted use with development consent in the R1 General Residential, R2 Low Density and R3 Medium Density zones.
- e) Include the following sites as B1 Neighbourhood Centre in the Comprehensive Planning Proposal:
  - a. **Gardeners Road Cluster**  
Rezone 118 Gardeners Road, 120-122 Gardeners Road, and 124 Gardeners Road – KINGSFORD from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - b. **Todman Avenue Cluster**  
Rezone 57, 59 and 61 Todman Avenue, KENSINGTON from R2 Low Density Residential to B1 Neighbourhood Centre zone with an applicable FSR of 1:1
  - c. **Anzac Parade Cluster**  
Rezone 627 Anzac Parade, 629 Anzac Parade, and 631-633 Anzac Parade – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - d. **Bunnerong Road Cluster**  
Rezone 167 Bunnerong Road, 169 Bunnerong Road, and 169A Bunnerong Road - MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - e. **Malabar Road Cluster**  
Rezone 496-504 Malabar Road MAROUBRA from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - f. **Moverly Road Cluster**

Rezone 56 Moverly Road, 58 Moverly Road, and 60 Moverly Road – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**g. Avoca Street Cluster**

Rezone 341-347 Avoca Street - RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use and amend the LEP maps as well.

**h. Barker Street Cluster**

Rezone 140-142 Barker Street, 144-146 Barker Street, and 148 Barker Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

**i. Canberra Street Cluster 1**

Rezone 1 Canberra Street, 3 Canberra Street, 5 Canberra Street, 7 Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**j. Canberra Street Cluster 2**

Rezone 16-18 Canberra Street, 20 Canberra Street, 22 Canberra Street, and 22A Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**k. Carrington Road Cluster**

Rezone 33-37 Carrington Road, 48 Carrington Road, 50-54 Carrington Road – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 33-37 Carrington Road and amend the LEP maps as well.

**l. Clovelly Road Cluster 1**

Rezone 23 Clovelly Road, 29 Clovelly Road – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**m. Clovelly Road Cluster 2**

Rezone 49 Clovelly Road, 51 Clovelly Road, 53 Clovelly Road from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 1 Gilderthorpe Avenue – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**n. King Street Cluster**

Rezone 101 King Street, 103 King Street, and 105 King Street – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**o. Arden Street Cluster**

Rezone 371-373 Arden Street, 374-376 Arden Street, 378 Arden Street, and 99-101 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**p. Malabar Road Cluster 1**

Rezone 2-4 Malabar Road, and 6-8 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**q. Malabar Road Cluster 2**

Rezone 169-173 Malabar Road, 175-177 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 169-173 Malabar Road and amend the LEP maps as well.

**r. Burnie Street Cluster**

Rezone 17 Burnie Street, 21 Burnie Street, 25 Burnie Street, 27 Burnie Street, 29 Burnie Street, 31 Burnie Street, 37 Burnie Street, 39 Burnie Street, 41-43 Burnie Street, 45-51 Burnie Street – CLOVELLY, from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 34 Burnie Street, 36 Burnie Street, 38 Burnie Street, 40 Burnie Street, 42 Burnie Street, 44 Burnie Street, 46 Burnie Street, 48 Burnie Street, 50 Burnie Street – CLOVELLY from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**s. Beach Street Cluster**

Rezone 98-104 Beach Street – COOGEE from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**t. Dudley Street Cluster**

Rezone 63A Dudley Street, 65-73 Dudley Street, and 19-23 Havelock Avenue – COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1.5:1

- f) Include controls for the Hospital campus expansion area to match controls that currently apply to the Hospital campus as follows:
  - Rezone the block from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility (refer to figures 22 and 23);
  - Remove the existing residential (9.5m and 15m) Height of Building (HOB) controls for the Randwick Hospital Campus Expansion Area.
  - Remove part of the current Randwick Hospital western perimeter height control (Refer Figures 24 and 25) and review whether a perimeter height control is appropriate fronting High Street and Magill Street.
  - Remove the applicable FSR in line with the protocol for all special purpose and infrastructure zones. Refer Figure 26 and 27.
- g) Not support the ATC request that Council consider an amendment to Schedule 1 of the RLEP 2012 (“Additional permitted uses”) and accompanying map to permit *entertainment facilities, food and drink premises* and *commercial premises* with development consent in the ‘Spectator Precinct’ of Royal Randwick Racecourse (RRR). Further consideration is required of the implications of the rezoning proposal and its impacts on the broader Randwick Strategic Centre as part of a separate planning proposal.
- h) Rezone the existing Light Rail Stabling Yard at RRR from RE1 Public Recreation to SP2 Infrastructure in the area indicated on the zoning maps (Figures 33 and 34).
- i) That the Panel does not support the introduction of Exempt Development provisions permitting non-hosted short term rental accommodation without requiring development consent for 90 days per calendar year to replace the proposed 180 day limit in *State Environmental Planning Policy (Affordable Rental Housing) 2009* and *Environmental Planning and Assessment Regulation*. The Panel recommends that the implementation of the proposed limit be monitored for a period of at least 12 months prior to any change to the day limit to ensure that the appropriate balance between visitor accommodation and rental housing is achieved.

**REASON:**

The Panel has reviewed the Planning Proposal report prepared by Council officers. For the reasons within the report, the Panel supports the recommendations, with the exception of the change to the day limit for non-hosted short-term rental accommodation. The Panel does not consider that there is sufficient evidence at this stage to justify a different day limit to that within the *State Environmental Planning Policy (Affordable Rental Housing) 2009* and *Environmental Planning and Assessment Regulation*. The implementation of the proposed limit should be monitored so that a better understanding of the implications on rental accommodation is provided. The Panel has also made some minor changes to points b) and c) to clarify the criteria for exempt development and suggests a further review of the hospital perimeter heights to ensure an appropriate transition with adjoining residential development.

**CARRIED UNANIMOUSLY.**

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CP37/21



## Director City Planning Report No. CP38/21

**Subject: Randwick Comprehensive Planning Proposal - Heritage conservation**

### Executive Summary

- This report recommends that Council endorse that part of the Randwick Comprehensive Planning Proposal (Planning Proposal) in relation to heritage conservation for submission to the Department of Planning, Industry and Environment seeking a Gateway Determination to enable its public exhibition.
- This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter, to be able to vote on other aspects of the Planning Proposal.
- Council's resolution on this report will be reflected in the Planning Proposal to be forwarded to the Department of Planning for Gateway determination.
- This report recommends that Council endorse part of the Planning Proposal in relation to heritage conservation as follows:
  - Extend the boundary of the Moira Crescent Heritage Conservation Area to include 24 Marcel Ave, 204, 206 and 208 Clovelly Road, Clovelly as heritage items;
  - List the following properties as heritage items:
    1. 16 Carey Street, Randwick
    2. 5 Severn Street, Maroubra
    3. 10 Broome Street, Maroubra
    4. 43 Broome Street, Maroubra
    5. 51 Doncaster Avenue, Kensington
    6. 30 Eastern Avenue, Kingsford
    7. 32 Eastern Avenue, Kingsford
    8. 41-43 Kyogle Street, Maroubra
    9. 24 Marcel Avenue, Clovelly
    10. 44 Marcel Avenue, Randwick
    11. 237-245 Maroubra Road, Maroubra
    12. 27 The Corso, Maroubra
    13. 1 Winburn Avenue, Kingsford
    14. 289 Arden Street, Coogee
    15. 293 Arden Street, Coogee
    16. 231 Avoca Street, Randwick
    17. 21 Baden Street, Coogee
    18. 150-142 Beach Street, Coogee
    19. 3 Bishops Avenue, Randwick
    20. 16 Bishops Avenue, Randwick
    21. 20 Bishops Avenue, Randwick
    22. 122 Brook Street, Coogee
    23. 124 Brook Street, Coogee
    24. 129 Coogee Bay Road, Coogee
    25. 218-222 Coogee Bay Road, Coogee
    26. 230 Coogee Bay Road, Coogee
    27. 250-252 Coogee Bay Road, Coogee
    28. 36-42 Cook Street, Randwick
    29. 10 Cottenham Avenue, Kensington
    30. 36 Cottenham Avenue, Kensington

31. 187 Clovelly Road, Randwick
32. 204 Clovelly Road, Clovelly
33. 206 Clovelly Road, Clovelly
34. 208 Clovelly Road, Clovelly
35. 69 Darley Road, Randwick
36. 18 Day Avenue, Kensington
37. 20 Day Avenue, Kensington
38. 72 Dudley Street, Randwick
39. 90 Dudley Street, Randwick
40. 25 Duke Street, Kensington
41. 24 Eastern Avenue, Kensington
42. 34 Eastern Avenue Kensington
43. 42a Fern Street, Randwick
44. 20-22 Figtree Avenue, Randwick
45. 14-16 Glebe Street, Randwick
46. 20 Ingelthorpe Avenue, Kensington
47. 5 Kurrawa Avenue, Coogee
48. 26 Marcel Avenue, Randwick
49. 7 Mears Avenue, Randwick
50. 32 Mooramie Avenue, Kensington
51. 3 Nathan Street, Randwick
52. 121-123 Perouse Road, Randwick
53. 27 Prince Street, Randwick
54. 11 & 13 Abbotford Street, Kensington
55. 5 Berwick Street, Coogee
56. 63 Samuel Terry Avenue, Kensington
57. 1 Thomas Street, Coogee

- Amend Schedule 5 of the RLEP 2012 to:
  1. identify the grouping of 16, 18, 20 and 22 Dudley St, Randwick as individual heritage items;
  2. identify the grouping of 10 and 14 Stephen St, Randwick as individual heritage items;
  3. consolidate 1 and 3 Samuel Terry Avenue and 1-27 Todman Avenue, Kensington into a single heritage listing; and
  4. remove 22 Young Street, Randwick and replace with 86 Middle St as the correct heritage item.
- The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.
- Council has considered a number of reports on separate topics (housing, heritage, environmental resilience, local character areas, economic development and rezoning requests). These reports included advice from the Randwick Local Planning Panel (RLPP).

## Recommendation



That Council:

- a) Consider the advice provided by the Randwick Local Planning Panel of 6<sup>th</sup> April 2021 (Attachment 1) in regard to heritage conservation;
- b) Endorse that part of the Comprehensive Planning Proposal that amends Schedule 5 of the Randwick Local Environmental Plan 2012 in relation to heritage items and heritage conservation areas as set out below:

- List the following properties as heritage items:
  1. 16 Carey Street, Randwick
  2. 5 Severn Street, Maroubra
  3. 10 Broome Street, Maroubra
  4. 43 Broome Street, Maroubra
  5. 51 Doncaster Avenue, Kensington
  6. 30 Eastern Avenue, Kingsford
  7. 32 Eastern Avenue, Kingsford
  8. 41-43 Kyogle Street, Maroubra
  9. 24 Marcel Avenue, Clovelly
  10. 44 Marcel Avenue, Randwick
  11. 237-245 Maroubra Road, Maroubra
  12. 27 The Corso, Maroubra
  13. 1 Winburn Avenue, Kingsford
  14. 289 Arden Street, Coogee
  15. 293 Arden Street, Coogee
  16. 231 Avoca Street, Randwick
  17. 21 Baden Street, Coogee
  18. 150-142 Beach Street, Coogee
  19. 3 Bishops Avenue, Randwick
  20. 16 Bishops Avenue, Randwick
  21. 20 Bishops Avenue, Randwick
  22. 122 Brook Street, Coogee
  23. 124 Brook Street, Coogee
  24. 129 Coogee Bay Road, Coogee
  25. 218-222 Coogee Bay Road, Coogee
  26. 230 Coogee Bay Road, Coogee
  27. 250-252 Coogee Bay Road, Coogee
  28. 36-42 Cook Street, Randwick
  29. 10 Cottenham Avenue, Kensington
  30. 36 Cottenham Avenue, Kensington
  31. 187 Clovelly Road, Randwick
  32. 204 Clovelly Road, Clovelly
  33. 206 Clovelly Road, Clovelly
  34. 208 Clovelly Road, Clovelly
  35. 69 Darley Road, Randwick
  36. 18 Day Avenue, Kensington
  37. 20 Day Avenue, Kensington
  38. 72 Dudley Street, Randwick
  39. 90 Dudley Street, Randwick
  40. 25 Duke Street, Kensington
  41. 24 Eastern Avenue, Kensington
  42. 34 Eastern Avenue, Kensington
  43. 42a Fern Street, Randwick
  44. 20-22 Figtree Avenue, Randwick
  45. 14-16 Glebe Street, Randwick
  46. 20 Ingelthorpe Avenue, Kensington
  47. 5 Kurrawa Avenue, Coogee
  48. 26 Marcel Avenue, Randwick
  49. 7 Mears Avenue, Randwick
  50. 32 Mooramie Avenue, Kensington
  51. 3 Nathan Street, Randwick
  52. 121-123 Perouse Road, Randwick
  53. 27 Prince Street, Randwick
  54. 11 & 13 Abbotford Street, Kensington
  55. 5 Berwick Street, Coogee
  56. 63 Samuel Terry Avenue, Kensington
  57. 1 Thomas Street, Coogee

- Extend the boundary of the Moira Crescent Heritage Conservation Area as shown in Figure 2 of the Planning Proposal report noting that this will include 24 Marcel Ave, 204, 206 and 208 Clovelly Road, Clovelly as heritage items;
  - Identify the grouping of 16, 18, 20 and 22 Dudley St, Randwick as individual heritage items;
  - Identify the grouping of 10 and 14 Stephen St, Randwick as individual heritage items;
  - Consolidate 1 and 3 Samuel Terry Avenue and 1-27 Todman Avenue, Kensington into a single heritage listing; and
  - Remove 22 Young Street, Randwick and replace with 86 Middle St as the correct heritage item.
- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Planning Proposal and associated documents prior to submitting to the Department of Planning, Industry and Environment;
- d) Forward that part of the Planning Proposal relating to heritage conservation to the Department of Planning Industry and Environment as delegate to the Minister for Planning for a 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- e) Endorse the exhibition of the Planning Proposal once Gateway Approval is provided (subject to any conditions); and
- f) Resolve to commence the preparation of a new Randwick Comprehensive Development Control Plan to support the Planning Proposal.

#### Attachment/s:

1.   RLPP Advice 6 April 2021
2. Link to Randwick Comprehensive Planning Proposal
3. Link to Randwick Heritage Study 2021 I

## Purpose

The purpose of this report is to consider that part of the Planning Proposal in relation to heritage conservation.

The Proposal seeks to amend Randwick Local Environmental Plan 2012 to:

- amend Randwick Local Environmental Plan 2012 to add 57 items to Schedule 5
- adjust one heritage conservation area boundary (Moirra Crescent HCA) and
- include housekeeping changes (clarification of the property addresses of heritage items).

## Background

The proposed heritage amendments were considered by the Randwick Local Planning Panel on 6 April 2021 (Attachment 1). The Panel supported the proposed amendments to heritage provisions outlined in this report.

