

Director City Planning Report No. CP17/20

Subject: Little Bay Cove Planning Proposal

Executive Summary

- A planning proposal was lodged on 4 September 2019 for land at 1406-1408 Anzac Parade, Little Bay, seeking to amend Randwick LEP 2012 by increasing building heights up to 73 metres and a FSR of 2:1 (across the whole site); and introducing two new permissible uses (for hotel or motel accommodation and for medical services) to the site. The proposal will allow an indicative number of 1909 dwellings to be provided on a site that currently has an approval to construct approximately 450 dwellings of which approximately 226 dwellings have been constructed on the site.
- The planning proposal was referred to government agencies for review and comment including Council's Design Excellence Panel. In response to the comments received, Council officers raised a number of key issues with the Applicant for their consideration.
- On 20 March 2020, the Applicant submitted an alternative masterplan, supplementary planning statement and additional supplementary technical statements to Council for the site. The alternative scheme retains a proposed FSR of 2:1 but reduces the overall maximum building height (from 22 storeys) to 17 storeys. The alternative masterplan seeks to address the issues raised however it does not amend the original planning proposal, rather it provides an alternative design response for the site.
- Council officers have assessed the planning proposal including the alternative masterplan (where relevant) against the Department of Planning Industry and Environment's Guide to Preparing Planning Proposals.
- This planning proposal was referred to the Randwick Local Planning Panel (RLPP) for their advice and the RLPP recommended that Council not support the planning proposal, for the reasons outlined in Attachment 1.
- This report outlines the assessment of the proposal and concludes that the proposal including the alternative masterplan does not have strategic merit and fails to meet the site-specific merit test. The density, size and scale of the development as envisaged by the planning proposal is inconsistent with the existing and future use of the land in the vicinity and is inconsistent with the strategic planning documents pertaining to the site. The transport modelling on which the planning proposal relies are based on unrealistic assumptions and there is no commitment from the State government to deliver transport infrastructure to the site to support the density as proposed.

Recommendation

That Council does not support the Planning Proposal submitted by Urbis Pty Ltd on behalf of Karimbla Construction Services (NSW) Pty Ltd with respect to the land located at 1406-1408 Anzac Parade, Little Bay, proceeding to Gateway Determination for the following reasons which also follow the advice of the RLPP:

- The Planning Proposal fails to meet the strategic merit test. The proposal is inconsistent with the Eastern City District Plan and the Local Strategic Planning Statement (LSPS) and there are no changed circumstances which warrant changes to the existing planning controls for the site;
- The Planning Proposal is inconsistent with Council's recently endorsed structure plan for future housing growth as set out in the LSPS and Housing Strategy, which does not identify this site for increased yield within the relevant plan-making timeframe. Placing a large proportion of the City's housing growth onto a single site without the transport

infrastructure to support the intensification of use does not align with Council's structure plan for growth;

- The TfNSW submission confirmed that a mass transit connection is not committed to by the NSW Government, and therefore there is no certainty that the additional infrastructure will be provided, servicing the site in the short or medium term, and the long term;
- The Planning Proposal is inconsistent with the Ministerial Directions for Heritage Conservation, Residential Zones, Integrating Land Use and Transport, Development near Regulated Airports and Implementation of A Plan for Growing Sydney (now The Greater Sydney Region Plan – A Metropolis of Three Cities);
- The Planning Proposal fails to meet the site-specific merit test due to:
 - a. the inconsistency of the bulk, scale and massing of the proposal with the existing and the future use of the area based on the endorsed strategic documents;
 - b. the visual impacts of the proposal on the coastal scenic character of the area;
 - c. the lack of sufficient transport infrastructure to support the intensification of the use and the density of the development;
 - d. the failure to properly consider the new ochre deposit found on the site in 2012; and
 - e. the failure to properly consider the impact of the proposal including the alternative masterplan to the critically endangered Eastern Suburbs Banksia Scrub and its buffer.
- The likely adverse environmental effects identified in Council officers' assessment in regard to density, building heights, massing, view impacts, overshadowing, access and connectivity, Aboriginal and non-Aboriginal heritage;
- The failure to address the issues raised by the Design Excellence Panel in its assessment of the Planning Proposal with regard to the increase in density, building heights and bulk and its incompatibility with surrounding development;
- The concerns raised by the Heritage Council and Heritage NSW on the Planning Proposal with regard to the impact on the proposed SHR item 'Little Bay Geological site', the Aboriginal heritage values of the site, the adjoining SHR items and the inadequate information provided to respond to these key concerns;
- The Alternative Masterplan documentation is inadequate and lacks information including (but not limited to) maximum building heights (in metres), net and/or actual FSRs and a comprehensive visual impact assessment;
- The transport analysis used to justify the proposal is based on unrealistic assumptions, including car travel traffic generation rates that are unrealistic and significantly lower than the rates surveyed on the existing site;
- The Planning Proposal will worsen existing traffic congestion in the road network and will require intersection upgrades to mitigate its traffic impact. The Planning Proposal does not consider who pays for the intersection upgrades, including the physical constraints, potential land acquisition and the legal arrangements that may be necessary; and
- The proposed yield cannot solely rely on buses for public transportation but rather requires a comprehensive, integrated mass transportation solution.

Attachment/s:

1. Minutes - RLPP Meeting 10 June 2020
2. Transport Assessment - Little Bay Cove

Purpose

This report is seeking Council's endorsement for the Planning Proposal submitted by Karimbla Properties (No. 50) Pty Ltd – a subsidiary of Meriton (Meriton) including the Alternative Masterplan and Supplementary Planning Statement for proposed amendments to the Randwick LEP 2012 for 1406-1408 Anzac Parade, Little Bay also known as Little Bay Cove (the site) not proceeding to Gateway determination.

Discussion

Introduction

On the 4 September 2019, Council received a planning proposal prepared by Urbis Pty Ltd on behalf of Meriton for the site. On 20 March 2020, Meriton submitted an Alternative Masterplan which addressed Council's preliminary comments on the Planning Proposal. The Alternative Masterplan and Supplementary Planning Statement is intended to support the Planning Proposal lodged on 4 September 2019 and to provide indicative approaches as to how the intended outcomes of the Planning Proposal could be achieved. The Alternative Masterplan illustrates an alternative design response for the site and is not an amendment to the Planning Proposal submitted 4 September 2019.

The Supplementary Planning Statement for the Alternative Masterplan places great emphasis on the need to assess the proposal's strategic merit as to whether it should proceed to Gateway determination rather than a site specific assessment. Page 5 of the Supplementary Planning Statement states *'these two alternate masterplans confirm the opportunity to further resolve the final density and built form controls post Gateway as part of the site-specific merit assessment and taking on board the views of all stakeholders'*.

The Planning Proposal lodged on 4 September 2019 seeks to amend the Randwick LEP 2012 (the RLEP) by:

- amending the maximum height of buildings to between 8.5m to 73 metres as set out in figure 24 of the Planning Proposal;
- amending the FSR to 2:1 for the whole of the site (currently 0.5:1 to 1.1:1 on specified parts) for medical services; and
- introducing two new permissible uses for hotel or motel accommodation and for medical services to the site

The Planning Proposal identifies that the site will provide for a gross floor area (GFA) of approximately 196,286m² of which 190,386m² will provide for 1909 new dwellings, hotels, and serviced apartments, and 5,900m² will be ancillary retail uses for a supermarket, retail shops and medical centres.

The Alternative Masterplan prepared by PTW and submitted to Council on 20 March 2020 presents a different urban structure and built form strategy to the SJB Masterplan submitted with the Planning Proposal lodged on 4 September 2019. The PTW Alternative Masterplan proposes a range of building heights between 2 storeys up to 17 storeys as set out in 5.4 Building Heights and 7.3 Schedules of the PTW Alternative Masterplan. However, no change to the overall FSR of 2:1 is proposed.

This assessment report considers both schemes, where relevant.

The Planning Proposal was referred to the RLPP on 10 June 2020 and their advice is included later in this report.

The applicant has requested a rezoning review with the Department of Planning, Industry and Environment. The Department is reviewing the request and has not yet accepted the rezoning request. Pending outcome of the rezoning review, Council's assessment process continues, including resolving whether to proceed with the subject planning proposal. If Council resolves to proceed with the subject Planning Proposal, it will be forwarded to the Minister for Planning for a 'Gateway Determination'.

Background

The site was originally part of the Prince Henry Hospital complex before being divested to the University of NSW (UNSW) in about 1959. It was sold in 2008. On 23 December 2009 the Land and Environment Court approved a staged development application for subdivision, an FSR of 0.5:1 across the whole site, and 2-5 storey building heights. Subdivision works were undertaken and some lots constructed, thereby activating the consent. Four stage 2 development approvals were granted between 2011 and 2016. The two stage 2 DAs which have been constructed are for 3 x 5 storey residential flat buildings containing 179 dwellings facing Anzac Parade on Lot 11, and the 5 storey residential flat building comprising 45 apartments at 1-5 Solarch Avenue.

The Randwick Housing Strategy states that the site has development approval for around 450 dwellings of which approximately 224 have been constructed with the remaining anticipated to be realised in the short to medium term (0-10 years).

The site

The site at 1406-1408 Anzac Parade, Little Bay (also known as Little Bay Cove) is located on the eastern side of Anzac Parade and to the west of the Coast Golf Club. The site covers approximately 12.3 hectares and is approximately 13 km south-east of Sydney CBD in the Randwick Local Government Area (LGA). The site is currently vacant with the improvements being: roads and infrastructure, a playground, a community title landscaped corridor in the centre of the site, and walking paths. The site has access from Cawood Avenue to the north, Galaup Street to the west and Solarch Avenue to the south. The Planning Proposal covers the titles set out in Table 1. The site plan is in Figure 1.

The landscaped corridor in the middle of the site is approximately 2.506 hectares and contains Miocene and ochre deposits of Aboriginal cultural heritage significance that are listed on the Register of the National Estate. A remnant stand of Eastern Suburbs Banksia Scrub (ESBS) is on the eastern edge of the site and is a critically endangered ecological community.

Table 1 – Address, Lot and Deposited Plans in the Planning Proposal

Address	Lot	Deposited Plan
5-15 Cawood Avenue	2	270775
1-15 Galaup Street	3	270775
1R Solarch Avenue	19	270775
2-14 Lapwing Street	4	270775
3-17 Lapwing Street	7	270775
Roads (including Belbowrie Road, Galaup Street, Solarch Avenue, Lapwing Street, Dickinson Way, Bambur Way)	20	270775
7 Solarch Avenue	8	270775
9 Solarch Avenue	9	270775
11 Solarch Avenue	10	270775
13 Solarch Avenue	11	270775
15 Solarch Avenue	12	270775
17 Solarch Avenue	13	270775
19 Solarch Avenue	14	270775

Address	Lot	Deposited Plan
21 Solarch Avenue	15	270775
19 Cawood Avenue (including Cawood Avenue)	18	270775



Figure 1 – Site Plan (Source: Urbis)

The surrounding area

The site is approximately 7.5 km south-east of Sydney Airport and 2km east of Port Botany. To the immediate north is the Bilga Crescent Land and Housing Corporation lands (LAHC Lands) of approximately 11.5 hectares. The LAHC lands comprise a collection of 3 storey walk up flats and single storey dwellings, with open space, Kooloorra Reserve and Kooloorra Community Centre.

Beyond the LAHC lands to the north is the Long Bay Correctional Centre which is approximately 41.59 hectares.

To the east is the Coast Golf Club which abuts the Pacific Ocean and Little Bay Beach. To the north-east is low density housing between the LAHC lands and Long Bay Correctional Centre, and the Randwick Golf Course.

To the south is the former Prince Henry Hospital site which includes a mix of medium density housing including modern 2-3 storey terrace housing on Gubbuteh Road, 4-5 storey residential flat buildings on Jenner Street, Millard Drive and Pine Avenue, McCartney Oval, and the refurbished Prince Henry Hospital Nurses quarters.

To the west are three 5-storey residential flat buildings constructed as part of Stage 2 of the original development approval and on the western side of Anzac Parade are one and two storey dwelling houses.

Local Planning Framework

Randwick LEP 2012

The site is zoned R1 General Residential in the developable areas and E2 Environmental Conservation in the lands in the middle of the site. Permissible uses in the R1 zone include multi dwelling housing, neighbourhood shops, community facilities, residential flat buildings, office premises, restaurants or cafes, shops, and shop top housing. Permissible uses in the E2 lands

are restrictive including environmental facilities, community facilities and information and education facilities.

There is no maximum height or FSR on the E2 lands. On the R1 lands specific heights of between 8-18 metres and FSR of between 0.5:1 and 1.3:1 are set out with no provisions set out on the roads (see Figures 2 and 3). This differs from the Planning Proposal's intention to have an FSR of 2:1 across the whole of the site – including the roads, which currently have no FSR. Details are in Figures 4 and 5.

The western part of the site is in a heritage conservation area and the Eastern Suburbs Banksia Scrub to the east is denoted as terrestrial biodiversity. Clause 6.11 will require the development to exhibit design excellence and Clause 6.12 will require the preparation of a development control plan (DCP).



Figure 2 – Existing Randwick LEP Building height control



Figure 3 – Existing Randwick FSR control

Randwick Development Control Plan 2013

The DCP includes statements of significance for its heritage conservation areas, including:

- the nearby Malabar Headland which is significant for aesthetic reasons for its range of landscapes, its World War II coastal defences, and its vegetation communities; and

- the former Prince Henry Hospital site in which the site is placed, which was the first public hospital in NSW in the post-convict era. It has significance aesthetically for its buildings and landscape; socially for its historic associations with Aboriginal people and its medical history; and from a research sense for its high scenic and scientific value, geological exposure and the potential for Aboriginal and historic finds.

Section B7 includes parking rates for development. Future development approvals for the site will be required to consider the DCP controls because the Apartment Design Guide which stipulates car parking to be the lesser of Council controls or the RTA Guide to Traffic Generating Developments, only applies where the site is within 800 metres of a railway or light rail stop or within 400 metres of B3 or B4 zoned land. Despite this, the Planning Proposal relies on the (reduced) parking rates under the RTA document. For 1909 dwellings, the proposal includes 1706 spaces, (plus 191 on the roads), whereas the DCP requires 2677 – a difference of 971 car spaces.

