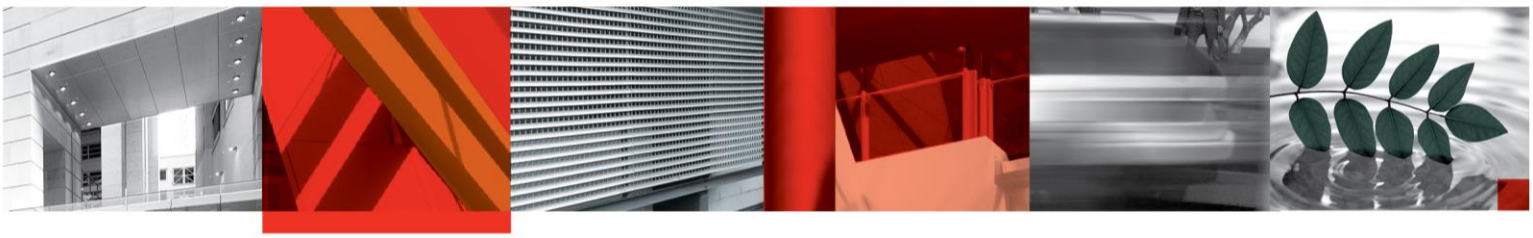
Planning Proposal

Amendment to Randwick Local Environmental Plan 2012



111-125 Anzac Parade and 112 Todman Avenue, Kensington

Mixed Use Development

Submitted to Randwick City Council
On Behalf of TOGA Kensington Pty Ltd

December 2015 ■ 15307

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JBA operates under a Quality Management System that has been certified as complying with ISO 9001:2008. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

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Contents

Contents

Figures

Tables

Contents

Appendices

1.0 Introduction

This Planning Proposal has been prepared by JBA on behalf of TOGA Kensington Pty Ltd in support of a Planning Proposal to amend the *Randwick Local Environmental Plan 2012* (Randwick LEP) to increase the maximum height control that applies to the site at 111-125 Anzac Parade and 112 Todman Avenue, Kensington (the site), and to establish a maximum floor space ratio (FSR) control for the site. This project is referred to as K1.

The K1 site comprises seven properties that have been amalgamated to form a single large development site of just under 3,000m^2 in area. It is situated in a prominent location at the corner of Anzac Parade and Todman Avenue directly opposite a planned light rail stop on the CBD and South East Light Rail line which is currently under construction.

The site provides a significant landholding that supports its redevelopment for a high density development to take advantage of the major investment in improved transport infrastructure in the area. The site is also capable of supporting a mixed use development that achieves a high level of amenity and integrates with the surrounding streetscape, while not causing any adverse impacts on the surrounding environment.

The Planning Proposal will facilitate the future development of the site to accommodate a mixed use building of 25 storeys plus plantroom with ground and first floor commercial uses and some 231 apartments from level 1 and above. Three levels of basement car parking are proposed, accommodating approximately 249 vehicles. Vehicle access is proposed from Todman Avenue.

A separate Planning Proposal has been lodged (by a related entity of TOGA Kensington Pty Ltd) for the site at 137-151 Anzac Parade, which seeks a height limit of 83m and FSR of 7:1. This project for the purposes of this report is referred to as K2. The K1 and the K2 sites are identified below in **Figure 1**.

Figure 1 – Kensington Centre K1 and K2 sites and assumed amalgamation pattern
Source: KANNFINCH

The proposed scheme is described in more detail in **Section 4.0** and is illustrated in the Concept Design Scheme prepared by Bates Smart, which is provided at **Appendix A**. The design of the development has been developed in response to the broader built form context along the Anzac Parade light rail route as set out in the Anzac Parade Corridor Study prepared by SJB (**Appendix B**).

To facilitate the proposed scheme, this Planning Proposal seeks to amend the height control for the site under the Randwick LEP and apply a FSR control as set out in **Table 1** below.

Table 1 – Summary of Existing and Proposed LEP Controls

Control	Existing	Proposed
FSR	The site does not have an existing FSR control	FSR of 7:1 is proposed for the site.
Building Height	The existing building height controls are: ▪ 25m for the northern portion of the site; ▪ 21m for the southern portion of the site at the corner of Anzac Parade and Todman Avenue; and ▪ 12m across the existing car park in the north-western portion of the site.	A building height control of 85m is proposed across the site.

The Planning Proposal is consistent with all relevant State legislation and regulations, including:

- The Environmental Planning and Assessment Act 1979;
- Section 117 Directions; and
- State Environmental Planning Policies.

It is also consistent with the overall aims and objectives of the Randwick LEP 2012 and the relevant strategic planning framework. The consistency of the proposal with the State and Local legislation is detailed in **Sections 6.3.1** and **6.3.2** of this report.

This Planning Proposal describes the site and the proposed changes to the Randwick LEP, and provides a justification for the proposal. It has been prepared in accordance with the Department of Planning and Environment's (DPE) publication *A Guide to Preparing a Planning Proposal* (October 2012) and *A Guide to Preparing Local Environmental Plans* (April 2013), and provides strategic justification for the project based on relevant strategic and statutory planning documents.

2.0 Background

2.1 Randwick Urban Activation Precinct

In 2012, the NSW State Government announced the Urban Activation Precinct (UAP) program. The aim of the program is to deliver more homes in places with access to infrastructure, transport, services and jobs.

Randwick was nominated as a UAP in 2013, however is currently on hold indefinitely. The Randwick UAP was a centre-based strategic vision driven largely by the $1.6 billion CBD to South East Light Rail project. The area was considered significantly underutilised, with low density residential development surrounding large employment centres such as The University of New South Wales (UNSW) and The Prince of Wales Hospital.

The general location of the Randwick UAP includes land within a 400m radius (5 minute walk) of the proposed CBD and South East Light Rail stops and covers parts of the suburbs of Kensington, Kingsford and Randwick, including Royal Randwick Racecourse, shown below in **Figure 2**.

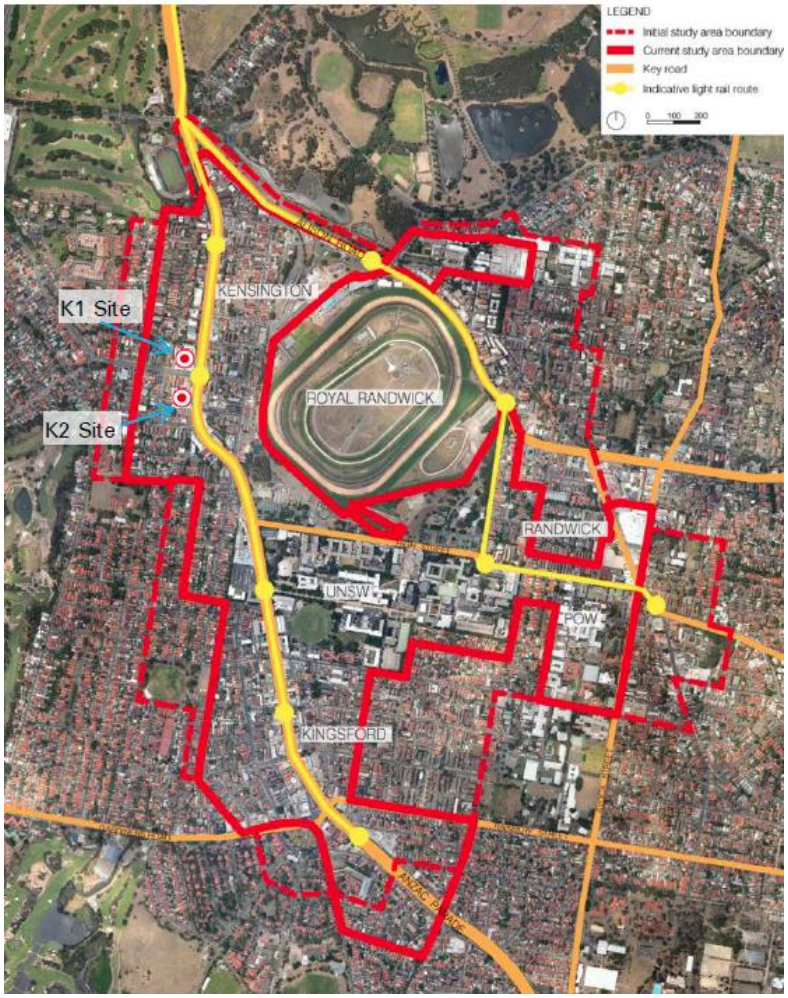

Figure 2 – Randwick UAP boundary
Source: DPE

The Randwick Precinct was nominated as a UAP to support increased jobs, homes and densities because it:

- is aligned with the CBD and South East Light Rail;
- has excellent access to regional services including the University of NSW;

- it is close to major hospitals and health precincts;
- has access to retail and amenities; and
- it is close to employment hubs including Sydney Airport, Port Botany, Randwick, Bondi Junction and the Sydney CBD.

Throughout 2013, the DPE worked with a consortium of consultants to prepare a draft structure plan for the precinct as well as more detailed strategies, including an urban design strategy, an open space and public domain plan and draft zoning, height and FSR controls.

We understand that the key components of the draft structure plan were as follows:

- the majority of new growth located in three sub-precincts at Kensington, Kingsford and Randwick;
- a mix of medium and high-density apartments creating greater housing choice;
- tallest buildings (understood to be between 16 and 20 storeys) near proposed light rail stops on Anzac Parade;
- lower-rise buildings (understood to be between 4 and 8 storeys) closer to existing low density housing outside the precinct;
- additional local jobs, including supporting growth at UNSW and the Prince of Wales Hospital;
- new parks and open spaces including a neighbourhood park on the western side of Royal Randwick Racecourse and a pocket park between Todman Avenue and Royal Randwick Racecourse; and
- new and upgraded pedestrian paths and cycleways, landscaping, and upgrades to roads and intersections.

It is understood that the draft structure plan envisaged the following planning controls for the site:

- Retention of the B2 Local Centre zoning;
- Maximum FSR: 5:1 for 111-125 Anzac Parade and 1.5:1 for 112 Todman Avenue; and
- Maximum height: 53m (16 storeys) for 111-125 Anzac Parade and 12m (4 storeys) for 112 Todman Avenue.

This Planning Proposal takes its cue from the draft structure plan in seeking to increase heights and densities on the site consistent with the principle of providing additional housing and commercial floor space in close proximity to the new light rail network.

It is considered that a height and density greater than that initially forecast for the site in the draft structure plan can be supported on the site as the site now provides a large consolidated developable area. The Planning Proposal seeks to amend the Randwick LEP consistent with the significant strategic merit of the site as identified in the UAP, as well as the urban design fabric established in the Anzac Parade Corridor Study prepared by SJB (**Appendix B**).

It will facilitate the delivery of additional dwellings and commercial floor space in an ideal location to take advantage of the additional transport connectivity in the area as a result of the State government's significant investment in the new light rail infrastructure. The proposal will facilitate a high quality mixed use building on a currently underutilised site immediately adjacent to the Todman Avenue/Anzac Parade light rail stop.

Publicly exhibited information provided in support of the CBD and South East Light Rail confirms that the Light Rail network is capable of accommodating significant

growth along the corridor, consistent with the UAP structure plan. This Planning Proposal will support additional population growth and deliver additional services in the area to ensure that the light rail infrastructure is utilised as soon as possible after it commences operation in March 2019.

2.2 Consultation

In addition to the formal consultation and advertising requirements to be completed after a Gateway determination, TOGA has undertaken preliminary consultation with relevant agencies and authorities in order to determine their requirements for the Planning Proposal. The various consultation initiatives are outlined in the sections below.

2.2.1 Randwick City Council

TOGA and relevant consultants met with Randwick City Council (Council) planning staff on 4 November 2015 to discuss the Planning Proposal.

Council staff indicated that Council was undertaking its own strategic planning for the Kingsford area. However, no timeframe has yet been set for Council's strategic planning for the Kensington area. The current Planning Proposal seeks to facilitate the development of the site for additional housing and commercial floor space that is able to be delivered as close as possible to the commencement of the light rail operation in March 2019.

Council requested that consideration be given to the following as part of the Planning Proposal:

- Demonstrate the strategic importance of the proposal without solely relying on the light rail. This has been addressed throughout **Section 6.0**;
- Provide justification for locating additional height and floor space on the site. This has been addressed in **Section 6.1.2**; and
- Identify light rail capacity projections and any implications the proposal may have on this. This has been addressed in **Section 6.1.1**.
- Provide justification for the on-site car parking rates applied to the proposal. This has been addressed in **Section 7.1.3**
- The proponent should consider providing a public benefit offer in support of the proposed uplift. This has been addressed in **Section 4.3**.

2.2.2 Department of Planning and Environment

The applicant and consultants met with representatives from the DPE on 11 November 2015 to discuss the Kensington Planning Proposal. The DPE indicated that it was supportive of high density development in this location as it seeks to provide additional homes, services and jobs in a location that will benefit from major public investment in transport infrastructure. The DPE stated that in the absence of any broad strategic planning framework for the area it will consider individual Planning Proposal's on their own strategic merit.