The Council Resolution from the 25 May 2021 Council meeting is as follows:

**RESOLUTION: (Matson/Veitch) that Council:**

1. Consider the advice provided by the Randwick Local Planning Panel at its meeting of 6 April 2021 (**Attachment 1**) and endorse the recommendations set out below for inclusion in the draft comprehensive planning proposal:
  - a. Incorporate the following proposed amendments to heritage conservation areas and/or heritage listings under Schedule 5 of the draft Randwick Comprehensive LEP:
    - i. Extend the boundary of the Moira Crescent Heritage Conservation Area as shown in Figure 2 of the Planning Proposal report noting that this will include 24 Marcel Ave, 204, 206 and 208 Clovelly Road, Clovelly as heritage items;
    - ii. Amend Schedule 5 and the accompanying heritage maps to list the following properties as heritage items:
      1. 16 Carey Street, Randwick
      2. 5 Severn Street, Maroubra
      3. 10 Broome Street, Maroubra
      4. 43 Broome Street, Maroubra
      5. 51 Doncaster Avenue, Kensington
      6. 30 Eastern Avenue, Kingsford
      7. 32 Eastern Avenue, Kingsford
      8. 41-43 Kyogle Street, Maroubra
      9. 24 Marcel Avenue, Clovelly
      10. 44 Marcel Avenue, Randwick
      11. 237-245 Maroubra Road, Maroubra
      12. 27 The Corso, Maroubra
      13. 1 Winburn Avenue, Kingsford
      14. 289 Arden Street, Coogee
      15. 293 Arden Street, Coogee
      16. 231 Avoca Street, Randwick
      17. 21 Baden Street, Coogee
      18. 150-142 Beach Street, Coogee
      19. 3 Bishops Avenue, Randwick
      20. 16 Bishops Avenue, Randwick
      21. 20 Bishops Avenue, Randwick
      22. 122 Brook Street, Coogee
      23. 124 Brook Street, Coogee
      24. 129 Coogee Bay Road, Coogee
      25. 218-222 Coogee Bay Road, Coogee
      26. 230 Coogee Bay Road, Coogee
      27. 250-252 Coogee Bay Road, Coogee
      28. 36-42 Cook Street, Randwick
      29. 10 Cottenham Avenue, Kensington
      30. 36 Cottenham Avenue, Kensington
      31. 187 Clovelly Road, Randwick

32. 204 Clovelly Road, Clovelly
33. 206 Clovelly Road, Clovelly
34. 208 Clovelly Road, Clovelly
35. 69 Darley Road, Randwick
36. 18 Day Avenue, Kensington
37. 20 Day Avenue, Kensington
38. 72 Dudley Street, Randwick
39. 90 Dudley Street, Randwick
40. 25 Duke Street, Kensington
41. 24 Eastern Avenue, Kensington
42. 34 Eastern Avenue, Kensington
43. 42a Fern Street, Randwick
44. 20-22 Figtree Avenue, Randwick
45. 14-16 Glebe Street, Randwick
46. 20 Ingelthorpe Avenue, Kensington
47. 5 Kurrawa Avenue, Coogee
48. 26 Marcel Avenue, Randwick
49. 7 Mears Avenue, Randwick
50. 32 Mooramie Avenue, Kensington
51. 3 Nathan Street, Randwick
52. 121-123 Perouse Road, Randwick
53. 27 Prince Street, Randwick
54. 11 & 13 Abbotford Street, Kensington
55. 5 Berwick Street, Coogee
56. 63 Samuel Terry Avenue, Kensington
57. 1 Thomas Street, Coogee

iii. Amend Schedule 5 of the RLEP 2012 to:

1. identify the grouping of 16, 18, 20 and 22 Dudley St, Randwick as individual heritage items;
2. identify the grouping of 10 and 14 Stephen St, Randwick as individual heritage items;
3. consolidate 1 and 3 Samuel Terry Avenue and 1-27 Todman Avenue, Kensington into a single heritage listing; and
4. remove 22 Young Street, Randwick and replace with 86 Middle Street as the correct heritage item.

iv The list of properties on page 181 of the final Extent report (titled Appendix B) consisting of properties not proposed for heritage listing be identified and set aside by Council for a future in-depth heritage study.

A review of Randwick's heritage was undertaken and assessment is included in **Randwick Heritage Study** (Vol.1 & 2) (March 2021). This Study addresses the status and condition of proposed residential heritage items and Heritage Conservation Areas (HCAs) and recommends new heritage items for listing in Council's LEP. The heritage review is an important 'stock take' of Randwick City's heritage at a point in time to ensure that the local heritage conservation planning framework is robust, up to date and affords adequate protection for buildings and places that have been identified as having heritage significance. A copy of the Randwick Heritage Study (March 2021) is included as an attachment to the Planning Proposal.

The heritage study was undertaken as part of a three staged process summarised as follows:

**Stage 1 – Call for Community Nominations**

In January 2020 the community was invited to nominate places that may have potential heritage value. Around 281 valid nominations were received via the yoursay website, email and mail. The nomination list was subject to a rigorous review process where 78 requests were omitted comprising sites that are already listed under the RLEP 2012, duplications of addresses and anomalies (e.g incorrect addresses or where the building has already been approved for demolition or subject to a DA for substantial changes).

The first-round review resulted in 203 nominations being progressed to comprehensive assessment under stage 3 resulting in 51 properties recommended for heritage listing.



### Stage 2 – Heritage Conservation Area Review

This second stage of the study comprised a comprehensive review of Randwick City's residential HCAs (Figure 1). It included an assessment of all existing heritage items located within the HCA boundaries and made recommendations on:

- New potential items within the HCAs;
- Adjustments to HCA boundaries;
- Changes to the listed groupings of certain buildings; and
- Strengthening DCP controls to address risks and better manage heritage significance.

Stage 2 resulted in recommendations for 6 new heritage listings (1 in West Kensington HCA, 1 in Dudley Street HCA, and 4 in Moira Crescent HCA) and a boundary extension to Moira Cres HCA (Figure 2). A number of changes were recommended to the identification of specific groupings of buildings under the RLEP 2012 to ensure architectural consistency and/or address anomalies and address errors. The study also made recommendations on strengthening the DCP controls for heritage conservation.

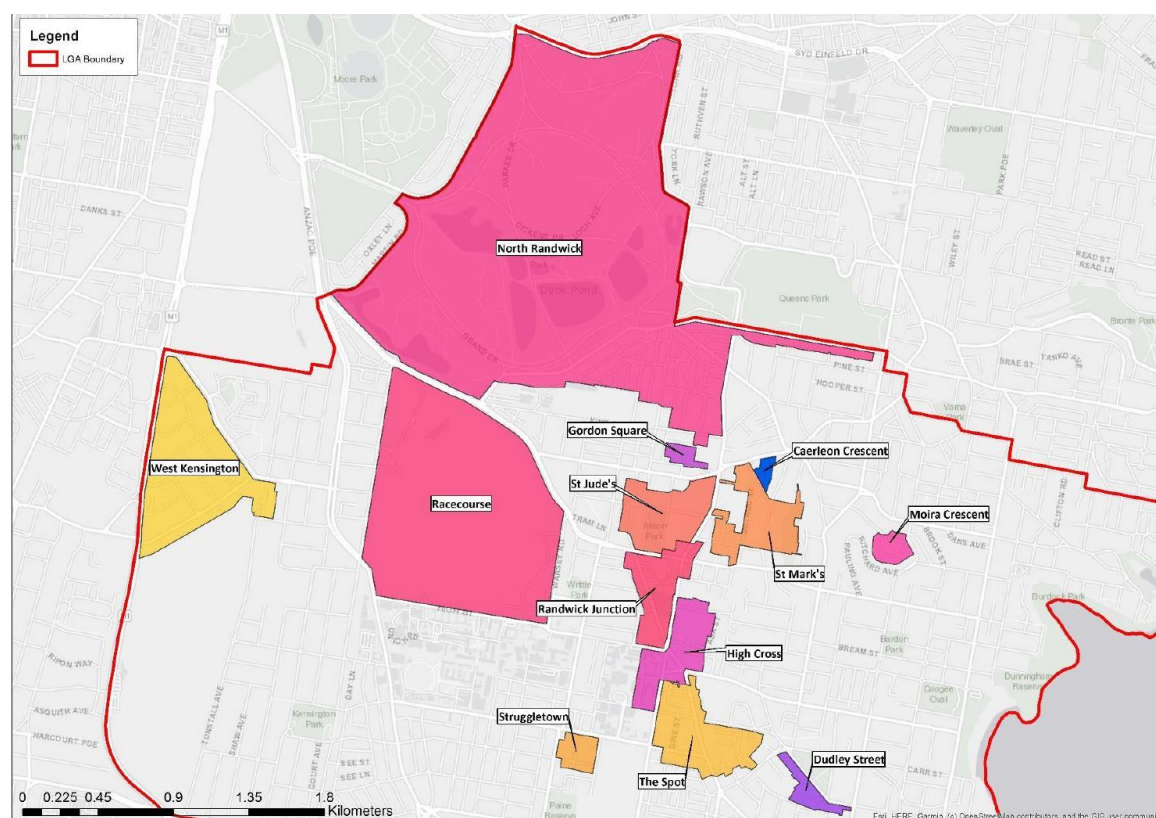


Figure 1: Residential HCAs reviewed under Stage 2

Source: Extent Heritage 2021



Figure 2: Proposed HCA boundary extension to Moira Crescent including 4 recommended heritage items (red outline shows the proposed extension). Source: Extent Heritage 2021

### **Stage 3 – Assessment of Community Nominations**

The third stage was a review of the 203 community nominations against the NSW heritage criteria and also localised criteria developed for the purposes of the study (ie: comparative rarity, streetscape visibility and appeal, intactness and decorative quality). Of these, 51 properties have been recommended for heritage listing (see Table 3). These properties fall into one of the following categories:

- Residential item with archaeological potential (Group A)
- Underrepresented architectural style in the Local Government Area (Group B)
- Well represented architectural style with exemplary qualities (Group C).

The Study also classifies remaining nominations under Groups D and E, which are categories of buildings that do not meet the threshold for heritage listing. Category D comprises buildings that are of a well-represented architectural style for the local government area and do not contain extemporary qualities that would support heritage listing. Category E comprises buildings that are adequately protected under the current controls (e.g contributory buildings that fall within HCAs) and which do not meet the stringent criteria for heritage listing).

### **Planning Proposal**

This section provides an overview of the Planning Proposal relevant to heritage conservation including the objectives, explanation of provisions (changes to Randwick LEP 2012 clauses, schedules and maps) and summary of the relevant Randwick and State Government strategic plans, strategies and studies.

#### Objectives and Intended Outcomes

- Ensure that the local heritage conservation planning framework is robust, up to date and affords adequate protection for buildings and places that have been identified as having heritage significance.

Explanation of Provisions

The Planning Proposal seeks to:

- i. Extend the boundary of the Moira Crescent Heritage Conservation Area as shown in Figure 2 of the Planning Proposal report noting that this will include 24 Marcel Ave, 204, 206 and 208 Clovelly Road, Clovelly as heritage items;
- ii. Amend Schedule 5 and the accompanying heritage maps to list the following properties as heritage items:
  1. 16 Carey Street, Randwick
  2. 5 Severn Street, Maroubra
  3. 10 Broome Street, Maroubra
  4. 43 Broome Street, Maroubra
  5. 51 Doncaster Avenue, Kensington
  6. 30 Eastern Avenue, Kingsford
  7. 32 Eastern Avenue, Kingsford
  8. 41-43 Kyogle Street, Maroubra
  9. 24 Marcel Avenue, Clovelly
  10. 44 Marcel Avenue, Randwick
  11. 237-245 Maroubra Road, Maroubra
  12. 27 The Corso, Maroubra
  13. 1 Winburn Avenue, Kingsford
  14. 289 Arden Street, Coogee
  15. 293 Arden Street, Coogee
  16. 231 Avoca Street, Randwick
  17. 21 Baden Street, Coogee
  18. 150-142 Beach Street, Coogee
  19. 3 Bishops Avenue, Randwick
  20. 16 Bishops Avenue, Randwick
  21. 20 Bishops Avenue, Randwick
  22. 122 Brook Street, Coogee
  23. 124 Brook Street, Coogee
  24. 129 Coogee Bay Road, Coogee
  25. 218-222 Coogee Bay Road, Coogee
  26. 230 Coogee Bay Road, Coogee
  27. 250-252 Coogee Bay Road, Coogee
  28. 36-42 Cook Street, Randwick
  29. 10 Cottenham Avenue, Kensington
  30. 36 Cottenham Avenue, Kensington
  31. 187 Clovelly Road, Randwick
  32. 204 Clovelly Road, Clovelly
  33. 206 Clovelly Road, Clovelly
  34. 208 Clovelly Road, Clovelly
  35. 69 Darley Road, Randwick
  36. 18 Day Avenue, Kensington
  37. 20 Day Avenue, Kensington
  38. 72 Dudley Street, Randwick
  39. 90 Dudley Street, Randwick
  40. 25 Duke Street, Kensington
  41. 24 Eastern Avenue, Kensington
  42. 34 Eastern Avenue, Kensington
  43. 42a Fern Street, Randwick
  44. 20-22 Figtree Avenue, Randwick
  45. 14-16 Glebe Street, Randwick
  46. 20 Ingelthorpe Avenue, Kensington
  47. 5 Kurrawa Avenue, Coogee
  48. 26 Marcel Avenue, Randwick
  49. 7 Mears Avenue, Randwick
  50. 32 Mooramie Avenue, Kensington

51. 3 Nathan Street, Randwick
52. 121-123 Perouse Road, Randwick
53. 27 Prince Street, Randwick
54. 11 & 13 Abbotford Street, Kensington
55. 5 Berwick Street, Coogee
56. 63 Samuel Terry Avenue, Kensington
57. 1 Thomas Street, Coogee

iii. Amend Schedule 5 of the RLEP 2012 to:

1. identify the grouping of 16, 18, 20 and 22 Dudley St, Randwick as individual heritage items;
2. identify the grouping of 10 and 14 Stephen St, Randwick as individual heritage items;
3. consolidate 1 and 3 Samuel Terry Avenue and 1-27 Todman Avenue, Kensington into a single heritage listing; and
4. remove 22 Young Street, Randwick and replace with 86 Middle Street as the correct heritage item.

#### Justification

The proposed changes are consistent with the State Government planning framework and they are consistent with priorities and actions as outlined in the endorsed LSPS and Housing Strategy. A heritage study has been undertaken which supports the heritage conservation changes to add 57 new heritage items to Schedule 5, adjustments to a heritage conservation area boundary and housekeeping changes (to clarify property addresses of heritage items).

#### **Resourcing Strategy implications**

The costs associated with the development of this work is in accordance with the 2019/2020 and 2020-21 budget allocations. The Planning Proposal was completed in-house by Strategic Planning officers with assistance from Consultant Strategic Planners.

#### **Policy and legislative requirements**

Relevant policies and legislation in relation to the Comprehensive Planning Proposal are:

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

#### **Conclusion**

The purpose of this report is to consider that part of the Planning Proposal in relation to heritage conservation. Specifically, the Planning Proposal seeks to amend Randwick Local Environmental Plan 2012 to add 57 items to Schedule 5, adjustments to heritage conservation area boundaries and housekeeping changes (to clarify the property addresses of heritage items).

This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.

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**Responsible officer:** David Ongkili, Coordinator Strategic Planning

**File Reference:** F2021/00188



# FOR ACTION

## RANDWICK LOCAL PLANNING PANEL (PUBLIC)

6/04/2021

TO: Senior Strategic Planner (Kappagoda, Asanthika)

**Subject:** Randwick Comprehensive LEP: Heritage Conservation  
**Target Date:** 20/04/2021  
**Notes:**  
**Document No.:** D04138351  
**Report Type:** Report  
**Item Number:** GR2/21

CP38/21

### RESOLUTION:

That the Randwick Local Planning Panel advises Council that it supports the incorporation of the following proposed amendments to heritage conservation areas and/or heritage listings under Schedule 5 of the draft Randwick Comprehensive LEP:

- a. Extend the boundary of the Moira Crescent Heritage Conservation Area as shown in Figure 2 of the Planning Proposal report noting that this will include 24 Marcel Ave, 204, 206 and 208 Clovelly Road, Clovelly as heritage items
- b. Amend Schedule 5 and the accompanying heritage maps to list the following properties as heritage items:
  - 1) 16 Carey Street, Randwick
  - 2) 5 Severn Street, Maroubra
  - 3) 10 Broome Street, Maroubra
  - 4) 43 Broome Street, Maroubra
  - 5) 51 Doncaster Avenue, Kensington
  - 6) 30 Eastern Avenue, Kingsford
  - 7) 32 Eastern Avenue, Kingsford
  - 8) 41-43 Kyogle Street, Maroubra
  - 9) 24 Marcel Avenue, Clovelly
  - 10) 44 Marcel Avenue, Randwick
  - 11) 237-245 Maroubra Road, Maroubra
  - 12) 27 The Corso, Maroubra
  - 13) 1 Winburn Avenue, Kingsford
  - 14) 289 Arden Street, Coogee
  - 15) 293 Arden Street, Coogee
  - 16) 231 Avoca Street, Randwick
  - 17) 21 Baden Street, Coogee
  - 18) 150-142 Beach Street, Coogee
  - 19) 3 Bishops Avenue, Randwick
  - 20) 16 Bishops Avenue, Randwick
  - 21) 20 Bishops Avenue, Randwick
  - 22) 122 Brook Street, Coogee
  - 23) 124 Brook Street, Coogee
  - 24) 129 Coogee Bay Road, Coogee
  - 25) 218-222 Coogee Bay Road, Coogee
  - 26) 230 Coogee Bay Road, Coogee
  - 27) 250-252 Coogee Bay Road, Coogee
  - 28) 36-42 Cook Street, Randwick
  - 29) 10 Cottenham Avenue, Kensington
  - 30) 36 Cottenham Avenue, Kensington
  - 31) 187 Clovelly Road, Randwick
  - 32) 204 Clovelly Road, Clovelly
  - 33) 206 Clovelly Road, Clovelly
  - 34) 208 Clovelly Road, Clovelly
  - 35) 69 Darley Road, Randwick

- 36) 18 Day Avenue, Kensington
- 37) 20 Day Avenue, Kensington
- 38) 72 Dudley Street, Randwick
- 39) 90 Dudley Street, Randwick
- 40) 25 Duke Street, Kensington
- 41) 24 Eastern Avenue, Kensington
- 42) 34 Eastern Avenue Kensington
- 43) 42a Fern Street, Randwick
- 44) 20-22 Figtree Avenue, Randwick
- 45) 14-16 Glebe Street, Randwick
- 46) 20 Ingelthorpe Avenue, Kensington
- 47) 5 Kurrawa Avenue, Coogee
- 48) 26 Marcel Avenue, Randwick
- 49) 7 Mears Avenue, Randwick
- 50) 32 Mooramie Avenue, Kensington
- 51) 3 Nathan Street, Randwick
- 52) 121-123 Perouse Road, Randwick
- 53) 27 Prince Street, Randwick
- 54) 11 & 13 Abbotford Street, Kensington
- 55) 5 Berwick Street, Coogee
- 56) 63 Samuel Terry Avenue, Kensington
- 57) 1 Thomas Street, Randwick

c. Amend Schedule 5 of the RLEP 2012 to:

- 1) identify the grouping of 16, 18, 20 and 22 Dudley St, Randwick as individual heritage items;
- 2) identify the grouping of 10 and 14 Stephen St, Randwick as individual heritage items;
- 3) consolidate 1 and 3 Samuel Terry Avenue and 1-27 Todman Avenue, Kensington into a single heritage listing; and
- 4) remove 22 Young Street, Randwick and replace with 86 Middle St as the correct heritage item.