The Planning Proposal

The Planning Proposal has been prepared by Urbis on behalf of Meriton. The Original Masterplan prepared by SJB Architects for the site seeks to amend the Randwick LEP 2012 (the RLEP) by:

- amending the maximum heights to between 8.5m to 73m (from 8m to 18m);
- amending the FSR to 2:1 for the whole of the site (from 0.5:1 to 1.1:1 on specified parts of the site excluding roads, a park and E2 zoned lands); and
- introducing two new permissible uses to the site, for hotel or motel accommodation and for medical services.

On 20 March 2020, the Applicant submitted an alternative concept design (or masterplan), supplementary planning statement and additional supplementary technical statements to Council for the site. The alternative masterplan seeks to address feedback obtained from Council and preliminary government feedback and provides an alternative design response for the site.

It is intended that the alternative masterplan, prepared by PTW, will sit supplementary to the initial masterplan prepared by SJB Architects and represents an alternative approach to facilitating the intended outcomes of the Planning Proposal. The applicant states that the two alternate masterplans confirm the opportunity to further resolve the final density and built form controls post-Gateway, taking into consideration the views of all stakeholders. Council considers that this is not an appropriate approach. As demonstrated in Council's assessment of the Planning Proposal, the site is not suitable for the proposed increased density.

The alternative masterplan seeks to amend the Randwick LEP 2012 (the RLEP) by:

- amending the maximum heights to between 2 storeys and 17 storeys (building heights in metres is not specified);
- amending the FSR to 2:1 for the whole of the site (from 0.5:1 to 1.1:1 on specified parts of the site excluding roads, a park and E2 zoned lands); and
- introducing two new permissible uses to the site, for hotel or motel accommodation and for medical services.

Original masterplan (prepared by SJB)

The proposed LEP maps of the original proposed scheme are set out in Figures 4 and 5.



Figure 4 – Original masterplan - proposed LEP height of buildings map



Figure 5 – Original masterplan - proposed LEP FSR map

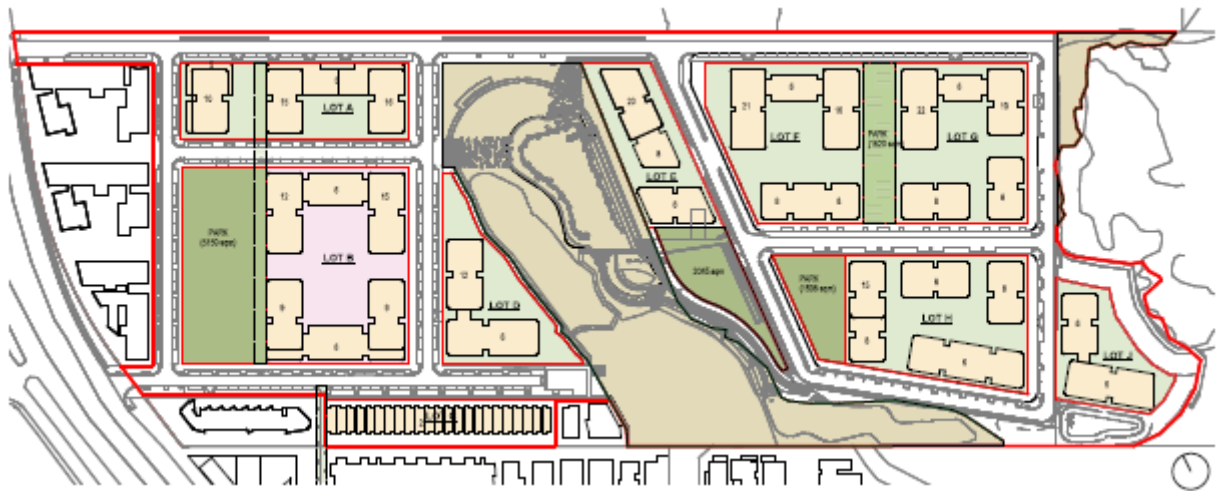


Figure 6 – Original masterplan - indicative land use (Source: SJB)

The original masterplan envisages to facilitate:

- 190,386m² GFA of residential land use including residential flat buildings, hotels, serviced apartments and terraces (1909 dwellings are nominated);
- 5,900m² of ancillary retail land use with provision for a supermarket, retail shops and medical centres;
- Open space including the community lot of 35,670m² (36.3% of the site);
- Parking provision in accordance with the RTA Guide to Traffic Generating developments (which for the 1909 dwellings would be 1,897 car spaces, a shortfall of approximately 780 spaces required by the Randwick DCP).

Alternative Masterplan

The PTW Alternative Masterplan states that the “*features of the alternative master plan include:*

- *Modulated built form to reduce the visual impacts of the site, especially when viewed from the coast;*
- *Introduces two neighbourhood precincts as a contextual response to the setting of the site;*
- *Introduce a publicly accessible pedestrian spine to connect the site;*
- *Create meaningful public open space;*
- *Provides a range of housing types from shop top to row housing;*
- *Integrates new retail uses within a mixed use street based environment; and*
- *Provision of site-wide amenity, including childcare centres, provision for a hotel and recreational facilities.”*

The Alternative Masterplan does not provide FSR or Height of Building LEP maps. The supplementary Planning Statement outlines that the proposed FSR of the alternative scheme is 2:1, the same as the original proposed scheme. The proposed building heights of the alternative scheme is outlined only in storeys, not height of metres, as set out in Figure 7.

A yield summary of the alternate masterplan is provided below.

Building No.	Floors	GFA
Building A1	14F	17,880
Building A2	17F	20,956
Building A3	16F	20,834
Building A4	13F	8,527
Building A5	16F	9,119
Building A6	14F	8,190
Building A7	15F	25,695
Building B1	10F	12,233
Building B2	11F	8,863
Building B3	8F	4,963
Building B4	7F	6,161
Building B5	9F	5,628
Building B6	8F	7,267
Building B7	5F	4,178
Building B8	6F	4,680
Building B9	9F	3,758
Building B10	7F	5,413
Building B11	6F	4,639
Building B12	5F	3,864
Building B13	4F	3,993
Townhouse T1	2F	3,150
Retail R1	1F	2,426
Retail R2	1F	3,361
Retail R3	1F	372
TOTAL		196,150
FSA		2.00



PTW

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Figure 7 – Alternative masterplan - proposed building heights map



Figure 8 – Alternative masterplan – concept plan

The alternative masterplan envisages to facilitate:

- 190,386m² GFA of residential land use including residential flat buildings, hotels, serviced apartments and terraces (1909 dwellings are nominated);
- 6159m² of ancillary retail land use with provision for a supermarket, retail shops and medical centres;
- Open space including the community lot of 33,286m² (33.9% of the site); and
- Increased developable lot area by 9034m² (18%)

A comparison of key metrics for the two masterplans is outlined in the table below.

Table 2 – Comparison of the two masterplans

	SJB Masterplan submitted to Council September 2019	Alternative Masterplan submitted to Council March 2020
Subject Site (excluding community title lot)	98,143sqm	98,143sqm
Open Space	35,670sqm (including community lot)	33,286sqm
Road/ Infrastructure	38,391sqm	31,486sqm
Developable Lot Area	49,397sqm	58,431sqm
Floor Space Ratio (FSR)	2:1	2:1
Maximum height of building proposed	73m (22 storeys)	17 storeys (height in metres not provided)

Voluntary planning agreement

Notable aspects of the planning proposal included in a proposed voluntary planning agreement (VPA) stated to be worth over \$143 million in value (or \$750 million in total government income), are:

- The dedication of 76 affordable housing apartments to Council;
- \$17.5 million contribution to Council for local community works;
- \$36 million (\$20,000 per apartment) to the state government to possibly enhance public transport or upgrade regional/state infrastructure; and
- Approximately \$8 million under the existing s7.11 plan.

Objectives of the Planning Proposal

The documentation submitted with the original masterplan outlines the key objectives of the Planning Proposal. The summarised objectives are to:

- Provide additional housing on an appropriately zoned site that leverages long-term transport objectives close to jobs and supportive of the 30 minute city;
- Stimulate urban renewal of the site;
- Support affordable housing;
- Ensure high degrees of amenity for new housing located in an area with scenic outlook and views to the coastline and open spaces, and to provide a high quality public domain and open spaces;
- Support the tourism industry; and
- Provide convenience based retail and commercial uses within a walkable catchment.

The documentation places significant emphasis on the redevelopment of the site as a catalyst for further development and improved transport links to the area. Although the Planning Proposal is to be considered as a stand-alone prospect, the original masterplan relied heavily on a concept vision for the 67 hectare precinct including the site, the LAHC lands and the Long Bay Correctional Centre. The stated vision of the original masterplan is *“to provide a quality master planned mixed use community in an iconic physical setting that has the capacity to grow and evolve as the government land to the north is incorporated in a manner which aligns with future transport infrastructure.”*

That vision can be summarised as reliant upon:

- the ultimate relocation of the Long Bay Correctional Centre;
- the redevelopment of the Correctional Centre and the LAHC lands probably together with the extension of the Metro;
- the extension to the Sydney Metro West to Malabar (in 20+ years); and/or
- a possible extension of the light rail to Little Bay.



Figure 9 – Vision of the three-site masterplan

The Supplementary Planning Statement prepared by Urbis states that “*The PTW scheme continues to envisage the site within both its current, immediate and long-term future context. However, the scheme places less emphasis on the redevelopment of surrounding land parcels and seeks to respond to the diversity of urban form surrounding the site, specifically the high-density corridor along Anzac Parade and the low-density form of the coastal area.*”

Proponent's justification in support

The Planning Proposal Report submitted with the original scheme has a number of justifications supporting the Planning Proposal including that:

- the current approval on the site is not viable (demonstrated by being vacant since 2006);
- the site (especially when considered together with the LAHC lands and Long Bay Correctional Centre) represents one of the last large landholdings in public/single developer hands in the Eastern City District;
- to not consent to the Planning Proposal would be a missed opportunity which (because of an envisaged failure to provide adequate residential dwellings) could result in rezoning of employment lands, density in inappropriate locations and continued urban sprawl;
- the site can act as a catalyst for the redevelopment of the government land to the north and create a demand for planned transport corridors;
- it helps to contribute to the housing targets set out in the strategic planning documents;
- there are valuable contributions set out in the VPA and other economic benefits such as job creation;
- environmental benefits are retained;
- it is consistent with the Greater Sydney Region Plan, the Eastern City District Plan and the Randwick City Plan 2017 by virtue of delivering on the housing targets for the district;
- the proposal will stimulate a transport mode share to the proposed additional 9-12 buses to service Anzac Parade; and
- the tallest buildings have been located to the north of the site to transition to the lower form buildings to the west and south (Prince Henry Hospital site).

The Supplementary Planning Statement provides additional justification to support the Planning Proposal including that:

- the proposal is consistent with the Local Strategic Planning Statement and Housing Strategy;
- the site has similar characteristics to other sites located proximate to the Anzac Parade corridor that are identified for long-term dwelling growth in the Housing Strategy
- the site is located on one of the most strategically significant areas in Greater Sydney;
- the proposal will have no detrimental impact on the significance of the broader Prince Henry Hospital Heritage Conservation Area and vicinity heritage items;
- the tallest built form is located in the western portion of the site closer to Anzac Parade and building heights are reduced in the eastern part of the site closer to the coast
- the potential hotel or serviced apartments use is consistent with Council's initiatives to increase tourism in the LGA
- the proposal delivers over 10,000m² of public open space
- the alternative masterplan responds to initial feedback from Council and Government Agencies
- the planning proposal demonstrates strategic merit; and
- identifies and provides adequate analysis to address key site-specific issues as the Planning Proposal progresses.

The Supplementary Planning Statement states that the Planning Proposal meets relevant statutory and non-statutory requirements to proceed to, and through, the Gateway process and that the two alternate masterplans confirm the opportunity to further resolve the final density and built form controls post Gateway as part of the site-specific merit assessment and taking on board the views of all stakeholders. However, Council officers do not consider that this is an acceptable approach.

Supporting documentation

The Planning Proposal submitted September 2019 is supplemented by a number of supporting technical studies to justify the requested amendments to the RLEP 2012. These supporting studies are as follows:

- Urban Form and Built Massing Study, prepared by SJB
- View Analysis, prepared by SJB
- Transport Assessment prepared by ARUP
- Social Infrastructure and Open Needs Analysis, prepared by CRED consulting
- Economic Benefits Report, prepared by Urbis
- Heritage Impact Statement, prepared by Urbis
- Aboriginal Cultural Heritage Assessment, prepared by Extent Heritage Advisors
- Biodiversity Assessment Report, prepared by Travers
- Services report, prepared by AT&L
- A Site Audit Report conducted by Environ in 2012, and a review of this report by ADE Consulting Group

The documents submitted by Meriton in March 2020 presenting an alternative masterplan for the site is supplemented by other material that seek to address key issues raised by Council in its preliminary assessment of the original proposal, and agency feedback received as part of this process. These supporting documents are summarised as follows:

Supplementary Planning Statement, prepared by Urbis

The Supplementary Planning Statement notes that in accordance with Division 3.1 of the EP&A Act, the Randwick LSPS and Housing Strategy (HS) form part of the strategic planning framework, and that the LSPS is a statutory consideration for the assessment of Planning Proposals and must be addressed in the strategic justification of the proposal. The Statement provides an assessment of the proposal against the LSPS and HS, finding that it is "highly consistent with the planning priorities of the Randwick LSPS, as well as the actions that guide locations for future housing growth identified in the Housing Strategy".

The Statement also provides an overview of the alternative masterplan, a brief impact assessment and a response to feedback from Council, Transport for NSW and the Heritage Council. The Statement includes a discussion on the views of this feedback received and concludes in stating

that there is no reasonable impediment to the progression of the planning proposal through the Gateway process.

Masterplan Report, prepared by PTW

The Masterplan Report provides an overview of the alternative masterplan for the site, including its new two-precinct layout. The Masterplan Report states that it “addresses concerns raised by Council’s Design Review Committee and the local community especially in terms of visual impact”. An overview of the alternative masterplan is provided in the previous sections of this report.

Traffic and transport letter, prepared by TTPP

The letter provides responses in regard to Council and TfNSW issues raised. It acknowledges that the mode share and traffic generation used in the original traffic and transport assessment should not rely on future mass-transit/rail infrastructure for which there is no definite commitment. As a result, the traffic assessment has been updated to reflect a more modest shift in mode share and a higher traffic generation rate.

The letter also identifies that Meriton is to commit to provide a Green Travel Plan in consultation with council to reduce private car usage and to support trip containment. It also identifies that the site is within 30 minutes by public transport of a strategic centre, the Maroubra Junction – Eastgardens strategic centre and therefore meets the aspirations of the 30 minute city.

