

PRE-GATEWAY REVIEW – Information Assessment and Recommendation Report

Local Governmental Area:	Randwick	
Amended LEP:	Randwick Local Environmental Plan 2012	
Address:	111-125 Anzac Parade and 112 Todman Avenue, Kensington	
Reason for review:	☒ Council notified proponent it will not support proposed amendment	☐ Council failed to indicate support for proposal within 90 days
Is a disclosure statement relating to reportable political donations under s147 of the Act required and provided?	☒ Provided	☐ N/A
	Comment: There are no donations or gifts to be disclosed.	
Assessment Fee:	☒ Provided & correct	☐ Not provided / incorrect

1. SUMMARY OF THE PROPOSAL

The planning proposal (Tab F2) seeks to amend the maximum building height and introduce a floor space ratio (FSR) applicable to the land at 111-125 Anzac Parade and 112 Todman Avenue, Kensington (the site). The site comprises seven allotments and has an land area of 2,945 square metres that is proposed to be consolidated. The site is bounded by Anzac Parade to the east, Todman Avenue to the south, mixed-use development to the north and residential development to the west (refer to Figure 1). The site is located within the Kensington Town Centre, on the corner of Anzac Parade and Todman Ave and adjacent to the approved future Todman Avenue light rail stop.



Figure 1: Location of site (outlined in red). Source: SIX Maps 2016

In addition, a separate pre-Gateway review has been lodged by the proponent for a planning proposal at 137-151 Anzac Parade, Kensington (refer to Figure 1), which seeks to increase the maximum building height up to 83m and an FSR of 7:1.

The planning proposal seeks to amend the *Randwick Local Environmental Plan (LEP) 2012* as follows:

- retain the existing B2 Local Centre zoning across the site (refer to Figure 2);
- increase the maximum building height for the site from 12m, 21m and 25m to 85m across the entire site (refer to Figure 3); and
- introduce a maximum floor space ratio of 7:1 for the site (refer to Figure 4).