**REASON:**

The Panel has reviewed the Planning Proposal report prepared by Council officers.

For the reasons within the report, the Panel supports the Planning Proposal.

The Panel notes that the heritage assessment undertaken by Extent Heritage Advisors was in response to the invitation to the community to nominate sites and places of potential heritage value within the LGA. The Panel further notes that Heritage Inventory Statements for each of the additional heritage items proposed will be prepared and exhibited with the Planning Proposal.

**CARRIED UNANIMOUSLY.**

[Open Item in Minutes](#)

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## Director City Planning Report No. CP39/21

### Subject: Randwick Comprehensive Planning Proposal

#### Executive Summary

- This report recommends that Council endorse that part the Randwick Comprehensive Planning Proposal (Planning Proposal) relating to various changes to Randwick LEP 2012 as set out below, for submission to the Department of Planning, Industry and Environment seeking a gateway determination to enable its public exhibition.
- This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.
- Council's resolution on this report will be reflected in the Planning Proposal to be forwarded to the Department of Planning for Gateway determination
- This report recommends that Council endorse that part of the Planning Proposal as follows:
  - New planning controls for housing (identified in the Randwick Housing Strategy) to implement our 6-10 year housing targets
  - New heritage items in Randwick Junction
  - Strengthening provisions for environmental resilience
  - Strengthening open space requirements and creating new open space zones
  - Introducing a new Local Character Area clause and associated maps which will apply to the Northern Coast, Southern Coast and The Bays Local Character Areas
  - Clarifying the operation of markets on roads, public and Crown Land
  - Strengthening existing clusters of shops centres by rezoning land to B1 Neighbourhood Centre and increasing the maximum floor space ratio (FSR) to reflect the existing business uses and provide certainty about zoning and land use permissibility
  - Updating the land zoning, height and FSR maps to reflect the Randwick Hospital Expansion area
  - Updating the land zoning map to SP2 Infrastructure for part of the Randwick Racecourse (Light Rail Stabling Yard) to reflect the infrastructure use of that part of the site
  - Rezoning and increasing development standards (height and FSR) for a number of sites based on owner-initiated rezoning requests.
  - Include housekeeping amendments to correct zoning, mapping and item description anomalies.
  - A new heritage conservation area - *Edgecumbe Estate Conservation Area*
- The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's strategic planning framework and Standard Instrument LEP.
- Council has considered a number of reports on separate topics (housing, heritage, environmental resilience, local character areas, economic development and rezoning requests). These reports included advice from the Randwick Local Planning Panel (RLPP).

## Recommendation

That Council:

- a) Consider the advice provided by the Randwick Local Planning Panel (attached) on the various matters being considered in this report;
- b) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following:

### Housing Investigation Areas:

#### West Randwick HIA

- i) To increase the maximum building height for the B1 Neighbourhood Centre zone to 24m
- ii) To increase the maximum building height for the R3 Medium Density Residential zone to 16.5m
- iii) To increase the FSR for the B1 Neighbourhood Centre zone to 3.6:1
- iv) To increase the FSR for the R3 Medium Density Residential zone to 1.8:1.

#### Kensington North HIA

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

#### Arthur Street HIA

- i) To increase the maximum building height for the R3 Medium Density Residential zone (except the Arthur Street frontage) to 26m, and along the Arthur Street frontage to 13.5m
- ii) To increase the FSR for the areas identified in the R3 Medium Density Residential zone to 3:1.

#### Magill Street HIA

- i) To change the zoning of the identified areas east of Norton Lane to R3 Medium Density Residential
- ii) To increase the maximum building height (except along the Norton Lane frontage) to 19.5m, and along the Norton Lane frontage to reduce to 7m

- iii) To increase the FSR of the identified areas east of Norton Lane to 1.8:1.

### **Kingsford South HIA**

- i) To change the zoning of the identified areas to R3 Medium Density Residential, and at the corner of Anzac Parade and Botany Street to B1 Neighbourhood Centre
- ii) To increase the maximum building height for the proposed R3 Medium Density Residential zone to 16.5m, and for the proposed B1 Neighbourhood Centre zone to 17.5m
- iii) To increase the FSR for the proposed R3 Medium Density Residential zone to 1.6:1, and for the proposed B1 Neighbourhood Centre zone to 1.7:1.

### **Affordable Housing Contributions**

- i) Introduce a new clause in Randwick LEP under Part 6 Additional Local Provisions which identifies the areas for each of the five HIAs in the 'Special Provisions Area Map' by which an affordable housing contribution scheme is to apply;
- ii) The new clause is to identify the percentage of total floor area (3% or 5% depending on HIA) used for residential purposes to which the development application relates for each of the five HIAs;
- iii) The new clause is to stipulate that for development which cannot be subdivided such as boarding houses under the Affordable Rental Housing SEPP or Purpose Built Student Accommodation that a monetary contribution will apply;
- iv) Endorse the affordable housing plan to support the comprehensive planning proposal for exhibition purposes detailing the administration and operational detail of the scheme.

### **Environmental Resilience**

- c) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following environmental resilience amendments:

#### **Aims of the Plan**

- i) To include a reference to resilience in the overarching Aims of the Randwick LEP.

#### **E2 Environmental Conservation Zone**

- ii) Amend the objectives of zone to make reference to 'nationally significant' and/or high ecological, scientific, cultural or aesthetic values.

#### **RE1 Public Recreation**

- iii) Include a new zone objective which addresses open space connections

#### **Clause 6.4 Stormwater management**

- iv) To amend the clause objectives to include the protection and improvement of water quality within waterways and receiving waters including coastal beaches and Botany Bay.
- v) To amend subclause (3) to ensure that the consent authority is to be satisfied that the development is designed to incorporate water sensitive urban design if practicable.

#### **Clause 6.11 Design excellence**

- vi) To amend subclause (4) to include urban heat island mitigation and onsite or near site renewable energy sources as a matter for consideration for design excellence.

#### **Clause 6.12 Development requiring the preparation of a development control plan**

- vii) To amend subclause (4)(m) to include the urban heat island effect as an environmental constraint.
- viii) To amend subclause (4)(n) to include consideration of dual reticulation systems for potable and non-potable use when preparing a site specific development control plan.
- ix) To include a new subclause (4)(o) which includes capacity and connection to existing areas of open space as a matter for consideration.

#### **Clause 6.5 Terrestrial biodiversity**

- x) To update the Terrestrial Biodiversity Maps to reflect the Department of Planning, Industry and Environment mapping layer (January 2021).

#### **Rezone to RE1 Public Recreation the following sites and amend the development standards (where required)**

- xi) Meeks Street Plaza, Kingsford from B2 Local Centre to RE1 Public Recreation.
- xii) 17R Pine Avenue, Little Bay from R1 General Residential to RE1 Public Recreation.
- xiii) 5R Young Street, Randwick from R1 General Residential to RE1 Public Recreation and specify no maximum FSR, no maximum height and no minimum lot size consistent with all RE1 Public Recreation zoned land.

#### **Additional Heritage Matters (Randwick Junction Heritage Items and Edgecumbe Estate Heritage Conservation Area)**

- d) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 to list the following items under Schedule 5 – *Environmental Heritage*:
  - i) 1 Belmore Road, 167-171 Alison Road and 179-181 Alison Road, Randwick
  - ii) extend the curtilage of the heritage item at No 60 Belmore Road to include the adjoining address known as 25 Waratah Avenue Randwick
  - iii) include a new heritage conservation area being 'Edgecumbe Estate Heritage Conservation Area'

#### **Housekeeping Amendments**

- e) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following minor LEP and housekeeping amendments:

- i. Correct '*Randwick Environmental Heritage Conservation Area*' by renaming to '*Randwick Environment Park Heritage Conservation Area*'.
- ii. Correct the '*Henry Fort Complex*' item by renaming to '*Henry Head Fortification Complex*'
- iii. Correct the following addresses for heritage listed items on the former Prince Henry Hospital Site:
  - Item I179 '*The Dam*' amended from 5R Coast Hospital Rd, Little Bay to 1 Coast Hospital Road, Little Bay
  - Item I180 '*Former Male Lazaret Site*' from 5R Coast Hospital Rd, Little Bay to 1 Coast Hospital Road, Little Bay
  - Item I181 '*Former Coast Hospital Services Area Retaining Walls*' from 5R Coast Hospital Road, Little Bay to 1 Coast Hospital Road, Little Bay.
  - Item I177 '*Former Coast Hospital Water Tower*' from 5R Coast Hospital Road, Little Bay to 1 Coast Hospital Road, Little Bay
- iv. Add the Tramway Turnstile Building Complex – Royal Randwick Racecourse to Schedule 5 of the RLEP.
- v. Delete the following sites be from Schedule 5 in the RLEP:
  - Item I18 16 Douglas Street, Clovelly
  - Item I17 379-401 Clovelly Road, Clovelly
- vi. Amend the following heritage items descriptions and Heritage Conservation Areas map boundaries to rectify existing discrepancies:
  - Botany Bay National Park Heritage Conservation Area to align with the State Heritage Register Map.
  - Heritage Conservation Area the Figtree HCA to remove the Contemporary Campus Living Development.
  - curtilage of the existing Randwick Barracks Heritage Site I310 to include the courtyard spaces and motor garages.
  - existing Heritage Item Newmarket House I466 to fully cover Lot 38 DP 1264010.
  - existing Heritage Item Newmarket Sale Ring I292 so that it does not overlap the boundary of Lot 34.
- vii. Correct the following mapping anomalies relating to zonings on the Newmarket site (162-166 Barker Street, Randwick):
  - Lots 1 and 2 DP 159697 and SP 101097 be amended so that these lots are completely within the B1 Neighbourhood Centre Zone.
  - Lot 34 DP 1262464 be rezoned from R1 General Residential to RE1 Public Recreation to reflect the transformed use as public open space (newly created park within the Newmarket development site)

### Neighbourhood Centres

- f) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following:

i) **Gardeners Road Cluster**

Rezone 118 Gardeners Road, 120-122 Gardeners Road, and 124 Gardeners Road – KINGSFORD from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

ii) **Todman Avenue Cluster**

Rezone 57, 59 and 61 Todman Avenue, KENSINGTON from R2 Low Density Residential to B1 Neighbourhood Centre zone with an applicable FSR of 1:1

iii) **Anzac Parade Cluster**

Rezone 627 Anzac Parade, 629 Anzac Parade, and 631-633 Anzac Parade – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

iv) **Bunnerong Road Cluster**

Rezone 167 Bunnerong Road, 169 Bunnerong Road, and 169A Bunnerong Road - MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

v) **Malabar Road Cluster**

Rezone 496-504 Malabar Road MAROUBRA from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

vi) **Moverly Road Cluster**

Rezone 56 Moverly Road, 58 Moverly Road, and 60 Moverly Road – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

vii) **Avoca Street Cluster**

Rezone 341-347 Avoca Street - RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

Amend the Schedule 1 of the Randwick LEP to add “Petrol Station” as an additional permitted use and amend the LEP maps as well.

viii) **Barker Street Cluster**

Rezone 140-142 Barker Street, 144-146 Barker Street, and 148 Barker Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

ix) **Canberra Street Cluster 1**

Rezone 1 Canberra Street, 3 Canberra Street, 5 Canberra Street, 7 Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

x) **Canberra Street Cluster 2**



Rezone 16-18 Canberra Street, 20 Canberra Street, 22 Canberra Street, and 22A Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xi) **Carrington Road Cluster**

Rezone 33-37 Carrington Road, 48 Carrington Road, 50-54 Carrington Road – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

Amend the Schedule 1 of the Randwick LEP to add “Petrol Station” as an additional permitted use for 33-37 Carrington Road and amend the LEP maps as well.

xii) **Clovelly Road Cluster 1**

Rezone 23 Clovelly Road, 29 Clovelly Road – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xiii) **Clovelly Road Cluster 2**

Rezone 49 Clovelly Road, 51 Clovelly Road, 53 Clovelly Road from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 1 Gilderthorpe Avenue – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xiv) **King Street Cluster**

Rezone 101 King Street, 103 King Street, and 105 King Street – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xv) **Arden Street Cluster**

Rezone 371-373 Arden Street, 374-376 Arden Street, 378 Arden Street, and 99-101 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xvi) **Malabar Road Cluster 1**

Rezone 2-4 Malabar Road, and 6-8 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xvii) **Malabar Road Cluster 2**

Rezone 169-173 Malabar Road, 175-177 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Amend the Schedule 1 of the Randwick LEP to add “Petrol Station” as an additional permitted use for 169-173 Malabar Road and amend the LEP maps as well.

xviii) **Burnie Street Cluster**

Rezone 17 Burnie Street, 21 Burnie Street, 25 Burnie Street, 27 Burnie Street, 29 Burnie Street, 31 Burnie Street, 37 Burnie Street, 39 Burnie Street, 41-43 Burnie Street, 45-51

Burnie Street – CLOVELLY, from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 34 Burnie Street, 36 Burnie Street, 38 Burnie Street, 40 Burnie Street, 42 Burnie Street, 44 Burnie Street, 46 Burnie Street, 48 Burnie Street, 50 Burnie Street – CLOVELLY from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xix) **Beach Street Cluster**

Rezone 98-104 Beach Street – COOGEE from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

xx) **Dudley Street Cluster**

Rezone 63A Dudley Street, 65-73 Dudley Street, and 19-23 Havelock Avenue – COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1.5:1

**Local Character**






- g) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to Local Character:
  - i) Include the DPIE Local Character Clause and maps in the Planning Proposal
  - ii) Incorporate the three draft Local Character Statements and associated maps for the Northern Coast, Southern Coast and The Bays areas within the Planning Proposal.

**Hospital Campus Expansion Area**

- h) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to the following in regard to the Hospital Campus Expansion Area:
  - i) Rezone the block from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility (refer to figures 22 and 23);
  - ii) Remove the existing residential (9.5m and 15m) Height of Building (HOB) controls for the Randwick Hospital Campus Expansion Area. Remove part of the current Randwick Hospital western perimeter height control (Refer Figures 24 and 25);
  - iii) Remove the applicable FSR in line with the protocol for all special purpose and infrastructure zones. Refer Figure 26 and 27.
- i) Prepare and submit to the Department of Planning, Industry and Environment an exemption to the dual occupancy provisions of the Low Rise Housing Diversity Code in the R2 Low Density Residential zone and three coastal character areas based on Council's ability to provide diverse housing through the local planning framework.