The amended traffic modelling identifies the upgrade of several local intersections including Anzac Parade/Beauchamp Road; Bunnerong Road/Beauchamp Road; and Botany Road/Foreshore Drive/Penrhyn Road. It identifies that the intersection of Bunnerong Road/Beauchamp Road would require additional land acquisition to facilitate the proposed right turn bays. However, notes that such intersections are not required solely as a result of the proposed development but due to existing traffic volumes and future traffic growth.

Additional Indigenous heritage documentation, prepared by Extent Heritage Advisors

The letter states that the new layout proposed in the alternative masterplan should not impact directly on the Miocene and Ochre Conservation Area as established in the CMP or the additional ochre deposits area identified in 2012. It concludes in stating that “there should be no requirement for additional new Aboriginal heritage assessments provided that the layout and design is in accord with the requirements of the CMP and previous recommendations made in the studies and advice provided by AHMS and Extent, and provided that works associated with the design will not impact on the Miocene and Ochre conservation area nor on the additional ochre deposits found in 2012”.

Built heritage response letter, prepared by Urbis

The letter to Meriton is prepared in response to a letter addressed to Council by the Heritage Council of NSW, dated 13 February 2020. It concludes in stating that:

- the proposal is considered reasonable and acceptable from a heritage perspective
- future development as a result of the Planning Proposal is consistent with previous development approvals for the site and responds to the already complete site preparation works
- future development will not adversely impact any of the listed heritage items in the vicinity including the Prince Henry Hospital site and Long Bay Correctional Centre
- Further assessment of the potential impacts of the Planning Proposal on the adjacent State Heritage Register items is unnecessary at this stage
- Detailed heritage impact assessments would form part of each future development application that sought approval for built works

A non-binding MOU between Meriton and Sydney Water for recycled water servicing

Consultation

Consultation undertaken by Meriton

The Planning Proposal submitted September 2019 included a brief Authority Consultation Summary (Appendix O) that details Meriton’s consultation with a number of key stakeholders and

government agencies prior to lodgment of the Planning Proposal. A summary of Meriton's Authority Consultation Summary and Council's comment is provided in the following table:

Table 3 – Meriton's Authority Consultation Summary

Government agency	Summary of Meriton's Authority Consultation Summary and Council comment
<p>NSW Department of Family & Community Services (Land and Housing Corporation)</p>	<p>Meriton states that FACS currently they have 7 major sites and 20 additional projects in their immediate planning as part of their Communities Plus Program. Meriton has met with representatives from FACS a number of times which focused on their broader portfolio as well as the adjoining Bilga Crescent estate. Meriton states that the site is not in FACS's immediate planning and makes comparisons between Bilga Crescent and the Ivanhoe Estate.</p> <p>Meriton states that FACS representatives did not have any objection to the proposal being lodged as it would "provide a nexus for transport improvements and makes provision for future integration with the redevelopment of the housing estate in the future which is subject to future decisions by the Government". Meriton also notes that due to operational issues associated with the redevelopment of the FACS land (being adjacent to Long Bay Correctional Facility), its redevelopment would need to align with the closure of the jail.</p> <p>Council comment:</p> <ul style="list-style-type: none"> • Comment from Land and Housing Corporation in regard to the planning proposal is provided in the subsequent tables
<p>Corrective Services NSW (CSNSW)</p>	<p>Meriton states that "it has been well publicised that there are plans to sell/close the Long Bay Correctional Facility, which is only a few hundred metres from the subject site". Meriton also quotes the then Corrections Minister David Elliot who said in May 2016 that the process of identifying new sites for correctional facilities in NSW "includes the sale of Long Bay prison site and building a replacement prison in south western Sydney" and that "Long Bay Prison would not close until the new prison is operational".</p> <p>Meriton states that they have presented the proposal to CSNSW who advised that their "preliminary assessment of the information provided is that the proposal is unlikely to have an adverse operational impact on the Long Bay Correctional Centre."</p> <p>Council comment:</p> <ul style="list-style-type: none"> • It is understood that there is a long-term lease to a private operator for part of the Facility. There has also been recent development at the site in the form of the forensic hospital • As part of Vision 2040, Council held meetings with the Corrective Services NSW in regard to the closure or relocation of Long Bay Correctional Facility. Corrective Services NSW advised Council that any closure of the Facility is beyond the scope of the LSPS and Housing Strategy which extends to 2040 • Comment from Corrective Services NSW/Justice NSW in regard to the planning proposal is provided in the subsequent tables
<p>Transport for NSW (TfNSW)</p>	<p>Meriton states that TfNSW are now finalising their subsidiary study for south east Sydney to support the Future Transport Strategy 2056 that has been developed alongside the Greater Sydney Region Plan and Eastern City District Plan.</p> <p>Meriton states that "all plans identify a future metro station at Malabar which would inevitably be located under the Jail site and is linked with the correctional facility's publicised closure and relocation. TfNSW have identified this as a long-term transport initiative, however we understand the Study will consider short-medium term initiatives which could focus on the utilisation of existing transport corridors</p>

Government agency	Summary of Meriton's Authority Consultation Summary and Council comment
	<p>like major roads (i.e. Anzac Parade) for higher-frequency bus services or on-demand bus services that could accommodate high volumes of passengers without substantial cost. We understand the Study will be released later this year."</p> <p>Meriton states that they have briefed TfNSW on the proposal and options to expand existing bus services. Meriton provided TfNSW with preliminary yield estimates from the subject site and adjoining government lands to assist in traffic modelling for the Study. Meriton states that "Initial advice suggested that there were no insurmountable issues, however we are expecting more detailed commentary to be provided that will seek further information."</p> <p>Council comment:</p> <ul style="list-style-type: none"> • There is no indication from TfNSW in regard to mass transport investment for the area at this time, other than what is stated in the existing strategic documents • TfNSW's South East Sydney Transport Strategy has yet to be endorsed by NSW Cabinet and made public • Comment from TfNSW in regard to the planning proposal is provided in the subsequent tables
Department of Planning, Industry and Environment (DPIE)	<p>Meriton states that it has held a number of discussions with DPIE over the last few years about the Anzac Parade Priority/Planned Precinct, within which the subject site was included. Meriton states that DPIE advised them that the precinct planning had been delayed and would be prioritised when more information in regard to current transport planning was available.</p> <p>Meriton states that DPIE recognised that Meriton is in a position to proceed earlier than their schedule, and advised that a Planning Proposal would need to be lodged to facilitate the proposed increase in development capacity at the site. Meriton states that "since the site is located within the Priority/Planned Precinct, the proponent has made provision for a State Infrastructure Contribution (SIC) in its offer to enter into a Planning Agreement."</p> <p>Council comment:</p> <ul style="list-style-type: none"> • The Anzac Parade Corridor is not listed among the 48 planned precincts in Greater Sydney and is therefore not relevant for consideration.

Meriton also distributed letters to various local residents advising them of the lodgment of the Planning Proposal to Council in September 2019. It provided an overview of the scheme and an email address for residents to contact Meriton if they had any queries.

Consultation undertaken by Council

Upon receiving the Planning Proposal by Meriton in September 2019, Council forwarded it to a number of government agencies and key stakeholders for their comment. These are summarised in the following table.

Table 4 – Government agencies and key stakeholders consulted by Council and their response – Planning Proposal

Government agency or key stakeholder	Response provided to Council
Transport for NSW (TfNSW) Dated 15/11/2019	<ul style="list-style-type: none"> • Meriton has engaged with TfNSW in the preparation of the Planning Proposal • Comments on the Planning Proposal provided to Meriton in correspondence dated 11 November are attached to the submission to Council. Key points from this letter:

Government agency or key stakeholder	Response provided to Council
	<ul style="list-style-type: none"> ○ Residential development at Little Bay/Malabar is broadly aligned with the <i>Eastern City District Plan</i> and the <i>Future Transport Strategy 2056</i>. However, TfNSW is not in a position to define the location or timing of any new city-shaping and/or city serving networks that may be in the vicinity ○ There is no NSW Government commitment to provide additional mass-transit/rail infrastructure that would provide immediate support to the proposal. Future residents in the area would need to rely on existing transport infrastructure ○ Some increase in bus services could reasonably be assumed ○ It is recommended that measures be considered to reduce private vehicle usage and support trip containment ○ The transport assessment should identify estimated travel times via public transport to nearby metropolitan/strategic centres ○ Contributions toward state infrastructure via a VPA mechanism should be discussed with Council prior to any request to seek a gateway determination. Such discussions should include the need for further studies to better understand the transport infrastructure required to support the envisioned land use outcomes ○ The proposed hotel use should be included in any revised transport assessment ○ The masterplan should make allowances for local connections to the north of the site <p>Council comment:</p> <ul style="list-style-type: none"> • As outlined above, TfNSW has confirmed that there is no NSW Government commitment to provide additional mass-transit/ rail infrastructure to the proposal; and importantly future residents in the area would need to rely on existing transport infrastructure.
Corrective Services NSW	No response received.
Land and Housing Corporation (LAHC)	<ul style="list-style-type: none"> • Council referred the documentation to Land and Housing Corporation (LAHC) but did not receive a response • Previously on 8 July 2019, LAHC wrote to Council acknowledging that Meriton had contacted LAHC to advise of their intention to submit a Planning Proposal for a site in Little Bay adjacent to LAHC lands • LAHC stated that they had not seen specific detail regarding the site of the Planning Proposal, but will provide comment at such time as this information is on public exhibition
School Infrastructure NSW Dated 11/11/2019	<ul style="list-style-type: none"> • The Community Needs Assessment which accompanies the Planning Proposal concludes there is sufficient school infrastructure (four primary schools and one secondary school) to accommodate the projected increase in students • The Department of Education has made recent changes to its Enrolment Policy which will mean more students will be enrolled in their local schools and that there will be less out-of-area enrolments (particularly where schools are at their permanent capacity) • Primary schools near the site and the development realised under the Planning Proposal would generate the need for five additional primary school classrooms within the La Perouse or Chifley catchments • SINSW will liaise with DPIE to ensure additional growth is accommodated via State Infrastructure Contributions (SIC) as the site is located within the Anzac Parade Planned Precinct

Government agency or key stakeholder	Response provided to Council
Heritage Council of NSW Dated 13/02/2020	<ul style="list-style-type: none"> Not enough adequate information has been provided to gauge impacts of the proposal on the State Heritage Register (SHR) nominated 'Little Bay Geological site' and on adjacent SHR items. The proposal presented risks to the heritage significance of this site and the adjacent SHR items 'Prince Henry Site' (SHR 01651) and 'Long Bay Correctional Centre' (SHR 00810). The scale, density and proximity of the proposed development is considered excessive and like to have adverse impacts on the state heritage values and inherent site character. An upgraded assessment focused on the wider impacts of the proposal on adjacent SHR heritage items is required.
Roads and Maritime Services (RMS)	No response received. It is understood RMS comments are included within the TfNSW response.
WaterNSW	<ul style="list-style-type: none"> Referred the matter to the Department of Primary Industry & Environment and the Natural Resources Access Regulator for comment No comment was received from these agencies
National Parks and Wildlife Service (NPWS)	No response received

Upon receiving the Alternative Masterplan and supporting information by Meriton on 20 March 2020, Council again referred the documentation to a number of government agencies and key stakeholders for their comment. These are summarised in the following table.

Table 5 – Government agencies and key stakeholders consulted by Council and their response – Alternative Masterplan

Government agency or key stakeholder	Response provided to Council
Transport for NSW (TfNSW) Dated 24/4/2020	<ul style="list-style-type: none"> Meriton has also provided a revised transport assessment to TfNSW under a separate cover TfNSW has no objections with the Planning Proposal proceeding through the Gateway process TfNSW supports the preparation of a Green Travel Plan (GTP) for the precinct, and states that the traffic generation rates used in the TTPP letter would somewhat rely on the success of the GTP initiatives and the enhancement of existing public transport in the area TfNSW states that it can be reasonably assumed that TfNSW will enhance existing bus services in the area associated with the recent commencement of operations of the CBD and South East Light Rail It is suggested that the transport assessment should be updated prior public exhibition, including revised transport modelling undertaken in consultation with TfNSW as outlined in the submission It is also recommended that any other any other outstanding TfNSW matters provided to Meriton as part of the consultation dated 11 November 2019 should be addressed and included in the revised detailed transport assessment mentioned above
Justice NSW	The proposal would not materially impact the operation of the Long Bay

Government agency or key stakeholder	Response provided to Council
Received 8/05/2020	Correctional Facility based on the material currently available.
Land and Housing Corporation (LAHC) Dated 11/05/2020	Advises that LAHC has no material concerns with the proposal from the perspective of adjoining land owner; and is not making comment on the appropriateness of the proposal, or in relation to future development applications that may be submitted in relation to the Meriton site.
Heritage NSW as delegate of the Heritage Council Dated 11/05/2020	<ul style="list-style-type: none"> The additional information provided has not addressed many of the concerns raised in the agency's previous advice. The Alternate Masterplan did identify a significant reduction in heights on the eastern part of the proposal site, somewhat addressing concerns regarding the impacts on the open landscape character of the area. However, the potential impacts of the proposal on the existing Aboriginal heritage values and potential State heritage values of the proposed 'Little Bay Geological site' as well as on the adjacent SHR items have not resolved. Identifies the following issues to be resolved if the planning proposal is to proceed: <ul style="list-style-type: none"> Impacts on the proposed SHR item 'Little Bay Geological site' particularly given the likely extent and depth of excavation, impacts on groundwater recharge and movement. Impacts on the Aboriginal heritage values of the site outside previously identified and 2009 – approved areas (e.g. Lot A and within Lot 2) under capped fill, noting previous assessments advice and likely basement excavation Impacts on the existing open landscape character, on surface and stormwater runoff affecting the adjoining Prince Henry Site and the nearby Long Bay Correctional Centre SHR items The extent (range and depth) of excavation proposed or required to provide underground parking required for the building types and heights proposed, including a supermarket Hydrological impacts of intensification of land use and excavation required on groundwater, impacting the heritage values of the 'Little Bay Geological site' An updated Aboriginal heritage assessment of the site Clarification of whether relevant referrals required to National Parks and the Environment, Energy and Science Group of the Department have been sought, for proposals affecting Aboriginal cultural heritage. Clarification of the status of and owner's responsibility for implementing the 2016 Voluntary Conservation Agreement over part of the subject land with regard to the Aboriginal cultural heritage and geological site, which is tied to the property title. Until the above information is provided, Heritage NSW is unable to comment on the planning proposal further.
Sydney Water Dated 14/05/2020	Sydney Water has no objection to the proposal. The submission mentions a Feasibility Study that Meriton would have to lodge with Sydney Water for the proposed development, and an application requesting permission to discharge trade wastewater into the wastewater system "before any business activities can commence".
Water Division, DPIE	No response received.