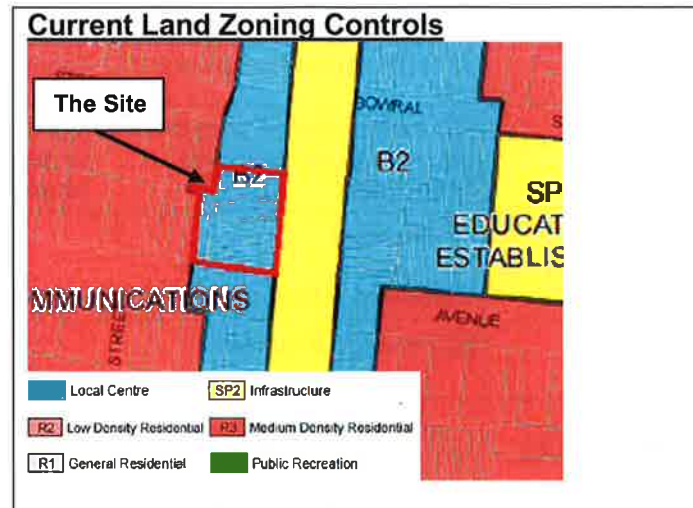


Figure 2: Current zoning controls. Source: JBA 2015



Figure 3: Current and Proposed height of building controls. Source: JBA 2015

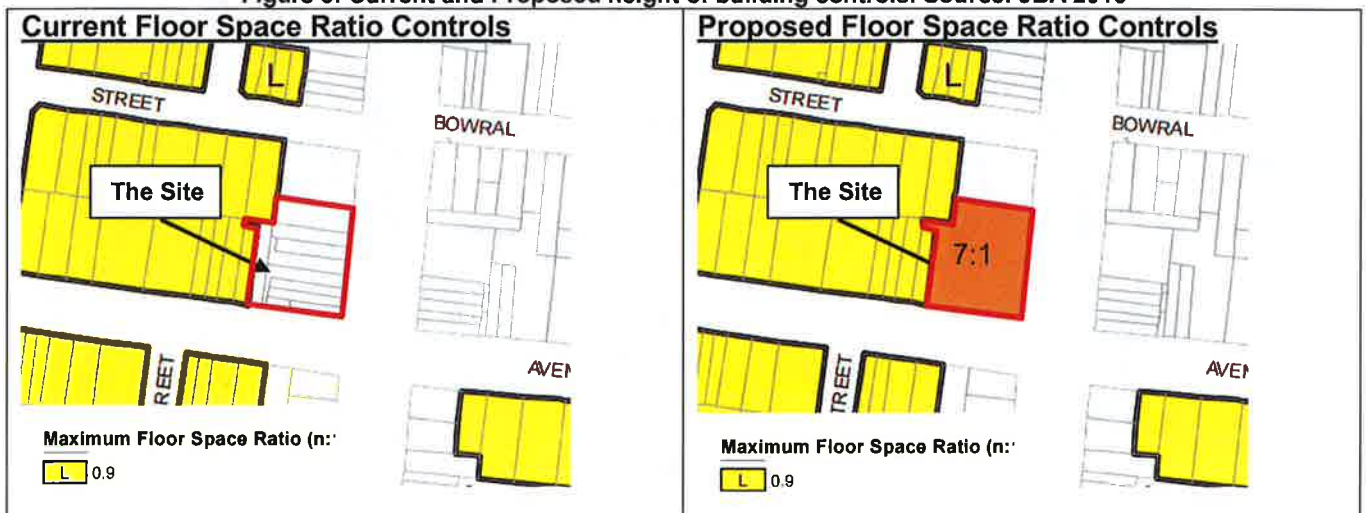


Figure 4: Current and Proposed floor space ratio controls. Source: JBA 2015

The proposal identifies the site as K1 and proposes to amalgamate the seven properties. A proposed development concept scheme for the site has been developed by Bates Smart which provides for a mixed use development on the site consistent with the maximum height and floor space sought as part of the planning proposal.

The proposal would facilitate the development of a 25 storey mixed-use development (podium and tower element) on the 2,945 sq m site, containing approximately:

- 231 apartments with a floor space of 19,495 square metres (24 floors);
- 1,119 square metres of retail floor space (ground floor and part of first floor); and
- 249 car parking spaces across three basement levels.

The site currently contains four attached two-storey buildings fronting Anzac Parade, consisting of a range of commercial premises, a restaurant and shop-top housing. A carpark, loading facility and a number of attached garages are located to the rear of the site with vehicular access from Todman Avenue. The character of the development surrounding the site comprises largely mixed use buildings fronting Anzac Parade, containing commercial premises, restaurants and new medium-density residential development. Development directly behind the Anzac Parade Corridor is generally of low to medium density scale and is predominately zoned for Medium Density Residential. It comprises a range of three-storey residential flat buildings, terraces and semi-detached dwellings and single-storey detached dwellings.

On 22 March 2016, Randwick Council resolved not to support the planning proposal. Council was notified about the pre-Gateway application and provided comments to the Department on 24 May 2016. Council reiterated its reasons for refusal and considers the planning proposal to be pre-emptive of the important strategic planning work currently being undertaken by Council to review the planning framework for the Kingsford and Kensington Town Centres.

The Department recommends the proposal should proceed to the Sydney East Joint Regional Planning Panel for independent review, as it demonstrates strategic merit. However, the proposal raises issues in regard to site specific merit and further justification is required for the proposed heights and floor space ratio. The Department considers that the proposed height, bulk and scale of the proposal is out of context with the existing surrounding development. Regard should be given to Council's strategic review of the desired future growth of the Anzac Parade Corridor.

2. REQUIREMENTS UNDER SECTION 55 OF THE EP&A ACT

2.1 Objective and intended outcomes:

The planning proposal seeks to amend the planning controls under Randwick LEP 2012 to provide additional height and introduce a floor space ratio to facilitate the proposed mixed use development on the amalgamated site.

The proponent notes that the objective of the planning proposal is to utilise the benefits afforded by the site's proximity to the South East Light Rail project, as well as the site's strategic location close to employment, education, services and entertainment.

2.2 Explanation of provisions:

The planning proposal seeks the following amendments to the Randwick LEP 2012 for the site:

- increase the maximum building height from 12m, 21m, and 25m to 85 metres by amending the Height of Building Map; and
- introduce a maximum floor space ratio of 7:1 by amending the Floor Space Ratio Map.

2.3 Mapping:

The planning proposal contains sufficient images and mapping of the site and of the surrounding context. It demonstrates the current land zoning and building height controls applicable to the site and the surrounding area and provides the proposed building height and FSR controls.

2.4 Community consultation (including agencies to be consulted):

The proponent has indicated that community consultation would be conducted in accordance with any Gateway determination. Should the proposal proceed to Gateway, further consultation with the following public agencies is recommended: Transport for NSW, Roads and Maritime Services, Energy Australia, Sydney Water, Department of Education and Communities, NSW Ministry of Health, Sydney Airport Corporation Ltd, Commonwealth Department of Infrastructure and Regional Development (Aviation Environment) and the Civil Aviation Safety Authority (CASA).

A public exhibition period of 28 days is recommended should the proposal proceed to Gateway.