2.2.3 Transport for NSW

On 1 December 2015, TOGA and JBA met with the Light Rail Project team from Transport for NSW (TfNSW). TfNSW made the following comments in relation to the proposed development, the surrounding road and transport network and the construction of the CBD and South East Light Rail:

- TfNSW indicated support for the proposed project in this location as it seeks to utilise the transport infrastructure being provided by the light rail project.
- No construction parking will be permitted along Anzac Parade.

- The existing traffic arrangements along Anzac Parade are anticipated to change. It is expected that most of the corridor will be reduced to two lanes of traffic with an additional bus lane provided along part of the route.
- Construction for the Light Rail in the area around the site will commence in February 2016 and is anticipated to be completed by November 2017.
- Express buses will operate within the light rail lane. However these buses will not be stopping. Buses will pick up and drop off passengers at the Kingsford bus interchange and travel straight to CBD.
- The location of UNSW generates demand in both directions (in to and out of the CBD) in both the morning and afternoon peak times.
- The light rail works may result in some minor re-alignment of the existing kerb along the Anzac Parade corridor.
- Existing traffic arrangements at the intersection along Todman Avenue are unlikely to change.

3.0 The Site

3.1 The Locality

The site is located within the Randwick Local Government Area (LGA) and within the Kensington Local Centre. Kensington is currently experiencing changes in development, including the introduction of a diverse mix of residential and retail uses in close proximity to the site. Development has been stimulated by the approved South East Light Rail, with a proposed station located immediately adjacent to the site on Anzac Parade.

The site lies along the Anzac Parade corridor, a main arterial road linking the eastern and southern suburbs of Sydney to the CBD. It is located in close proximity to a number of key land uses such as UNSW (750m), Prince of Wales Hospital (1.8km) and Randwick Racecourse (500m). A range of additional services of regional significance are within the locality of the site including Centennial Park, the Sydney Cricket Ground and Sydney Football Stadium and the Fox Studios entertainment precinct. The site is located approximately 3.7km from the Sydney CBD and will be connected with direct high capacity public transport following the completion of the light rail operation in March 2019.

A site location plan is provided at **Figure 3** below.

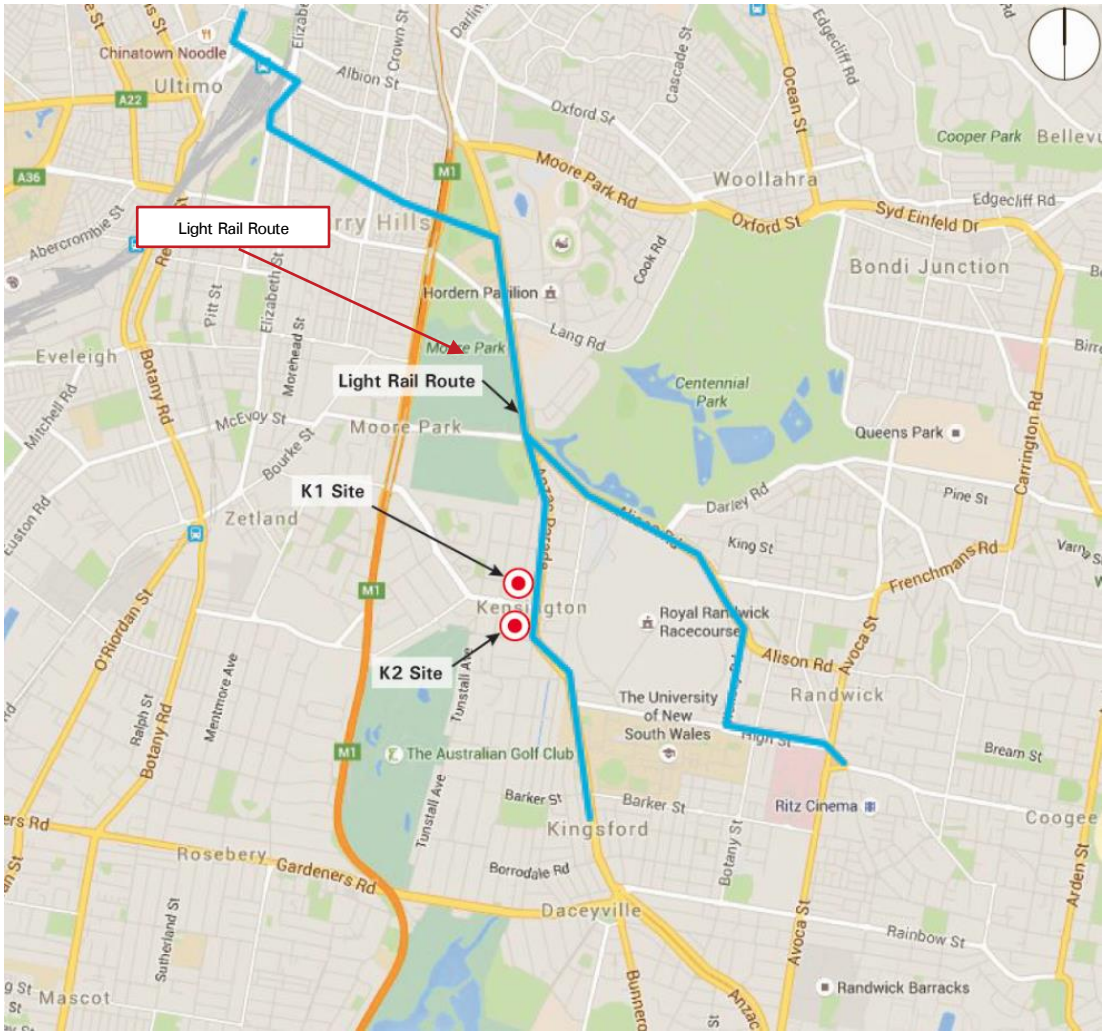

Figure 3 – Site location
Source: JBA

3.2 Site Description

The site to which the Planning Proposal relates comprises seven amalgamated sites on the corner of Anzac Parade and Todman Avenue with an area of 2,945m^2. It has a primary street frontage to Anzac Parade to the east and Todman Avenue to the south. The consolidated allotments on the site include the following:

- 111 Anzac Parade;
  - Lot 3 in DP3897;
- 113-115 Anzac Parade;
  - Lot 1 in DP938380;
  - Lot 4 in DP655026;
- 117-119 Anzac Parade;
  - Lot A in DP107256;
  - Lot B in DP107256;
- 125 Anzac Parade;
  - Lot 1 in DP956200;
- 112 Todman Avenue; and
  - Lot 2 in DP344524.

Due to the large consolidated site area, the site has extensive street frontages of approximately 60m to Anzac Parade and 50m to Todman Avenue. The long street frontages and substantial site area establish the site as the most prominent landholding in the Kensington Centre. The site is 2,945m^2 in area and is more than twice the size of the developed amalgamated sites at 105-109 Anzac Parade and 2A Duke Street, immediately to the north. Sites fronting Anzac Parade comprising a similar area are rare in the locality and require significant amalgamation.

As shown in the site survey plan provided with the concept design scheme at **Appendix A**, the site has a Right of Way (ROW) along the rear of the properties fronting Anzac Parade. The ROW is provided to maintain rear access to these properties however, as the site is now an amalgamated land holding, the ROW will not form a barrier to the redevelopment of the site.

An aerial photo of the site is shown at **Figure 4**.

Figure 4 – Site location plan
Source: Nearmap

3.3 Existing Development

The site currently contains four buildings with frontage to Anzac Parade and Todman Avenue and a shared car park at the rear of the site. The Anzac Parade frontage comprises four attached, two storey buildings. The site contains four garages and a loading facility located at the rear of the site with frontage and vehicular access to Todman Avenue. An open car parking area is located at the rear of the site and accessed via Todman Avenue.

The existing development on the site accommodates a range of land uses including:

- An educational tutoring business;
- A sports medicine and therapy business;
- a gym facility;
- a restaurant;
- a dwelling house; and
- an automotive retail premises.

Photos of the site are provided below at **Figure 5** to **10**.

Figure 5 – 121-125 Anzac Parade
Source: JBA

Figure 6 – 117-119 Anzac Parade
Source: JBA

Figure 7 – 113-115 Anzac Parade
Source: JBA

Figure 8 – 111 Anzac Parade
Source: JBA

Figure 9 – Primary vehicular entrance and car park, viewed from Todman Avenue
Source: JBA

Figure 10 – The site, viewed from the south-east across Anzac Parade
Source: Bates Smart

3.4 Current Planning Controls

The Randwick LEP is the primary Environmental Planning Instrument (EPI) applying to the site. The existing planning controls that apply to the site under the Randwick LEP are outlined below.

3.4.1 Land Use Zoning

The site is zoned B2 – Local Centre under the Randwick LEP 2012. A range of residential and commercial uses are permitted with consent in the B2 zone including residential flat buildings, shop top housing and commercial premises (includes retail premises). The site's zoning is shown over in **Figure 11**. This Planning Proposal seeks to retain the existing B2 – Local Centre zone. The proposed mixed use development is permissible with consent in the zone.

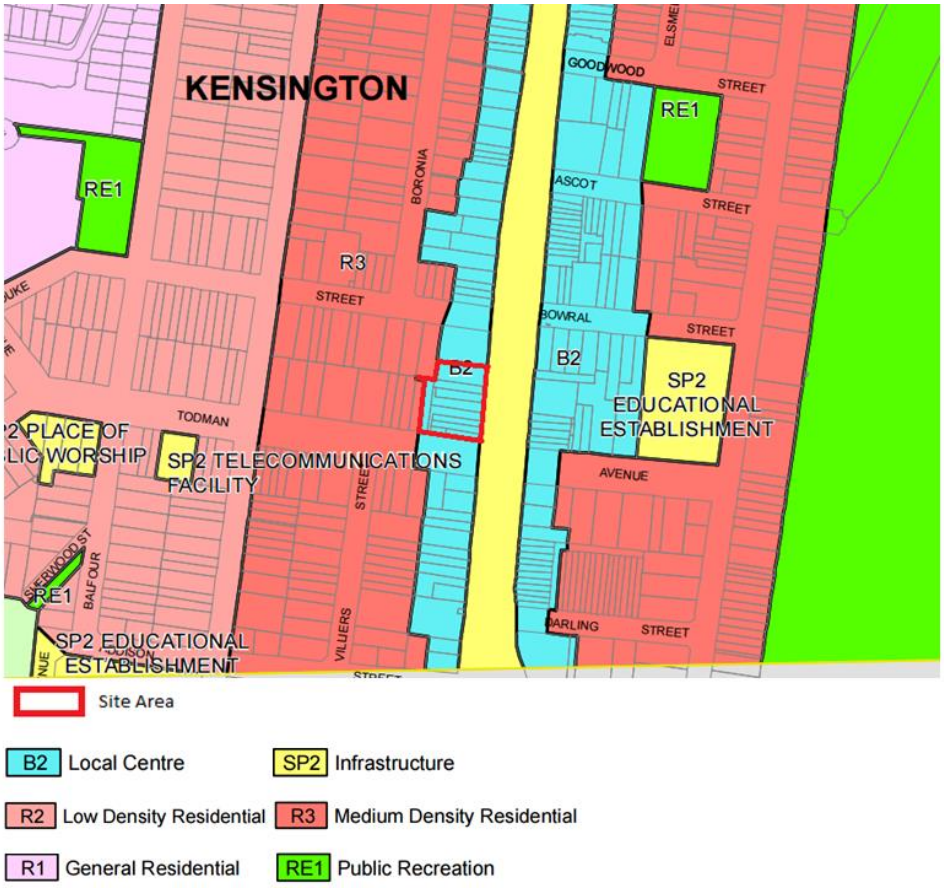

Figure 11 – Extract of the Randwick LEP zoning map
Source: Randwick LEP

3.4.2 Heights of Buildings

Various height limits apply across the site as shown in **Figure 12**. The existing LEP height limits across the site include:

- 25m for the northern portion of the site;
- 21m for the southern portion of the site at the corner of Anzac Parade and Todman Avenue; and
- 12m across the existing car park in the north-western portion of the site.

This Planning Proposal seeks to amend the Randwick LEP building heights across the site to a single height control of 85 metres that supports the development sought on the site.