Government agency or key stakeholder	Response provided to Council
Natural Resources Access Regulator (NRAR)	No response received.
Sydney Airport Dated 18/05/2020	<p>Sydney Airport notes that the alternative masterplan of the planning proposal proposes buildings of up to 18 floors in height in some locations, however the height of these buildings in metres AHD is not provided. As such it is unclear whether these buildings would intrude into Sydney Airport's prescribed airspace.</p> <p>The tallest of the proposed buildings (under the original proposal) could intrude into the OLS thus requiring approval under the <i>Airports (Protection of Airspace) Regulations 1996</i>.</p> <p>In relation to development in areas subject to aircraft noise, the land subject to the planning proposal lies outside the Australian Noise Exposure Forecast (ANEF) 20 contour for Sydney Airport and is therefore not situated in an area subject to aircraft noise for the purpose of cl. 6.9 of the <i>Randwick LEP 2012</i>.</p>

Despite the Planning Proposal not being on public exhibition, Council has received a number of written submissions in regard to it. As part of Council's Vision 2040 exhibition of the draft LSPS and draft Housing Strategy, 82% of the 519 submissions received were in relation to the Planning Proposal. All of these submissions were in objection to the planning proposal, apart from the one submission by Meriton in support. Key issues raised by the community in opposition to the proposal as part of the Vision 2040 consultation included:

- local infrastructure cannot support the proposed growth in population
- changes to masterplan would undermine the low density, low rise coastal character of the area
- desired future character is low density, low rise development in harmony with current built environment and natural environment
- there are other areas more suitable for growth such as Randwick, K2K and Maroubra
- lacking transport infrastructure
- impact on biodiversity and on the sensitive coastline
- solar access and overshadowing impacts
- increased carbon footprint and visual impacts
- traffic and transport impacts including traffic issues along Anzac Pde
- must stick to existing 'approved' masterplan, no changes to the approved masterplan
- detrimental to Prince Henry Design Guide/conservation management
- object to hotel accommodation included in the masterplan
- inconsistent with Housing Strategy and LSPS
- impact on schools and recreational areas
- the site is not appropriate for high density, but rather low to medium density housing typologies
- public transport is scarce and couldn't handle the proposed increase in population.

An online petition submitted to Council as part of Vision 2040 in opposition to the Planning Proposal has over 10,300 signatures to date. A community rally in opposition to the proposal was organised on 27 September 2019 at McCartney Oval. Council has also received a number of written submissions in response to the alternative masterplan lodged with Council in May 2020.

Design Excellence Panel

Randwick City Council's Design Excellence Panel considered the Planning Proposal on 14 October 2019. Endorsed comments and recommendations from that meeting include:

- The surrounding areas are generally a 9.5 metre height limit allowing for 3 storeys. The height cap in the proposal appears to have been set by the Obstacle Limitation Surface (OLS) adopted by CASA for Sydney Airport;
- The heights proposed are incompatible with surrounding development;
- A greater variety of building and residential types should be considered;
- Banksia Street (realigned to a north/south direction should be retained as a street in the eastern part of the site to give permeability to the LAHC lands in future;
- Lot J should be reconsidered as to its appropriateness for development given the built form so close to parkland;
- The effective change to the FSR is four times the current allowance and is unacceptable;
- The justification based on long term future transport improvements is insufficient justification for upzoning at this time as it results in excessive building height and bulk;
- Due to the east/west orientation it suggests that the ADG solar access requirements may be met, but other ADG aspects are not shown (e.g. cross ventilation); and
- Sustainability, landscaping, CPTED and aesthetics require more detail.

A second meeting was held on 4 November 2019 at which Meriton was allowed to present. The above comments and recommendations remained the same with the summary stating:

The proposal seeks to justify a substantial increase in carrying capacity of the site to align with updated housing targets and strategic initiatives of local and state government. The Panel does not feel that the reasons given in support of the increase are grounded in adequate certainty to consider this increase. Council has worked closely with planners and urban designers to determine the current controls and the successful implementation of Little Bay to date is evidence of their appropriateness for the site.

This proposal needs significant reworking as the scale, bulk and height of the proposed built form exceeds what would be acceptable on this site.

The Panel would like to review this proposal again should it be modified.

On 7 May 2020, the Panel considered the alternative masterplan and supporting information lodged to Council on 20 March 2020. The Panel was requested to review the material on its own merits and not as a comparison to the previously submitted design by SJB. Endorsed comments and recommendations from that meeting include:

- The planning proposal shows building heights that greatly exceed allowable. They have, in part, been based on long term speculation as to the certainty and location of transport improvements
- Although the strategy for managing scale has merit, with additional height towards the western portion of the site, the Panel feels that overall heights proposed, as driven by the development intensity, are incompatible with surrounding development and result in unacceptable outcomes.
- A limited number of visual impact images have been provided to demonstrate the impacts of the proposed massing. Long distance views from surroundings and close views from adjacent streets and opens spaces should be provided
- The smallest blocks in the coastal neighbourhood already reach the height of the tallest buildings in the surrounding Prince Henry development. This suggests that the scale change proposed is an order of magnitude greater than what would be considered contextually appropriate
- Proposed changes to the street configuration are acceptable and will allow greater flexibility in the development. The Panel would like to see a greater emphasis put on the integration of the proposed street layout and structure plan with developments to the north and south.
- The Panel questions the appropriateness of the configuration of lots in the southeast of the proposal as these do not appear to have identifiable street addresses and would result in a considerable amount of built form and private gardens directly abutting parkland.

- An overall FSR of 2.0:1 has been proposed across the site which quadruples the current allowable amounts (in comparison with LEC approved Stage 1 Masterplan). Net FSR calculations have not been provided.
- The implication that the site forms part of the Anzac Parade corridor with long term future transport improvements are under study is not sufficient justification for an up zoning of this scale at this time.
- This substantial increase in density results in excessive building height and bulk. Additional visual impact images would be needed to further understand this outcome.
- The Panel supports the gesture of bringing the open space experience into the heart of the scheme and the east/west link that draws movement between Anzac Parade and the coast. A more legible public space, as opposed to the landscaped street corridors illustrated, would help define the identity of the urban neighbourhood.
- Shadow diagrams have been provided which show minimal shadow impacts on the development at Little Bay to the south however it is unclear how solar access is achieved for the designated public places within the proposal itself
- Additional consideration needs to be given to the configuration of the public domain where built form directly about open space. Clear pathways and sightlines need to be maintained in order to ensure that CPTED principles are embedded in the design.
- A greater variety of building and residential types should be considered along various streetscapes

The Panel in its final summary and recommendations stated:

The Panel supports the site strategy that defines two characters, an urban neighbourhood and a coastal neighbourhood, connected by a pedestrian spine that links Anzac Parade to the coast. Additional information is also required for the Panel to fully understand the implications of the proposal. The above notwithstanding, The Panel feels that the proposal needs significant reworking as the scale, bulk and height of the proposed built form exceeds what would be acceptable on this site.

Assessment of the Planning Proposal

The Department of Planning, Industry and Environment's *A Guide to Preparing Planning Proposals* outlines the 11 questions to consider when demonstrating the justification of a planning proposal. Question 3 outlines the two-part test – whether the Planning Proposal has strategic merit, and if so, does it meet the site-specific merit test. Council has used these 11 questions as a basis to assess the Planning Proposal. Comments from the RLPP are provided following Council's assessment.

A. Need for the Planning Proposal

1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

No. The LSPS and Housing Strategy identify the site as a centre and major site for housing growth in the 0-10 year span, recognising the existing approval for the remaining 225 (approximate) dwellings which have not been constructed. It acknowledges that this Planning Proposal is under assessment, and will proceed as a separate process to the finalisation of the LSPS and Housing Strategy.

See commentary under question 3.

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

The objectives of the Planning Proposal are set out above but the primary objective and intended outcome as identified by the Planning Proposal (page 44) is to “*facilitate a high-density quality residential master plan supported by commercial and tourism uses in an iconic physical and landscaped setting that will deliver housing, as well as some local jobs, services and amenities to the area. In doing so, it will provide a catalyst for the government lands to the north to be*

incorporated and evolve Little Bay into a mixed-use precinct supported by future high frequency and mass transit infrastructure.”

Whether or not the Planning Proposal would provide the catalyst for the redevelopment of adjacent government lands, supporting Meriton’s vision for a 3-site masterplan is unclear, given the submissions received by Council from the adjacent landholders LAHC and Justice NSW. Submissions from Transport for NSW confirm that there is no commitment to any future mass transit links to the site or the local area as identified in any strategic plans.

Council’s objectives for housing are set out in its Housing Strategy and LSPS. It provides for a balanced approach to growth across the LGA, aligned with committed and planned infrastructure for the LGA. It sets a housing target of an additional 4,300 new dwellings by 2026 and identifies housing growth opportunities for the medium to long term to meet projected population growth, without any increased density in Little Bay Cove above the current approvals.

As detailed below, the existing planning strategies clearly envisage a planned approach to increased housing density following transport infrastructure improvements. This Planning Proposal seeks to increase dwelling density supported by increased bus services, prior to any decisions being made about the long term transport improvements in the area.

The existing and possible future public transport to the site

The Planning Proposal requires consideration of the current and possible future public transport to the site. Currently a number of routes operated by Sydney Buses run along Anzac Parade, with some express buses and standard buses to the city during peak hours at 15 minute intervals and other buses operating approximately every half hour off-peak.

A number of proposals for future transport to the area have been identified for investigation in Transport for NSW’s *Future Transport 2056*.

Within the 0-10 year timeframe, an extension of the light rail to Maroubra and a rapid bus link from Green Square to La Perouse are both identified for investigation.

A ‘City Shaping Corridor’ Mass transit/train link to south east is identified for future investigation from the CBD to Malabar via Randwick and Maroubra Junction/Eastgardens. The mass transit is identified as a 10-20 year investigation and there is currently no commitment to the infrastructure and therefore no certainty regarding its route or stop locations.

The traffic assessment from Arup considers the potential light rail extension to La Perouse, however this does not appear likely in any forecasting given that the map included on page 3 of the Arup report comes from the 2014 State Infrastructure Strategy Update which has not been adopted in *Future Transport 2056*.

The South Eastern Transport Strategy is a yet to be endorsed strategy prepared by Transport for NSW. The intention of the Strategy is to realise the outcomes of Transport for NSW’s *Future Transport 2056* and become the NSW Government policy for South Eastern Sydney through the development of a program of works for investment and delivery.

Transport Assessment Review

Council engaged EMM to undertake a review of the Transport Assessment prepared by ARUP and the subsequent Traffic and Transport Assessment report by TTPP Transport Planning for the planning proposal. The EMM report is located at Attachment 2. A summary of transport issues is as follows:

1. Pedestrian access to bus stops

As there is no Government commitment to provide additional mass transit to the area, future residents would need to rely on the existing transport infrastructure with some increase in public bus services. Pedestrian access from the site to the existing bus stops on Anzac Parade has poor accessibility due to the steep and indirect alignment of the pedestrian path, the width of the median strip and the significant difference in height between the two carriageways of Anzac Parade, near Solarch Avenue. For future safe pedestrian accessibility and connectivity between undeveloped areas of the site and the bus stops on Anzac Parade, traffic signals at either

Cawood Avenue or Solarch Avenue would need to be provided. However, there is currently no agreement with either RMS or TfNSW for this to occur.

2. Bus services

The range of localities which are easily accessible by public transport (existing bus routes without interchanging) from the site is limited to the Anzac Parade corridor only, which primarily connects to Maroubra Junction, The University of NSW and the Sydney CBD. Any cross regional travel to other key destinations within the Sydney Region or even more local destinations such as the Eastgardens Shopping Centre or the Hospital part of the Randwick/UNSW Health and Education precinct, is not generally feasible without interchanging to use another bus route. This is often a significant disincentive for patrons to use public transport, especially during the off peak periods when services are less frequent.

As stated in TfNSW submission, it can be reasonably assumed that TfNSW will enhance existing bus services in the area associated with the recent commencement of operations of the CBD and South East Light Rail. The bus timetable to respond to the operation of the light rail has not yet been released and therefore the future level of service cannot be confirmed.

Even if there were to be an increased frequency of services, pedestrian accessibility to and from the site to existing bus stops is so inadequate that bus travel is not likely to be a viable or attractive future public transport option for the majority of future residents at the site. For bus services to be a viable transport option for future residents, a formal "Transport Terminal" location will need to be defined at a central location within the site. The future bus network which will travel to and from this Transport Terminal will require four separate regional bus routes which is a minimum 10 minute service frequency over the full two hour 7-9 am morning peak travel period.

3. Vehicular access to Anzac Parade

The site access to Anzac Parade has been provided as two "minor local road" T intersections. To service a much higher density development, an intersection with traffic signals to Anzac Parade and road access that has adequate width to operate as a "major local road" would be required. The two existing site access roads cannot be retrospectively widened due to the property development which has occurred. Therefore, the site vehicular access to the site is effectively only suitable for the needs of a predominantly low density development.

Construction of a signalised intersection/s to facilitate rights turns out of the development site is likely to be required. Neither RMS nor TfNSW have yet formally agreed to the future provision of right turn access (by either traffic signals, or a seagull type intersection). However, the significant vertical difference in the existing carriageway levels between the northbound and the southbound carriageways of Anzac Parade at Solarch Avenue will make the future design of any central median road connection between the two carriageways of Anzac Parade very problematic at this location.

It would be necessary for the applicant to prepare a concept intersection civil engineering design and to undertake a traffic signal warrant assessment for any proposed new traffic signal controlled intersection, to replace either of the existing Solarch Avenue or Cawood Avenue intersections.

If no right turn access to and from Anzac Parade is feasible for the future development traffic, this access restriction would need to be taken into account in revised future site development traffic distribution assumptions which may then be significantly different to the assumptions used in the Arup development traffic analysis reports.

4. Future mass transit

This route is identified as a 'City Shaping Corridor' in the Greater Sydney Commission 2056 transport strategy. The proposed mass transit is still a proposal for investigation in the next 10-20 years. The proposed mass transit connection is not committed to, and therefore there is no certainty that the additional infrastructure will be provided.