3. VIEWS OF COUNCIL AND AGENCIES

3.1 Comments from Randwick Council

On 22 March 2016, Randwick Council resolved not to proceed with the planning proposal. Council's reasons for not supporting the proposal and comments on the pre-Gateway review request ([Tab G](#)) are:

- an ad hoc rezoning is not the most efficient or effective means of achieving a review of the planning controls for the site;
- the rezoning would create inconsistency in the planning controls that apply to the wider Kensington Town Centre and undermines Council's strategic planning process currently being undertaken to prepare a Planning Strategy for the Anzac Parade Corridor;
- the site is not an appropriate location for an 85 metre tower element forming the focal point of the town centre. The proposal has little regard to the scale and nature of surrounding development, and would result in a building that is physically and architecturally out of character with the rest of the town centre, and a poor urban design outcome for Anzac Parade;
- the significant height and likely overshadowing impacts would have a negative impact on the amenity of surrounding development, particularly the R3 Medium Density Residential zoned properties located adjacent to the west; and
- the need for the planning proposal has not been adequately demonstrated and the costs to the community associated with the proposed development (eg. excessive bulk and scale, increased public open space demand, inconsistent streetscape, overshadowing and parking demand) outweighs the community benefits.

4. PROPOSAL ASSESSMENT

4.1 Strategic merit assessment

4.1.1 A Plan for Growing Sydney 2014

The site is located within the Global Economic Corridor and is an area identified for Local Renewal Opportunities in *A Plan for Growing Sydney*, the long term strategic plan for Metropolitan Sydney. Additionally, the site is located in Randwick Local Government Area which is part of the Central Subregion, within the Anzac Parade Corridor and the along the route of the proposed South East Light Rail. The site is also in close proximity to the Randwick Education and Health Strategic Centre identified under Direction 1.7 of the Plan.

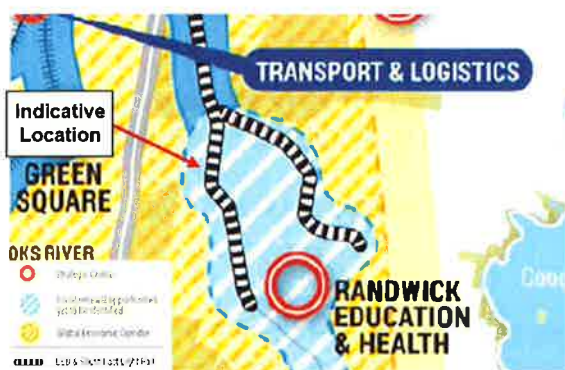


Figure 5: Extract from A Plan for Growing Sydney 2014.

The proposal is consistent with a number of directions and actions of the plan including:

- Direction 1.6 and Action 1.6.1 as it would support the objectives of the Global Economic Corridor by expanding employment opportunities and mixed-use activities;
- Direction 2.1 and Action 2.1.1 as it would increase the local housing supply and choice in close proximity to jobs and serviced by frequent public transport;
- Direction 2.2 and Action 2.2.2 as it would facilitate urban infill and increase housing production around a strategic employment centre and transport corridors;
- Direction 2.3, Actions 2.3.2 and 2.3.3 as it would provide a range of housing choices to suit different needs and lifestyles; and
- Central Subregion priority to accelerate housing supply, choices and affordability and build great places to live.

Of particular relevance to the planning proposal is Action 2.2.2: *Undertake Urban Renewal in transport corridors which are being transformed by investment and around strategic centres*. Under this action, the Anzac Parade Corridor is noted as providing excellent access to employment, recreational opportunities, higher education, health facilities and social infrastructure as well as acknowledging the CBD and South East Light Rail will better connect Randwick and Kingsford to the Sydney CBD. It is also noted in the Plan that future investments in light rail corridors have significant potential to act as a catalyst for new housing development and will give new communities shorter commutes to major job centres. As such these corridors will be largely transformational in nature.

A Plan for Growing Sydney states that the Government will continue to focus urban renewal activities to provide additional housing in the Anzac Parade Corridor (Direction 2.2) and work with local councils to facilitate urban renewal around in and around the strategic centres including the Randwick Education and Health Precinct. Specific to the Anzac Parade Corridor it is noted that the Government will work with the Council and the local community to identify areas for local renewal and opportunities to revitalise local neighbourhoods that will meet community expectations for renewal and provide local benefits.

The planning proposal is generally consistent with the objectives and actions of *A Plan for Growing Sydney* as it is proposed to increase housing supply and choice in close proximity to jobs and is well serviced by public transport. However, it is noted that with regard to the Plan's priorities to work with Council to identify areas for local renewal and opportunities to revitalise neighbourhoods, Council is undertaking a strategic planning review and is working closely with the Department and community, consistent with the directions of *A Plan for Growing Sydney* (see further information on the study in section 4.17 of this report).

4.1.2 State Environmental Planning Policies (SEPPs)

The planning proposal is generally consistent with the relevant SEPPs and any future development application will be required to address the specific details of the SEPPs as required.

State Environmental Planning Policy 32 Urban Consolidation (Redevelopment of Urban Land)

The SEPP enables urban land to be redeveloped for multi-unit housing and related development to promote the orderly and economic use and development of land. The planning proposal is consistent with this SEPP and does not propose any change to the current B2 Local Centre zoning of the site.

State Environmental Planning Policy 55 – Remediation of Land

The proposal does not include a change to the zoning of the land. The proposal is supported by a Contamination Assessment Report and a Hazardous Materials Report, which identifies the site and adjacent sites are not identified as being significantly contaminated, however it is noted that a more detailed investigation will be required at development application stage.