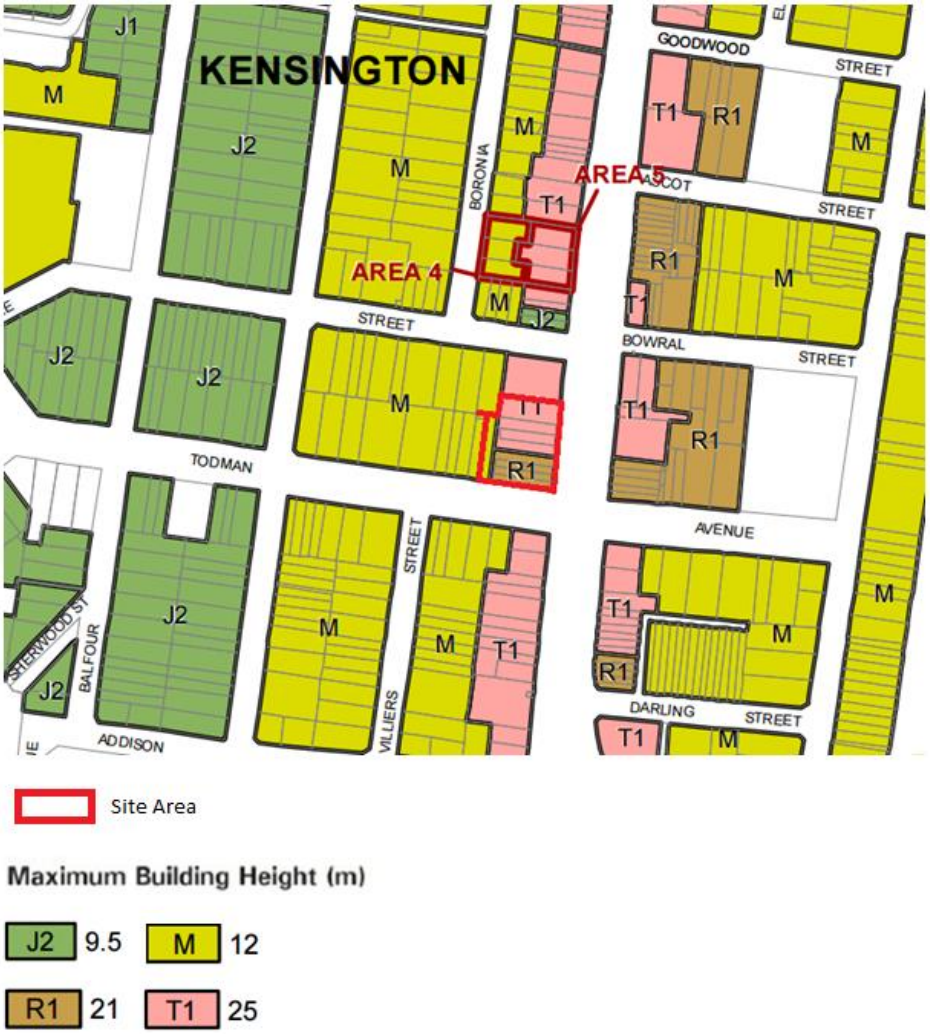

Figure 12 – Existing building height controls
Source: Randwick LEP

3.4.3 Floor Space Ratio

No FSR control currently applies to the site under the Randwick LEP. This Planning Proposal seeks to establish a FSR control of 7:1 for the site.

3.5 Development and Facilities in the Surrounding Area

There are a range of facilities and services within walking proximity to the site as shown in **Figure 13**. The site benefits from a range of large public open spaces and recreation facilities in the locality including Centennial Park, the Moore Park and the Australian Golf Clubs, the Randwick Racecourse as well as smaller local parks. The educational facilities in the locality include UNSW, the Randwick TAFE and the Kensington Public School. The Prince of Wales Hospital and the Randwick Shopping precinct are also located in close proximity to the site.

Figure 13 – Surrounding Land Uses
Source: Nearmap

Kensington Centre

The Kensington Local Centre is generally characterised by medium density development accommodating a range of uses, generally with ground floor retail and commercial uses and residential development above. Building heights fronting Anzac Parade are predominantly two storeys in height with heights ranging from one storey to seven storeys. Development in the Kensington Centre is typically fine grain in character with small shopfronts joined by continuous awnings, as shown in **Figure 14**.

There are a number of new developments in the locality which comprise shop top housing development with ground floor retail and multiple residential storeys above, as shown in **Figure 15**. New buildings in the locality generally range in height from four storeys to seven storeys. The new development in the area is usually located on consolidated sites and represents the changing nature of the corridor to a higher density style of development that recognises the significant amenities and services in the locality.

Figure 14 – 148-158 Anzac Parade (corner site) facing north
Source: JBA

Figure 15 – 114-124 Anzac Parade
Source: JBA

Development Surrounding the Site

The site is a corner block, and therefore only adjoins properties to the north and the west. The adjoining site to the north known as 105-109 Anzac Parade and 2A Duke Street comprises a recently constructed seven storey residential flat building with ground floor retail uses. A photo of the development is provided at **Figure 16**. The development immediately to the west of the site at 110 Todman Avenue comprises a single detached dwelling house, as shown in **Figure 17**. Development

further to the west of the site is characterised by a mix of dwelling houses and medium density residential flat buildings, generally four storeys in height.

Figure 16 – 105-109 Anzac Parade and 2A Duke Street (development to the
Source: JBA

Figure 17 – 110 Todman Avenue with the site in the distance
Source: Bates Smart

3.5.1 Recently approved development

There are a number of recently approved developments in the vicinity of the site as outlined below.

47-53 Anzac Parade, Kensington – 'Cavallo Kensington'

The development was approved by Council on 2 December 2014 and included:

- demolition of existing buildings and erection of seven storey shop top housing development;
- ground floor retail;
- 33 residential dwellings; and
- basement car parking for 48 vehicles.

84-104 Anzac Parade, Kensington – '88 Kensington'

The development was approved by Joint Regional Planning Panel (JRPP) on 27 March 2014 and included:

- construction of a 7 storey mixed use development;
- ground floor retail;
- 90 apartments; and
- 2 levels of basement parking.

The approval has been modified twice and construction on the site has commenced. A Planning Proposal to amend the planning controls that apply to this site has also been lodged and is described in **Section 3.5.2** below.

3.5.2 Planning Proposals

Two Planning Proposals in the Randwick LGA have recently been subject of a Pre-Gateway Review as described below.

395, 397-397A Anzac Parade & 1 & 17 Bunnerong Road, Kingsford

The Planning Proposal sought to increase the maximum height control from 24m to 65m and increase the FSR from 3:1 to 8:1.

The proposal was not supported by the majority of the JRPP on the grounds that it did not contain credible information on the spare capacity that will be provided by the planned Light Rail. It was also stated that the urban design study was focused on the individual site, rather than the street block of which it forms and the Kingsford 'Nineways' Precinct.

84-108 Anzac Parade, Kensington

The Planning Proposal sought to increase the height of the corner site from 25m to part 34m and part 41.5m.

The proposal was not supported by the majority of the JRPP because of the view that uplift related to the future increased public transport capacity should be done in the context of a review of the whole catchment of the transport corridor rather than one site. It was also noted that the eastern boundary of the site, being a zone boundary, would reduce access to sunlight and constitute major increase in visual impact to the single storey dwellings to the east.

The comments made by the JRPP in relation to the two Planning Proposals above are addressed in detail in this report. In particular, **Section 3.6** confirms that there is significant capacity on the light rail network to accommodate population growth along the corridor well beyond that which is being proposed in this K1 Planning Proposal and other Planning Proposals for site along the corridor. **Sections 4.1** and **6.1.2** demonstrate that the strategic study supporting the proposal at the site has not been carried out in isolation and has considered the corridor as a whole.

3.6 Transport and Access

3.6.1 Sydney CBD and South Eastern Suburbs Light Rail

In 2012, the NSW Government announced the $1.6 billion CBD and South East Light Rail project. In June 2014, DPE granted approval to the project following assessment of the Environmental Impact Statement (EIS) and submissions received.

Both the K1 and K2 Planning Proposal sites are in close proximity to the Todman Avenue light rail stop (see **Figure 18** below).

Figure 18 – Proposed light rail along Anzac Parade
Source: Department of Planning and Environment

Capacity

As outlined in **Section 2.2.3**, TfNSW have confirmed that the light rail will have the capacity to accommodate future patronage in the area and will have spare capacity to accommodate growth.

The original CBD and South East Light Rail (CSELR) project was approved in June 2014. The EIS submitted with the project proposed light rail vehicles (LRVs) of approximately 45 metres in length with a capacity of approximately 300 people. The approved service frequency (the time interval or distance between two LRVs) for the 45 metre vehicles was initially 3 minutes within the CBD, and 6 minutes on each branch line during the peak period (between 7.30am and 9.30am and between 5.00pm and 7.00pm). The EIS noted the potential for a future frequency increase to 2 minutes in the CBD and 4 minutes on the branch lines to accommodate growth.

Importantly, as shown in Figure 3.12 of the Transport Operations Report (reproduced at **Figure 19** below) in the morning peak travelling into the City, the Todman Avenue stop has a large amount of excess vehicle capacity (over 5,000 passengers) to accommodate patron growth. The Transport Report also references the uplift provided by the UAP controls.

Figure 3-12: 2021 Inbound AM Peak CSELR Line Load and Capacity Consumed[89]

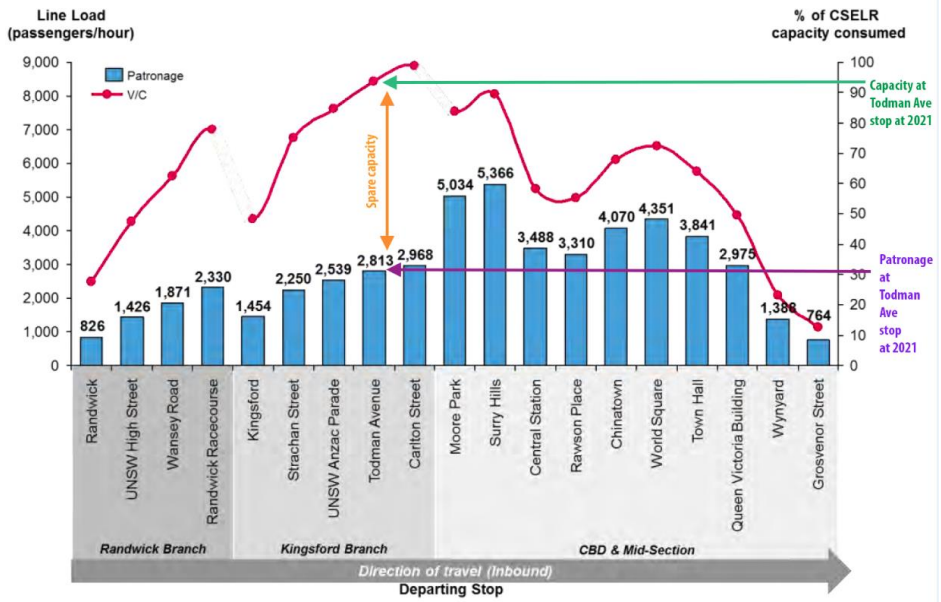

Figure 19 – AM Peak Demand and Capacity
Source: Transport Operations Report for CSELR

Since the original approval was issued, the project approval for the CSELR has been modified three times with a fourth modification currently on exhibition. The modification relevant to the capacity increase was Modification 1 which was approved in February 2015. Section 3.6.2 of the modification report notes as follows:

> *Following approval of the CSELR Project, additional consideration of the operational requirements has identified benefits in providing additional up-front capacity and future-proofing the proposed light rail network.* ***An alternative operating scenario is proposed that has the potential to provide increased operational capacity and allow for potential future network extensions as part of the initial construction of the project.***

The alternative operating scenario included in the modified approval provides larger LRVs approximately 67 metres in length allowing for an increased vehicle capacity of approximately 466 people per LRV. Due to the increased capacity in each LRV, the modification proposed to reduce the frequency of services (from that originally approved) to 4 minutes in the CBD and to 8 minutes on each of the branch lines between 7.00am and 7.00pm in the opening year.

However, as noted in the modification report, there is future capacity for the service frequency to increase to up to approximately 3 minutes in the CBD and 6 minutes on each branch line in response to additional patronage demand, where necessary. In these future operations, (which the modification report suggests is at least 10 years after opening) during the peak hour there is potential to increase capacity to enable the movement of up to 8,620 passengers per hour in each direction (18.5 LRVs per hour each carrying up to 466 passengers). This capacity does not include special events which would provide up to 10,800 passengers per hour.

Furthermore, the approved capacity could be significantly increased if the frequency of services was increased consistent with the original approval (ie. 3 minutes for CBD services and 6 minutes for other branch lines). The modification report noted that this provides for significant 'future proofing' for patronage

growth and/or expansion of the network.

The modification report did not provide a graph of the expected vehicle capacity at the stops in the 2021 AM peak similar to that provided for the original approval.

Population Growth

The capacity provided on the CSLER network caters for the existing population including significant population growth resulting from development along the light rail corridor, consistent with the draft UAP structure plan for the Randwick precinct.