- j) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the Planning Proposal and associated documents prior to submitting to the Department of Planning, Industry and Environment;
- k) Forward that part of the Planning Proposal relating to the above changes to the Department of Planning, Industry and Environment as delegate to the Minister for Planning requesting a 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979;
- l) Endorse the exhibition of the Planning Proposal once Gateway Approval is provided (subject to any conditions); and
- m) Resolve to commence the preparation of a new Randwick Comprehensive Development Control Plan to support the Planning Proposal;

**Attachment/s:**

1. Link to Randwick Comprehensive Planning Proposal and attachments
2.  Attachment A - RLPP advice 18 May 2021 - Review of Housing Investigation Areas (including affordable housing contributions), heritage items in Randwick Junction town centre and housekeeping amendments.
3.  Attachment B - RLPP Advice 6 April - Local Character
4.  Attachment C - RLPP Advice 8 March 2021- Housing Investigation Areas, Affordable Housing, Low Rise 'Diversity Area', Minimum Subdivision Lot size and Exemption to Dual Occupancy provisions of the Low Rise Housing Diversity Code
5.  Attachment D - RLPP Advice 13 April 2021 - Environmental resilience
6.  Attachment E - RLPP Advice 13 April 2021 - Economic Development

## Purpose

The purpose of this report is to consider that part of the Planning Proposal related to the changes below and seek Council's endorsement to forward it to the Department of Planning, Industry and Environment (DPIE) for a Gateway determination under the Environmental Planning and Assessment Act, 1979.

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

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

Several Council reports on separate topics (housing, heritage, environmental resilience, local character areas, economic development and rezoning requests) and advice from the Randwick Local Planning Panel (RLPP) have been previously considered by Council. The supported changes to the Randwick LEP 2012 have been included in this Planning Proposal. Details of these previous reports is provided in the background section below.

In summary, this part of the Planning Proposal includes the following changes to the Randwick LEP 2012:

- Changes to zoning, development standards (building height & FSR) for the five Housing Investigation Areas (HIAs) identified in the Randwick LSPS and Housing Strategy for moderate uplift to contribute to the housing need.
- Mandating the delivery of affordable rental housing via an affordable rental housing contribution scheme for the identified HIAs.
- Identifies new heritage items within Randwick Junction town centre and includes a new Heritage Conservation Area (HCA) known as Edgecumbe Estate
- Strengthens the aims of the Randwick LEP 2012 to promote environmental resilience and amend the LEP clauses to address water sensitive urban design, consideration of dual reticulation water systems and ensure that design excellence includes consideration of urban heat island mitigation and onsite or near site renewable energy sources.
- Review the boundaries of the Terrestrial Biodiversity Maps to align with the recent update of mapping prepared by the Department of Planning, Industry and Environment (DPIE).
- Include open space connections and capacity in the RE1 Public Recreation zone objectives and in the site specific DCP clause as a matter for consideration.
- Rezone several existing areas of open space to RE1 Public Recreation.
- Introduce a new Local Character Area (LCA) clause and associated maps which will apply to the Northern Coast, Southern Coast and The Bays LCAs.
- Include additional objectives in the B1 Neighbourhood Centre and B2 Local Centre zones to support a diverse, safe and inclusive nighttime economy.
- Strengthens existing clusters of shops centres by rezoning land to B1 Neighbourhood Centre and increasing the maximum Floor Space Ratio (FSR) to reflect the existing business uses and provide certainty about zoning and land use permissibility.
- Update the land zoning, height and FSR maps to reflect the Randwick Hospital Expansion area

- Update the land zoning map to SP2 Infrastructure for part of the Royal Randwick Racecourse (Light Rail Stabling Yard) to reflect the infrastructure use of that part of the site.
- Include housekeeping amendments to correct zoning anomalies.

This report also considers:

- Provisions and controls to be investigated for inclusion in the future review of the Randwick Development Control Plan (DCP) including provisions addressing electric vehicle charging stations, solar panels, deep soil planting, urban heat island and biodiversity corridor mapping.
- Justification for the new Edgecumbe Estate Heritage Conservation Area.

## Discussion

### Background

The various topic reports comprising this part of the Planning Proposal were considered by the Randwick Local Planning Panel (the Panel) between March-May 2021 and the advice of the Panel is addressed below.

In February 2020, Council endorsed the Randwick **Local Strategic Planning Statement** (LSPS) as required under the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the Eastern City District Plan (ECDP). The Randwick LSPS sets the Directions and Planning Priorities for the next 20 years and sets the framework for land use planning for Randwick City. Council is required to review the Randwick Local Environmental Plan 2012 (LEP) to give effect to the Planning Priorities and Actions of the LSPS. This Comprehensive Planning Proposal implements several of the LSPS Planning Priorities:

- PP1. Provide diverse housing options close to transport, services and facilities.
- PP2. Increase the supply of affordable rental housing stock to retain and strengthen our local community.
- PP3. Encourage development that responds to local character and desired future character of our neighbourhoods.
- PP4. Conserve and protect our unique built heritage.
- PP7. Provide greater access and opportunities for walking and cycling.
- PP10. Support the economic viability of our town and neighbourhood centres
- PP11. Develop a diverse, inclusive and thriving night time economy
- PP14. Provide high quality open space and recreation facilities
- PP17. Protect areas of bushland and biodiversity
- PP18. Reduce consumption of energy and water

The Randwick Housing Strategy (HS) was endorsed by RCC in February 2020 and identifies Randwick City's housing need and housing priorities through to 2040. The HS sets the 6-10 year housing target at approximately 4,300 new dwellings to be achieved by 2026. It also identifies long term housing growth opportunities to meet the need for an estimated 12,900 new dwellings by 2036 to meet the projected population growth. This Planning Proposal aligns with the several of the HS planning priorities as follows:

- PP1. Ensure a balanced approach to growth across Randwick City
- PP2. Diverse housing to meet the needs of our community
- PP3. Focus growth in and around town and strategic centres close to transport, jobs and services
- PP4. Increase affordable rental housing across Randwick City
- PP5. Ensure new development is consistent with the desired future character of areas

### Housing

On 8 March 2021, the RLPP (Attachment C) considered the housing report seeking to amend *Randwick Local Environmental Plan 2012* (RLEP) to give effect to the Eastern City District Plan, Randwick Local Strategic Planning Statement and Randwick Housing Strategy. The report proposed the following approaches to deliver housing capacity and diversity across Randwick City:

- Increase development densities in five Housing Investigation Areas (zoning, height of buildings and FSR)
- Mandate the delivery of affordable rental housing via an affordable housing contribution plan for the five Housing Investigation Areas
- Reduce the minimum lot size in the R2 Low Density Residential zone from 400m<sup>2</sup> to 275m<sup>2</sup> (with the exemption of heritage conservation areas)
- Align the minimum lot size for dual occupancies and the minimum lot size in the R2 zone, allowing for new dual occupancies to be built and subdivided on lots of 550sqm and more
- Reduce the minimum lot size for land within the 'Low Rise Diversity Area' to 180m<sup>2</sup>
- Permit attached dwellings in the newly defined 'Low Rise Diversity Area' within the R2 zone

The RLPP resolved that it generally supported the recommendations for the Planning Proposal as being consistent with the strategic planning directions outlined within the LSPS and Housing Strategy. The RLPP made a number of comments in regard to the recommendations that were incorporated into the report to Council dated 23 March 2021.

Council resolved at the 23 March 2021 Council meeting in regard to this report as follows:

**RESOLUTION: (Parker/Luxford) That Council:**

1. *note that the draft comprehensive planning proposal will be reported to Council in May 2021; and*
2. *note that community consultation in relation to all inclusions within the draft comprehensive planning proposal will be undertaken following endorsement of the proposal by Council in its whole form and once a Gateway determination is issued; and*
3. *requests a revised report containing the following:*
  - a. *revising down building heights and densities within the Housing Investigation Area (HIAs);*
  - b. *an increased affordable housing contribution in identified HIAs;*
  - c. *the deletion of the Low-rise Housing Diversity Area;*
  - d. *incorporating the advice provided by the Randwick Local Planning Panel at its meeting of 8 March 2021 (Attachment 1) where not inconsistent with the above points;*
  - e. *maintaining all other actions outlined in the report where not inconsistent with the above points.*

Council officers reviewed the Planning Proposal following this Council resolution. This was reported back to the RLPP again on 18 May 2021 (Attachment A). Changes to the Planning Proposal following the Council resolution are as follows:

- No changes to zoning, heights and FSRs proposed in the previous report to Council dated 23 March 2021
- Increase in the affordable housing contribution applicable in the Kensington North HIA and in the area of West Randwick HIA zoned R3 Medium Density Residential
- Deletion of the proposed Low Rise Diversity Area.

The proposed changes to the LEP are provided in the following Explanation of Provisions section of this report and are outlined in the Planning Proposal.

This report addresses the outstanding matters raised by both the Panel and Council in relation to the housing investigation areas and affordable housing contributions that will apply in these identified areas. A discussion of alternative options to consider in order to meet the 6-10 year housing target is also provided



## Housing Investigation Areas (HIAs)

### Response to Panel comments 8 March 2021

#### Panel Comment:

*The Panel supports the strategic intent and identification of the five (5) areas put forward for potential increased density and supporting controls.*

#### Council officers' response:

As considered in the Council report (23 April 2021) in relation to the RLPP comments, Council has noted the Panel's support for the strategic location and intent of the five housing investigation areas for increased density.

#### Panel comment:

*The site specific merits of each area should be supported with further urban design studies to consider appropriate transitions to surrounding areas, landscaped character, tree canopy and open space. The logic and rationale of the relationship between the height and floor space ratio (FSR) standards should be clear and should demonstrate that the built form outcomes and desired future character can be achieved. The urban design studies should be exhibited with the draft Randwick Local Environmental Plan (RLEP).*

#### Council officers' response

Council has prepared urban design analysis (UDA) reports for each HIA. These 5 UDA reports (Attachments 3-7 in the Planning Proposal) examine the local context, existing planning controls, opportunities and constraints and provide the strategic justification for the proposed planning controls. The analysis has been based on the following design principles:

- Provide height transitions from the B2 Local Centre zoned land (Kensington and Kingsford town centres) and Randwick Hospital campus to adjoining lower residential land
- Encourage development consistent with the draft local character statements
- Provide appropriate height transitions and landscape buffers to heritage properties
- Preserve solar access and appropriate scale to parks, public plazas, mid-block gardens
- Consider the potential for overshadowing of private gardens and living spaces
- Maximise the permeability of urban super blocks with new through-block pedestrian links
- Define building frontages and important corners in the urban 'fabric'
- Enhance the legibility, amenity and interest of the public domain and the streetscape
- Build to the boundary in B1 Neighbourhood Centre zoned areas;
- Set back a minimum of 6m from front boundary for development in the R3 Medium Density Residential zone
- Assume carparking associated with development is below ground level
- Provide active podium frontages along commercial streets
- Maximise solar access to main retail streets (e.g. High Street)
- Provide consistent building heights along street frontages

The height and floor space ratios proposed have been derived using these principles and the urban design analysis outlined in the UDA reports to ensure that proposed controls for each HIA is consistent with the strategic context and setting. In relation to the Council resolution to revise down building heights and densities within the Housing Investigation Area (HIAs), Council officers have undertaken a strategic place-based approach to ensure an appropriate urban form for each area. The HIAs are intended to progressively establish new (primarily residential) urban precincts that offer high quality contemporary urban living within convenient reach of public transport and within walking distance of many of Randwick City's key businesses and services, health and educational campuses, open spaces and entertainment destinations.

The future desired character of the HIAs is for development to be consistent with the aims of the R3 Medium Density Residential zone (and in two cases the B1 Neighbourhood Centre zone) that provides for a variety of medium density housing types. The proposed mid-rise typologies can enhance the character of the neighbourhoods by encouraging high quality design outcomes in an area of high amenity.

The place-based approach considers the most appropriate urban design outcome for each HIA - the built form and scale of each precinct, and the public domain and street level experience for pedestrians. The urban design proposals integrate with the existing urban fabric, maintaining and enhancing the established boulevards, streetscapes, and laneways, and introducing new pedestrian links, through block connections, retail streets, corner shops, new local parks, and plazas.

The proposed new building heights have been considered in relation to the context. The cross-sectional proportion of adjoining streets and the scale transitions to adjoining building interfaces and heritage buildings has informed the urban design of the HIA precincts. Taller buildings are generally considered appropriate along major vehicular and public transport thoroughfares such as Anzac Parade or Alison Road. The two HIAs that adjoin the UNSW and Randwick Hospital Campuses (Arthur Street HIA and Magill Street HIA) play an important role in providing a transition in building height from the proposed Randwick Hospital Expansion buildings (between 10 and 15 storeys in height) down to lower height residential areas to the south and north of the HIAs.

Similarly, the North Kensington HIA provides the transition in height from Kensington Town Centre (maximum 9 storey building height) down to lower scale residential precincts to the west and east, and to the extensive parkland (Centennial Park, Moore Park Golf Course and ES Marks Sports Field) to the north. The Kingsford South HIA provides a building height transition from the Kingsford Junction strategic node (maximum 17 storey building height with Design Excellence) down to the lower scale residential areas to the south.

Transitions in heights have been provided to adjacent lower density residential neighbourhoods or areas of no change, where appropriate. Setbacks to heritage items, open space or any other sensitive development within or adjacent to HIAs has been included in the built form modelling undertaken to date. Detailed design and built form controls will be finalised and included as part of the future comprehensive DCP.

The heights and FSRs derived from the urban design analysis have been tested by consultants Hill PDA for redevelopment feasibility and for their capacity to provide affordable housing through an affordable housing scheme.

Panel comment

*The proposed controls rely on detailed controls in a future development control plan (DCP), which preferably should be exhibited alongside the new RLEP. If this is not possible, then the DCP should be finalised before gazettal of the new RLEP.*

Council officers' response

Council officers will continue to develop detailed controls for the inclusion in the future development control plan (DCP). These controls will be reported back to Council and subsequently exhibited for community feedback.

Panel comment

*Consideration should be given to the new RLEP including standards in the Housing Investigation Areas in relation to minimum allotment size, minimum frontage, incentives for consolidation and affordable housing, possibly beyond the proposed 3%.*

Council officers' response

A detailed analysis of the proposed heights, floor space ratios and affordable housing contributions has been undertaken as part of Council's place-based planning for the HIAs.

Affordable housing is addressed in the following section and also responds the Council resolution to seek an increase in the affordable housing contribution in the HIA areas. Council also requested at this meeting that a revised report be prepared containing lower building heights and densities.

In regard to new standards for minimum allotment sizes for residential flat buildings and shop-top housing, minimum frontages and incentives for consolidation, Council will be applying an

approach consistent with other new development areas such as the Kensington and Kingsford (K2K) town centres. As such a minimum 20m frontage is appropriate for new development in the HIAs, consistent with existing requirements in Part 6 Lot Amalgamation in the K2K DCP. This provides suitable width for designing building layout including vehicular access, setbacks and landscaping.

The proposed heights and FSRs for the HIAs are the maximums for new development and have been identified through Council's urban design analysis of these areas. Incentives for site amalgamation or minimum allotment size are not appropriate in the LEP as this would result in built forms beyond what is envisaged for the area and considered contextually suitable.

It is anticipated that amalgamation will occur in the HIAs to facilitate new development that is compliant with the proposed development standards (height and FSR) and the Apartment Design Guide. As such, site amalgamation requirements will be encouraged through future amendments to the DCP in site-specific HIA chapters. The proposed DCP chapters will also consider minimum site frontages, setbacks, landscaped areas, site coverage and consideration of isolated sites (to discourage such outcome). In doing so, this will ensure that future development in the area is consistent with what is envisaged through Council's site specific analysis of the HIAs and ensure that a consistent approach is used across Randwick City.

#### Panel comment

*Further consideration should also be given to areas that are currently within the Housing Investigation Areas but propose no increase in density based upon market analysis as opposed to strategic merit.*

#### Council officers' response

The HIAs were selected as part of investigations in the preparation of the LSPS and Housing Strategy which were endorsed in February 2020. Council officers have undertaken extensive analysis of the HIAs since then, and have applied a place-based, design-led approach in selecting areas within the HIAs that are suitable for uplift and in recommending controls that will facilitate this uplift to meet Council's 6-10 year housing target.

This analysis has demonstrated that some areas within the HIAs are less suitable for change given their characteristics and as such, have not been proposed for uplift. These areas have not been excluded based upon market analysis, but rather the contextual urban design analysis and the likelihood of redevelopment in the 6-10 year timeframe. Areas within the Magill Street and Kingsford South HIAs have not been proposed to change given their existing low density character. The land within the Kingsford South HIA where no change was proposed has been incorporated into the adjacent Diversity Area.