State Environmental Planning Policy No. 65 Design Quality of Residential Flat Development

Any future development application will be required to address the requirements of the SEPP. The proposal advises that detailed compliance with SEPP 65 will be demonstrated in a future development application for the building facilitated by this planning proposal.

State Environmental Planning Policy (Infrastructure) 2007

The site is located along Anzac Parade and development must be in accordance with *Subdivision 2 – Development in or adjacent to Road Corridors and Road Reservations*. Any future development application for the site must comply with the requirements of this SEPP. The Department recommends the Roads and Maritime Services be consulted in respect of the Anzac Parade, should the proposal proceed to Gateway.

4.1.3 Section 117 Directions

The consistency of the planning proposal with the key relevant S117 Directions are outlined below.

Direction 1.1 Business and Industrial Zones

The planning proposal aims to retain the existing zoning across the site which is a B2 Local Centre zone. This zone enables both a range of commercial and community uses integrated with residential development. The proposal is considered to be consistent with this Direction.

Direction 2.3 Heritage Conservation

The proposal is accompanied by a Heritage statement prepared by NBRS & Partners which confirms the site is not identified as an item of environmental heritage and is not in a Heritage Conservation area. The site does include a 'contributory' heritage item which is identified under the Kensington Town Centre DCP 2002 as the corner building at 125 Anzac Parade. The Heritage statement addresses the contributory item and concludes that the contributory DCP listing has little relevance in the current context of the site, being on a major transport corridor, and that the site is considered an appropriate area for increased residential densities.

Direction 3.5 Development near Licensed Aerodromes

This direction is relevant to planning proposals that create, alter or remove a zone or provision relating to land in the vicinity of a licenced aerodrome. The objectives of the direction include to ensure the effective and safe operation of aerodromes and to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity.

In accordance with this direction the relevant planning authority must consult with the Department of the Commonwealth (Department of Infrastructure and Regional Development) responsible for aerodromes and the lessee of the aerodrome (Sydney Airport Corporation Ltd (SACL)) and take into consideration the Obstacle Limitation Surface (OLS) and for land affected by the OLS prepare appropriate development standards such as height and allow permissible development that is compatible with the operation of an aerodrome. Permission from Department of Infrastructure and Regional Development must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act, where the planning proposal proposes to allow development that encroaches to the OLS.

An Aeronautical Impact Assessment for the planning proposal has been provided. The assessment notes that the proposed building will penetrate the OLS Conical Surface by 47.3m with a building height of 110 AHD (and 62.3m with crane requirements for construction). The report notes there are conditions that may allow the penetration of the Conical surface however approval would be required from the Department of Infrastructure and Regional Development. The report also notes that confirmation by Air services Australia would be needed to ascertain the surface height as to whether the building would penetrate the PAN-OPS. The building will penetrate the clearance requirement of the Sydney Terminal Approach Radar (TAR) by 24.45m and the report notes further approvals and analysis are required.

As the proposal seeks to increase development controls that may encroach into the OLS, the proposal is not considered consistent with the requirements of the S117 direction. Should the proposal proceed to Gateway, this should include the requirement for consultation and approvals from the relevant aerodrome agencies including Department of Infrastructure and Regional Development, Sydney Airport Corporation Ltd (SACL) and the Civil Aviation Safety Authority (CASA).

Direction 7.1 Implementation of A Plan for Growing Sydney (2014)

This Direction gives legal effect specifically to the planning principles, directions, and priorities for subregions, strategic centres and transport gateways contained in *A Plan for Growing Sydney*. The Anzac Parade Corridor has been identified in *A Plan for Growing Sydney* (Figure 2) as local renewal

opportunities yet to be identified. The proposal's consistency with *A Plan for Growing Sydney* has been provided at Section 4.1.1 of this Report.

4.1.4 Local Strategy

The Randwick City Plan 2013 – A 20 Year Plan

The 20 Year Plan notes that densities and renewal opportunities will be focused along key public transport routes such as Anzac Parade, in and around town centres and around key areas of activity and employment. The town centres along Anzac Parade, Kensington and Kingsford are identified as part of the Northern Gateway in the Plan and identified as providing for mixed use development. Infill development is expected to continue, and will be a focus of these highly accessible centres.

Randwick City Council Development Control Plan 2013 – Kensington Town Centre

The site is subject to building envelope controls set out in the Randwick DCP 2013. The DCP sets out key building envelopes for Block 9 – Todman Ave to Duke Street (see Figure 6). Council reports that these DCP controls established in 2001/02 have been consistently applied across the Town Centre, with a predominant maximum height of 25m for the town centre. The planning proposal is not consistent with the building envelope controls in the DCP and will significantly exceed these controls.