This is confirmed in the Submissions Report prepared for the original CSELR project approval which states that:

> *Whilst the development of the Randwick UAP is outside the scope of the CSELR proposal, the future development of the Randwick UAP would increase travel demand as a result of the proposed development within this area. While still in the early stages of planning, the NSW Government has recognised that the construction of the CSELR proposal in the precinct would provide a catalyst for urban renewal and consolidation. The delivery of a high-capacity and reliable mode of transport through the area would support the additional social and community infrastructure being delivered through the UAP program.*
>
> *The patronage forecasts conducted for the CSELR proposal provide for projected population growth in the South East suburbs consistent with the Draft Metropolitan Strategy.* ***If the Randwick UAP is adopted by the NSW Government, the CSELR proposal has sufficient capacity to cater for the increased patronage arising from this UAP.***

The report demonstrates that the growth in population contemplated by the increased density proposed under the UAP is accommodated in the capacity projections for the CSELR. This is particularly the case as capacity increased as a result of the subsequent modification to the CSLER project (see above).

The K1 Planning Proposal (as well as the K2 Planning Proposal) seek heights and densities in excess of the Draft UAP controls. However, it is unlikely that the Anzac Parade corridor would be developed to the maximum density envisaged under the UAP as site ownership is fragmented and there are a number of strata and heritage constrained parcels. It is therefore unlikely that the K1 and K2 Planning Proposals would absorb all of the spare capacity accommodated on the CSLER network which - as confirmed in the exhibited project information – is significant and able to accommodate additional patronage growth.

Additionally, the Draft UAP is on hold indefinitely and is currently not delivering any renewal in response to the significant investment of public funds into the delivery of this major piece of transport infrastructure in the area.

3.6.2 Vehicular Access

The site currently has vehicular access from Todman Avenue with a shared driveway servicing the properties fronting Anzac Parade. The proposed development seeks to retain vehicular access to the site from the Todman Avenue frontage, which is supported by TfNSW.

3.7 Heritage

A Heritage Statement has been prepared by NBRS + Partners and is provided at **Appendix C**. The assessment details the existing heritage status of the site at 121-125 Anzac Parade. The statement confirms that the site is not identified as an item of Environmental Heritage nor is it located within a Heritage Conservation Area. Similarly, the site is not included on the State Heritage Register and is therefore considered of little heritage significance.

The Kensington Town Centre DCP 2002 has identified the corner building on the site (125 Anzac Parade) as a 'contributory' heritage item. This is a result of the site maintaining a 'basic form'. Historically, the site has not been significantly altered, however, it is concluded that the buildings are not considered to be worthy of individual heritage listing and are not part of any cohesive character areas that would be considered conservation areas.

3.8 Flood Prone Land

The site falls on the edge of the Green Square – West Kensington Floodplain Risk Management Study however appears to lie outside of the study area boundary. The site is located in close proximity to flood prone land and may therefore be flood prone. The land in close proximity to the site has an identified Peak Flood Level during the 1% Annual Exceedance Probability (AEP) event of 0.2-0.5m under the strategy.
The flooding is not considered to be a significant constraint for the redevelopment of the site and freeboard heights with respect to basement entrance and retail areas will be considered at the Development Application stage.

No change to the existing permitted uses on the site is proposed and it is considered that the site can be appropriately developed for mixed use purposes despite any potential flood constraints.

3.9 Contamination and Hazardous Materials

A Contamination Due Diligence Assessment of the site has been prepared by Douglas Partners and is available at **Appendix D**. The report considers the potential for contamination of the site based on past and present uses. The assessment also included borehole testing on site.

The investigation indicates the site and adjacent sites are not identified as being significantly contaminated under the *Contaminated Lands Management Act 1997*. The results of contamination investigation provide that there is generally a low risk of soil or groundwater contamination on site. On this basis, the site is considered suitable for a more intensive mixed use development.

A Hazardous Building Materials Report has also been prepared by Douglas Partners (see **Appendix E**) to facilitate the identification of any hazardous materials and assist in future management of the site. The investigation indicated that Asbestos-containing Materials (ACM's) were present on site; however, mitigation measures can be implemented during demolition and construction to ensure that the site can be redeveloped for mixed use purposes.

The assessments conclude that the site is suitable to accommodate residential redevelopment.

3.10 Geotechnical

The geotechnical conditions of the site are detailed within the Due Diligence Assessment undertaken by Douglas Partners, included at **Appendix D**. The assessment identifies that the subsoil conditions generally comprise loose sand at a shallow depth with dense/very dense sand at deeper levels and observed groundwater at a depth of 2.6m (RL 20.6m AHD).

Douglas Partners has stated that the redevelopment of the site for a multi-storey residential building with one or more basement levels will require the water proofing or tanking of the proposed basement and the dewatering of the site during excavation.

Douglas Partners has also confirmed that the site benefits from suitable geotechnical conditions for redevelopment and basement excavation, and that a limited number of geotechnical constraints can be mitigated with appropriate excavation methods. Overall, the site is considered to be suitable for redevelopment for the purposes of a 26 storey building and basement excavation.

4.0 Proposed Mixed Use Development

The Planning Proposal seeks to amend the Randwick LEP to provide additional height and establish a FSR control on the site to support a high quality mixed used development. The Planning Proposal seeks to take advantage of the benefits afforded by the site's proximity to the $1.6 billion CBD and South East Light Rail project, as well as the site's strategic location close to employment, education, services and entertainment.

The following sections outline the indicative development concept for the site and the built form principles that have been applied in developing an appropriate height and density for development on the site.

4.1 Urban Design Framework

This concept scheme for the site has been informed by the Corridor Study prepared by SJB **(Appendix B**) which considers the development potential of the site in the context of the broader urban design framework along the Anzac Parade Corridor. The Anzac Parade Corridor Study identifies the site as a marker on the Anzac Parade corridor, and the largest site in the Kensington Centre, based on assumed site amalgamation patterns in the locality. As shown in **Figure 20** below, the site is also identified as a gateway to the corridor from the west (along Todman Avenue).

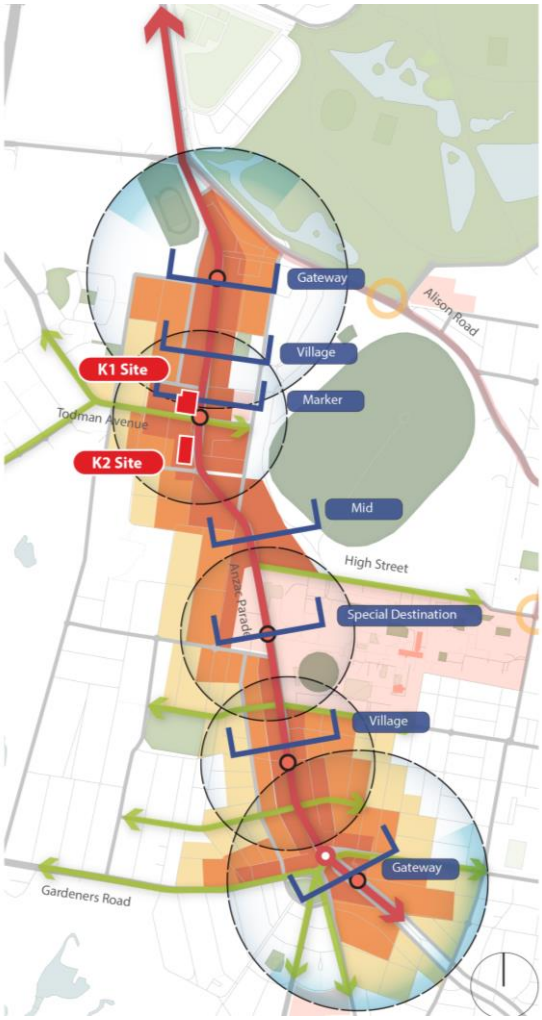

Figure 20 – Anzac Parade Corridor study
Source: SJB

The study supports the site to accommodate the tallest building in the Kensington centre at 25 storeys as the site is:

- Located immediately adjacent to the Todman Avenue Light Rail stop and is positioned at the gateway entrance to the Anzac Parade corridor from the west, along Todman Avenue;
- The largest consolidated site in the centre (with the exception of the K2 site); and
- The largest site considering the assumed amalgamation patterns of the remaining sites within the Kensington Centre.

Accordingly the study has identified the site as the tallest marker building in the centre.

4.2 Proposed Development

Bates Smart have developed a concept scheme for the site (**Appendix A**) which provides for a mixed use development on the site that is consistent with the maximum height and floor space sought as part of this Planning Proposal. The concept scheme represents a reference design for the site and demonstrates a high quality built form outcome that is capable of providing appropriate residential amenity and good street level activation with minimal adverse impacts on the surrounding environment.

A numeric summary of the proposed future development on the site is provided below in **Table 2**.

Table 2 – Indicative numerical summary – note the height of the development is not exactly the same as the LEP height

Component	Car Park	Retail	Residential	Total
Height	3 basement levels	2 storeys	24 storeys	**25 storeys (81.9m)**
GFA	Nil	1,119m^2	19,495m^2	**20,614m^2**
FSR	Nil	0.37:1	6.62:1	**7:1**
Indicative yield	249 spaces	4+ tenancies	231	-

An illustration of the potential future built form on the site has been prepared by Bates Smart is provided below in **Figure 21**.

Figure 21 – Perspective image
Source: Bates Smart

4.2.1 Built form

The concept scheme provides the following built form elements.

Podium

The building comprises a podium element to address the site's long street frontages and separate the tower form from the streetscape. The northern portion of the podium is designed to match the street frontage height of the adjoining building at 105-109 Anzac Parade to establish a consistent street wall building form. The corner portion of the podium is set back from the street frontage to reinforce the prominence of the overhanging tower element and define the lower levels as a separate building element.

The podium treatment is shown below in **Figure 21**.

Figure 22 – Podium treatment, viewed from Anzac Parade
Source: Bates Smart

Tower

The tower element comprises 23 levels and is cantilevered over the site's corner to Anzac Parade and Todman Avenue. The tower reiterates the site's prominent corner location and presents a rounded corner façade. The tower comprises two elements with a taller component presented to the corner of the site and a second form that steps down in height to transition the tower form into the lower levels.

4.2.2 Uses

Retail Use

The proposal includes retail tenancies on the ground and first floor providing activation to the Anzac Parade and Todman Avenue frontage. 1,119m^2 of commercial floor space is proposed within a large and flexible area that can be used to accommodate a range of tenancy sizes and types. The tenancies will provide retail adjacent to the light rail station and will be consistent with the B2 Local Centre objectives, that is, to provide retail uses that serve the needs of people who live in, work in and visit the local area.

The retail tenancies will activate the public domain and are set back from the property boundary to provide additional space that may be used for outdoor dining to provide further activation and develop a local centre character. The proposed ground floor retail tenancies are shown in **Figure 23**.

Figure 23 – Ground floor retail tenancies
Source: Bates Smart

Residential Uses

The future development on the site documented by this Planning Proposal will provide approximately 231 residential dwellings. The residential uses are predominantly located in the tower with some dwellings provided on the first floor in the northern portion of the podium. The indicative floor plates achieve a high level of amenity with 67% of units below level 9 achieving cross ventilation and 95% of units achieving at least 2 hours of sunlight in mid-winter. Accordingly the site and the concept scheme are both considered suitable to accommodate a residential building of the proposed scale as the development achieves a high level of amenity.

4.2.3 Parking

The concept scheme provides three levels of basement car parking to accommodate the car parking, loading and servicing requirements of the building. The arrangement of the basement will be refined during the detailed design however GTA (see **Appendix F**) recommends that a minimum of 221-249 parking spaces are provided in accordance with RMS Guide to Traffic Generating Development. This parking rate is consistent with the Apartment Design Guide (ADG) requirements for sites located within 400m of a light rail station. Car parking and traffic are discussed further in **Section 7.1.3.**

The basement will ensure that all car parking and loading operations for the building are suitably located underground and will not affect the public domain interface of the building.

4.3 Public Benefits

The Planning Proposal will deliver a public benefit through locating additional residential density in a location with excellent access to public transport, services, employment, health, education, entertainment and recreation facilities. The proposal will provide a benefit to the public through providing additional high quality housing with a high level of amenity in a highly desirable location.

The retail tenancies at the ground and first floor are set back from the property boundary, increasing the area of accessible public domain and creating the opportunity for these tenancies to provide outdoor dining in addition to the

existing wide footpath space. This will improve the activation and vibrancy of the area.

In addition to this, the applicant is willing to discuss a potential public benefit offering with Council as planning assessment progresses.

5.0 Planning Proposal

5.1 Explanation of Provisions

The Planning Proposal seeks to amend the Randwick LEP to facilitate the proposed mixed use development outlined above, as well as to enable increased building height and FSR on the site.

The existing and proposed LEP controls, as well as the recommended amendments are outlined in **Table 3** below.

Table 3 – Existing and proposed LEP controls

Control	Existing	Proposed
FSR	The site does not have an existing FSR control	A FSR is 7:1 is proposed for the site.
Building Height	The existing building height controls are: ▪ 25m for the northern portion of the site; ▪ 21m for the southern portion of the site at the corner of Anzac Parade and Todman Avenue; and ▪ 12m across the existing car park in the north-western portion of the site.	A building height control of 85m is proposed across the site.