Ultimately, there will need to be a much clearer and more definitive commitment from the NSW government to provide either improved Heavy Rail or Light Rail transport infrastructure to serve the Malabar and/or Little Bay areas. If the mass transit is committed to by Government, further land "rezoning" in these areas could potentially be justified to allow higher density residential

development, but probably more justifiably at Malabar rather than at Little Bay, based on the likely respective future walking distances to and from the future terminal station.

5. Future Implications for travel post-Covid-19

As there are likely to be significant changes to working and travel patterns for Sydney commuters in the post Covid-19 travel situation, all future public transport based travel assumptions for residential and other development at the subject site will need to be reconsidered.

6. Traffic impacts

The traffic and transport assessment reports for the proposed Little Bay Cove masterplan have identified some significant future road network capacity constraints already, such as at the Anzac Parade/Beauchamp Road and Bunnerong Road/Beauchamp Road intersections.

The traffic analysis submitted by the applicant in March 2020, identified that there will be a need for additional lanes at the Bunnerong Road/Beauchamp Road intersection, which is likely to require land acquisition. This is a potentially significant issue for the development in terms of who pays for the land acquisition and what other legal arrangements may be necessary for any land acquisitions to take place.

The future road network transport capacity analysis for the proposed development will also need to consider mid-block capacity constraints as there are many locations between the subject site and the Kingsford Light rail terminal where there is only a single travel lane available at most times of the day.

In addition, the entire development traffic analysis needs to be repeated using more accurate future travel mode share assumptions, including future car travel traffic generation rates no lower than the rates currently identified for the existing site residential use. If that is undertaken, the traffic impacts of the new masterplan levels of development will then be likely be significantly higher than the current assessment.

EMM concluded that it is difficult to justify this area of Little Bay currently being considered a suitable location for any type of high density residential development as the area is predominantly car driven and the public transport accessibility to major strategic employment centres is either limited or not very attractive. As a minimum, a new network of direct bus routes would need to be developed to directly connect Little Bay with the Randwick Hospital Campus, Sydney Airport and the other nearby Mascot and Port Botany employment precincts. A transport terminal at a central location in the site would need to be provided, to create safe and convenient access to public transport. Vehicular access to the site from Anzac Parade is constrained which makes the site not suitable for high density development. In addition, the traffic assessment will need to be undertaken again to use more realistic assumptions for mode share in order to accurately assess the traffic impacts of the planning proposal.

As demonstrated in the Transport Assessment Review, the site is not suitable for the increased density that is proposed.

B. Relationship to the strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

(a) Strategic Merit Test

Is the proposal:

- (i) consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- (ii) consistent with a relevant local strategy that has been endorsed by the Department; or
- (iii) responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls?

Comments on the proposal's consistency with these three questions are as follows:

- (i) the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site

Eastern City District Plan

The Planning Proposal is inconsistent with the *Eastern City District Plan* (ECDP) as outlined in the following assessment:

Priority	Council comment
Infrastructure and collaboration	
E1 Planning for a city supported by infrastructure	<p>The original proposal relies on buses as satisfactory for the proposal and uses unconfirmed potential future metro/light rail connections to support its vision of a 3 site masterplan. Under the alternative masterplan, the reliance on mass transit/light rail is removed. The alternative scheme relies on augmentation of the existing road network and local road intersections and some investment of the bus network through a Special Infrastructure Contribution (SIC).</p> <p>The ECDPs actions include to align growth with infrastructure, sequencing infrastructure provision with a place-based approach, and maximising the use of existing infrastructure. It states that <i>"planning for infrastructure considers infrastructure in terms of its function: city-shaping infrastructure such as major transport investments that generate demand for and influences land uses; enabling infrastructure such as electricity and water, without which development cannot proceed; and supporting infrastructure such as local bus services that meet demand in growing communities"</i>.</p> <p>Increases in density at the site as proposed would need to be aligned with city shaping infrastructure in the form of mass transit connections. As confirmed by Transport for NSW in its submission to Council, there is no commitment by the NSW Government to mass transit connections to the site. Therefore there is no certainty that the additional infrastructure will be provided, servicing the site in the short or medium term, and the long term.</p> <p>As such, the Proposal fails to align with this priority of the ECDP.</p>
Liveability	
E3 Providing services and social infrastructure to meet people's changing needs	<p>The Proposal states that it creates a walkable neighbourhood of flexible typology of housing. The alternative masterplan introduces a new central spine integrated with active uses and a linear park. A child care centre is proposed, but any community facility is subject to Meriton's three-site masterplan – it is not part of this Planning Proposal. There is a park, but no playing fields. There is no mention of accessible or adaptable housing.</p>
E4 Fostering healthy, creative, culturally rich and socially connected communities	<p>The Proposal states that developing the site will enable residents to experience the natural attributes of the site and have a healthy lifestyle and social interaction. It is proximate to social infrastructure such as schools, community centres etc.</p> <p>The Alternative Masterplan states it promotes 'an active and socially cohesive environment' and to implement an active transport system including shared pathways and pedestrian streets.</p> <p>There is no recognition of the second ochre pit and its importance to the local Aboriginal community. Concerns are raised about the impacts the increased densities will have on this site in submissions from Heritage NSW and the NSW Heritage Council.</p> <p>There is nothing in the Planning Proposal which engenders any particular</p>

Priority	Council comment
<p>E5 Providing housing supply, choice and affordability with access to jobs and services</p>	<p>community activity other than the playground and other open space concepts.</p> <p>The Proposal states that housing density and diversity is provided while respecting the surrounding suburbs. Apartments respond to the changing demographic of the region. It is an efficient land use. The affordable housing supports diversity. Local employment is promoted.</p> <p>The ECDP stresses the need for a diversity of housing types supports different community needs, but there is little diversity in the Proposal. Under the original proposal, there is limited housing diversity, with apartments as the predominant housing type. While the alternate masterplan provides for some row houses and low-rise apartments, apartments still make up the majority of housing and building types on-site.</p> <p>The ECDP requires Councils to prepare housing strategies and to locate more housing in the right locations, considered by location and capacity of infrastructure with urban renewal on key nodes.</p> <p>Council has endorsed its Housing Strategy which identifies housing growth opportunities and locations to deliver housing to meet the short, medium and long term housing targets. These locations were identified based on Council's guiding principles for growth and the Department's locational criteria in its guideline for preparing a local housing strategy.</p> <p>The site's contribution to the housing target under its existing approval is and has been acknowledged in the Randwick Housing Strategy. Council's dwelling target of an additional 4,300 dwellings by 2026 is not reliant on a contribution of dwellings on this site over and above that what is already approved. This is in recognition of the existing transport, services and facilities available to the site.</p> <p><i>As outlined and supported in the ECDP "Housing supply must be coordinated with local infrastructure to create liveable, walkable neighbourhoods with direct, safe and universally designed pedestrian and cycling connections to shops, services and public transport. This means that some areas are not appropriate for additional housing due to natural or amenity constraints, or lack of access to services and public transport.</i></p> <p>As stated by Transport for NSW in its submission to Council, there is no commitment by the NSW Government to mass transit connections to the site. Therefore there is no certainty that the additional infrastructure will be provided, servicing the site in the short or medium term, and the long term.</p> <p>The site also proposes to contribute 5% of the planning uplift as affordable housing via a Voluntary Planning Agreement. To ensure the provision of affordable housing on the site, a minimum a 5% contribution should sought on the total development capacity of the site (not just uplift) and an affordable housing contributions scheme (enabled by SEPP 70) be applied.</p> <p>Therefore the proposal is inconsistent with the ECDP and Council's Housing Strategy.</p>
<p>E6 Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>The Proposal states that the site is underutilised and the Proposal will create a vibrant, attractive and activated residential masterplanned community, facilitating an environment with open space, walkability and a people-friendly realm (this appears to be based on the full 3-site masterplan vision being realised)</p> <p>The ECDP promotes the public realm, social infrastructure and vibrant streets. The proposal does provide some public areas, however there are potential issues with overshadowing as a result of the size and scale of the development proposed. There is no direct connectivity to any other local</p>

Priority	Council comment
	<p>centres by bike paths. The nearest local centres are Matraville and Maroubra Junction. There are also the smaller neighbourhood centres of Malabar, Little Bay and La Perouse in close proximity to the site.</p> <p>The Planning Proposal has not sufficiently considered the impact of the development upon the ochre deposit located in 2012, the existing aboriginal heritage features, the HCA within which the eastern section of the site lies and the SHR listed items in the vicinity of the site.</p>
Productivity:	
E9 Growing international trade gateways	<p>The Proposal states that the additional housing will supply key workers for Port Botany and Sydney Airport, the heights proposed are below the OLS, and the hotel will support a future cruise terminal, however it is noted that the business case for the cruise terminal has been deferred.</p> <p>The housing may include that for lower income (key) workers however it is unclear whether this will be for 'key workers' from Port Botany and Sydney Airport.</p> <p>As stated in submissions to Council from Sydney Airport, the tallest of the proposed buildings in the original proposal could intrude into the OLS, and it is unclear whether buildings in the alternative masterplan would intrude either as the heights of these buildings in metres AHD is not provided.</p> <p>As there is no commitment to mass transit to the site, as confirmed by Transport for NSW, increases in densities (which would include hotel uses) is not justified.</p>
E10 Delivering integrated land use and transport planning and a 30-minute city	<p>The Proposal states that it provides housing close to employment centres of the airport, Maroubra/Eastgardens, Bondi Junction and Randwick to support the 30 minute city.</p> <p>The range of employment destinations in strategic centres which could be reached by public transport from the subject site within 30 minutes is limited to Eastgardens-Maroubra Junction. The Eastgardens-Maroubra Junction Strategic Centre is a population-serving centre offering retail, health and community services which straddles both Bayside and Randwick LGAs. It is a newly identified strategic centre in terms of the NSW Government's strategic planning as outlined in the Eastern City District Plan. The ECDP projects a modest growth in employment for the centre from 6,900 jobs in 2016 to 8,000-9,000 jobs predicted to 2036 representing a net increase of +1,100- 2,100 new jobs. In comparison, Randwick's major employment centre, the Randwick Health and Education Precinct and Strategic Centre, projects jobs growth in the order of 40-55% (from 22,800 in 2016 to 32,000-35,500) representing a net increase of 9,200 – 12,700 new jobs to 2036. This demonstrates that in terms of key employment centres for Randwick City, the Eastgardens-Maroubra Junction centre has a smaller employment serving role for the City when compared to the Randwick Strategic Centre. Furthermore justifying the number of dwellings as proposed based on a 30 minute city notion to a local population serving centre such as Eastgardens-Maroubra Junction is out of proportion and scale, at this time.</p>
E13 Supporting growth of targeted industry sectors	<p>The Planning Proposal cites the economic benefits that the proposed hotel can have for the local economy. It states that a 200-300 room hotel will provide tourism based infrastructure and support spending in the local economy.</p> <p>Council is preparing an Economic Development Strategy including a Visitor Management Study which will identify opportunities to grow the City's tourism and visitor economy including place-based initiatives to enhance existing</p>

Priority	Council comment
	popular tourist locations. The strategy and study is due for completion over the next year, it is therefore premature for the proposal to identify the location of a site for its tourist accommodation potential without considering strategically the outcomes of Council's economic development strategy in relation to the City's tourism and visitor economy.
E15 Protecting and enhancing bushland and biodiversity	The original SJB proposal includes high density construction on Lot J which is may result in overshadowing onto the critically endangered community of the Eastern Suburbs Banksia Scrub (ESBS). More information is required in regard to the potential impacts the proposed buildings in the alternative masterplan may have on the ESBS, particularly given the changes to the road layout and reduction of the 'buffer'.
E16 Protecting and enhancing scenic and cultural landscapes	<p>The Proposal states that the distribution of buildings protects the Miocene and Ochre deposits and retains key views to the coastline from Anzac Parade looking east.</p> <p>Council notes that the site has high significance to the local Aboriginal community as a source of ochre or pipe clay used in body decoration for various cultural practices, including dances and ceremonies. It is Council's view that the Aboriginal heritage justification provided as part of the Planning Proposal is insufficient in terms of impacts on the Aboriginal heritage significance of the site.</p> <p>While the alternative masterplan has significantly reduced the visual impact from Little Bay Beach, an assessment from other key vistas has not been provided. In comparison, the proposal as originally submitted will be clearly visible from multiple locations in the area, including from Little Bay Beach and Malabar Headland National Park and from the public space areas at McCartney Oval to the south.</p> <p>This Planning Proposal would result in densities and scales that are incompatible with the surrounding character, in particular the scenic coastal character of the area and the natural environment. Furthermore, it does not align with the desired future character of the area and the natural environment.</p>
E17 Increasing urban tree canopy cover and delivering Green Grid Connections	<p>The Proposal states that the primary green space in the middle of the site facilitates a green grid corridor for the future.</p> <p>Some landscaping is considered in the SJB and PTW schemes but there is little detail on how the site can contribute to increasing urban tree canopy cover and delivering on green grid connections.</p>
E18 Delivering high quality open space	<p>The social infrastructure assessment provided to support the planning proposal suggests a minimum of 2ha (15% of site) to 3.2 ha (9 sqm per person) of open space be provided on site. The SJB masterplan indicates that it will provide for 35,670 sqm of open space (36.3% of site area) while the PTW alternative scheme will provide for a marginal reduction of 33,286 sqm of open space (33.9% of site area). Based on the benchmarks, both masterplans would comply. However, the calculation of open space incorporates the community title lot located within the centre of the site. Therefore the actual area of public open space is in the order of over 1 ha. Despite this, the function and layout of open space under the PTW masterplan is improved when compared to the SJB masterplan. Notwithstanding, there are issues raised in regard to overshadowing on the open space in the PTW alternative masterplan.</p> <p>Further, the streets do not appear to have been designed to include cycleways for active cycle connections. Although close to the golf courses,</p>

Priority	Council comment
	this open space only provides for a restricted use (playing golf). The landscape plan does not envisage any formal active sports fields.