These areas may provide opportunities for long-term housing growth through subsequent investigations as part of a future LEP review. Council's ability to meet its 6-10 year housing target is not dependent on any change in these areas. The 5 HIA Urban Design Analysis reports (Attachments 3-7) address any areas within the HIAs where no change is proposed and provide the rationale to support the approach to change in these areas. Affordable housing contributions

Following Council officers' place-based analysis in selecting the HIAs and suitable planning controls, consultants HillPDA were engaged to assess the feasibility of redevelopment in these areas and review officers' built form scenarios. The assessment has also identified the likely 'tipping point' for redevelopment to occur in these areas considering an affordable rental housing contributions scheme. This advice has been considered in setting the proposed FSRs for inclusion in the Planning Proposal.

As stated, Council requested a revised report containing revised down building heights and densities in the HIAs and an increased affordable housing contribution in the identified HIAs at the 23 March 2021 Council meeting.

Affordable housing contributions and building densities are inextricably linked. Revising down the heights and FSRs in the HIAs will result in development that is not feasible, regardless of the affordable housing contribution. An increase the affordable housing contribution from 3% to 5% is only viable in Kensington North and in the small R3 area of West Randwick without the need to

increase the recommended heights and FSRs. In relation to the other areas, an additional one or two storeys would be required to achieve viability with a 5% affordable housing contribution.

Council's endorsed LSPS and Housing Strategy sets a 10% social and affordable housing target, requiring 10% of all dwellings in the City to be social and/or affordable by 2036. To achieve this target, Council's LSPS and Housing Strategy includes an action to investigate an affordable housing contributions scheme to apply in areas of housing growth and/or major redevelopment sites, such as the HIAs.

As demonstrated in the HillPDA feasibility analysis report, the FSRs required to facilitate viable development are generally the same with a 0% affordable housing contribution and a 3% affordable housing contribution. The 3% contribution can generally be absorbed by developers as part of their overall development feasibility.

However, if a 5% affordable housing contribution is required, the FSRs required to facilitate viable development must increase. Council's built form modelling of the 5 HIAs with the FSRs required for a 5% contribution found that this would generally require additional another 1-2 storeys to ensure that such FSRs can be achieved. The required increases in FSRs differ between the 5 HIAs given the varying conditions and land prices at each. It is noted that the HillPDA report is just a guide to inform Council's analysis and that the FSRs proposed in the previous report were tested by officers through built form modelling, considering these various features and constraints in each HIA. The following table demonstrates the FSRs and heights required to enable a viable development applying a 3% and 5% contribution:

**Table 1:** FSRs and heights required for a 3% and 5% affordable housing contribution

HIA	Zone	3% affordable housing contribution (recommended March 2021)		5% affordable housing contribution	
		FSR	Height in storeys	FSR	Height in storeys
West Randwick	B1	3.6:1	7	3.75:1	8 (+1 storey)
	R3	1.8:1	5	1.5:1	5 (+0)
Kensington North	R3	2:1	7	2:1	7 (+0)
	R3	1.5:1	5	1.5:1	5 (+0)
Arthur Street	R3	3:1	8	3.25:1	9 (+1)
Magill Street	R3	1.8:1	6	2.5:1	8 (+2)
Kingsford South	R3	1.6:1	5	1.65:1	6 (+1)
	B1	1.7:1	5	2:1	6 (+1)

**Note:** Highlight indicates areas where a 5% affordable housing contribution is viable without increasing heights and FSRs

West Randwick HIA:

- The analysis found that FSRs in the B1 zone (along Alison Road) would have to increase from 3.6:1 to 3.75:1 FSR to remain viable with a 5% affordable housing contribution. Council officers' built form modelling found that this would require an additional storey (7 to 8 storeys)
- 5 storey development in the R3 zone at an FSR of 1.8:1 would be viable with a 5% affordable housing contribution

Kensington North HIA:

- The analysis found that 7 storey development with an FSR of 2:1 would be marginally viable with a 5% affordable housing contribution in this HIA.
- 5 storey development in the R3 zone at an FSR of 1.5:1 would be viable with a 5% affordable housing contribution.

#### Arthur Street HIA:

- The analysis demonstrates that FSRs in this HIA would have to increase from 3:1 to 3.25:1 to remain viable with a 5% affordable housing contribution. Council officers' built form modelling found that this would require an additional storey (8 to 9 storeys).

#### Magill Street HIA:

- The analysis demonstrates that FSRs in this HIA would have to increase from 1.8:1 to 2.5:1 to remain viable with a 5% affordable housing contribution. Council officers' built form modelling found that this would require an additional two storeys (6 to 8 storeys).

#### Kingsford South HIA:

- The analysis demonstrates that FSRs in this HIA would have to increase from 1.6:1 to 1.65:1 in the R3 and 1.7:1 to 2:1 in the B1 zone to remain viable with a 5% affordable housing contribution. Council officers' built form modelling found that this would require an additional storey (5 to 6 storeys).

#### Affordable housing yield

As demonstrated above and in the feasibility report, increasing the affordable housing contributions in the HIAs while decreasing densities (FSRs and heights) does not provide financially feasible redevelopment. Based on this, it is Council officers' recommendation to apply a 5% affordable housing contribution in the R3 area of West Randwick HIA and across the Kensington North HIA and maintain the 3% affordable housing contribution in the remaining HIAs. This recommendation is the maximum affordable housing that can be achieved without any increase in FSRs and heights, noting the Council resolution seeks to increase affordable housing and reduce densities in the HIAs.

The following table shows the potential affordable housing yield when applying a 3%, a mix of 3% and 5% (recommended) and 5% to all HIAs:

**Table 2:** Potential affordable housing yield options

	Contribution to 6-10 year housing target	Affordable housing units (6-10 year)	Affordable housing units (long term)	Total affordable housing (by 2036)
<b>3% affordable housing – all HIAs (recommended in March 2021)</b>	~574 dwellings	~17 dwellings	~52 dwellings	~69 dwellings
<b>Mix of 3% and 5% affordable housing (currently recommended)</b>	~574 dwellings (+0 dwellings from the 3% AH option)	~20 dwellings (+3 dwellings)	~59 dwellings (+7 dwellings)	~79 dwellings (+10 dwellings)
<b>5% affordable housing – all HIAs (possible only with increased FSRs and heights)</b>	~632 dwellings (+58 dwellings)	~32 dwellings (+15 dwellings)	~95 dwellings (+43 dwellings)	~127 dwellings (+58 dwellings)

The 3% affordable housing option could generate ~17 affordable housing units in the 6-10 year timeframe and ~52 in the longer term (10-20 years), considering the take-up rates applied to each

of the HIAs (40-50%). This could provide a total of ~69 affordable housing dwellings in total by 2036.

The 5% affordable housing option could generate ~32 dwellings in the 6-10 timeframe and ~95 in the longer term. This could provide for ~127 dwellings in total by 2036. The FSRs required for feasible development with a 5% affordable housing contribution would result in ~632 dwellings toward the 6-10 year timeframe. This is an increase in ~58 dwellings, or 10.1% in comparison with the 3% option. When applying the 5% affordable housing contribution, the amount of affordable housing which could be delivered increases by over 80% (from 52 to 95 dwellings). This option would provide significant community benefit by increasing affordable housing in accessible areas to meet local demand. The trade-off with this option is the increase in FSRs and height required, which would generally result in an increase of 1-2 storeys compared to the 3% option proposed in March 2021. Given the concern regarding the densities proposed in the HIAs, although this option would yield significantly more affordable housing, the recommended option will not result in any increase in FSRs and heights.

The recommended option (5% affordable housing contribution in Kensington North HIA and part of the West Randwick HIA, with 3% in the remaining HIAs) takes into account the potential concerns regarding the heights and densities proposed in the HIAs and aims to provide the maximum affordable housing yield (i.e. ~79 affordable housing dwellings by 2036).

The recommended affordable housing contribution for each HIA is shown below. Note that no changes to the heights and FSRs are proposed since the report to Council dated 23 March 2021. Instead, it is proposed to increase the affordable housing contribution scheme in areas where it is feasible, being the Kensington North HIA and part of the West Randwick HIA (zoned R3). Based on Council's analysis, this approach would generate ~20 dwellings in the 6-10 year timeframe and ~59 dwellings in the long term. In total, this would result in ~79 dwellings which is an increase of ~10 dwellings or 14% based on the previously recommended 3% option.

**Table 3:** Recommended affordable housing contribution for each HIA

Housing Investigation Area (HIA)	Proposed affordable housing contribution levy
West Randwick	3% - B1 zone
	5% - R3 zone
Kensington North	5%
Arthur Street	3%
Magill Street	3%
Kingsford South	3%

#### Dwelling targets

The Planning Proposal proposes changes to Randwick LEP 2012 to implement key planning priorities relating to housing as set out in the endorsed LSPS and Housing Strategy. As stated in the Housing Strategy, a dwelling target of 4,300 new dwellings is to be realised in the medium term (2021-2026). Council's estimated housing yield to meet this target factors in estimated likely market take-up rates to ensure sufficient capacity is available in the local planning framework to meet the identified housing demand of our growing and changing community. Any supply that isn't realised in the 6-10 year timeframe will contribute to Council's longer term dwelling targets.

The breakdown of how Council will meet its 6-10 year target of 4,300 dwellings is provided below.

**Table 4A. :** HIA Estimated Dwelling Yield

HIA	Contribution to 6-10 year housing target (2021-2026)
West Randwick	~ 52 net new dwellings



HIA	Contribution to 6-10 year housing target (2021-2026)
Kensington North	~ 105 net new dwellings
Arthur Street	~ 158 net new dwellings
Magill Street	~ 76 net new dwellings
Kingsford South	~ 183 net new dwellings
<b>Total</b>	<b>~ 574 net new dwellings</b>

**Table 4B:** Total Estimated Housing Yield

	Estimated Housing Yield (6-10 year target)
<b>General infill</b>	~ 800
<b>R2 Subdivision Provisions (proposed 550sqm)</b>	~ 474
<b>5 x HIAs</b>	~ 574
<b>K2K</b>	~ 2,070
<b>Major Sites</b>	~ 546
<b>Total</b>	<b>~ 4,464</b>

**Other options for consideration**

Should Council resolve to modify or not proceed with the Council officer recommendations, this would require the consideration of other options to provide housing capacity to meet our 6-10 year housing target. It should be noted that all the HIA's have strategic merit given their proximity to good public transport infrastructure and are within the Randwick Strategic Centre which contains major employment generators and a number of local centres. Further, based on the principles in Council's LSPS and Housing Strategy, it is considered that there would not be one particular HIA that would be more suitable than the other. The HIAs would yield approximately 574 dwellings in the 6-10 year period. The following three options have been reviewed:

**Increased densities in the R3 Medium Density Residential zone**

As part of the preparation of the Randwick Housing Strategy, Council engaged consultants to undertake a Randwick housing capacity study. This study analysed opportunities within the R3 Medium Density zone and found that this zone has a potential total capacity (lots that can be redeveloped) of between 5,317 to 12,820 sites (after excluding constraints such as heritage, strata lots and recent developments). These sites have the potential to exceed the total 6-10 year housing targets for Randwick City.

The capacity report also found that development in most areas of the R3 Medium Density zone is generally unfeasible under existing FSR controls (i.e. 0.75:1 or 0.9:1). FSRs would need to increase beyond 1.5:1 for development to be feasible in these areas. Based on this substantial FSR increase, this would result in increased heights of 2-3 storeys (from 3-4 storeys to 5-6 storeys) across the R3 Zone. Whilst spreading housing growth over a larger area may provide an alternative approach, the implications for this option include:

- Some development being located in less accessible areas
- More housing yield than required to meet the targets

- Inconsistent with the place-based approach to selecting areas as outlined in the Housing Strategy

#### Reduce minimum lot size for dual occupancies to 450sqm

Another approach to deliver housing is to reduce the minimum lot size from the recommended 550m<sup>2</sup> to 450m<sup>2</sup>. This would result in a total yield of 2,141 dwellings by 2036 and contribute to 714 dwellings to the 2021-2026 targets. By comparison, the previous (March 2021) recommendation for 550m<sup>2</sup> minimum lots can provide 1,423 dwellings by 2036 and contribute to 474 dwellings to the 2021-2026 targets. This would provide an increase of approximately 50% compared to the previously endorsed minimum lot size of 550m<sup>2</sup>.

As outlined in the previous report the minimum 550m<sup>2</sup> lot size was selected as it can provide for good levels of landscaped area, tree canopy cover, deep soil and permeable surfaces on a development site. It is also consistent with the approach of balanced growth across Randwick City and good design outcomes.

#### DPIE requirements for the Randwick Housing Strategy

As reported in the Councilor Bulletin of 14 May 2021, Council received feedback from the Department of Planning, Industry and Environment (DPIE) in relation to the Randwick Housing Strategy (HS) endorsed by Council in February 2020. The Department notes Council's strong commitment to strategic planning for housing growth and the detailed work undertaken to date and has advised that it will be approved shortly subject to several requirements, currently in form.

Council officers recently met with the DPIE to discuss the requirements which include timely finalisation of the Comprehensive LEP, monitoring of housing delivery, collaborating with state agencies to progress longer term housing actions for future updates of the Strategy, developing a framework for assessment of planning proposals, analysis of future housing supply, matters to be addressed in the future planning of the Maroubra Junction/ Eastgardens Strategic Centre and continuing to pursue affordable housing opportunities.

#### **Heritage**

The Planning Proposal proposes changes to Randwick LEP 2012 by identifying new heritage items within Randwick Junction town centre and includes a new Heritage Conservation Area (HCA) known as Edgecumbe Estate.

- Edgecumbe Estate Heritage Conservation Area Study

At the Ordinary Council meeting held on 17 September 2019, Council considered a Planning Proposal to create a new heritage conservation area (HCA) to be known as Edgecumbe Estate and to list 3 properties within the proposed HCA (Nos. 39 Dudley Street, 41 Dudley Street, and 148 Brook Street, Coogee) as local heritage items under Schedule 5 of the Randwick Local Environmental Plan 2012. At the meeting, Council resolved that:

- "Council adopts the Planning Proposal as exhibited, which proposes to create a new heritage conservation area to be known as Edgecumbe Estate, incorporating 37 Dudley Street, 39 Dudley Street, 41 Dudley Street, 142A Brook Street, 144 Brook Street, 146 (referred to as 146A and 146B) Brook Street, 148 Brook Street, 150 Brook Street, 152 Brook Street and 5 Edgecumbe Avenue. The Planning Proposal also seeks to list 39 Dudley Street, 41 Dudley Street, and 148 Brook Street as local heritage items under Schedule 5 of the Randwick Local Environmental Plan 2012; and*
- Council forwards the Planning Proposal to the Department of Planning, Industry and Environment to request that the Minister make the new plan, together with all relevant supporting information."*

The Planning Proposal was submitted to the Department on 27 September 2019.

On 7 July 2020, the Department issued Gateway approval for the proposed heritage listings of 39 and 41 Dudley Street and 148 Brook Street, Coogee. However, the proposed creation of the

Edgecumbe Estate HCA was deferred until additional information on the heritage significance of the proposed Edgecumbe Estate heritage conservation area is provided, including further evaluation against the heritage assessment criteria in the Heritage Office Guidelines; completion of a statement of significance to explain the heritage values of the conservation area and analysis of the character, physical attributes, curtilage and setting of the conservation area. This additional information has been prepared and is contained in a report undertaken by Council's heritage planner titled "*Assessment of heritage significance: Edgecumbe Estate Heritage Conservation Area*" (attached to the Planning Proposal). The report addresses the heritage significance of the proposed HCA.

The report essentially indicates that the proposed Edgecumbe Estate HCA meets criteria A (historic), C (aesthetic), and G (representative) when assessing significance in accordance with "Assessing Heritage Significance", Guidelines prepared by the NSW Heritage Office. In terms of curtilage, the report states that the subject HCA follows the original remaining lots of the Edgecumbe Estate parcel of land prior to its subdivisions and sales in 1915 and 1919. The report also contains a Statement of Significance for the Edgecumbe Estate Conservation Area. The Statement states that the proposed HCA has historical, aesthetic and representative significance. It is able to demonstrate Coogee's suburbanisation and residential needs during the early twentieth century when it transitioned from a place of tourism and leisure to a permanent place of residence, which was fuelled by the provision of the Randwick to Coogee tramline extension in 1883, as well as the promotion of its attractive beach lifestyle and development of supporting local facilities.