5.1.1 Building Height

It is proposed to increase the maximum building height control across the site to 85m (RL110.6) by amending the Height of Buildings Map as shown at **Appendix G**.

It is noted that the concept design scheme prepared by Bates Smart has a maximum building height of approximately 82m however the maximum LEP height is proposed to be 85 m to provide flexibility for floor to ceiling heights and building plant to be determined in the detailed design stage.

5.1.2 Floor Space Ratio

It is proposed to establish a FSR of 7:1 across the site. As stated, there is no existing FSR control that applies to the site under the Randwick LEP. The proposed FSR control will establish a further degree of certainty for the future built form on the site. This will be achieved by amending the Randwick LEP FSR Map as shown in the FSR Map at **Appendix G**.

6.0 Strategic Justification

This section demonstrates the need for the proposal and its relationship with the strategic planning framework. The environmental, social and economic impacts of the proposal are considered in **Section 7.0**.

6.1 The Need for a Planning Proposal

The current applicable development controls contained within the Randwick LEP do not reflect the significant infrastructure investment in the vicinity of the site and its strategic location at a key intersection at the northern edge of the Anzac Parade corridor.

While the Randwick LEP is only three years old it was prepared and gazetted prior to the release of A Plan for Growing Sydney, which increased Sydney's projected number of new residents by 22% from the previous Draft Metropolitan Strategy. The current planning controls for the site therefore do not reflect the strategic importance of a transport corridor in close proximity to regionally significant services, employment, education, entertainment and community facilities and services, which are identified in *A Plan for Growing Sydney* as catalysts for locating new housing.

The Sydney East Sub Regional strategy establishes a target of 8,400 additional dwellings for the Randwick LGA by 2031. While Council has been achieving this dwelling target, the sub regional strategy was released in 2007 and is now 8 years old. Since the release of the Sub Regional Strategy in 2007, DPE have published revised projected population and dwelling growth projections in 2014 that identify 15,153 new dwellings in the Randwick LGA from 2011 to 2031[1].

This represents an increase of 6,753 dwellings from the subregional strategy released in 2007. It is noted that the subregional strategy set dwelling targets from 2007 to 2031, while the revised dwelling projections released by DPE are from 2011 to 2031. DPE therefore projects an increase of 6,753 dwellings over a shorter period of time when compared with the subregional strategy. The dwelling projections established by DPE establish a demand for an increase in dwelling numbers. The site provides a suitable location to support the delivery of additional dwellings in an ideal location to satisfy this increased dwelling target. This is due to its strategic location at a major intersection within the Kensington town centre and its close proximity to the new light rail network (see **Sections 6.1.1** and **6.1.2** below).

6.1.1 Delivery of Transport Infrastructure

The CSELR project represents a $1.6 billion investment in transport infrastructure for the corridor, forming a key catalyst for increased density and urban renewal in the area. The light rail will significantly increase the public transport capacity along Anzac Parade and will be supported by a dedicated bus lane along the portion of Anzac Parade between Duke Street and High Street. Additionally, it will improve trip times to the CBD and will substantially improve the accessibility of the area. Significant investment in public transport infrastructure is a key driver for increased densities around transport nodes. Consistent with the principle of Transport Orientated Development, the proposal will enhance sustainability by providing additional dwellings and commercial floor space in close proximity to transport infrastructure.

[1] *2014 NSW Household and Dwelling Projection Data - http://www.planning.nsw.gov.au/en/Research-and-Demography/Demography/Population-Projections*

The current planning controls for the site were established prior to the approval of the light rail and the light rail stop immediately adjacent to the site. The building height and FSR controls do not take advantage of the site's ability to utilise the additional transport capacity. The significant capital investment in the CSELR warrants a growth in residential and commercial densities around the transport corridor.

As outlined in **Section 3.6.1**, the originally approved CSELR project provided capacity at the Todman Avenue Light Rail stop to accommodate some 8,620 passengers per hour in the morning peak with some 2,813 of this capacity expected to be utilised in 2021 (note: as detailed in **Section 3.6.1** this capacity takes into account development in accordance with the Randwick UAP structure plan). This capacity was further increased in the modified approval with the potential for greater capacity to be provided by reducing the intervals between services.

Impact on Light Rail Capacity

As outlined in **Section 3.6.1**, there is sufficient excess capacity to in the light rail network to accommodate population growth in the area; specifically there is capacity for approximately 5,000 additional patrons at the Todman Avenue light rail stop. The development facilitated under this Planning Proposal, combined with the development of the K2 site will not have any significant impact on the excess capacity of the light rail network or the Todman Avenue light rail stop, as outlined below.

The development facilitated by this Planning Proposal will provide approximately 231 dwellings resulting in a population of 543 new residents (based on an average household size of 2.35 people per dwelling provided in the SJB Corridor Study at **Appendix B**). Additionally the development facilitated under the K2 Planning Proposal seeks to accommodate approximately 312 dwellings or 733 new residents. Combined the two Planning Proposals will accommodate an additional 1,276 residents.

GTA have advised that, when considering the current Journey to Work mode splits and an appropriate transfer of bus and car trips to light rail, the likely percentage of light rail users is anticipated to be 50% of all AM peak commuter trips. Conservatively assuming that all residents living in the K1 and the K2 development will form part of the AM commuter group (which is unlikely as some residents will not be traveling in the morning commuter group), the combined number of residents (1,276) would result in approximately 638 additional passengers using the light rail and boarding at the Todman Avenue light rail stop during the morning peak. This will take up some 12.7% of the identified spare capacity available at this stop.

Based on the projected capacity taken by the K1 and the K2 developments, the Todman Avenue light rail stop would still have capacity for some 4,360 new patrons and would be capable of accommodating more than fifteen developments of a similar scale to the K1 and K2 Planning Proposals before the spare capacity is realised. Further to this the K1 and K2 sites are the largest in the Kensington Centre and development of a similar scale is unlikely to be realised.

The Planning Proposal therefore demonstrates that there is sufficient capacity on the approved light rail network to accommodate the increase in population and patronage supported by the K1 and K2 Planning Proposals as well as a number of other projects of a similar scale.

6.1.2 Strategic Location

As outlined in the SJB corridor study (**Appendix B**), the site is located in close proximity to a number of key uses and precincts that generate a demand for

higher density residential development and additional commercial services. These precincts include:

- The University of New South Wales which currently accommodates for around 37,000 students and is anticipated to grow to a capacity of 50,000 students[2].
- The Prince of Wales Hospital employing around 3,000 staff attending to 70,000 patients annually[3]
- The Royal Randwick Racecourse providing a significant entertainment attraction;
- Moore Park sporting and Entertainment Quarter accommodating the Sydney Football Stadium, Moore Park Public Sporting Fields and facilities and the Fox Studios Entertainment Precinct;
- Centennial Parklands comprising a total of 360 hectares of parkland and associated recreational, environmental and sporting facilities;
- Significant retail facilities located along Anzac Parade; and
- The Port Botany Industrial Lands, a significant economic and employment generator and transport gateway to the city.

Whole of Centre Approach

The renewal of the Kensington Centre including the role of the K1 site, the K2 site, remaining land holdings and assumed site amalgamation patterns have been comprehensively assessed and considered in the corridor study prepared by SJB (**Appendix B**).

The SJB study notes that potential areas of higher density along the broader Anzac Parade corridor are constrained by large areas of open space and special uses precincts. Accordingly, a centres based approach is recommended in the strategy, where higher density centres accommodate a large portion of the planned growth in close proximity to light rail stations and services. The centres, identified in **Figure 24**, graduate down in building heights and density from the Sydney CBD to Little Bay, identified as the end of the Anzac Parade corridor. The SJB study seeks to locate increased densities around key strategic centres to reduce the potential sprawl into the surrounding medium and low density areas.

The site is strategically located in the Kensington Centre and is the largest consolidated site in this Centre under assumed amalgamation patterns. It is ideally situated at the western entrance to the Kensington Centre, along Todman Avenue and is therefore appropriate for redevelopment as a key site which will act as a catalyst for change in the broader Centre.

[2] *CBD and South East Light Rail – Environmental Impact Statement, Section 3.1.1*

[3] *NSW Government Health – South Eastern Sydney Local Health District*

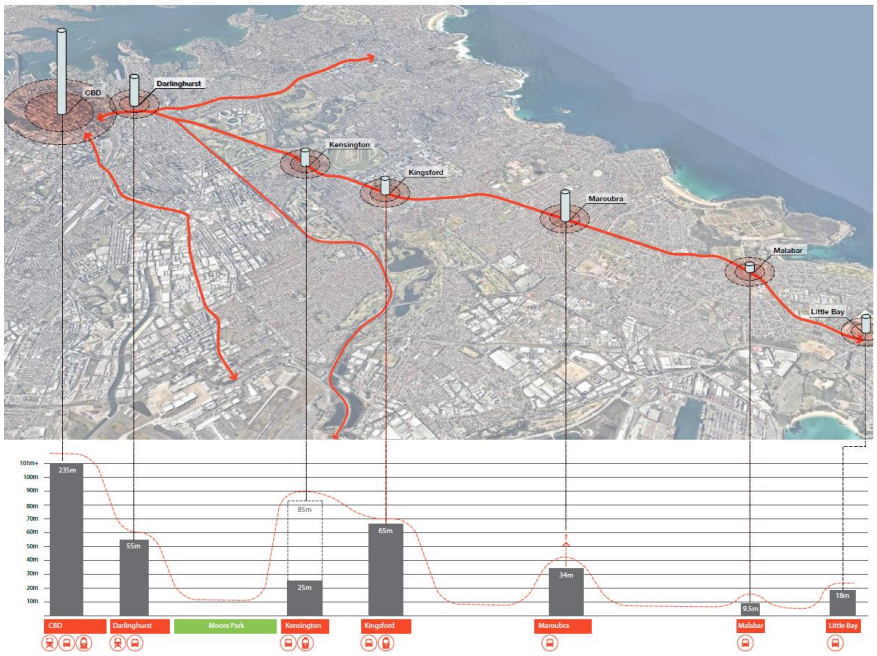

Figure 24 – Anzac Parade centres study
Source: SJB

The corridor study identifies gateway locations at the northern and southern ends of the Anzac Parade corridor. The corridor gateways will accommodate the greatest building heights with towers up to 30 storeys. The Kensington centre and the site are identified as the 'heart/marker' of the Anzac Parade corridor. Building heights in this location transition down from the taller towers of 20+ storeys directly fronting Anzac Parade to six storey building forms on the edge of the corridor, two street blocks away from the site. The Corridor Study identifies that taller tower forms are appropriate for the western edge of the corridor due to the greater amount of developable land on the western side of the corridor.

The analysis of the Kensington Centre recommends that building heights at each of the four key corners should be varied to provide legibility, and focused activity at the key east-west junction and light rail stop, as shown in **Figure 25**. The K1 site forms one of the largest amalgamated sites in the marker/heart centre and is also the largest site considering anticipated amalgamation patterns of the other corners. The K2 site to the south provides a slightly larger amalgamated site area but is more appropriately described as the transition of a vista from the south along Anzac Parade as it is located just to the south of the Todman Avenue/Anzac Parade intersection.

Accordingly, the K1 site is considered appropriate to accommodate a taller tower form of 25 storeys due to the ability to achieve a high level of amenity with minimal impacts to surrounding properties.

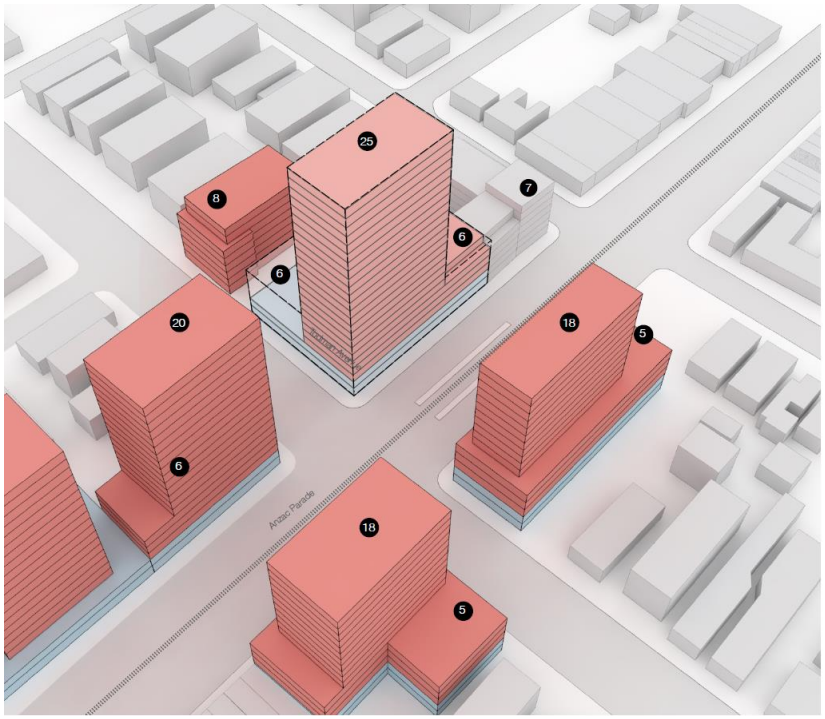

Figure 25 – Kensington Centre marker/heart urban design study
Source: SJB

The Study also considers the anticipated site amalgamation and renewal of the properties surrounding the centre as shown in **Figure 26.** The Study assumes amalgamation of properties to achieve site areas of between 1,222m^2 to a maximum of 3,937m^2 (i.e. the amalgamated site area of the K2 site). The site amalgamation pattern for the remaining sites in the Kensington Centre assumes sites of slightly smaller size than those that have been amalgamated by TOGA. The assumed amalgamation patterns reiterate linear development sites along the Anzac Parade corridor with significant street frontages. **Figure 26** demonstrates the potential building massing of the sites in the Centre, which form linear podiums to maintain the corridor alignment with 18-25 storey towers above.