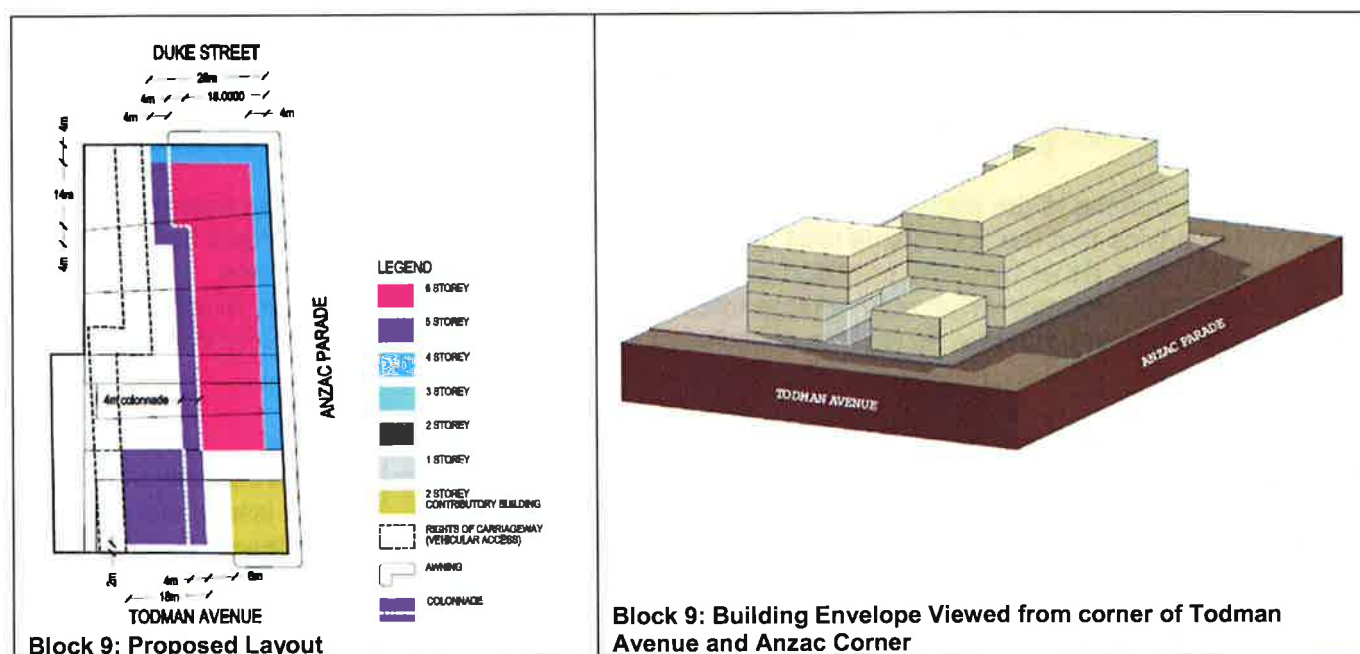


Figure 6: DCP Proposed Layout of Block 9. Source: Randwick City Council 2013

The key controls for Block 9 include:

- a contributory building/heritage item on the corner of Anzac Parade and Todman Avenue; and
- street wall height of 4 storeys to Anzac Parade and Duke Street, 6 storeys to the central part of the building and stepping down to 5 storeys to the rear adjoining the R3 Medium Density Residential zoned land.

4.1.5 Former Randwick Urban Activation Precinct

The site is within the former Randwick Urban Activation Precinct (the Precinct). The Precinct aimed to facilitate the renewal of Randwick, Kensington and Kingsford, as the area is well supported by existing and planned infrastructure, transport, services and employment. In December 2013 the planning process was put on hold to allow further investigations.

The preliminary planning undertaken for the Precinct suggested the subject site has the potential for a higher density mixed use development than the current LEP controls allow. The preliminary strategy focused the tallest buildings around the proposed light rail stops along Anzac Parade to encourage the use of public transport. The planning proposal justifies its proposed controls on the basis of the preliminary planning undertaken for the former Urban Activation Precinct, however the subject planning

proposal seeks heights and densities substantially higher than was considered under the preliminary planning for the Precinct.

4.1.6 Joint Regional Planning Panel Consideration of proposals with the Anzac Parade Corridor

The Sydney East Joint Regional Planning Panel recently considered two pre-Gateway reviews of planning proposals within the Anzac Parade Corridor as follows.

- **84-108 Anzac Parade, Kensington (Tab H1)**

The planning proposal sought to increase the maximum building height from 25 metres (approx. 6-7 storeys) to part 34 metres (10 storeys) and part 41.5 metres (12 storeys) for the site to facilitate development of a mixed-use building (residential with ground floor commercial).

The Panel recommended the planning proposal should not be submitted for a Gateway determination and provided advice that amendments to height controls in the Anzac Parade Corridor should be reviewed in a wider context, rather than by individual sites, and any additional density should be commensurate with future increased public transport capacity and with good urban design.