- Randwick Junction heritage items

At the Council Meeting on 27 April 2021, Council considered a Planning Strategy for the Randwick Junction Town Centre and resolved as follows:

*That Council:*

- a) *defer the Randwick Junction Strategy and report back to Council on the findings of further feasibility analysis and fine grain urban design modelling against heritage values;*
- b) *agree to incorporate the following heritage items in the draft Randwick Comprehensive Planning Proposal:*
  - i. *1 Belmore Road, 167-171 Alison Road and 179-181 Alison Road, Randwick and*
  - ii. *extend the curtilage of the heritage item at No 60 Belmore Road to include the adjoining address known as 25 Waratah Avenue Randwick.*

Essentially, Council resolved to defer the consideration of the Randwick Junction Planning Strategy Post Exhibition Report at its 27 April 2021 meeting but resolved to include new heritage items (located in Randwick Junction) in this Planning Proposal. These new heritage items were identified in a heritage study - *The Randwick Junction Town Centre Heritage Review 2015 by City Plan Services Pty Ltd.* which was one of a number of studies underlying the RJ Strategy. The three proposed heritage items and the extension of the curtilage on one heritage item have been included in this Planning Proposal. This work was considered by the RLPP at its meeting of 18 May 2021 (Attachment A), with the Panel supporting the recommendation to include these items as part of the Planning Proposal.

### **Local Character**

In 2018 the DPIE released a Planning System Circular relating to **local character** which provides advice on how the planning system will deliver development within the context of the local area, considering the local character. Since the release of the Circular, the DPIE has also released a Local Character and Place Guideline (February 2019) and a draft local character clause and overlay (exhibited November 2020 to January 2021). In accordance with the Planning Priorities and Actions of the Randwick LSPS and Housing Strategy, Council prepared and released for community consultation eleven (11) Local Character Statements in 2020. The Local Character Statements capture the distinct character of an area and include social, environmental and economic

characteristics of each. This Planning Proposal includes the draft local character clause and overlay for three (3) Local Character Areas (Northern Coast, Southern Coast and The Bays).

These have been updated since the 3 draft statements were reported to Council on 27 April 2021 (after being reported to the RLPP for advice on 6 April – see Attachment B). Council resolved to support the inclusion of local character as part of this Planning Proposal. It was also resolved to amend the draft Northern Coast Character Statement character principles to include “maintaining a village feel for Coogee and Clovelly beaches” following the Council resolution.

The draft statements have been amended to include the community consultation findings from the exhibition of the draft Statements in 2020 and to incorporate “village feel for Coogee and Clovelly Beaches” as an additional character principle.

### ***Randwick Hospitals Campus***

The redevelopment and expansion of the **Randwick Hospitals Campus** (Prince of Wales Reconfiguration and Expansion Project) to accommodate Integrated Acute Services Building and associated works including expanded emergency and intensive care unit departments, four new operating theatres, helipad, research, education and training facilities, and contemporary facilities for a number of specialties require land zoning and development standard (height and FSR) changes for the ‘campus expansion area’ located immediately to the west of the existing Randwick Hospital campus. These changes have been included in this Comprehensive Planning Proposal. Health Infrastructure has submitted (May 2021) two State Significant development applications for the Children’s Hospital Stage 1/Children’s Comprehensive Cancer Centre (CCCC) and the UNSW Health Translation Hub (HTH). Council will be preparing a submission to the Department as part of the exhibition process for consideration in the determination of the Environmental Impact Statement (EIS).

### ***Environmental Resilience***

The Planning Proposal includes a number of proposed changes to RLEP 2012 in relation to strengthening environmental resilience in Randwick City. The proposed amendments have been informed by the GSC’s Sydney Region Plan and Eastern City District Plan, Randwick’s LSPS and the Randwick Environment Strategy (2020). This work was considered by the RLPP for advice on 13 April 2021 (Attachment D) prior to being reported to Council. Council supported the proposed changes at its 27 April 2021 Council meeting.

### ***Housekeeping***

The Planning Proposal includes a number of proposed changes to RLEP 2012 in relation to a number of minor amendments including misdescriptions, zone boundary adjustments, exempt development provisions (including ‘markets’) and typographical errors that have been identified during the operation of RLEP 2012. These proposed changes are included in the Planning Proposal. This work was reported to the RLPP on 18 May 2021 (Attachment A) with the Panel supporting the recommendations except for the proposed boundary adjustment to the Chinese Market Gardens, La Perouse. Further investigation and clarification regarding the State Heritage listing boundary was undertaken following the Panel meeting and has identified a possible administrative mapping error on the State Heritage Map. It is therefore recommended that the proposed boundary adjustment not proceed as part of the Housekeeping amendments of the Planning Proposal.

The Planning Proposal (May 2021) has been informed by the analysis and recommendations of a series of topic related reports considered firstly by the Randwick Local Planning Panel (RLPP) and then Council (including the Panel’s resolution), as follows:

Planning Proposal Report	RLPP	Council
Housing	8 March 2021	23 March 2021
	18 May 2021	This report (1 June 2021)
Heritage Conservation	6 April 2021	27 April 2021 (deferred)

Planning Proposal Report	RLPP	Council
		25 May 2021 This report (1 June 2021)
Local Character	6 April 2021	27 April 2021 This report (1 June 2021)
Environmental Resilience	13 April 2021	27 April 2021 This report (1 June 2021)
Economic Development	13 April 2021	27 April 2021 This report (1 June 2021)
Rezoning Requests	13 April 2021	27 April 2021 This report (1 June 2021)
Randwick Junction Planning Strategy	6 April 2021	27 April 2021 This report (1 June 2021)
Housekeeping	18 May 2021	This report (1 June 2021)

CP39/21

### **Planning Panel Advice 18 May 2021**

At its meeting of 18 May 2021, the RLPP considered a report on the review of HIAs (including affordable housing contributions), heritage items in Randwick Junction town centre and housekeeping amendments (Attachment 1). The Panel resolved to advise Council that it generally supports the proposed changes (outlined in the report) for inclusion in the draft Planning Proposal. The Panel provided the following advice to Council:

- *The strategic intent and identification of the five (5) housing investigation areas for potential increased density*
- *The urban design studies prepared for the HIAs should form the basis of future development controls and need to be exhibited with the Planning Proposal*
- *Detailed controls should preferably be exhibited with the Planning Proposal and if not possible should be finalised before gazettal of the new LEP*
- *The proposed heights and FSRs for the HIAs should only be applicable to future development if the LEP contains standards such as minimum allotment size, minimum frontage, consolidation of sites and affordable housing*
- *The proposed 3% affordable housing contribution should apply throughout the HIAs and the rate should be reviewed within 2 years of the new LEP being made.*
- *Support for the inclusion of new heritage items within Randwick Junction town centre*
- *Support for the minor LEP and housekeeping amendments except the proposed boundary changes to the Chinese Market Gardens Site as it appears that there may be anomalies to be reviewed and clarified in consultation with Heritage NSW.*

Council officers will investigate the options of developing the suggested built form controls prior to finalisation of the new LEP. In relation to the affordable housing rate, it would be preferable to have one rate. However, it is noted that Council resolved to investigate an increased rate. The market gardens site will require further discussion with have considered the Panel's advice and will undertake further investigations where appropriate. Further investigation and clarification regarding the State Heritage listing boundary for the market gardens was undertaken following the Panel meeting and has identified a possible administrative mapping error on the State Heritage Map. It is therefore recommended that the proposed boundary adjustment not proceed as part of the Housekeeping amendments of the Planning Proposal.

### Local Transport Plan

As reported to the 23 March 2021 Ordinary Council meeting a local transport plan for the Randwick Strategic Centre covering Randwick Junction town centre and the five HIAs will be placed on exhibition alongside the Planning Proposal. Its implementation in conjunction with revised planning controls is consistent with the State Government's strategy for integrating land use and transport, and to deliver the 30-minute city.

### **Request for exemption to the Low Rise Housing Diversity Code *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.**

Council will seek formal exemptions from Part 3B of the SEPP separately to the Planning Proposal process as previously reported to RLPP and Council.

## **Planning Proposal**

This section provides an overview of the Planning Proposal including the objectives, explanation of provisions (changes to Randwick LEP 2012 clauses, schedules and maps) and summary of the relevant Randwick and State Government strategic plans, strategies and studies. The draft Planning Proposal is attached to this report under separate cover.

### ***Objectives***

The objectives of the Comprehensive Planning Proposal are to:

- Review the Randwick LEP 2012 to update planning controls to implement the planning priorities and actions of the Randwick LSPS and draft Randwick Housing Strategy.
- Provide a range of housing types and housing supply with access to jobs, services and public transport to meet the existing and future demand of the community.
- Address and encourage sustainable and resilient development in Randwick City.
- Address the key outcomes identified in the Environment Strategy including water security and management, biodiversity, urban heat island and renewable energy,
- Ensure that the local heritage conservation planning framework is robust, up to date and affords adequate protection for buildings and places that have been identified as having heritage significance
- Address the key relevant outcomes of the Open Space and Recreation Needs Study, including a review of the RE1 Public Recreation zone objective, land zoning maps and local provisions.
- Introduce Local Character into the Randwick LEP to ensure that it is considered in future development.
- Provide a range of employment opportunities and contribute to economic growth.
- Actively consult and engage the community on strategic land use plans and policies to ensure the community's views are considered in decision making and planning.

### ***Explanation of Provisions***

As noted above, the Comprehensive Planning Proposal reflects the endorsed changes in the six (6) topic related planning proposal reports. The Planning Proposal provides a detailed description of the proposed clause, schedule and map changes which are also summarised below.

- Housing

A summary of the proposed changes in each HIA are as follows:

#### West Randwick HIA



- To increase the maximum building height for the B1 Neighbourhood Centre zone to 24m
- To increase the maximum building height for the R3 Medium Density Residential zone to 17.5m
- To increase the FSR for the B1 Neighbourhood Centre zone to 3.6:1
- To increase the FSR for the R3 Medium Density Residential zone to 1.75:1.

#### Kensington North HIA

- To increase the maximum building height for the R3 Medium Density Residential zone along Anzac Parade and Alison Road to 23m, and in the southeast of the HIA to 17.5m
- To increase the FSR for the R3 Medium Density Residential zone along Anzac Parade and Alison Road to 2:1 and in the southeast of the HIA to 1.5:1.

#### Arthur Street HIA

- To increase the maximum building height for the R3 Medium Density Residential zone to 26m
- To increase the FSR for the areas identified in the R3 Medium Density Residential zone to 3:1.

#### Magill Street HIA

- To change the zoning of the identified areas east of Norton Lane to R3 Medium Density Residential
- To increase the maximum building height to 19.5m
- To increase the FSR of the identified areas east of Norton Lane to 1.8:1.

#### Kingsford South HIA

- To change the zoning of the identified areas to R3 Medium Density Residential, and at the corner of Anzac Parade and Botany Street to B1 Neighbourhood Centre
- To increase the maximum building height for the proposed R3 Medium Density Residential zone and for the proposed B1 Neighbourhood Centre zone to 17.5m
- To increase the FSR for the proposed R3 Medium Density Residential zone to 1.6:1, and for the proposed B1 Neighbourhood Centre zone to 1.7:1.

Furthermore, Council intends to apply an affordable housing contributions scheme within each of the 5 HIAs in accordance with the draft Affordable Housing Plan (attached to the Planning Proposal).

- Environmental Resilience

The Proposal strengthens the aims of the Randwick LEP 2012 to promote environmental resilience and amends the LEP clauses to address Water Sensitive Urban Design (WSUD), consideration of dual reticulation water systems and to ensure that design excellence includes consideration of urban heat island mitigation and onsite or near site renewable energy sources.

The Proposal also includes a review the boundaries of the Terrestrial Biodiversity Maps to align with the recent update of mapping prepared by the Department of Planning, Industry and Environment (DPIE).

An objective is included in the RE1 Public Recreation zone to facilitate and manage public access within and between areas of open space including the coastline, waterways, nature reserves, parks, and plazas. Open space connections and capacity has also been included as matter for consideration when preparing site specific DCPs under Clause 6.12.

Several existing areas of open space are proposed to be rezoned to RE1 Public Recreation, reflecting their current use including Meeks Street Plaza, Kingsford, 17R Pine Avenue, Little Bay and 5R Young Street, Randwick (part of Newmarket Site).

- Heritage Conservation

The Planning Proposal seeks to include changes to the Heritage Schedule and Heritage Maps by:

- listing 1 Belmore Road, 167-171 Alison Road and 179-181 Alison Road, Randwick, as heritage items, and extending the curtilage of the heritage item at 60 Belmore Road to include the adjoining address (25 Waratah Avenue, Randwick).
- Including a new heritage conservation area – the Edgecumbe Estate Heritage Conservation Area

- Local Character Areas

The Proposal is to introduce a new Local Character Area clause and associated maps series (based on the DPIE draft standard clause). This clause is proposed to apply to the Northern Coast, Southern Coast and The Bays Local Character Areas.

The draft statements have been amended to include the outcomes of community consultation undertaken in 2020 since last reported to Council in April 2021. The character principles for the Northern Coast Local Character Statement has also been amended to include “maintaining a village feel for Coogee and Clovelly beaches”.

- Economic Development

The Proposal includes several land use zone changes to B1 Neighbourhood Centre (and associated FSR changes) which aims to strengthen neighbourhood centres and to reflect the existing business uses.

The land zoning, height and FSR for the Randwick Hospital Expansion area is also included in the Proposal and reflects the expansion to the former residential land to the west of the Hospital. The Proposal also changes the Land Zoning Map for part of the western area of the Royal Randwick Racecourse (Light Rail Stabling Yard) from RE1 Public Recreation to SP2 Infrastructure to reflect the infrastructure use of that part of the site.

- Housekeeping

Since the introduction of the current Randwick LEP 2012 several minor housekeeping changes have been identified. These changes are summarised below and included in the Comprehensive Planning Proposal (Attachment 1).

The Proposal also includes name changes for several Conservation Area in Schedule 5 Environmental Heritage and correction to heritage item addresses.

A change to correct a zoning anomaly for land within the Newmarket Site (162-166 Barker Street, Randwick) from R1 General Residential and B1 Neighbourhood Centre to B1 Neighbourhood Centre.

The Proposal includes an amendment to the Exempt Development Schedule for special events and temporary use category to introduce ‘markets’ as exempt development on land identified in the Schedule (other than schools). The Proposal also clarifies that the combined area of temporary structures is 200 sqm.

### **Justification**

The Planning Proposal has been prepared to update the Randwick LEP 2012 in accordance with the policy approach of the State Government’s Standard Instrument LEP, which encourages

Councils undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and, Randwick Local Strategic Planning Statement (LSPS) as discussed below.

- Greater Sydney Region Plan (A Metropolis of Three Cities)

The Greater Sydney Region Plan, A Metropolis of Three Cities is the overarching strategic land use plan for the Greater Sydney Metropolitan area, outlining the strategic vision for managing growth to 2056. The plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The Vision seeks to transform Greater Sydney into a metropolis of three cities, with Randwick City being in the Eastern City.

The Plan sets a 40 year vision (to 2056) and establishes a 20 year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. The Plan identifies ten (10) Directions for the metropolis of three cities and associated Objectives and indicators.

The following Objectives of the Plan are relevant to the Comprehensive Planning Proposal as listed below and detailed in Attachment XXX.

Objective 7: Communities are healthy, resilient and socially connected.

Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods.

Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation.

Objective 10: Greater housing supply.

Objective 11: Housing is more diverse and affordable.

Objective 12: Great places that bring people together.

Objective 13: Environmental heritage is identified, conserved and enhanced.

Objective 21: Internationally competitive health, education, research and innovation precincts.

Objective 25: The coast and waterways are protected and healthier.

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced.

Objective 28: Scenic and cultural landscapes are protected.

Objective 30: Urban tree canopy cover is increased.

Objective 31: Public open space is accessible, protected and enhanced.

Objective 33: A low carbon city contributes to net zero emissions by 2050 and mitigates climate changes.

Objective 34: Energy and water flows are captured, used and reused.

- Eastern City District Plan

The Eastern City District Plan is the Greater Sydney Commission's (GSC) 20-year plan to manage growth and change in the Eastern City District of Sydney to achieve the 40-year vision for Greater Sydney. It contains the Planning Priorities for implementing A Metropolis of Three Cities at a district level and aims to be a bridge between regional and local planning. The Plan outlines the following District Planning Priorities (PP) are relevant to the Comprehensive Planning Proposal, addressed in Attachment XX.

PP E1: Planning for a city supported by infrastructure.

PP E2: Working through collaboration.

PP E3: Provide services and social infrastructure to meet peoples changing needs.

PP E6: Creating and renewing great places and local centres and respecting the District's heritage.