Implementation

E21 Preparing local strategic planning statements informed by local strategic planning	<p>This is not discussed in the original proposal. The Supplementary Planning Statement does contain assessment of the Proposal's consistency with the planning priorities and actions of the LSPS. Council's assessment of the Proposal against the planning priorities of the LSPS is outlined in Question 4 of the assessment.</p> <p>The ECDP notes that strategic planning provides the community with transparency to the planning process, with community participation shaping future decision making in the area. <i>"As the first step in the implementation of the District Plans it is therefore important to set up a strong foundation for local strategic planning in partnership with the community and State agencies"</i> (Pg. 126). While Meriton states that the alternative masterplan takes into consideration the views of the community and State agencies, it is unclear how this has been achieved.</p> <p>The LSPS identifies the site as 0-10 year housing growth based on its existing approval. Council's dwelling target of an additional 4,300 dwellings by 2026 is not reliant on a contribution of dwellings on this site over and above that what is already approved. This is in recognition of the existing transport, services and facilities available to the site.</p> <p>As stated, there is no commitment to mass transit to the site, and while the site is within 30 minutes of the Eastgardens-Maroubra Junction Strategic Centre, the proposal does not give effect to the ECDP and LSPS as the existing public transport does not support the intent of the District Plan, which is to provide housing within 30 minutes of employment opportunities.</p> <p>As stated in the ECDP, <i>"a role of strategic planning is to provide a basis for planning decisions"</i>. As there is no mass transit connections to the site, and the proposal does not support the notion of a 30 minute city nor align with Councils LSPS and Housing Strategy (local strategic planning), the proposal does not support a collaborative approach to city planning and is inconsistent with this Planning Priority.</p>
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Anzac Parade Corridor Priority Precinct

The application references the Anzac Parade Corridor Planned Precinct which included the site in its investigation area. The area is not identified in the "Planning for local communities – Precincts" section of the NSW Planning Portal and not in the Eastern City District Plan. On 15 November 2019 "A new approach to precincts" was launched on the NSW Planning Portal. The Anzac Parade Corridor is not listed amongst the 48 precincts in Greater Sydney and is therefore not relevant for consideration.

Furthermore, Council has received confirmation from DPIE (in 2018) that the timing of the Anzac Parade Corridor Planned Precinct is a longer term project to be aligned with the transport commitments as identified in the *Future Transport Strategy 2056*.

The Planning Proposal does not meet this arm of the Strategic Merit Test.

(ii) Consistency with a local strategy which is endorsed by the DPIE

Council was required to prepare an LSPS and Housing Strategy as per the Eastern City District Plan and DPIE's guidelines. The Planning Proposal is inconsistent with the LSPS and Housing Strategy as it does not demonstrate an integrated approach to housing development aligned with future transport investment. An assessment of the planning proposal's consistency with the LSPS and Housing Strategy is addressed under Q4.

The Planning Proposal does not meet this arm of the Strategic Merit Test.

(iii) Responding to changes in circumstances which are not included in existing controls

The Planning Proposal argues that the changing circumstances supporting the application are that the existing approval for the site from 2009 was considered in light of the *City of Cities: A Plan for Sydney's Future 2005* metropolitan plan, and that plan was replaced in 2010 by the *Metropolitan Plan for Sydney 2036* with much increased population and dwelling targets for Sydney. Since then the *Greater Sydney Region Plan* has been released. There is no clear explanation as to how there has been a change in circumstances which has not been considered in the existing controls.

The *Greater Sydney Region Plan* includes the current dwelling figures for Greater Sydney and the Eastern City District. The *Eastern City District Plan* outlines housing targets for Randwick City, and the recently legislated LSPS applies these including DPIEs population projections. No changing circumstances not already included in the existing strategic plans and controls have been identified.

The Planning Proposal does not meet this arm of the Strategic Merit Test.

In summary, the Planning Proposal is inconsistent with the strategic planning framework and does not satisfy the three arms of the Strategic Merit Test as set out in Q3. Therefore, it does not have the strategic merit to proceed to Gateway. Any increase in housing as a result of the Planning Proposal would not be coordinated with local infrastructure or plans, or support the 30-minute city. This is based on the fact that there is no State Government commitment to deliver transport infrastructure to the site.

Moreover, the range of employment destinations in strategic centres which could be reached by public transport from the subject site within 30 minutes is limited to Eastgardens-Maroubra Junction. The Eastgardens-Maroubra Junction Strategic Centre is a population-serving centre offering retail, health and community services which straddles both Bayside and Randwick LGAs. It is a newly identified strategic centre in terms of the NSW Government's strategic planning as outlined in the Eastern City District Plan. The District Plan projects a modest growth in employment for the centre from 6,900 jobs in 2016 to 8,000-9,000 jobs predicted to 2036 representing a net increase of +1,100- 2,100 new jobs. In comparison, Randwick's major employment centre, the Randwick Health and Education Precinct and Strategic Centre, projects jobs growth in the order of 40-55% (from 22,800 in 2016 to 32,000-35,500) representing a net increase of 9,200 – 12,700 new jobs to 2036. This demonstrates that in terms of key employment centres for Randwick City, the Eastgardens- Maroubra Junction centre has a smaller employment serving role for the City when compared to the Randwick Strategic Centre. Furthermore justifying the number of dwellings as proposed based on a 30 minute city notion to a local population serving centre such as Eastgardens-Maroubra Junction is out of proportion and scale, at this time.

In recognition of the 'infancy' of the newly identified Eastgardens-Maroubra Junction strategic centre, Action 9.5 of Council's LSPS is to partner with Bayside Council in the future strategic planning of the Eastgardens-Maroubra Junction Strategic Centre, identified for the short-to-medium term (i.e. 2-5 years). The future planning and growth for this centre will be linked to the State Government's commitment to investigate future transit connections of a mass transit link to the South East, which is identified as a long term (10 + years) transport initiative.

Other key employment destinations within the Eastern City District include the Sydney CBD and Airport of which are 'not easily or conveniently accessible' by public transport services from the subject site. The Planning Proposal's traffic and transport assessment lists current travel times by public transport to other strategic centres within the district as:

- 37 minutes to Mascot
- 39 minutes to Green Square
- 41 minutes to Randwick
- 50 minutes to 'Sydney'

This demonstrates that the site is not located within proximity to key employment centres within the Eastern District. Simply stating that the proposal is within 30 minutes of a strategic centre

being Eastgardens-Maroubra Junction is inadequate and does not consider whether the centre can serve the scale of housing proposed in terms of employment, retail, health and services.

(b) Site-specific Merit Test

- (i) The natural environment (including known significant environmental values, resources or hazards);

It is considered that the proposal does not have site-specific merit for the following reasons:

- The Planning Proposal will retain the buffer area around the Miocene and AHIMs registered ochre site, however disregards the ochre site located in 2012;
- The planning proposal would result in significant impacts on surrounding State heritage items, as well as the low density coastal character of the area as a result of FSRs more than four times what is currently approved;
- The Planning Proposal states that it will retain the buffer to the Eastern Suburbs Banksia Scrub (ESBS) which is critically endangered, however it is unclear whether the protection of this critically endangered species is ensured, particularly under the alternative masterplan
- No consideration has been given to what the impacts of the proposed central spine may have on the environmental values of the community titled lot
- The visual impact statement demonstrates visual impacts from a number of public sites which is inconsistent with retention of a coastal landscape character and inconsistent with the recently redeveloped Prince Henry development to the south

The Planning Proposal does not meet this arm of the Site-specific Merit Test.

- (ii) The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal;

To the west and south, there is a fairly consistent low density residential character, with some small scale (3-5 storey) residential flat building development at the Prince Henry site and the adjacent apartments on Solarch Avenue (Solis development) and Galaup Street (Illume development) that were built as part of Stage 2 DAs under the existing masterplan. The Prince Henry development directly to the south has been redeveloped and is of a similar scale to that currently approved at the site. The LAHC land to the north is generally 3 storey walk-up flats or single storey dwelling houses. Further north is the Long Bay Correctional Centre.

The proposal which would result in 1909 additional dwellings is inconsistent with these existing developments in the vicinity of the site.

The Planning Proposal states that the site *“has the capacity to act as the catalyst for the redevelopment of government land to the north and creates a demand for the planned transport corridors to be implemented”*. Neither the LAHC nor Justice NSW have provided any indication as to the scale and density of any future development of their sites (if they are to be redeveloped). As previously stated, Council has held meetings with Corrective Services NSW as part of Vision 2040 consultation, who indicated that any closure of the facility is beyond the scope of the LSPS and Housing Strategy which extend to 2040. Similarly, LAHC has indicated in their submission on Vision 2040 that large scale renewal of areas to the south of the LGA is reliant on Government commitment to mass transit and they are supportive of Council's staged approach to growth. Based on this, the Bilga Crescent Estate lands to the north of the site have been identified in the LSPS and Housing Strategy as 10+ year housing growth. There is no indication from Transport for NSW in regard to mass transport investment for the area at this time, other than what is stated in the existing strategic documents. As such, it is not considered that the proposal has site-specific merit when considering the existing uses, approved uses and likely future uses of the land in the vicinity of the site.

The Planning Proposal does not meet this arm of the Site-specific Merit Test.

- (iii) the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision

There is inadequate services and infrastructure to meet the demands arising from the proposal, specifically:

- The TfNSW submission confirmed that the proposed mass transit connection is not committed to by the NSW Government, and therefore there is no certainty that the additional infrastructure will be provided, servicing the site in the short or medium term, and the long term
- The range of employment destinations in strategic centres which could be reached by public transport from the subject site within 30 minutes is limited to Eastgardens-Maroubra Junction. The Eastgardens-Maroubra Junction Strategic Centre is currently a population-serving centre, in its infancy as a strategic centre with only 8,000-9,000 employment growth predicted to 2036. Other highly important employment destinations for the Eastern District of Sydney, such as the Sydney CBD and the Hospital part of the Randwick Strategic Centre (which are key locations in the Eastern District for professional and other high value jobs) are and will remain 'not easily or conveniently accessible' by public transport services from the subject site. While the site of the planning proposal is technically within 30 minutes of a strategic centre, the existing public transport does not support the intent of the District Plan, which is to provide housing within 30 minutes of employment opportunities
- Bus travel is not likely to be a viable or attractive future public transport option for the majority of future residents at the site, unless a more site specific 'Transit-Oriented' development is proposed. This would require a redesign of the road layout of the site, dedication of space for a small 'transport terminal' on the site and a commitment from TfNSW to provide the required cross-regional bus routes to employment centres including the Randwick Hospitals Campus and Sydney Airport.
- Bus travel is not likely to be a viable or attractive future public transport option for the majority of future residents at the site, unless a more site specific 'Transit-Oriented' development is proposed. This would require a redesign of the road layout of the site, dedication of space for a small 'transport terminal' on the site and a commitment from TfNSW to provide the required cross-regional bus routes.
- The Updated Traffic Analysis identifies intersection upgrades which will need to be undertaken to mitigate the impact of the planning proposal, including the likely need for land acquisition. The Planning Proposal does not consider who pays for the intersection upgrades, including the potential land acquisition and the legal arrangements may be necessary for any land acquisitions to take place.
- The traffic impact mitigation measures needed to accommodate the proposal include construction of a signalised intersection/s to facilitate rights turns out of the development site, of which neither RMS nor TfNSW have yet formally agreed to.
- The applicant proposes a Green Travel Plan (GTP) to reduce private car usage and support alternative modes of transport. The EMM report notes that to achieve the future increased cycling predicted by the GTP, safe and separated cycleways would be required to provide safe cycling access from Little Bay to and from destinations along Anzac Parade.
- The proposal triggers the need for 1 sportsfield and 1 playground. A playground is included in the proposal. Although there is some area provided within the site for open space, this will not include a sportsfield and the population will add pressure to the existing sportsfields at Chifley Reserve. Provision of the sportsfield would need to be funded by a Special or State Infrastructure Contribution.
- A submission from School Infrastructure indicates the Planning Proposal would generate the need for five additional primary school classrooms within the La Perouse or Chifley catchments, to be funded via a State Infrastructure Contribution.
- The provision of affordable housing on site would also need to be considered via an affordable housing contributions scheme, enabled by SEPP 70.

The proposal notes a financial contribution of \$17.5 million will be provided as part of a Voluntary Planning Agreement to Council for local community works; and \$36 million (\$20,000 per

apartment) to the state government to possibly enhance public transport or upgrade regional/state infrastructure.

The infrastructure and services required to meet the needs of this planning proposal has not been adequately considered by the applicant. The infrastructure upgrades and additions have not been agreed to by relevant government authorities. In addition, the infrastructure required has not been costed, meaning there is no way to know whether the financial contribution provided as part of a Voluntary Planning Agreement would be sufficient.

The Planning Proposal does not meet this arm of the Site-specific Merit Test.

Conclusion in relation to the two fold tests in Question 3:

The planning proposal does not align with the strategic planning framework. Council's assessment of the proposal against the *Eastern City District Plan* has found that the proposal is inconsistent. The Planning Proposal is also inconsistent with the Randwick LSPS and Housing Strategy which implements the priorities and actions of the *Greater Sydney Region Plan* and *Eastern City District Plan* at a local level. There are no changed circumstances within the strategic planning framework which can lead to a conclusion that the existing controls for the site are not appropriate. The proposal therefore has no strategic merit.

In addition to not meeting the strategic merit test, it is also not considered to have satisfied the site-specific merit test because:

- impacts on the natural environment have not been adequately considered;
- there is a lack of consistency with the existing, approved and likely uses of the sites in the neighbouring vicinity; and
- there is inadequate services and infrastructure to meet the demands arising from the proposal, and no commitment from TfNSW that mass transit connections will be provided.

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The Planning Proposal has been assessed against Council's endorsed Randwick Local Strategic Planning Statement (LSPS), Randwick Housing Strategy and Randwick City Plan.

Randwick Local Strategic Planning Statement (LSPS)

The LSPS gives effect to the planning priorities of the *Eastern City District Plan* by implementing key directions and actions at a local level. As legislated, the LSPS becomes a consideration when preparing LEPs and planning proposals must justify any proposed changes to LEPs, including indicating whether the changes will give effect to the LSPS.

The LSPS identifies the site as a "centre and major site housing growth 0-10 years". Council's LSPS and Housing Strategy has confirmed that this reference relates to the existing approval of which about half of the 450 approved dwellings have been constructed. Nonetheless, it is an important consideration in the assessment of the Planning Proposal. While the original Planning Proposal did not provide an assessment against the planning priorities of Council's (then draft) LSPS and Housing Strategy, the Supplementary Planning Statement does.