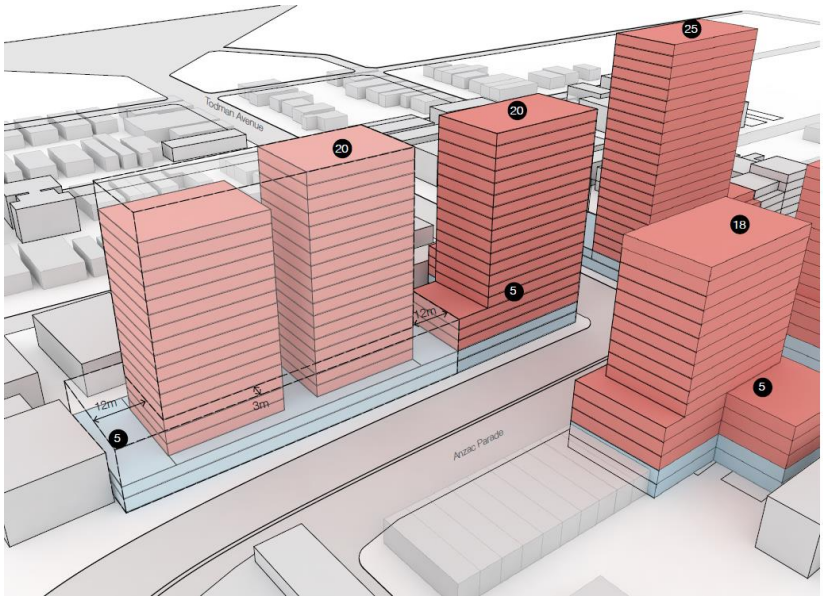

Figure 26 – Kensington Centre indicative built form
Source: SJB

6.1.3 Response to Randwick UAP

The proposed draft built form controls under the UAP located the greatest heights adjacent to the Anzac Parade corridor with heights up to 20 storeys located adjacent to the light rail stops. Generally building heights transitioned away from the proposed light rail stops with heights dropping down to 10 storeys, before transitioning to 6 storeys. We understand that the draft structure plan envisaged the following planning controls for the site:

- Zoning: B2 Local Centre;
- Maximum FSR: 5:1 for 111-125 Anzac Parade and 1.5:1 for 112 Todman Avenue; and
- Maximum height: 53m (16 storeys) for 111-125 Anzac Parade and 12m (4 storeys) for 112 Todman Avenue.

The proposed controls for the K1 site under this Planning Proposal seek to increase the building height and FSR controls identified under the draft structure plan. This will ensure that density and height is concentrated along the Anzac Parade corridor directly adjacent to a light rail stop, where it is reasonably expected. The controls proposed under the UAP spread density and building heights along the corridor. Accordingly, the proposal seeks to increase the building height and density on the site, and surrounding sites in the immediate proximity of the light rail stop, to create a higher density centre, as recommended in the SJB corridor analysis.

This approach is considered to be appropriate for the subject site due to its significant site area which enables the building form to achieve a high level of residential amenity and avoid any significant adverse environmental impacts on the surrounding properties.

6.2 Consistency with Strategic Planning Framework

6.2.1 State and Regional Strategic Framework

NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The Plan nominates one of the key challenges for the State as being the planning challenges that arise from continued population growth.

The redevelopment of the site is consistent with the State Plan as it will provide new housing in an area which is highly accessible to public transport infrastructure and social services.

NSW Long Term Transport Plan 2012

The NSW Long Term Transport Plan 2012 has the aim of better integrating land use and transport. The Draft Metropolitan Strategy has been prepared to integrate with the Long Term Transport Plan.

The Planning Proposal will serve the objectives of the Transport Plan by locating both residential and employment generating uses immediately adjacent to a light rail station. This will promote the use of public transport and reduce reliance on private motor vehicles

Metropolitan Strategy: A Plan for Growing Sydney

In December 2014 the DPE released A Plan for Growing Sydney (the Plan). The Plan supersedes the current Metropolitan Plan for Sydney 2036 and Draft Metropolitan Strategy for Sydney to 2031, and presents a strategy for accommodating Sydney's future population growth for the next 20 years.

In order to achieve the vision for Sydney to become 'a strong global city and a great place to live', the Plan establishes four goals for Sydney. The goals of the Plan are that Sydney will be:

1. a competitive economy with world-class services and transport;
2. a city of housing choice, with homes that meet our needs and lifestyles;
3. a great place to live with communities that are strong, healthy and well connected; and
4. a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

To support these goals, the Plan sets out planning principles that will guide Sydney's growth. These include:

- increasing housing choice around all centres through urban renewal in established areas;
- stronger economic development in strategic centres and transport gateways; and
- connecting centres with a networked transport system.

The plan forecasts increased levels of growth in the employment and residential sectors. The strategy has increased residential dwelling targets by 22%, with an additional 664,000 new dwellings needed in Sydney by 2031.

The Randwick LGA falls within the Central Subregion under the Plan. The CBD and south-east light rail is identified as a catalyst for accelerating housing supply, choice and affordability. The Plan identifies that the State Government will work with Council's to identify suitable locations for housing intensification and urban renewal particularly around Priority Precincts, established and new centres and key public transport corridors including the CBD and south-east light rail. The K1 site is therefore strategically located and provides Council with an opportunity to facilitate urban renewal in a location identified by the State Government.

The plan specifically identifies Anzac Parade as a focus for urban renewal activities to provide additional housing (refer **Figure 27**). Additionally the plan identifies that the corridor has excellent access to employment, recreational opportunities, higher education, health facilities and social infrastructure, which are all key catalysts for locating new housing. The light rail will better connect the corridor to the CBD, improving transport access and the strategic significance of the site.

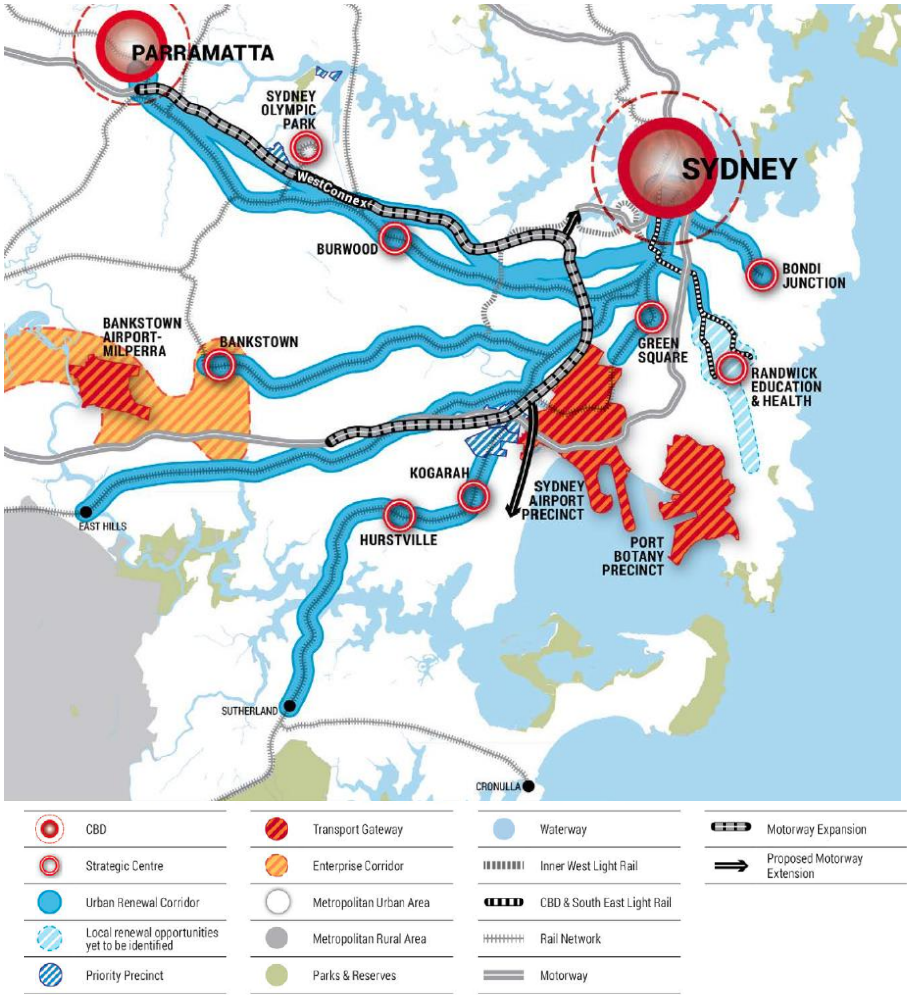

Figure 27 – Central and southern Sydney strategic corridor plan
Source: Department of Planning and Environment

6.2.2 Local Strategic Framework

Randwick City Plan 2006

The Randwick City Plan identifies the directions and objectives for Randwick to guide growth in the LGA from 2006 to 2026. While the plan identifies the growth plan for Randwick, it is now almost 10 years old and does not align with the State Government's strategic vision for Randwick and the Anzac Parade corridor nor does it envisage the operation of Light Rail. The Randwick City Plan identifies the Kensington town centre for mixed use development and provides that infill development is expected to continue in this area and will be a focus due to the highly accessible location of the centre. This is supported through the advocacy of the light rail in direction 9C.

The proposal will support these objectives in the Randwick City Plan as it seeks to increase the residential density in the Kensington town centre in the immediate proximity of a light rail stop.

6.3 Relationship to Statutory Planning Framework

6.3.1 Relevant Legislation and Regulations

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EPA Reg) set out amongst other things the:

- requirements for rezoning land;
- requirements regarding the preparation of a local environmental study as part of the rezoning process;
- matters for consideration when determining a development application; and
- approval permits and/or licences required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in section 55 of the EP& A Act in that it explains the intended outcomes of the proposed instrument. It also provides justification and an environmental analysis of the proposal.

Section 117 Directions

Ministerial directions under Section 117 of the EP&A Act require Councils to address a range of matters when seeking to rezone land. A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning and Infrastructure under Section 117 of the *EP&A Act* is provided in **Table 4** below.

Table 4 – Assessment against 117 Directions

Ministerial Directions	Consistent		N/A	Comment
	YES	NO		
1. Employment and Resources				
1.1 Business and Industrial Zones	✓			The Planning Proposal does not seek to rezone the land or change the range of permitted uses on the site. The Planning Proposal will facilitate the redevelopment of the site that provides for retail uses.
1.2 Rural Zones			✓	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
1.4 Oyster Aquaculture			✓	Not applicable
1.5 Rural Lands			✓	Not applicable
2. Environment and Heritage				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	Not applicable
2.3 Heritage Conservation	✓			As outlined in **Section 3.7** and **Appendix C**, the site is not a heritage listed item nor is it within a heritage conservation zone. The site is not located in the vicinity of any heritage items and therefore is not expected to have any adverse impacts on heritage conservation.
2.4 Recreation Vehicle Areas			✓	Not applicable

Ministerial Directions	Consistent		N/A	Comment
	YES	NO		
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones	✓			The site is zoned B2 Local Centre with significant residential development permitted. The planning proposal is consistent with this direction as it seeks to increase the residential density on the site which will make better use of infrastructure and services. The proposal will also increase the choice of building and housing types, in an area that is strategically located close to transport, services, employment and the CBD.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport	✓			The Planning Proposal, through unlocking the development potential of the site, will facilitate mixed use development to support the CBD and South East Light Rail, and improve access to housing, jobs and services by walking, cycling and public transport. The proposal utilises the significant public transport investment and capacity by increasing the residential density in close proximity. In light of this it is expected that the proposal will reduce travel demand including the number of trips generated by the development and the distances travelled, especially by car.
3.5 Development Near Licensed Aerodromes			✓	The site is located close to a licensed aerodrome. As outlined in **Section 7.1.4** and **Appendix H** the proposal will require approval from the Federal Aviation Department. TOGA are initiating this process to ensure that the proposed height satisfies relevant air safety requirements.
3.6 Shooting Ranges			✓	Not applicable
4. Hazard and Risk				
4.1 Acid Sulphate Soils			✓	The site is not identified under the LEP as being potential Acid Sulphate Soils.
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land	✓			The site is located in close proximity to flood prone land however the Proposal does not seek to rezone the land to permit any uses which are not already permitted with consent on the site. The proposal provides residential apartments from level 1 and above and therefore the lowest habitable residential level will be above the flood 1% AEP. The detailed design of the building and basement will respond to any flooding constraints.
4.4 Planning for Bushfire			✓	Not applicable

Ministerial Directions	Consistent		N/A	Comment
	YES	NO		
Protection				
5. Regional Planning				
5.1 Implementation of Regional Strategies			✓	Not applicable
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast			✓	Not applicable
5.8 Second Sydney Airport: Badgerys Creek			✓	Not applicable
6. Local Plan Making				
6.1 Approval and Referral Requirements	✓			No new concurrence provisions are proposed.
6.2 Reserving Land for Public Purposes	✓			No new road reservation is proposed.
6.3 Site Specific Provisions	✓			The LEP amendment does not impose any restrictive site specific provisions.
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Plan for Sydney 2036	✓			Refer to **Section 6.2.1**

6.3.2 State and Regional Statutory Framework

The consistency of the Planning Proposal with the relevant State Environmental Planning Policies (SEPPs) is addresses in **Table 5** below.