The issue of the context of surrounding development noted that the boundary of the site is a zone boundary, with several single storey houses to the east. The additional height would reduce access to sunlight and an increased visual impact for residents to the east.

- **395, 397-397A Anzac Parade and 1 and 17 Bunnerong Rd, Kingsford (Tab H2)**

The planning proposal sought to amend the maximum building height from 24 metres to 65 metres and increase the maximum floor space ratio from 3:1 to 8:1 on the site to facilitate the development of a 20 storey mixed use building, with approximately 148 residential apartments and 7 commercial premises.

The Panel recommended the planning proposal should not be submitted for a Gateway determination and provided advice that the floor space ratio and building height of this planning proposal have not been adequately justified, either by public transport capacity or by urban design considerations. The Panel also noted that the proposal which may emerge following further studies to justify a fair distribution of any additional development potential, is likely to constitute a significantly different proposal to that currently being considered.

Department's decision

After consideration of the Panel's recommendations, the Department determined that the pre-Gateway applications should not proceed to Gateway determination on 8 April 2016. The key issues analysed in the Department's assessment report were considered and reflected in the advice received by the Panel.

The proponents of the applications were advised that Randwick Council is preparing strategic planning reviews of the Kensington and Kingsford Town Centres, and although the request for a pre-Gateway review is not proceeding in this instance, a new proposal for the site, consistent with the Panel's advice and having regard to Council's draft strategic review, may be lodged with Council in the future.

The Department has requested Council to finalise the draft Strategy and planning controls for exhibition in late 2016 and adoption by April 2017, to assist in informing development proposals along the Anzac Parade Corridor. The Department has advised Council of the importance of the work being completed within this timeframe to recognise the government's commitment and investment to public transport infrastructure upgrades along the Anzac Parade Corridor and the need to review the existing planning controls. The Department has further advised the Panel that should Council not finalise the strategic planning within the agreed timeframe, this should not prevent the consideration of new proposals for sites within the Anzac Parade Corridor.

4.1.7 Planning Strategy for Kensington and Kingsford Town Centres

Council is currently undertaking a strategic planning Town Centre Review for Kingsford and Kensington and is working towards a timeframe that will enable a draft Planning Strategy and planning proposal to be exhibited towards the end of 2016. The Strategy has been triggered by the need to update outdated controls, a lack of strategic planning for the Anzac Parade Corridor in relation to the public transport commitments, the need to consider future development in line with the significant Infrastructure investment into the Light Rail line, and the need to address the recent pressure for redevelopment along the Anzac Parade corridor.

Council is in the process of holding an International Design Ideas Competition, to inform the Planning Strategy for the Kensington and Kingsford Town Centres. A call for Expressions of Interest (EOI) to enter on the Council's dedicated 'K2K' Urban Design Competition website closed on 15 July 2016. The independent jury, selected by Council, has nominated four finalists to proceed to competition stage. Entries will be publicly exhibited from 21 September to 5 October 2016, and the winning design will be announced on 17 October 2016. A community engagement process is underway as part of this work.

As previously discussed, the Department has advised Council it supports its intent to undertake the Town Centre Reviews and the need for a strategic framework to guide future growth and development proposals along the Anzac Parade Corridor. The Department has requested the exhibition of draft planning controls by November 2016 and adoption by April 2017.

The proponent's justification for the pre-Gateway review of the planning proposal argues that the timeframe for Council's strategic work will inhibit development occurring in time to benefit from the commencement of light rail services in 2019. However, the Department has concerns with a proposal of this scale and height proceeding ahead of the strategic planning work being undertaken by Council.

4.2 Site-Specific merit assessment

4.2.1 Existing Land Use

The site currently contains four attached two-storey buildings fronting Anzac parade, consisting of a range of commercial premises, a restaurant and shop-top housing. A carpark, loading facility and a number of attached garages are located to the rear of the site with vehicular access from Todman Avenue.



Figure 7: Panorama of existing uses on the site along Anzac Parade. Source: Google

The character of the development surrounding the site comprises largely mixed use buildings fronting Anzac Parade, containing commercial premises, restaurants and new medium-density residential development. Development directly behind the Anzac Parade Corridor is generally of low to medium density scale and is predominately zoned for Medium Density Residential. It comprises a range of three-storey residential flat buildings, terraces and semi-detached dwellings and single-storey dwellings. Under the Randwick LEP 2012, the B2 Local Centre zone, permits Residential Flat Buildings, shop top housing and commercial premises (including retail premises) with consent.

The current and proposed controls are identified in the table below:

Randwick LEP 2012	Zone	Height	FSR
Current	B2 Local Centre	Part 12m, 21m, 25m	n/a
Proposed	B2 Local Centre (no change)	85m	7:1

4.2.2 SJB Anzac Parade Corridor Analysis

SJB Architects has prepared an Anzac Parade Corridor Analysis on behalf of the proponent TOGA, to support the planning proposal (Tab F3). The Corridor Analysis is based on increasing densities and height along the Corridor, proposing Gateway sites to mark the entry into a centre or gateway point along the Corridor.