The Planning Proposal in regard to the relevant planning priorities of the Randwick LSPS is discussed below:

Table 6: The Planning Proposal and the LSPS

LSPS Planning Priority	Council Comment
Liveability	
PP1. Provide diverse housing	The Planning Proposal justifies consistency against this priority as it will contribute to the dwelling targets for the LGA including 'combating affordability issues'. As outlined previously, the sites capacity to contribute to Council's dwelling targets has been

LSPS Planning Priority	Council Comment
options close to transport, services and facilities	<p>acknowledged under its existing approval. Council's dwelling target of an additional 4,300 dwellings by 2026 is not reliant on a contribution of dwellings on this site over and above that what is already approved. This is in recognition of the existing transport, services and facilities available to the site. Areas which have been identified in the LSPS and Housing Strategy structure plan for increased housing growth (0-10 years) are to the north of the LGA, aligned with transport, services and facilities such as the Kensington and Kingsford Town Centres Planning Proposal and Strategy. There is no government commitment to fast track any of the <i>Future Transport Strategy 2056</i> projects to this site which would warrant an increase of housing as proposed than what is already acknowledged and outlined in the LSPS and Housing Strategy.</p> <p>The Planning Proposal is inconsistent with this priority on the basis that the future development as proposed is not linked to or aligned to any committed transport investment to this site.</p>
PP2. Increase the supply of affordable rental housing stock to retain and strengthen our local community	<p>The Planning Proposal has indicated that it will provide for affordable housing as part of an offer by Meriton to enter into a Voluntary Planning Agreement (VPA). The offer is to provide 5% of the planning uplift as affordable housing. Therefore to ensure the provision of affordable housing on the site, a minimum a 5% contribution should sought on the total development capacity of the site (not just uplift) and an affordable housing contributions scheme (enabled by SEPP 70) be applied. Notwithstanding, the provision of affordable housing on site would be consistent with the planning priority of providing for affordable housing.</p>
PP3. Encourage development that responds to the local character and desired future character	<p>The proposal outlines its alignment to this priority as it responds to both the existing and desired future character of the area as being consistent with current zoning and land use character. However, it does not consider the Planning Proposal's height and density with the existing scenic coastal character and/or desired future character. The visual impact analysis of the SJB masterplan demonstrated a significant impact from key viewpoints such as Little Bay Beach and Boora Point. While the Alternative Masterplan has reduced its visual impact from the sensitive eastern coastal area of the site in particular from Little Bay beach, the western portion of the site is significantly dense. An analysis of view impacts of the Alternative masterplan from other viewpoints such as Anzac Parade and from within Prince Henry was not provided. Concerns regarding the view impacts from the original master plan and alternative master plan was raised by the Design Excellence Panel, the Heritage Council and from the community. More consideration about the density, scale and view impacts is provided in Question 8.</p> <p>Council has prepared 11 draft Local Character Statements which are currently on exhibition. The site falls within the draft Southern Coast Local Character Area and Southern Coast Special Character Area. The Special Character Area has extremely high natural value, landscape relevance and significant vistas. Ensuring views are maintained to the coast and infill development in the sensitive coastal area does not detract from its unique coastal character is the key characterisation of the Special Character Area. More consideration about the proposals inconsistency with the current and desired future character of the area is provided in Question 8.</p> <p>Based on the concerns raised and the visual impact of the original masterplan, the Planning Proposal is inconsistent with this LSPS Planning Priority.</p>
PP4. Conserve and protect our unique built cultural heritage	<p>The Supplementary Planning Statement states <i>'the Planning Proposal will have no detrimental impact on the significance of the broader Prince Henry Hospital Heritage Conservation Area and vicinity heritage items. This is further demonstrated through the retention of the potential Aboriginal ochre in the centre of the site, with the retention of public access in perpetuity to allow for appreciation and celebration of</i></p>

LSPS Planning Priority	Council Comment
	<p><i>the item.'</i></p> <p>The additional information (prepared by Urbis) provided as part of the Supplementary Planning Statement in response to the built heritage matters raised by the Heritage Council, outlines that future development (as a result of the planning proposal) is consistent with previous development approvals for the site and will not adversely impact on any of the SHR items in the vicinity. Moreover that detailed heritage impact assessments would form part of each future development application.</p> <p>As outlined in Consultation section of this report, the Heritage Council and Heritage NSW raised concern about the proposal including alternative masterplan. Specifically, that the scale, density and proximity of the proposed development is considered excessive and like to have adverse impacts on the state heritage values and inherent site character. It has requested additional information to enable a proper assessment of the impacts, should the proposal proceed to Gateway determination.</p> <p>Therefore given that the heritage matters are not resolved and that further information is required, the proposal cannot be said to be consistent against this priority. Further consideration is provided in Question 8.</p>
<p>PP 5. Safeguard and celebrate our Indigenous cultural heritage</p>	<p>The additional Indigenous heritage information provided by Extent Heritage Advisors in response to the alternative masterplan states that the new layout proposed in the alternative masterplan should not impact directly on the Miocene and Ochre Conservation Area as established in the CMP or the additional ochre deposits area identified in 2012; and that "there should be no requirement for additional new Aboriginal heritage assessments provided that the layout and design is in accord with the requirements of the CMP.</p> <p>Heritage NSW raised in their submission in response '<i>the potential impacts of the proposal on the existing Aboriginal heritage values and potential State heritage values of the proposed 'Little Bay Geological site' as well as on the adjacent SHR items have not resolved.</i>' And notes that further information is to be provided including an updated Aboriginal heritage assessment of the site before Heritage NSW is able comment on the planning proposal further.</p> <p>Therefore given that the heritage matters are not resolved and that further information is required, the proposal cannot be said to be consistent to this priority.</p>
<p>PP 6. Support the delivery of social infrastructure & services to meet the needs of our diverse community</p>	<p>The supplementary planning statement outlines that '<i>the Planning Proposal will improve social infrastructure in Little Bay through the provision of an open space contribution, improved access to retail and other services for the local area with a local retail centre, improved recreational and active transport links, a financial contribution toward infrastructure upgrades and delivery of a child care centre.</i>'</p> <p>It is noted that the Alternative Masterplan provides for greater connectivity of open space and links through the site. The proposal will provide for two new child care centres and retail. However, further information needs to be provided on the delivery of active transport links and the need for the quantum of retail on site. In addition to, an assessment of the needs of a diverse community to promote an inclusive social environment on site.</p>
<p>Productivity</p>	
<p>PP 8. Plan for strong connections for a 30 minute city</p>	<p>The proposal outlines consistency to the priority through the delivery of a new mixed-use neighbourhood centre with a range of land uses such as residential, retail, tourist and visitor accommodation, medical centres, recreation facility (indoor) and a potential child care centre. This concentration of land uses will allow residents to live locally with a reduced reliance on public transport and reduced need to travel long</p>

LSPS Planning Priority	Council Comment
	<p>distances to other centres of basic needs.</p> <p>Despite the provision of some local services on site, it is highly likely that residents on the site would still need to travel to larger centres to meet their retail and service needs.</p> <p>The Supplementary Planning Statement outlines that “the Proposal will unlock the ability for workers and residents to access key strategic centres and employment hubs such as the port, airport, hospital, and CBD within 30 minutes.”</p> <p>Despite what the supplementary planning statement says, the subject site is not within 30 minutes of the Port, Sydney Airport, Randwick Strategic Centre or the Sydney CBD by public transport.</p> <p>Council’s peer review by EMM notes that other highly important employment destinations for the Eastern District of Sydney, such as the Sydney CBD and the Hospital part of the Randwick Health and Education precinct (which are key locations in the Eastern District for professional and other high value jobs) are and will remain ‘not easily or conveniently accessible’ by public transport services from the subject site.</p> <p>In order to meet PP 8 and achieve a 30-minute city, there will need to be a much clearer and more definitive commitment from the NSW government to provide either improved Heavy Rail or Light Rail transport infrastructure to serve the Malabar and/or Little Bay areas. As a minimum, a new network of direct bus routes would need to be developed to directly connect Little Bay with the Randwick Hospital Campus, Sydney Airport and the other nearby Mascot and Port Botany employment precincts.</p> <p>The Planning Proposal does not give effect to this priority as it proposes to increase housing in an area that is not well serviced by public transport.</p>
<p>PP 10. Support the long-term economic viability of our town and neighbourhood centres</p>	<p>The Planning Proposal seeks to provide a local retail centre with more than 5,900 sqm of retail floorspace including a 3,000sqm supermarket. A retail demand assessment was not provided as part of the proposal or supplementary planning statement to, justify the need for and size of retail floorspace to be provided on site. In addition, the assessment would need to take into consideration the impact on other neighbourhood and town centres in the vicinity of the site including the adjoining Prince Henry local retail centre.</p> <p>Further information is required on the retail demand assessment and economic impact of the proposal on the City’s network of town and neighbourhood centres. Until such time the information is provided, it is unclear if the proposal is consistent with this priority.</p>
<p>PP 12. Manage and enhance the tourism and visitor economy</p>	<p>The proposal justifies consistency against the priority through the delivery of tourist and visitor accommodation on site. Appendix G ‘Economic Benefits Report’ to the (Sept 2019) Planning Proposal provides further justification listing the region’s tourism offer such as the City’s natural coastline, golf courses, Aboriginal heritage site and a potential future cruise terminal at Molineux Point and Yarra Bay.</p> <p>However, as outlined in this report the site is not suitable to an increase of density (both residential and tourism) to the scale as proposed in the planning proposal. Moreover, further justification would be required to support the demand for visitor accommodation on site including how the visitors will access the regions tourist locations, via public transport.</p> <p>Council is preparing an Economic Development Strategy including a visitor management study which will identify opportunities to grow the City’s tourism and visitor economy including place-based initiatives to enhance existing popular tourist</p>

LSPS Planning Priority	Council Comment
	locations. The strategy and study is due for completion over the next year, it is therefore premature for the proposal to identify the location of a site for its tourist accommodation potential without considering strategically the outcomes of Council's economic development strategy in relation to the City's tourism and visitor economy.
Sustainability	
PP 14. Provide high quality open space and recreational facilities	<p>The proposal outlines it achieves this priority through the delivery of over 10,000sqm of public open space on the site, and the delivery of an integrated network of green open space, bicycle paths and parks. In addition, a financial contribution toward provision of new district park/sports field.</p> <p>The community needs/ social infrastructure assessment provided to support the planning proposal suggests a minimum of 2ha (15% of site) to 3.2 ha (9 sqm per person) of open space be provided on site. The SJB masterplan indicates that it will provide for 35,670 sqm of open space (36.3% of site area) while the PTW alternative scheme will provide for a marginal reduction of 33,286 sqm of open space (33.9% of site area). Based on the benchmarks, both masterplans would comply. However, the calculation of open space incorporates the community title lot located within the centre of the site. Therefore the actual area of public open space is in the order of over 1 ha. Despite this, the function and layout of open space under the PTW masterplan is improved when compared to the SJB masterplan.</p>
PP 17. Protect areas of bushland and biodiversity	The proposal outlines consistency against this priority as it retains the existing central portion of ecological land and the remnant stand of Eastern Suburbs Banksia Scrub (ESBS). However, as outlined in Q7, the overshadowing impacts from both schemes may have an impact on this critical endangered community.
Infrastructure and Collaboration	
PP 21. Develop an integrated approach to more sustainable transport;	<p>The proposal outlines that the redevelopment of the site will provide the opportunity to deliver an efficient and sustainable precinct within proximity of the site to transport corridors and local, strategic and metropolitan centres, which will slow emissions growth. The supplementary Traffic and Transport Assessment by TTPP does outline the provision of a Green Travel Plan (GTP) to reduce the reliance of car trips. However, to achieve the future increased cycling predicted by the GTP, safe and separated cycleways would be required to provide safe cycling access through the site and from Little Bay to and from destinations along Anzac Parade.</p> <p>However, the Planning Priority states <i>“any changes to planning controls on large sites will require a State Government commitment to improved transport infrastructure in the form of City Serving or City Shaping infrastructure.”</i> As demonstrated in TfNSW submissions, there is no commitment to this form of transport infrastructure to the site.</p>
PP 22. Align planned growth with infrastructure delivery;	<p>The Proposal justifies consistency with the Infrastructure priorities as the site is appropriately zoned and serviced to support urban development and any required augmentation will be a function of site specific merit considerations post Gateway. The supplementary planning statement however ignores this critical planning priority of aligning growth with infrastructure delivery.</p> <p>Specifically, the planning priority states <i>‘...any changes to planning controls on large sites will require a State Government commitment to improved transport infrastructure in the form of City Serving or City Shaping Infrastructure’</i> (pg. 65). As outlined above there is no government commitment to fast track the delivery of transport infrastructure in the form of City Serving or City Shaping Infrastructure to the site, which would warrant an increase of housing to the scale as proposed. Therefore the planning proposal is inconsistent with this planning priority.</p>

Randwick Housing Strategy

The Randwick Housing Strategy establishes the strategic framework for residential growth in the LGA. The strategy outlines eight priorities to guide change over the next 20 years:

1. Ensure a balanced approach to growth across Randwick City
2. Diverse housing to meet the needs of our community
3. Focus growth in and around town and strategic centres close to transport, jobs and services
4. Increase affordable rental housing across Randwick City
5. Ensure new development is consistent with the desired future character of areas
6. Ensure design excellence and sustainability principles in new development
7. Ensure future redevelopment sites are aligned with future transport investment
8. Support housing growth with appropriate infrastructure

As with the LSPS, the Housing Strategy identifies the site as a centre and major site for housing growth in the 0-10 year span, recognising the existing approval for the remaining 225 (approximate) dwellings which have not been constructed. It acknowledges that this Planning Proposal is under assessment, and will proceed as a separate process to the finalisation of the Housing Strategy. Nonetheless, it is an important consideration in the assessment of the Planning Proposal. The long term (10+ years) housing growth is to be concentrated around Maroubra Junction, Maroubra and in the Little Bay LAHC lands, aligned with future transport infrastructure improvements. The Strategy notes that “*sites identified [in the long term growth map] are not to be pursued in an ad-hoc manner through site-specific rezonings, but rather through a comprehensive LEP review after government commitment to appropriate infrastructure*” (pg. 47).

The Supplementary Planning Statement does not provide an assessment against the Housing Strategy's 8 planning priorities which will guide change in Council's planning controls over the next 5 to 10 and 20 years. Instead, the Supplementary Planning Statement justifies consistency against the housing strategy's considerations on land use opportunities and constraints for focusing housing growth. These considerations were used by Council to identify areas for housing growth in the structure plan of the LSPS and Housing Strategy. Council's analysis undertaken as part of these considerations included analysis of the capacity for additional dwellings under current planning controls. As stated, the site is identified in the plan for short term housing growth based on its existing approval, which recognises the existing transport, services and facilities in proximity to the site. The dwelling targets in the Housing Strategy have been based on the existing approval, and Council's dwelling targets are not reliant on any contribution to this target beyond what is already allowable for the site.