Table 5 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 1 Development Standards			✓	The Provisions of SEPP 1 are replaced with Clause 4.6 of the Randwick LEP and does not apply to the Planning Proposal.
SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development			✓	SEPP (Exempt and Complying Development Codes) 2008 applies to the site however is not relevant to the Planning Proposal.
SEPP No 6 Number of Storeys			✓	The Standard instrument definition for the number of storeys applies.
SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)	✓			The planning proposal is consistent with SEPP 32 in providing for the opportunity for the development of additional housing in an area where there is existing public infrastructure, transport, and community facilities, and is close to employment, leisure and other opportunities.
SEPP No 55 Remediation of Land			✓	The site has been used as a commercial and retail building for a number of years. This type of use is not listed in Table 1 to the Contaminated Land Planning Guidelines. As outlined in **Section 3.9** and **Appendix C** is unlikely to be contaminated. Notwithstanding this, contamination will be further addressed at the DA stage.

State Environmental Planning Policies (SEPPs)	Consistent YES	Consistent NO	N/A	Comment
SEPP No 60 Exempt and Complying Development			✓	SEPP (Exempt and Complying Development Codes) 2008 applies to the site however is not relevant to the Planning Proposal.
SEPP No 64 Advertising and signage			✓	SEPP 64 is not relevant to the Planning Proposal. The SEPP may be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓			Detailed compliance with SEPP 65 will be demonstrated in a future DA for the building facilitated by this Planning Proposal. Detailed testing of SEPP 65 and the Residential Flat Design Code was conducted throughout the design of the scheme which is capable of satisfying the SEPP and associated Apartment Design Guide. As outlined in **Section 7.1.2** and **Appendix A**, the proposal is capable of achieving solar access and natural ventilation requirements of the ADG and achieves compliant setbacks to the surrounding residential development. It is demonstrated that a high level of residential amenity can be achieved on the site under the Planning Proposal.
SEPP No.70 Affordable Housing (Revised Schemes)			✓	SEPP 70 is not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009			✓	SEPP (Affordable Rental Housing) is not relevant to proposed amendment.
SEPP (BASIX) 2004	✓			Detailed compliance with SEPP (BASIX) will be demonstrated in a future development application for the scheme facilitated under this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓			SEPP (Exempt and Complying Development Codes) may apply to the future development of the site.
SEPP (Infrastructure) 2007	✓			SEPP (infrastructure) may apply to the future development of the site.
SEPP (State and Regional Development) 2011	✓			The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority.
Sydney Regional Environmental Plan No 18–Public Transport Corridors			✓	This SREP does not apply to the Randwick LGA.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	✓			The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.

6.3.3 Local Statutory Framework

Randwick LEP 2012

The Proposal's consistency with the overall aims of the Randwick LEP is demonstrated in **Table 6** below.

Table 6 – Consistency with the overall aims of the Randwick LEP

Aim	Proposal	Consistency
(a) to foster a liveable city that is accessible, safe and healthy with quality public spaces and attractive neighbourhoods and centres,	The subject land is significantly underutilised. The planning proposal will enable the redevelopment of the site into a modern mixed use site that will experience transport efficiencies upon completion of the South East Light Rail. It is considered that increased residential density will promote walkability within the well serviced local area.	✓
(b) to support a diverse local economy and business and employment opportunities for the community,	The subject site occupies a prominent location within the Kensington Local Centre, yet currently is under-utilised with low performing commercial uses. The proposal will enable the redevelopment of the site with 1,119m^2 of high quality and flexible commercial floor space generating employment and enhanced commercial facilities for the community.	✓
(c) to support efficient use of land, vibrant centres, integration of land use and transport, and an appropriate mix of uses,	The proposal seeks to increase the permitted density of the land immediately adjacent to a light rail stop within the Kensington centre and is therefore an efficient use of the land. The proposal accommodates a mixed use scheme with ground and first floor retail facilities to serve the needs of the community.	✓
(d) to achieve a high standard of design in the private and public domain that enhances the quality of life of the community,	The detailed building design will be documented a the DA stage however the Bates Smart indicative scheme represents a high quality design that enhances the quality of the community through improved architectural design, a mix of uses and a high level of amenity.	✓
(e) to promote sustainable transport, public transport use, walking and cycling,	The proposal is consistent as it seeks to utilise the light rail stop and locate additional density immediately adjacent to a light rail stop.	✓
(f) to facilitate sustainable population and housing growth,	The proposal promotes sustainability by locating additional housing immediately adjacent to high capacity public transport, education, jobs health, services and entertainment precincts.	✓
(g) to encourage the provision of housing mix and tenure choice, including affordable and adaptable housing, that meets the needs of people of different ages and abilities in Randwick,	The proposal seeks to increase the number of residential dwellings permitted of the site, hence increasing the supply and mix of dwellings in the area. a range of dwelling types may be provided on the site to meet the needs of the community	✓
(h) to promote the importance of ecological sustainability in the planning and development process,	The proposal will not have any significant adverse impacts on ecological sustainability and locates additional dwellings adjacent to public transport hence increasing the sustainability of the site.	✓
(i) to protect, enhance and promote the environmental qualities of Randwick,	The proposal will not have any significant adverse impacts on the environmental qualities in Randwick.	✓
(j) to ensure the conservation of the environmental heritage, aesthetic and coastal character of Randwick,	The proposal will not have any adverse heritage impacts (refer **Section 3.7**) and will not adversely impact on the aesthetic or costal character of Randwick.	✓

Aim	Proposal	Consistency
(k) to acknowledge and recognise the connection of Aboriginal people to the area and to protect, promote and facilitate the Aboriginal culture and heritage of Randwick,	The proposal will not have any adverse impacts on aboriginal heritage significance.	✓
(l) to promote an equitable and inclusive social environment,	The proposal will increase the permitted number of dwellings on a site located immediately adjacent to a light rail stop and will therefore increase housing supply in a sustainable location.	✓
(m) to promote opportunities for social, cultural and community activities.	The proposal will provide for a mix of uses that are consistent with the B2 zone objectives providing services for the needs of the local neighbourhood.	✓

Consistency with building height objectives

The proposal's consistency with the objectives for building heights under the Randwick LEP is demonstrated in **Table 6** below.

Table 7 – Consistency with height objectives in the Randwick LEP

Objective	Proposal	Consistency
(a) to ensure that the size and scale of development is compatible with the desired future character of the locality,	The proposal is of a size and scale that is consistent with a strategic centre located immediately adjacent to high capacity public transport .Accordingly the development is consistent with the future character of the area.	✓
(b) to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,	As outlined in **Section 3.7**, the proposal will not have any adverse impacts on heritage items or conservation areas.	✓
(c) to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.	The site comprises seven amalgamated properties and has a large site area that enables the development on the site to appropriately setback from the adjoining properties while accommodating a larger building form.	✓

Consistency with FSR objectives

The proposal's consistency with the objectives for FSR under the Randwick LEP is demonstrated in **Table 8** below.

Table 8 – Consistency with FSR objectives in the Randwick LEP

Objective	Proposal	Consistency
(a) to ensure that the size and scale of development is compatible with the desired future character of the locality,	The proposal is of a size and scale that is consistent with a strategic centre located immediately adjacent to high capacity public transport .Accordingly the development is consistent with the future character of the area	✓
(b) to ensure that buildings are well articulated and respond to environmental and energy needs,	The concept scheme is a high quality design with articulated facades that distribute the building mass to the corner frontage of the site. The future design of the building will demonstrate detailed compliance and achievement of energy goals.	✓
(c) to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,	As outlined in **Section 3.7**, the proposal will not have any adverse impacts on heritage items or conservation areas.	✓

Objective	Proposal	Consistency
(d) to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.	The large site area enables the development to achieve a high level of amenity while setting back from the adjoining properties.	✓

7.0 Environmental, Social and Economic Impacts

7.1 Environmental Impacts

This chapter of the report draws on the work undertaken by specialist consultants and summarises the existing environment of the site. The purpose is to provide an understanding of how the existing physical conditions and features of the land have shaped and informed the rezoning proposal and how, in turn, the rezoning proposal potentially impacts on these environmental features and conditions. The management response to any issues and impacts identified in the environmental analysis is discussed.

7.1.1 Built Form

The urban design principles and design rationale have been extensively refined and developed through a comprehensive Corridor Study prepared be SJB provided at **Appendix B** and a detailed design and concept scheme design prepared by Bates Smart, provided at **Appendix A**.

As shown below in **Figure 28**, the site forms the largest land holding in the area surrounding the Todman Avenue light rail stop, when considering the assumed amalgamation patterns of the four corner sites. Being a landholding of significant size, the site provides a catalyst and unique opportunity to accommodate an increase in density and a larger building form while achieving a high level of amenity and achieving setback to neighbouring sites.

The amalgamation of the site creates a street block frontage to Anzac Parade, between Todman Avenue and Duke Street, occupied by two land owners. This will facilitate a linear development and built form pattern along the street block rather than the current ad-hoc combination of building forms that will detract from the built form appearance of the streetscape.

Figure 28 – Anticipated site amalgamation patterns
Source: Bates Smart

Due to the larger site area and 60m frontage to Anzac Parade, both the podium and the tower element built form is able to respond to the north-south linear nature of the corridor with an elongated building form. As shown below in **Figure 29**, the building mass is articulated with slots in the façade to improve amenity and reduce the perceived bulk and scale of the building. The façade slots create two tower elements with the taller tower located on the corner of the site.

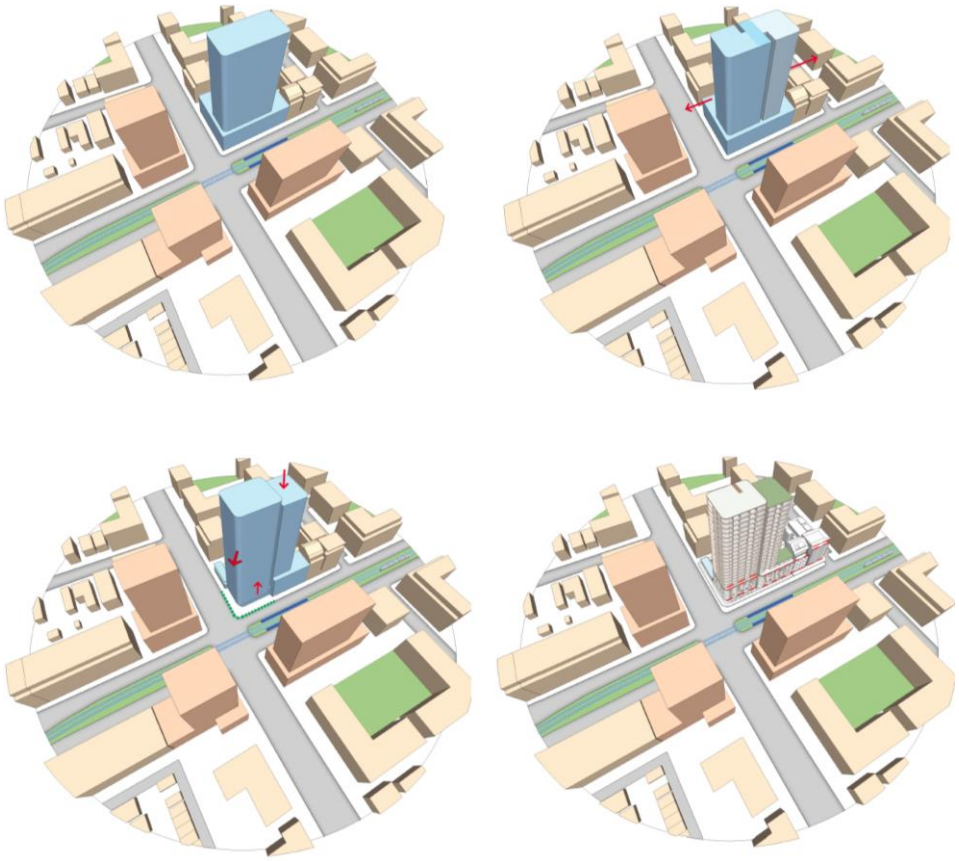

Figure 29 – Urban design massing
Source: Bates Smart

7.1.2 Residential Amenity

The future residential development on the site is capable of achieving a high level of residential amenity through building separation and a northern aspect. The proposed taller tower form and ground level retail and podium treatments enable the development to concentrate residential uses above the street level and into a slender tower form that achieves a high level of solar access, cross ventilation and regional views. The indicative tower floor plate provides ten apartments accessed from a single corridor however this is well founded as the corridors have access to natural light in two locations.