The Corridor analysis identifies gateway locations and suggest heights of towers at key locations for Gateway locations and 'heart/marker' buildings of 20+ storeys. The increased heights are justified on the consolidation of lots and amalgamated sites in close proximity to a light rail stop. The heights proposed are significantly higher the preliminary planning work undertaken in the former Urban Activation Precincts.

The subject proposal is identified as a 'heart/marker' building and provides a rationale for increased floor space and height, based on the site's location near the CBD to South East Light Rail stop (Figure 8). The analysis presents the subject proposal in montages and in the context of the proposed increasing densities of the Corridor and the desired future character, rather than in its existing context.

The Corridor analysis has been developed as a supporting document for the current planning proposal and is not an endorsed study by Council or the Department as reflecting the strategic direction for the area. The analysis has been developed without any formal community, landowner or agency consultation. It has been prepared ahead of Council's strategic review of the Kensington and Kingsford Town Centres.

The broader planning strategy for Kensington and Kingsford Town Centres is currently being undertaken by Council (see section 4.1.7). The proposal will benefit from alignment with Council's strategic planning work for Kensington and Kingsford Town Centres, which is underway.

4.2.3 Built Form and Overshadowing

A shadow analysis has been provided (Figure 9) and indicates significant overshadowing would significantly impact on surrounding development from the proposed tower at a height of 85m.



**Figure 8: View of the Proposed Development from Corner of Anzac Parade and Todman Avenue.
Source: Bates Smart 2015**



Figure 9: Shadow Diagrams (Winter Solstice). Source: Bates Smart 2015

The scale of the proposed development will be out of character with the existing development along Anzac Parade and the surrounding medium density residential development to the west and south of the site. The scale, bulk and height of the proposed development is of concern and does not reflect the height of buildings currently in this locality. Development surrounding the town centre is zoned R3 Medium Density Residential under the LEP, which has a maximum building height control of 12m.

There is no proposed transition in heights between the proposal and adjoining properties, particularly the adjoining properties within the block to west behind Anzac Parade. The shadow diagrams indicate extensive shadowing which will impact upon the amenity of lower scale residential development to the west and south as well as impacting on development along the western side of Anzac Parade.

As discussed in section 4.2.2, the SJB analysis of the corridor presents the subject proposal in montages and in the context of the proposed increasing densities of the Corridor and the desired future character, rather than in its existing context.

4.3 Services and Infrastructure

4.3.1 Public transport – buses and proposed light rail

The site is well serviced with public transport infrastructure with local bus stops located in front of the site, on opposite sides of Anzac Parade, and regular services to the Sydney CBD, Randwick Education and Health Centre, Leichhardt, Drummoyne, Maroubra, Little Bay and Coogee. In addition, the CBD and South East Light Rail Line has been approved and construction has commenced. This significant investment in infrastructure is to be located along Anzac Parade with a light rail stop at Todman Avenue, which is adjacent to the site, and will provide access to the Sydney CBD and Kingsford when it commences, as anticipated, in 2019.

The proponent has stated that the delivery of housing on the site as proposed, will be accommodated by spare capacity in the future light rail network and refers to discussions with Transport for NSW (section 2.2.3, 3.6 and 6.1.1 of planning proposal). The planning proposal provides a discussion relating to the Environmental Impact Statements, development approvals and modifications of the Light Rail Project.

Specifically, the proposal suggests that there is capacity for approximately 5,000 additional patrons at the Todman Avenue light rail stop and that the development, combined with the proposed development at 137-151 Anzac Parade, Kensington, will not have any significant impact on the excess capacity of the light rail network or the Todman Avenue light rail stop.

The proposal calculates that the two developments will accommodate an additional 1,276 residents, equating to approximately 638 additional passengers using the light rail and boarding at the Todman Avenue light rail stop during the morning peak. This means Todman Avenue light rail stop would still have the capacity for approximately 4,360 new patrons and would be capable of accommodating more than fifteen developments of a similar scale to that proposed before the spare capacity is realised.

Notwithstanding, Council has raised concerns that the remaining capacity of the light rail and how it should be equitably distributed along the corridor has not been ascertained to support this proposal. The outcomes of Council's strategic planning work should consider this aspect and provide more clarity to the scale of development appropriate within the Anzac Parade Corridor. Consultation with Transport NSW should also be undertaken to ascertain whether these projections are supported.

4.3.2 Traffic and car parking

The planning proposal is supported by a Traffic Report (Tab I) by GTA Consultants. The report considers the proposal will generate 350 spaces. The report concludes that the impact of traffic generated by the additional density under the proposal is considered relatively minor with respect to existing road network operations. It is noted that the intersection of Anzac Parade and Todman Avenue experiences queuing and delay for some approaches during peak periods both currently and in the future. Consultation will be required to be undertaken with RMS should the planning proposal proceed.