- PP E4: Fostering healthy, creative, culturally rich and socially connected communities.
- PP E5: Providing housing supply, choice and affordability with access to jobs, services and public transport.
- PP E8: Growing and investing in health and education precincts and the innovation corridor.
- PP E10: Delivering integrated land use and transport planning and a 30-minute city.
- PP E11: Growing investment, business opportunities and jobs in strategic centres.
- PP E14: Protecting and improving the health and enjoyment of Sydney Harbour and the Districts waterways.
- PP E15: Protecting and enhancing bushland and biodiversity.
- PP E16: Protecting and enhancing scenic and cultural landscapes.
- PP E17: Increasing urban tree canopy cover and delivering green grid connections.
- PP E18: Delivering high quality open space.
- PP E19: Reducing carbon emissions and managing energy, water and waste efficiency.

- Randwick LSPS (2020)

The Randwick City LSPS came into effect in March 2020 and was informed by the Vision 2040: Shaping Randwick's Future community consultation program. The LSPS outlines the community's vision for the future of Randwick City, underpinned with planning priorities about where housing, jobs, infrastructure and open space should be located. The LSPS:

- Provides a 20-year land use vision for Randwick City.
- Recognises the land use characteristics which make our area special.
- Directs how future growth and change will be managed.
- Implements the Eastern City District Plan as it relates to Randwick City.
- Identifies where detailed strategic planning may be needed.

The LSPS Vision Statement is underpinned by the following themes: Liveability, Productivity, Sustainability and Infrastructure & Collaboration. The four (4) themes are supported by ten (10) Directions and 23 Planning Priorities in the LSPS that provide guidance for Council's strategic plans and studies and a basis for the proposed changes in this Comprehensive Planning Proposal. The Comprehensive Planning Proposal addresses the following Planning Priorities (PPs) as detailed in Attachment 1.

- PP 1: Provide diverse housing options close to employment, services and facilities
- PP 3: Encourage development that responds to the local character and desired future character of our neighbourhoods.
- PP 4: Conserve and protect our unique built cultural heritage.
- PP 6: Support the delivery of social infrastructure to meet the needs of our diverse community.
- PP 7: Provide greater access and opportunities for walking and cycling.
- PP 8: Plan for and support strong connections to support a 30-minute city.
- PP 9: Focus economic development, innovation, and jobs growth in strategic centres.
- PP 10: Support the long term economic viability of our town and neighbourhood centres.
- PP 11: Develop a diverse, thriving, and inclusive night-time economy.
- PP 12: Manage and enhance the tourism and visitor economy.
- PP 14: Provide high quality open space and recreational facilities.
- PP 15: Implement the Green Grid.
- PP 17: Protect areas of bushland and biodiversity.
- PP 20: Better manage our coastal environments and waterways.

The Planning Proposal also implements the findings and recommendations of **studies and strategies** undertaken by Council in recent years including: Randwick Housing Strategy, Affordable Housing Plan (Housing Investigation Area), Randwick Heritage Study (March 2021), Randwick Environment Strategy, Local Character Statements (2020), Randwick Economic Analysis Report (2019), Night-Time Economy Study (2019) and draft Randwick Open Space and Recreation Study (2020). Rezoning requests received since the commencement of the Randwick LEP 2012 are also considered in this Planning Proposal report.

- Randwick Housing Strategy (2020)

The Randwick Housing Strategy identifies Randwick City's housing needs and housing priorities and takes a balanced approach to meeting housing needs to 2040. The Eastern City District Plan requires councils to prepare a Housing Strategy to set a 6-10-year housing growth target and demonstrate capacity to meet longer term housing needs.

The Strategy sets a 6-10 year housing growth target (as required by the Eastern City District Plan) of approximately 4,300 new dwellings to 2026 and sets an affordable housing target of 10% of all dwellings by 2040. The capacity to meet longer term housing needs is also addressed in the Strategy.

The Housing Strategy responds to community aspirations expressed during the Vision 2040 consultation, anticipated population growth and demographic changes and the associated need for additional housing. The Comprehensive Planning Proposal addresses the following Priorities as detailed in Attachment 1.

Priority 1. Ensure a balanced approach to growth across Randwick City

Priority 2: Diverse housing to meet the needs of our community

Priority 3: Focus growth in and around town and strategic centres close to transport, jobs and services

Priority 5: Ensure new development is consistent with the desired future character of areas.

- The Randwick Junction Town Centre Heritage Review (2015)

The Randwick Junction Town Centre Heritage Review identified three new heritage items and proposed the extension of the curtilage of one heritage item. The three proposed heritage items and the extension of the curtilage on one heritage item have been included in this Planning Proposal.

- Assessment of heritage significance: Edgecumbe Estate Heritage Conservation Area (2021)

The report addresses the heritage significance of the proposed HCA and indicates that the proposed Edgecumbe Estate HCA meets criteria A (historic), C (aesthetic), and G (representative) when assessing significance in accordance with "Assessing Heritage Significance", Guidelines prepared by the NSW Heritage Office. In terms of curtilage, the report states that the subject HCA follows the original remaining lots of the Edgecumbe Estate parcel of land prior to its subdivisions and sales in 1915 and 1919. The report also contains a Statement of Significance for the Edgecumbe Estate Conservation Area. The Statement states that the proposed HCA has historical, aesthetic and representative significance. It is able to demonstrate Coogee's suburbanisation and residential needs during the early twentieth century when it transitioned from a place of tourism and leisure to a permanent place of residence, which was fuelled by the provision of the Randwick to Coogee tramline extension in 1883, as well as the promotion of its attractive beach lifestyle and development of supporting local facilities.

- Randwick Environment Strategy (2021)

The Randwick Environment Strategy was adopted by Council in December 2020 with changes reflecting the comments of the community. The aims of the Strategy are to protect and conserve Randwick City's environment.

The Environment Strategy sets the long-term objectives to guide future planning and environment programs. It's one of six informing strategies under Council's Integrated Planning and Reporting Framework and is aligned to Council's 10-year City Plan.

The Strategy aims to restore and protect the diversity of Randwick ecosystems, ensure resource conservation, protect the coastal environment, and ensure our residents are informed and empowered to address Climate Change.

The Strategy sets six (6) objectives and associated strategic actions to achieve these objectives, objectives that are relevant to the Comprehensive Planning Proposal are listed below and detailed in Attachment A.

- Achieve a 60% reduction in greenhouse gas emissions (aspiring to 100%) across Randwick City by 2030.
  - Reduce the consumption of energy and water across Randwick City per capita by 30% by 2030.
  - 100% of Randwick's beaches achieve a 'good' or 'very good' result as monitored and reported in the NSW Government's Beachwatch water quality program.
- Local Character Statements (LCA)(2020)

In 2018 the DPIE released a Planning System Circular relating to local character which provides advice on how the planning system will deliver development within the context of the local area, considering the local character. Since the release of the Circular, the DPIE has also released a Local Character and Place Guideline (February 2019) and a draft local character clause and overlay (exhibited November 2020 to January 2021). In accordance with the Planning Priorities and Actions of the Randwick LSPS and Housing Strategy, Council prepared and released for community consultation eleven (11) Local Character Statements in 2019/2020. The LCAs capture the distinct character of an area and include social, environmental and economic characteristics of a place. This Comprehensive Planning Proposal includes the draft local character clause and overlay for the three (3) coastal LCAs (Northern, Southern and The Bays).

- Randwick Economic Analysis Report (2019 and 2020)

The Randwick LGA Economic Analysis Report 2019 by SGS identifies there is increased demand for retail floorspace for all neighbourhood and local centres across Randwick City over the next 20 years. The additional demand is for approximately 39,128m<sup>2</sup> of additional retail floorspace across the LGA to 2036. In relation to commercial floorspace, the report indicates that demand is projected to grow by 51,962 m<sup>2</sup> in 2036.

The report notes that most of the additional demand will be for growth in supermarket, hospitality, and services industries. Other growth areas include retail, professional and business services. The main centres that are likely to experience a demand for growth in employment/retail floor space is projected to be in Kingsford, Kensington, Maroubra Junction and Randwick Junction town centres. The report recommends a mix of business and retail uses in smaller centres as the best approach to underpinning population growth to meet expected demand. SGS is currently preparing an addendum to this Study for Council to consider the impacts of COVID on the economy and implications for future planning for employment/retail floor space across Randwick City.

The Comprehensive Planning Proposal responds to projected employment floor space demand by rezoning existing clusters of shops that are currently zoned residential to the B1 Neighbourhood Centre zone as a measure to retain existing employment floor space to serve the needs of local neighbourhoods and improve walkability and sustainability.

- Randwick Night-Time Economy Study (2019)



The Randwick Night Time Economy Study 2019 (the Study) was prepared to provide practical initiatives to enhance Randwick City's night time economy to foster economic development, support the live music and creative sectors, and deliver a diverse offering of night time activities to a wider demography. Several proposed changes in the Planning Proposal are aimed to encourage the night-time economy.

- Randwick City Open Space & Recreation Needs Study (2020)

The Study identifies the open space and recreation needs for Randwick City to inform Council's ongoing program of open space, sport and recreation works and management for the next 10 years. The Study will form the basis of the forthcoming Open Space and Recreation Needs Strategy. The Comprehensive Planning Proposal draws upon the following strategic directions of the draft Study.

- Connect and enhance our stunning coastline, beaches, parks and natural areas.
- Deliver new quality and diverse open space and recreation facilities in Randwick City's high growth areas and areas with undersupply.
- Activate and improve the amenity and flexibility of our open and sporting spaces, parks, streets, and beaches for all to share.
- Manage and deliver our open space and recreation network collaboratively, efficiently and sustainably.

The relevant **State Environmental Planning Policies (SEPPs)** **Ministerial Directions** (s.9.1 Directions) are addressed in the Planning Proposal.

### *Community Consultation*

Community consultation will be undertaken in line with Council's Community Participation Plan and a tailored Community Consultation Plan to be finalised in the coming months. Engagement components may include:

- Frequently Asked Questions (FAQ) brochures addressing aspects of the Planning Proposal.
- A dedicated webpage on the 'Have Your Say' website with the Planning Proposal and maps, and all exhibition material.
- Hard copies of exhibition material at Council locations: Administration Centre, Randwick Library, Bowen Library and Malabar Library.
- The draft LEP and other exhibition material placed on Council's website.
- Notifications to households.
- Drop-in days providing the opportunity to speak directly with Planners on any issue related to the Planning Proposal.
- Notification to relevant stakeholders including adjoining Councils, State agencies, Precinct Committees and Business Chambers.

Given the complexity of the Planning Proposal and expected public interest, it is recommended that the public exhibition period be extended beyond the normal 28 days.

### *Timeline*

An anticipated timeline for finalising the Planning Proposal (Attachment A) has been provided in the Planning Proposal as a guide and may be subject to changes. This timeline is indicative only and is based on the 10 steps below, any one of which may impact the timing:

1. Council request for Gateway Determination
2. Gateway Determination
3. Completion of required technical information and report (if require back to Council)
4. Public consultation of Planning Proposal

5. Government Agency consultation
6. Public Hearing (if required) following public consultation of Planning Proposal
7. Consideration of submissions
8. Report to Council on submission to public exhibition and public hearing (if held)
9. Referral to Parliamentary Counsel and notify DPIE
10. Plan is made

### Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	6. A liveable city.
Direction	6d. A strategic land use framework provides for our lifestyle changes and for a continuing, yet steady rate of growth across our City.

### Resourcing Strategy implications

The costs associated with the development of this work is in accordance with the 2019/2020 and 2020/2021 budget allocations. The Comprehensive Planning Proposal was completed in-house by Strategic Planning officers with assistance from Consultant Strategic Planners.

### Policy and legislative requirements

Relevant policies and legislation in relation to the Comprehensive Planning Proposal are:

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

### Conclusion

This part of the Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 (LEP 2012) in accordance with the policy approach of the State Government's Standard Instrument LEP. It has been informed by a number of reports on separate topics namely housing, heritage, environmental resilience, local character areas and economic development.

The Planning Proposal also addresses the environmental, social and economic impacts of the proposed changes to the Randwick LEP 2012. In doing so, it provides information and justification for the proposed changes. The proposed changes to the LEP clauses, schedules and maps have been clearly identified in the Planning Proposal which are contained as attachments to the Planning Proposal.

This part of the Planning Proposal is being considered separately to allow Councillors that may have an interest that excludes them from being present during discussion or consideration or voting on this matter to be able to vote on other aspects of the Planning Proposal.

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**Responsible officer:** Timothy Walsh, Environmental Planning Officer

**File Reference:** F2021/00188

CP39/21

**FOR ACTION****RANDWICK LOCAL PLANNING PANEL (PUBLIC)****18/05/2021****TO:** Manager Strategic Planning (Agagiotis, Stella)

**Subject:** Randwick Comprehensive Planning Proposal 2021 - Review of housing investigation areas (including affordable housing contributions), heritage items in Randwick Junction Town Centre and housekeeping amendments

**Target Date:** 1/06/2021

**Notes:**

**Document No.:** D04205001

**Report Type:** Report

**Item Number:** GR7/21

**RESOLUTION:**

That the Randwick Local Planning Panel advises Council that for the reasons in the Council Officers' report it generally supports the draft Randwick Comprehensive Planning Proposal. The Panel provides the following advice to Council in regard to the Planning Proposal:

**a. Housing Investigation Areas and Affordable Housing Contributions**

- i. The Panel reiterates its previous advice (8 March 2021) that it supports the strategic intent and identification of the five (5) areas put forward for potential increased density and supporting controls
- ii. The Panel notes the urban design studies that have been prepared would form the basis of a development control plan (DCP) for these areas however these would need to be further developed as appropriate controls in a DCP and/or LEP. The urban design studies should be exhibited with the draft Randwick Local Environmental Plan (LEP).
- iii. The Panel reiterates its previous advice (8 March 2021) that the proposed controls rely on detailed controls in a future development control plan (DCP), which preferably should be exhibited alongside the new RLEP. If this is not possible, then the DCP should be finalised before gazettal of the new RLEP.
- iv. The Panel considers that the proposed heights and FSRs for the Housing Investigation Areas are only available if standards in the LEP such as minimum allotment size, minimum frontage, consolidation of sites and affordable housing are achieved.
- v. The Panel considers that a consistent 3% affordable housing rate should apply throughout the Housing Investigation Areas. This percentage should be reviewed within 2 years of the new LEP being made.

**b. Randwick Junction Heritage Items**

That it supports the inclusion of the following draft heritage items identified in Randwick Junction Planning Strategy in the draft Randwick Comprehensive Planning Proposal:

- i. 1 Belmore Road, 167-171 Alison Road and 179-181 Alison Road, Randwick
- ii. extend the curtilage of the heritage item at No 60 Belmore Road to include the adjoining address known as 25 Waratah Avenue Randwick

**c. Housekeeping Amendments**

That it supports the following minor LEP and housekeeping amendments for inclusion in the draft Randwick Comprehensive Planning Proposal:

- i. Correct 'Randwick Environmental Heritage Conservation Area' by renaming to 'Randwick Environment Park Heritage Conservation Area'.
- ii. Correct the 'Henry Fort Complex' item by renaming to 'Henry Head Fortification Complex'

- iii. Correct the following addresses for heritage listed items on the former Prince Henry Hospital Site:
  - Item I179 *'The Dam'* amended from 5R Coast Hospital Rd, Little Bay to 1 Coast Hospital Road, Little Bay
  - Item I180 *'Former Male Lazaret Site'* from 5R Coast Hospital Rd, Little Bay to 1 Coast Hospital Road, Little Bay
  - Item I181 *'Former Coast Hospital Services Area Retaining Walls'* from 5R Coast Hospital Road, Little Bay to 1 Coast Hospital Road, Little Bay.

Item I177 *'Former Coast Hospital Water Tower'* from 5R Coast Hospital Road, Little Bay to 1 Coast Hospital Road, Little Bay
- iv. Add the Tramway Turnstile Building Complex – Royal Randwick Racecourse to Schedule 5 of the RLEP.
- vi. Delete the following sites be from Schedule 5 in the RLEP:
  - Item I18 16 Douglas Street, Clovelly
- vii. Amend Schedule 5 of RLEP:
  - Item I17 379-401 Clovelly Road, Clovelly to exclude 3 Donnellan Circuit (Lot 100 SP 84741).
- vi. Amend the following heritage items descriptions and Heritage Conservation Areas map boundaries to rectify existing discrepancies:
  - Botany Bay National Park Heritage Conservation Area to align with the State Heritage Register Map.
  - Heritage Conservation Area the Figtree HCA to remove the Contemporary Campus Living Development (the proposed map needs to be amended accordingly)
  - curtilage of the existing Randwick Barracks Heritage Site I310 to include the courtyard spaces and motor garages.
  - existing Heritage Item Newmarket House I466 to fully cover Lot 38 DP 1264010.
  - existing Heritage Item Newmarket Sale Ring I292 so that it does not overlap the boundary of Lot 34.
- vii. Correct the following mapping anomalies relating to zonings on the Newmarket site (162-166 Barker Street, Randwick):
  - Lots 1 and 2 DP 159697 and SP 101097 be amended so that these lots are completely within the B1 Neighbourhood Centre Zone.
  - Lot 34 DP 1262464 be rezoned from R1 General Residential to RE1 Public Recreation to reflect the transformed use as public open space (newly created park within the Newmarket development site)

The Panel does not support the proposed changes for the Chinese Market Gardens Heritage Site I246 as the site boundary depicted on the State Heritage Inventory map appear to have anomalies that need to be reviewed and clarified in consultation with Heritage NSW.