The concept scheme achieves approximately 91% of apartments with solar access and therefore provides a very high level of amenity. As shown in the concept scheme (**Appendix A**), the scheme maximises apartments with a northern aspect to ensure a high level of solar access is achieved with views to the north maximised. Additionally, the scheme complies with natural cross ventilation requirements below level 9.

The location of the tower on the site responds to the various location and setback requirements of the surrounding properties and avoids any potential overlooking or

privacy impacts. The detailed design of the building is therefore capable of achieving a high level of residential amenity.

7.1.3 Traffic

A Traffic Impact Assessment has been prepared by GTA Consultants to determine the appropriateness of the proposal from an access, traffic and parking perspective (refer to **Appendix F**). The results of the assessment indicate that the impacts of traffic generated by the additional density created by the proposal are considered relatively minor with respect to the existing road network and proximity to public transport, both existing and proposed. Furthermore it is considered that the proposal will not compromise the safety or function of the road network.

The proposal will need to provide a minimum of 363 parking spaces to satisfy the Randwick DCP car parking requirements. However, Clause 30 of SEPP65 provides that a development cannot be refused if it complies with the car parking guidelines established in Part3J of the ADG. Part 3J identifies that sites within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area, are to consider either the minimum car parking requirement for residents and visitors as set out in the RMS Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever is less. Based on this provision, GTA recommends that a minimum of between 228-256 car parking spaces be provided in accordance with relevant RMS guidelines.

The Assessment identifies that the site is classified as a Metropolitan Sub-Regional area and provides the following car parking rates under the Guide to Traffic Generating Developments:

- Residential – 188 spaces;
- Visitor – 33 spaces; and
- Commercial (DCP control) – 0-28 spaces.

A total of 221-249 spaces are required for the development which is anticipated to generate the following vehicle trips:

- Typical AM Peak – 44 vehicle movements; and
- Typical PM Peak – 35 vehicle movements.

The Assessment identifies that this traffic calculation is conservative as it does not consider the potential traffic generated from the existing permitted development on the site. Notwithstanding this the projected traffic generation is considered by GTA to be relatively minor with respect to the existing road network and will not have an adverse impact on the safety of function of the road network. In light of the site's close proximity to public transport, in particular a proposed light rail stop, it is considered that the proposal is appropriate from a traffic, access and parking perspective.

7.1.4 Aviation and Air Space

An Aeronautical Impact Assessment for the Planning Proposal has been undertaken by Ambidji (**Appendix H**) as the Planning Proposal seeks to increase the building height above that of the Prescribed Airspace at Sydney Airport. The report assesses development to a building height of 85m (110m AHD) and construction cranes of approximately 125m AHD (15m above the building height).

The assessment found that the development:

- will penetrate the Conical Surface by 47.3m once complete and 62.3m during construction, however this infringement should not impact on the safety, efficiency or regularity of airport operations;

- will not penetrate the PANS-OPS lowest surface over the building site, however requires confirmation by Airservices Australia;
- will not impact the Sydney circling approach minimum altitudes;
- will penetrate the clearance requirement of the Sydney TAR by 24.45m and may require an engineering analysis to confirm any impacts. Nevertheless, even if there is an impact there are other sensors that can provide alternative surveillance coverage in the airspace;
- will not penetrate the clearance requirements of the Cecil Park TAR;
- will not impact the performance of navigation aids and communication facilities;
- will not impact the standard helicopter route;
- Cranes will not impact on the circling approach minimum altitudes however will penetrate the Sydney OLS. This will require separate approval.

The Aeronautical Impact Assessment concludes that based on the provisions of the *Airports (Protection of Airspace) Regulations 1996*, that there is a good case for the development site to be approved to a height of 110m AHD. TOGA has commissioned the preparation of an engineering analysis to confirm that the proposed development will not have an adverse impact on the Sydney TAR.

7.1.5 Overshadowing

A shadow analysis of the site is provided in the Architectural Drawings (**Appendix A**). The shadow studies indicate that the proposal will not cause any significant overshadowing impact on areas of public open space and will cast shadows commensurate with that of the future development in the Kensington centre.

As shown in **Figure 30** below, the proposed building will have a tall slender tower form that casts a fast moving shadow. The shadow, during the winter solstice, generally will not overshadow a single location for greater than 2 hours, hence maintaining significant access to sunlight. It is noted that the site immediately to the south will experience greater shadow impacts as a result of the proposal. Notwithstanding this, the site is shadowed at 9am with the same point free of shadow by 12pm. This ensures that the site can achieve more than 2 hours of direct solar access, which would be reasonably expected in a dense urban environment.

Figure 30 – Overshadowing between 9am (left) and 11am (right) during the solstice
Source: Bates Smart

7.2 Economic and Social Impacts

7.2.1 Economic Impacts

The proposed development will result in positive economic and social flow-on effects for the local area. The Planning Proposal will facilitate the redevelopment of an inner-city retail and commercial block that is reaching the end of its economic life span and deliver an increase in high quality retail and residential floor space facilitating growth within an under-utilised portion of the Anzac Parade transport corridor.

The renewed retail components of the development will contribute to employment and commerce in the area by providing better spaces for local businesses in an appropriate location directly adjacent to the Todman Avenue Light rail stop. The residential component will deliver valuable housing in a well serviced location and will provide flow on economic benefits for the surrounding businesses with the addition of approximately 231 new residential apartments and therefore new residents.

The State Government is investing over $1.6 billion into the light rail project and it is important that the benefits of this substantial investment are optimised by providing an adequate population base to support the new infrastructure.

Overall, the proposed development will support and improve the viability of the CBD and South East light rail and will provide much needed residential accommodation and services in the area.

7.2.2 Social Impacts

The proposal will deliver a high quality development on the site that exhibits a high quality of design and improved retail and residential floor space within the Kensington Centre. The proposal will facilitate the delivery of residential dwellings in high demand and will not cause any significant adverse environmental impacts.

Housing Supply and Affordability

Sydney is anticipated to accommodate an additional 664,000 new dwellings needed in Sydney between 2011 and 2031. Housing affordability in Sydney is a significant issue with supply being a key affordability factor. The proposal will increase the supply of residential accommodation in a strategic centre located immediately adjacent to public transport.

The NSW State Plan provides a commitment to partner with local councils to ensure that targets for housing and growth are reflected in relevant Planning Proposals and local planning instruments. It also commits to promote expanded supply of land for housing by continuing to set local targets for each LGA.

The growth of the Anzac Parade corridor will require the delivery of residential dwellings as well as high quality retail floor space to cope with the high levels of demand and growth projections. Currently, an undersupply of housing is driving property prices upwards and forcing many prospective buyers out of the market. This Planning Proposal will facilitate a supply of housing in an appropriate location which is considered to help ameliorate this undersupply and as such will result in an improved social outcome.

8.0 Assessment of Planning Proposal against NSW Department of Planning and Infrastructure Guidelines

The following section includes an assessment against the requirements in *A guide to preparing planning proposals* published by the Department of Planning and Infrastructure in October 2012.

8.1 Parts 1 and 2

Parts 1 and 2 of the guide have been covered in **Sections 4.0** and **5.0**, which outlines the objectives and intended outcomes of the proposal, as well as how the intended outcomes can be achieved through amendments to the LEP.

8.2 Part 3 - Justification

8.2.1 Need for a Planning Proposal

Q1 – Is the planning proposal a result of any strategic study or report?

This Planning Proposal is not the result of any site specific study or report however has been prepared in response to the strategic significance of the site and location immediately adjacent to a light rail stop. The Anzac Parade corridor is identified for urban renewal in A Plan for Growing Sydney and the State Government has identified the area as a UAP, hence the site has strategic importance for increased density.

Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is the best means of achieving the intended outcome of the development, which is to facilitate a residential development on the site with a maximum building height of 85m and FSR of 7:1. The current height control does not permit the desirable redevelopment of the site whilst providing an appropriate built form or residential amenity outcome as outlined in **Section 7.1.1.**

8.2.2 Relationship to strategic planning framework

Q3 – Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Metropolitan Plan: A Plan for Growing Sydney identifies the Anzac Parade corridor for urban renewal. The site is consistent with the plans aim to locate additional housing close to public transport, jobs, education and community services. Consistency with the strategic plans and policies is discussed in **Section 6.0**.

Q4 - Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Planning Proposal is consistent with Randwick City Council's community strategic plan, *Randwick City Plan, a 20 year plan*. The plan outlines a series of goals for Randwick, including the location of infill in the Kensington centre and advocacy for the light rail. The proposed development will help to achieve the goals of the plan by facilitating an integrated mixed-use development in close proximity to public transport and employment.

Q5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPPs) is provided in **Section 6.3.2**.

Q6 – Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 117(2) of the EP&A Act. A full assessment is included **Section 6.3.1**.

8.2.3 Environmental, social and economic impact

Q7 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location.

Q8 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A detailed assessment of the environmental impacts of the Planning Proposal is provided in **Section 7.0**. No unacceptable impacts will result from the proposal.

Q9 – Has the planning proposal adequately addressed any social and economic effects?

The social and economic impacts of the proposal are addressed in **Section 7.2**.

8.2.4 State and Commonwealth Interests

Q10 – Is there adequate public infrastructure for the planning proposal?

The site is located in an established urban area and has access to a range of existing services. Further investigations will be undertaken as part of the preparation of the DA material to determine whether any upgrade of existing facilities is required.

Q11 – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth authorities will have the opportunity to provide comment on the planning proposal as part of its formal exhibition. Any future DA will be referred to the relevant authorities as required.

8.3 Part 4 – Mapping

Maps of the proposed amendments to the LEP height controls applying to the site have been provided and are located at **Appendix G**.

8.4 Part 5 – Community Consultation

It is noted that confirmation of the public exhibition period and requirements for the planning proposal will be given by the Minister as part of the LEP Gateway determination.

Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

9.0 Conclusions and Recommendations

This Planning Proposal seeks to amend the LEP height and establish a FSR control for the site to facilitate a future high quality mixed-use residential development. In order to provide an appropriate built form and residential amenity outcome for the site, an increase in the height and FSR controls are required.

The site is strategically located immediately adjacent to a future light rail station and regionally significant education, health, jobs, recreation and entertainment precincts. The site satisfies the requirements for additional residential dwellings under *A Plan for Growing Sydney* and is identified, within the Anzac Parade corridor, for urban renewal.

The site provides a unique opportunity for renewal along the Anzac Parade corridor and the Kensington centre due to the large amalgamated land holding, significant street frontages and gateway location to the corridor from the west. The large site area and significant street frontage lengths will enable the development of a single tower form mixed-use residential development achieving a height of 85m and FSR of 7:1 rather than the existing LEP controls which underutilise the site and fail to recognise the public transport facilities and significant amenities of the location.

The concept scheme demonstrates superior design that will significantly enhance the visual amenity and design quality of development along the corridor. The proposed development of the site will achieve a high level of residential amenity and will minimise the impacts on adjoining residential buildings. The high quality design of the building will ensure that new residential stock delivered in the Kensington centre will achieve a high level of residential amenity while also being located in very close proximity to high capacity public transport. Additionally, the proposal will not have any significant adverse environmental impacts with respect to, overshadowing, traffic, airspace operations, heritage or urban design.

The scheme will reinforce the quality of development in the Anzac Parade corridor and will facilitate a much needed revitalisation of the site and surrounding area.

The Planning Proposal is consistent with relevant strategic and statutory planning documents and will deliver a number of public benefits, including revitalising an underutilised site and increasing housing and employment opportunities in the Kensington Centre. An environmental assessment of the impacts of the proposed built form facilitated by the Planning Proposal has been undertaken, and it is concluded that the planning proposal will not result in any unacceptable environmental impact.

In addition, it has been demonstrated that there is significant capacity along the light rail network to accommodate the population growth facilitated by both the K1 and K2 Planning Proposals and a number of other projects of a similar scale. The K1 and K2 Planning Proposal will facilitate the delivery of additional housing and commercial floor space in an ideal location to take advantage of the major transport infrastructure delivery in the area, as well as provide an opportunity to revitalise the Kensington Town Centre. We have no hesitation in recommending support for the Planning Proposal to proceed through Gateway Determination.