4.3.3 Infrastructure and services

The site has access to existing infrastructure, utilities and services. As the proposal would intensify development on the site, it is recommended that relevant state infrastructure service providers are consulted, including Sydney Water, Energy Australia, NSW Ministry for Health, NSW Department of Education and Communities, should the proposal proceed to Gateway.

4.3.4 Open space and community facilities

The site is accessible to open space and community facilities, including Moore Park, Centennial Park, Kensington Park, Kokoda Park, the University of New South Wales, Sydney's Children Hospital, Prince of Wales Hospital, Balfour Road playground, Brompton Road open space, local schools and places of public worship.

5. BACKGROUND SUPPORTING INFORMATION

5.1 Adequacy of existing information

The planning proposal is supported by the following documentation:

- Pre-Gateway Review Application Form;
- Pre-Gateway Review Request Letter, JBA Urban Planning Consultants Pty Ltd, March 2016;
- Planning proposal, Planning 111-125 Anzac Parade and 112 Todman Avenue, Kensington, JBA Urban Planning Consultants Pty Ltd, December 2015 (as refused by council);
- Written advice from Randwick City Council, advising Council does not support the planning proposal;
- Design Report, Bates Smart, December 2015;
- Anzac Parade Corridor Study, SJB Architects, December 2015;
- Heritage Assessment, NBRS & Partners Pty Ltd, November 2014;
- Contamination Due Diligence Assessment, Douglas Partners Pty Ltd, May 2015;
- Hazardous Materials Report, Douglas Partners Pty Ltd, April 2015;
- Traffic Report, GTA Consultants, December 2015; and
- Aeronautical Impact Assessment, The Ambidji Group Pty Ltd, December 2015.

Is the supporting information provided more than 2 years old? Yes ☐ No ☒

Is there documented agreement between the proponent and the council regarding the scope/nature of supporting information to be provided? Yes ☐ No ☒

Is there evidence of agency involvement in the preparation of any supporting information or background studies? Yes ☐ No ☒

5.2 Requirement for further information

No further information is required.

6. CONCLUSION

The Department has considered the proposal and supporting documentation on the basis of its strategic and site specific merit. It is recommended that the proposal be referred to the Sydney East Joint Regional Planning Panel for independent review.

It is considered that the intent of the proposal demonstrates strategic merit in its objective to contribute to the provision of additional housing for Sydney's growing population, increase the supply of housing and additional commercial/retail land uses in a key commercial centre, and in close proximity to the Randwick Education and Health Precinct and the CBD and South East Light Rail infrastructure.

The site is considered suitable for a higher density development in the context of *A Plan for Growing Sydney* and the site's proximity to services, facilities and future light rail infrastructure. However, whilst the strategic merit of the proposal is noted, Department is concerned with the height, bulk and scale of the proposal in the context of the existing surrounding development, and is supportive of Council's strategic planning work to provide a clear planning and design framework for considering current and future proposals along the corridor.

The proposed heights and floor space have not been adequately justified in the context of the existing surrounding development. The proposal seeks to significantly amend planning controls to provide additional height up to 85m and introduce a floor space ratio of 7:1.

The proponent's Anzac Parade Corridor Analysis presents the proposal as a 'heart/marker' building within the corridor, stating that the proposed increased floor space and height is consistent with the site's location near the CBD to South East Light Rail stop. However, the analysis is premised on increasing densities and the desired future character of the corridor, rather than in its existing context. The analysis is not endorsed by Council or the Department as an agreed strategic direction for the corridor. Given concerns with the height and scale of development along the corridor as proposed on balance with the adjoining medium residential development, it is considered the proponent's corridor analysis is premature and any future proposal will be more suitably assessed on the basis of Council's strategic investigation of the corridor.

Randwick Council considers the proposal to be of excessive scale for the site and that it would create a significant negative impact on urban amenity within the neighbourhood and on surrounding development. Council is currently undertaking strategic planning work to prepare a planning strategy for its Kensington and Kingsford Town Centres and a specific strategic framework with which to assess planning proposals.

The proposal would benefit from alignment with Council's strategic planning work for Kensington and Kingsford Town Centres, which is underway. The Department has advised Council it supports its intent to undertake the Town Centre Reviews and the need for a strategic framework to guide future growth and development proposals along the Anzac Parade Corridor. The Department has requested the exhibition of draft planning controls resulting from the Council's strategic planning work by November 2016 and adoption by April 2017.

7. RECOMMENDATION

It is recommended that the Deputy Secretary, Planning Services:

1. **form the opinion** that sufficient justification has been provided on the basis of strategic merit and the request is eligible for review, and
2. **agree to forward** the request to the Sydney East Joint Regional Planning Panel for advice.

Endorsed by:

 16/8/16
Karen Armstrong
Director, Sydney Region East

 17 August 2016
Stephen Murray
Executive Director, Regions


Marcus Ray
Deputy Secretary, Planning Services

19/08/2016