#### c. Community Activities, Events and Temporary Use of Land

That it supports the amendments in relation to Community Activities, Events and Temporary Use of Land for inclusion in the draft Randwick Comprehensive Planning Proposal:

- i. That the development standards of Schedule 2 - *Special events and temporary use of land (including erection of associated temporary structures such as stalls, shade structures, marquees, stages, etc)* be amended as follows:
  - Include the land use term 'market' in subclause (1)

- Include reference to 'market' in the provision to make it clear that the exempt provisions apply to markets
- Clarify that the exempt provisions apply only to Crown land or under the care and control of Council (excluding schools)
- Amend subclause (3) to ensure that the maximum area of all temporary structures is not to exceed 200m2 combined.

**CARRIED UNANIMOUSLY.**

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## FOR ACTION

### RANDWICK LOCAL PLANNING PANEL (PUBLIC)

6/04/2021

TO: Environmental Planning Officer (Walsh, Timothy)

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**Subject:** Randwick Comprehensive Planning Proposal - Local Character  
**Target Date:** 20/04/2021  
**Notes:**  
**Document No.:** D04169185  
**Report Type:** Report  
**Item Number:** GR3/21

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#### RESOLUTION:

That the Randwick Local Planning Panel advises Council that it supports the inclusion of a local character clause and maps in the comprehensive LEP. The Panel is of the opinion that further consideration needs to be given to how the Local Character Areas are incorporated into the comprehensive LEP and whether this should be limited to only the Northern Coast, Southern Coast and The Bays Local Character Areas.

The Panel also considers that the Local Character Statements need to clearly set out existing character, desired future character and the principles/controls to be considered in the assessment of development applications.

#### REASON:

The Panel has reviewed the Planning Proposal report prepared by Council officers.

For the reasons within the report, the Panel supports the inclusion of a local character clause and maps in the comprehensive LEP.

The Panel notes the important contribution of local character and the need to ensure that this character is maintained in new development. The Panel acknowledges the importance of this to the community and that the identification of the Local Character Areas and Statements has had extensive community input.

The Panel notes that 11 Local Character Areas have been identified however the Panel does not consider that adequate justification has been provided to limit the inclusion of only the Northern Coast, Southern Coast and The Bays Local Character Areas in the LEP and others in the DCP.

Furthermore, greater consideration needs to be given to how local character statements are incorporated into planning documents and the level of detail in order for them to be an effective consideration in applications for new development. To achieve this, the Statements will need to clearly articulate existing character, desired future character and specific principles for new development.

**CARRIED UNANIMOUSLY.**

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**FOR ACTION****RANDWICK LOCAL PLANNING PANEL (PUBLIC)****8/03/2021****TO:** Manager Strategic Planning (Agagiotis, Stella)

**Subject:** Randwick Comprehensive Planning Proposal - Housing investigation areas, affordable housing, low rise 'diversity area', minimum subdivision lot size and exemption to dual occupancy provisions of the Low Rise Housing Diversity Code

**Target Date:** 22/03/2021

**Notes:**

**Document No.:** D04130422

**Report Type:** Report

**Item Number:** GR1/21

**RESOLUTION:**

That the Randwick Local Planning Panel advises Council that it generally supports the recommendations for the Planning Proposal within the Council Officer's report as being consistent with the strategic planning directions outlined within the Local Strategic Planning Statement and Housing Strategy. The Panel makes the following comments:

**Housing Investigation Areas:**

- i. The Panel supports the strategic intent and identification of the five (5) areas put forward for potential increased density and supporting controls.
- ii. The site specific merits of each area should be supported with further urban design studies to consider appropriate transitions to surrounding areas, landscaped character, tree canopy and open space. The logic and rationale of the relationship between the height and floor space ratio (FSR) standards should be clear and should demonstrate that the built form outcomes and desired future character can be achieved. The urban design studies should be exhibited with the draft Randwick Local Environmental Plan (RLEP).
- iii. The proposed controls rely on detailed controls in a future development control plan (DCP), which preferably should be exhibited alongside the new RLEP. If this is not possible, then the DCP should be finalised before gazettal of the new RLEP.
- iv. Consideration should be given to the new RLEP including standards in the Housing Investigation Areas in relation to minimum allotment size, minimum frontage, incentives for consolidation and affordable housing, possibly beyond the proposed 3%.
- v. Further consideration should also be given to areas that are currently within the Housing Investigation Areas but propose no increase in density based upon market analysis as opposed to strategic merit.

**Low Rise Diversity Area**

- i. The Panel supports the additional permitted use of 'attached dwellings' within the 'diversity area' and the minimum allotment size of 180m<sup>2</sup> for attached dwellings. For other forms of housing, the minimum allotment size should be reviewed to include minimum frontages to ensure appropriate built form outcomes.
- ii. The FSR for sites greater than 180m<sup>2</sup> should be in accordance with a sliding scale based on allotment size.

**Exemption from the Dual Occupancy Provisions of the *Low Rise Housing Diversity Code* in the R2 Low Density Residential Zone**

- i. This is a matter for Council and the Department of Planning, Industry and Environment. The Panel expresses no view.

**Process / Submissions**

Randwick City Council

Page 1

- i. In terms of submissions from individuals and a request for deferral, the Panel notes that the long process ahead for a Planning Proposal provides various opportunities for public engagement and consideration.

**CARRIED UNANIMOUSLY.**

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CP39/21

**FOR ACTION****RANDWICK LOCAL PLANNING PANEL (PUBLIC)****13/04/2021****TO:** Manager Strategic Planning (Agagiotis, Stella)

**Subject:** Randwick Comprehensive Planning Proposal - Environmental Resilience  
**Target Date:** 27/04/2021  
**Notes:**  
**Document No.:** D04169610  
**Report Type:** Report  
**Item Number:** GR6/21

**RESOLUTION:**

That the Randwick Local Planning Panel advises Council that it supports the following recommendations for inclusion in the draft Comprehensive Planning Proposal:

**(a) Aims of the Plan**

- To include a reference to resilience in the overarching Aims of the Randwick LEP.

**(b) E2 Environmental Conservation Zone**

- Amend the objectives of zone to make reference to 'nationally significant' values.

**(c) RE1 Public Recreation**

- Include a new zone objective which addresses open space connections

**(d) Clause 6.4 Stormwater management**

- To amend the clause objectives to include the protection and improvement of water quality within waterways and receiving waters including coastal beaches and Botany Bay.
- To amend subclause (3) to ensure that the consent authority is to be satisfied that the development is designed to incorporate water sensitive urban design if practicable

**(e) Clause 6.11 Design excellence**

- To amend subclause (4) to include urban heat island mitigation and onsite or near site renewable energy sources as a matter for consideration for design excellence.

**(f) Clause 6.12 Development requiring the preparation of a development control plan**

- To amend subclause (4)(m) to include the urban heat island effect as an environmental constraint.
- To amend subclause (4)(n) to include consideration of dual reticulation systems for potable and non-potable use when preparing a site specific development control plan.
- To include a new subclause (4)(o) which includes capacity and connection to existing areas of open space as a matter for consideration.

**(g) Clause 6.5 Terrestrial biodiversity**

- To update the Terrestrial Biodiversity Maps to reflect the Department of Planning, Industry and Environment mapping layer (January 2021).

**(h) Rezone to RE1 Public Recreation the following sites and amend the development standards (where required)**

- Meeks Street Plaza, Kingsford from B2 Local Centre to RE1 Public Recreation.

- 17R Pine Avenue, Little Bay from R1 General Residential to RE1 Public Recreation.
- 5R Young Street, Randwick from R1 General Residential to RE1 Public Recreation and specify no maximum FSR, no maximum height and no minimum lot size consistent with all RE1 Public Recreation zoned land.

That the Panel also advises Council to consider that a new provision regarding landscape area be added to the Planning Proposal to address tree canopy and deep soil planting.

**REASON:**

The Panel has reviewed the Planning Proposal report prepared by Council officers. For the reasons within the report the Panel supports the recommendations and has added one further recommendation in regard to tree canopy cover and deep soil planting to further strengthen environmental resilience.

**CARRIED UNANIMOUSLY.**

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**FOR ACTION****RANDWICK LOCAL PLANNING PANEL (PUBLIC)****13/04/2021****TO:** Manager Strategic Planning (Agagiotis, Stella)

**Subject:** Randwick Comprehensive Planning Proposal - Economic Development  
**Target Date:** 27/04/2021  
**Notes:**  
**Document No.:** D04166341  
**Report Type:** Report  
**Item Number:** GR5/21

**RESOLUTION:**

That the Randwick Local Planning Panel advises Council that it supports the Planning Proposal as set out below:

- a) Introduce an objective for the B1 Neighbourhood Centre and B2 Local Centre zones on supporting a diverse, safe and inclusive night time economy;
- b) Introduce Exempt Development Provisions to permit shops, business premises and kiosks (not food and drink premises, gyms and licensed premises under the Liquor Act 2007) located in the B1 Neighbourhood Centre and B2 Local Centre zones to trade from 7am to 11pm without requiring development consent, subject to existing conditions of consent and appropriate criteria on noise, parking, loading and waste management;
- c) Introduce Exempt Development provisions allowing small scale cultural activities (to be specifically defined) to occur in office, retail, business, restaurants, cafes and/or community facilities in the B1 Neighbourhood Centre and B2 Local Centre zones without requiring development consent subject to criteria on patron numbers, hours of operation, noise, amenity impacts and compliance with BCA and relevant Australian standards in relation to access, sanitary facilities and fire safety.
- d) Amend clause 6.13 to include *'information and education facility'* as a permitted use with development consent in the R1 General Residential, R2 Low Density and R3 Medium Density zones.
- e) Include the following sites as B1 Neighbourhood Centre in the Comprehensive Planning Proposal:
  - a. **Gardeners Road Cluster**  
Rezone 118 Gardeners Road, 120-122 Gardeners Road, and 124 Gardeners Road – KINGSFORD from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - b. **Todman Avenue Cluster**  
Rezone 57, 59 and 61 Todman Avenue, KENSINGTON from R2 Low Density Residential to B1 Neighbourhood Centre zone with an applicable FSR of 1:1
  - c. **Anzac Parade Cluster**  
Rezone 627 Anzac Parade, 629 Anzac Parade, and 631-633 Anzac Parade – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - d. **Bunnerong Road Cluster**  
Rezone 167 Bunnerong Road, 169 Bunnerong Road, and 169A Bunnerong Road - MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - e. **Malabar Road Cluster**  
Rezone 496-504 Malabar Road MAROUBRA from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1
  - f. **Moverly Road Cluster**



Rezone 56 Moverly Road, 58 Moverly Road, and 60 Moverly Road – MAROUBRA from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**g. Avoca Street Cluster**

Rezone 341-347 Avoca Street - RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use and amend the LEP maps as well.

**h. Barker Street Cluster**

Rezone 140-142 Barker Street, 144-146 Barker Street, and 148 Barker Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

**i. Canberra Street Cluster 1**

Rezone 1 Canberra Street, 3 Canberra Street, 5 Canberra Street, 7 Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**j. Canberra Street Cluster 2**

Rezone 16-18 Canberra Street, 20 Canberra Street, 22 Canberra Street, and 22A Canberra Street – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**k. Carrington Road Cluster**

Rezone 33-37 Carrington Road, 48 Carrington Road, 50-54 Carrington Road – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1.

Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 33-37 Carrington Road and amend the LEP maps as well.

**l. Clovelly Road Cluster 1**

Rezone 23 Clovelly Road, 29 Clovelly Road – RANDWICK from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**m. Clovelly Road Cluster 2**

Rezone 49 Clovelly Road, 51 Clovelly Road, 53 Clovelly Road from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 1 Gilderthorpe Avenue – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**n. King Street Cluster**

Rezone 101 King Street, 103 King Street, and 105 King Street – RANDWICK from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**o. Arden Street Cluster**

Rezone 371-373 Arden Street, 374-376 Arden Street, 378 Arden Street, and 99-101 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**p. Malabar Road Cluster 1**

Rezone 2-4 Malabar Road, and 6-8 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**q. Malabar Road Cluster 2**

Rezone 169-173 Malabar Road, 175-177 Malabar Road - SOUTH COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Amend the Schedule 1 of the Randwick LEP to add "Petrol Station" as an additional permitted use for 169-173 Malabar Road and amend the LEP maps as well.

**r. Burnie Street Cluster**

Rezone 17 Burnie Street, 21 Burnie Street, 25 Burnie Street, 27 Burnie Street, 29 Burnie Street, 31 Burnie Street, 37 Burnie Street, 39 Burnie Street, 41-43 Burnie Street, 45-51 Burnie Street – CLOVELLY, from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

Rezone 34 Burnie Street, 36 Burnie Street, 38 Burnie Street, 40 Burnie Street, 42 Burnie Street, 44 Burnie Street, 46 Burnie Street, 48 Burnie Street, 50 Burnie Street – CLOVELLY from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**s. Beach Street Cluster**

Rezone 98-104 Beach Street – COOGEE from R3 Medium Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1:1

**t. Dudley Street Cluster**

Rezone 63A Dudley Street, 65-73 Dudley Street, and 19-23 Havelock Avenue – COOGEE from R2 Low Density Residential to B1 Neighbourhood Centre with an applicable FSR of 1.5:1

- f) Include controls for the Hospital campus expansion area to match controls that currently apply to the Hospital campus as follows:
  - Rezone the block from R2 Low Density Residential and R3 Medium Density Residential to SP2 Health Services Facility (refer to figures 22 and 23);
  - Remove the existing residential (9.5m and 15m) Height of Building (HOB) controls for the Randwick Hospital Campus Expansion Area.
  - Remove part of the current Randwick Hospital western perimeter height control (Refer Figures 24 and 25) and review whether a perimeter height control is appropriate fronting High Street and Magill Street.
  - Remove the applicable FSR in line with the protocol for all special purpose and infrastructure zones. Refer Figure 26 and 27.
- g) Not support the ATC request that Council consider an amendment to Schedule 1 of the RLEP 2012 ("Additional permitted uses") and accompanying map to permit *entertainment facilities, food and drink premises* and *commercial premises* with development consent in the 'Spectator Precinct' of Royal Randwick Racecourse (RRR). Further consideration is required of the implications of the rezoning proposal and its impacts on the broader Randwick Strategic Centre as part of a separate planning proposal.
- h) Rezone the existing Light Rail Stabling Yard at RRR from RE1 Public Recreation to SP2 Infrastructure in the area indicated on the zoning maps (Figures 33 and 34).
- i) That the Panel does not support the introduction of Exempt Development provisions permitting non-hosted short term rental accommodation without requiring development consent for 90 days per calendar year to replace the proposed 180 day limit in *State Environmental Planning Policy (Affordable Rental Housing) 2009* and *Environmental Planning and Assessment Regulation*. The Panel recommends that the implementation of the proposed limit be monitored for a period of at least 12 months prior to any change to the day limit to ensure that the appropriate balance between visitor accommodation and rental housing is achieved.

**REASON:**

The Panel has reviewed the Planning Proposal report prepared by Council officers. For the reasons within the report, the Panel supports the recommendations, with the exception of the change to the day limit for non-hosted short-term rental accommodation. The Panel does not consider that there is sufficient evidence at this stage to justify a different day limit to that within the *State Environmental Planning Policy (Affordable Rental Housing) 2009* and *Environmental Planning and Assessment Regulation*. The implementation of the proposed limit should be monitored so that a better understanding of the implications on rental accommodation is provided. The Panel has also made some minor changes to points b) and c) to clarify the criteria for exempt development and suggests a further review of the hospital perimeter heights to ensure an appropriate transition with adjoining residential development.

**CARRIED UNANIMOUSLY.**

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