In summary, the Planning Proposal is not consistent with either the LSPS or Housing Strategy because it seeks to include a large number of dwellings in an area which is not identified for future increased density (above that already allowable). The LSPS and Housing Strategy stress the importance of an integrated approach to sustainable transport and the need to align planned growth to infrastructure delivery. The Planning Proposal does not demonstrate an integrated approach to housing development being aligned with future transport investment as there is no commitment to mass transport.

Randwick City Plan (2017)

The Randwick City Plan seeks a balanced approach to managing the demands of development and infrastructure, recognising that some areas, such as the heritage conservation areas, are less suitable for future growth (page 42). The Plan also requires densities and renewal opportunities to be focused along key public transport routes such as Anzac Parade and in and around commercial centres.

The Planning Proposal in regard to the Randwick City Plan is discussed below:

Table 7: The Planning Proposal and the Randwick City Plan

Randwick City Plan Theme	Council Comment
Theme 2	<ul style="list-style-type: none"> The Planning Proposal indicates it aligns with the Randwick City Plan's ethos

Randwick City Plan Theme	Council Comment
A sense of community	of meeting the needs of the community by providing 76 affordable dwellings in a location where there is sufficient capacity in schools, libraries etc. and providing some open space. 76 affordable houses represents 4% of the proposed 1909 dwellings. The Planning Proposal therefore contributes to the ability for the Council's affordable housing target to be achieved.
Theme 3 Places for people	<ul style="list-style-type: none"> • The Planning Proposal indicates that there is insufficient capacity in the strategic centres of Eastgardens/Maroubra, Bondi Junction and Randwick to solely accommodate the anticipated population growth, and that the site can respond to the housing targets within land already zoned for residential uses. The draft Randwick Housing Strategy has outlined various areas within the LGA to accommodate the required level of housing growth (principally using the LAHC lands and other such lands in the LGA) which do not include the site. • The Randwick City Plan calls for diverse and affordable housing. The Proposal has little diversity of housing types. Affordability is noted above. • The Randwick City Plan also requires a balanced approach to managing the demands of development and infrastructure and notes that some areas such as heritage conservation areas may be less suitable for future growth. The planning proposal generally dismisses the importance of the heritage conservation area denotation of the site, stating it is a "legacy" listing. • The Randwick City Plan seeks to value, protect and celebrate heritage. The Planning Proposal does not provide any manner in which the 2012 discovered ochre pit will be protected, given that the plan includes building over this site. The AHIMS Aboriginal site will remain protected as it is under the approved development.
Theme 4 A prospering city	<ul style="list-style-type: none"> • The Planning Proposal cites the economic benefits including jobs and retail spending and the benefits from a hotel to tourism. The Randwick City Plan notes that transport can influence where a business locates and how it grows and that transport and accessibility significantly influence the local economy, including the importance of co-ordination with state government and neighbouring local councils. No such co-ordination forms part of the proposal.
Theme 6 Looking after our environment	<ul style="list-style-type: none"> • The Planning Proposal states that it is retaining the Miocene and Ochre deposits in the centre of the site and retaining the critically endangered Eastern Suburbs Banksia Scrub to the east. Notwithstanding, consideration must be given to the potential impacts that the alternative masterplan may have on the critically endangered ESBS community. • The newly discovered ochre pit in Lot A has been disregarded by the proposal, despite reservations raised by the proposal's own Aboriginal heritage consultants • There has been a lack of supporting visual assessment undertaken as part of the Alternative Masterplan. These are required to illustrate the visual impact of the Alternative Masterplan from key viewpoints such as from within Prince Henry, Anzac Parade and Boora Point. Therefore an appropriate visual impact assessment of the alternative masterplan cannot be undertaken due to the lack of information. • The Heritage Impact Statement notes the "sympathetically redeveloped" new urban environment on the adjoining Prince Henry development and states that the proposal will have no impact on the heritage significance of the former Hospital site. It also notes that the lower scale buildings of the proposal transition down to the Hospital site. However apart from a small group of dwellings of 8.5 metres in height the other Lots immediately to the north of the Hospital site will have heights of 42 metres, 52 metres and 53 metres (in the original proposal) and up to 15 storeys (in the alternative masterplan). It is considered that this does not provide an appropriate transition of scale to the

Randwick City Plan Theme	Council Comment
	lower density Prince Henry development.
Southern Coastal and Southern lands	<ul style="list-style-type: none"> • In regards to land in the southern coastal and southern area of the LGA, of which the site falls within both, The Plan notes that <i>“with a lower density than the northern parts of the City, the existing housing mix and densities will remain, unless in conjunction with substantial public transport and community infrastructure, and improved access to shops, services and employment”</i> (pg. 88). • A key priority for the Southern lands includes <i>“recognise and preserve the area’s landscaped character, and investigate enhancement of the Anzac Parade corridor with active transport, landscape and open space opportunities”</i>. • The proposal is inconsistent with this key priority as it will result in increased densities in an area without mass transit connections and greatly impact the area’s landscaped character due to building heights and densities beyond what already approved.

The Planning Proposal seeks to introduce increased densities to an area without a mass transport system having been committed, within a heritage conservation area, and which is close to the sensitive coastal areas. Examination of the Randwick City Plan indicates that the Planning Proposal does not give effect to the Randwick City Plan.

As demonstrated, the Planning Proposal is inconsistent with Council’s endorsed Randwick Local Strategic Planning Statement (LSPS), Housing Strategy and Randwick City Plan.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal could meet the requirements of the various applicable State Environmental Planning Policies (SEPPs).

Based on the contamination reports provided, it appears some additional work may be required to satisfy *State Environmental Planning Policy 55*.

In regard to *State Environmental Planning Policy 65*, compliance would be subject to detailed design and further assessment. There would be potential difficulties with obtaining sufficient sunlight to meet the sunlight criteria under the ADG given the tallest buildings are to the north in the Planning Proposal’s original scheme. The solar insulation diagrams in section 7.1 of the SJB analysis do not show the southern elevations’ sun provision. It is noted that the Design Review Panel has indicated that it is possible that the ADG solar access requirements may be met due to the tower forms generally having an east/west orientation. Whilst there will be solar access to the E2 lands and to the principal park on the west, the central parks near Lots E, F and H have very little solar access and the open space between the buildings appear to obtain virtually none.

Similar issues may arise for the alternative masterplan in regards to overshadowing, solar access and cross ventilation. Overshadowing issues also arise for the dwellings in the Illume and Solis developments, and whether the proposed dwellings would ensure that those dwellings meet the various requirements of SEPP 65. Potential overshadowing onto public spaces within the alternative proposal may arise. It is noted that the Design Excellence Panel also raised concerns in regard to the alternative masterplan in its assessment. In regard to overshadowing, it noted that *“most high-rise tower forms have an E/W orientation that suggests that ADG solar access requirements may be met however it was noted the orientation of the grid may make compliance challenging”*.

The VPA and conditions surrounding the provision of affordable housing would be subject to further consideration to ensure compliance with *State Environmental Planning Policy No. 70 Affordable Housing (Revised Schemes)*.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The relevant planning directions and a comment on each is set out in the following table:

Table 8 – Consistency with Relevant Ministerial Directions

Ministerial Direction	Comment
1. Environment and Heritage	
2.1 Environment Protection Zones	The Planning Proposal states this is not relevant, however the Planning Proposal does relate to lands in the E2 zone and must not reduce the environmental protection standards applying to the land. No standards relating to the E2 lands are proposed to be altered, however Council raises concern that the proposal may have hydrological and other environmental impacts on the E2 lands as a result of basement excavation.
2.2 Coastal Management	The site is not within either the coastal environment area or the coastal use area and therefore the direction is not applicable.
2.3 Heritage Conservation	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The Aboriginal heritage documentation provided as part of both the Planning Proposal and Alternative Masterplan conclude that the proposal would not result in any additional Aboriginal heritage impact beyond those previously approved in 2009. The Aboriginal heritage letter provided as part of the Alternative Masterplan concludes that the new layout should not impact directly on either the agreed Miocene and Ochre Conservation Area as established in the CMP or the additional ochre deposits area identified in 2012.</p> <p>The proposal would result in a substantial increase in dwellings (over four times what is currently approved) on the site and it is Council's view that the Aboriginal heritage justification provided as part of the Planning Proposal is insufficient in terms of impacts on the Aboriginal heritage significance of the site.</p> <p>Further, there are a number of issues raised in the letters from Heritage NSW in regard to Aboriginal heritage that must be resolved if the planning proposal was to proceed.</p> <p>In terms of built heritage, the Heritage Impact Statement provided as part of the Planning Proposal and the Heritage Letter provided as part of the Alternative Masterplan conclude that the proposal is considered reasonable and acceptable from a heritage perspective.</p> <p>The planning proposal would impact strongly on the existing open space landscape character of the area and the adjoining Long Bay Correction Centre and Prince Henry State Heritage items. This is also raised in the letters from Heritage NSW.</p> <p>Further, the planning proposal considers that the site's partial inclusion within the Prince Henry Hospital Heritage Conservation Area (HCA) is a 'legacy listing' and should not apply to the site. Council iterates that the HCA is a key consideration for assessment and it is not up to the proponent to determine whether it should be considered.</p> <p>The Planning Proposal does not demonstrate consistency with this Ministerial Direction.</p>

Ministerial Direction	Comment
	<p>A full assessment of the Planning Proposal's inconsistency with aboriginal and built heritage is provided under Q8 of the assessment.</p>
2. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>The objective of this direction is to encourage a variety and choice of housing types, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands.</p> <p>The Planning Proposal states it is consistent because it provides a range of 1, 2 and 3 bedroom apartments and residential terraces, increasing housing density aligns with indicative future transport corridors and reduces housing on fringe urban land, and it reduces pressure on the rezoning of industrial lands for residential development.</p> <p>The majority of the 1909 proposed dwellings are apartments. Under the Alternative Masterplan there is a slight increase in the proportion of terraces or medium density housing. Despite this, a significant proportion of the dwellings proposed are apartments.</p> <p>The Planning Proposal does not demonstrate consistency with this Ministerial Direction.</p>
3.4 Integrating Land Use and Transport	<p>The objectives are to improve access to housing, jobs and transport, increase the choice of transport and reduce dependency on cars, reduce car dependency and support the viable operation of public transport.</p> <p>Some local mixed-use shops could reduce shopping trips. However, the lack of existing services in the area will require car dependent trips which is counter to any argument that this is an appropriate location for such a large residential development.</p> <p>The TTPP letter identifies measures to be included in a GTP which would help encourage use of alternative modes of transport to private car use. However, the road layout of neither masterplan appears to provide for cycleways to encourage active transport within and from the site.</p> <p>In addition, the EMM report notes that to achieve the future increased cycling predicted by the GTP, safe and separated cycleways would be required to provide safe cycling access from Little Bay to and from destinations along Anzac Parade.</p> <p>The EMM report demonstrates that the poor pedestrian accessibility to and from the site to existing bus stops will likely result in bus travel not being a viable or attractive future public transport option for the majority of future residents at the site. Improving access from the site to housing, jobs and services by public transport would require a transport terminal on the site with significant additional cross-regional bus routes.</p> <p>While the TfNSW submission states that it can be reasonably assumed that TfNSW will enhance existing bus services in the area associated with the recent commencement of operations of the CBD and South East Light Rail, it does not commit to any additional cross-regional bus services. Furthermore, the TfNSW submissions state that there is no commitment to mass transit connections to the site.</p>

Ministerial Direction	Comment
	<p>Council's LSPS identifies several locations for housing growth, in areas close to existing public transport services, as well as in close proximity to jobs and services. Locating Randwick City's predicted dwelling growth on this site, with relatively poor access to jobs, services and public transport does not achieve the planning objectives of this direction.</p> <p>The Planning Proposal does not demonstrate consistency with this Ministerial Direction.</p>
3.5 Development Near Regulated Airports	<p>The objectives are to ensure the effective and safe operation of regulated airports and to ensure that their operation is not compromised by development. For the subject site, the OLS is between 78 metres and 110 metres AHD and the PANS-OPS is split between two horizontal planes of 126.4 metres AHD (western half) and 184.8 metres AHD (eastern half). Because the Alternative Masterplan has not provided the height of these buildings in metres AHD it's unclear whether these buildings would intrude into Sydney Airport's prescribed airspace. However, a submission from Sydney Airport outlines that the tallest of the proposed buildings (under the original proposal) could intrude the OLS, thus requiring approval under the <i>Airports (Protection of Airspace) Regulations 1996</i>.</p> <p>Therefore until building heights in metres AHD have been verified under the Alternative Masterplan, the consistency of this proposal against the Ministerial Direction cannot be determined.</p> <p>The Planning Proposal does not demonstrate consistency with this Ministerial Direction.</p>
7.1 Implementation of A Plan for Growing Sydney	<p>Although the name of the Plan has changed, the Planning Proposal does not meet the objectives of <i>The Greater Sydney Region Plan – A Metropolis of Three Cities</i>.</p> <p>The <i>Greater Sydney Region Plan</i> sets a 40-year vision and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters, and informs district and local plans and the assessment of planning proposals.</p> <p>As demonstrated in this report, the Planning Proposal is inconsistent with the <i>Eastern City District Plan</i> and Council's endorsed LSPS and Housing Strategy. The <i>Eastern City District Plan</i> contains the planning priorities and actions for implementing the <i>Greater Sydney Region Plan</i>. The LSPS demonstrates how Council will implement these planning priorities and actions.</p> <p>The Planning Proposal's inconsistency with these two documents demonstrates its inconsistency with the strategic planning framework that is set out in the <i>Greater Sydney Region Plan</i>.</p> <p>The Planning Proposal does not demonstrate consistency with this Ministerial Direction.</p>

As demonstrated, the Planning Proposal is inconsistent with the Heritage Conservation, Residential Zones, Integrating Land Use and Transport, Development near Regulated Airports and Implementation of A Plan for Growing Sydney (now *The Greater Sydney Region Plan – A Metropolis of Three Cities*) Ministerial Directions.

C. Environmental, social and economic impact

7. ***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 Biodiversity Development Assessment Report submitted as part of the Planning Proposal (Appendix J) notes that the critically endangered ecological community of Eastern Suburbs Banksia Scrub (ESBS) is mostly beyond the boundary of the site and is protected by a buffer. The Report concludes that an indirect impact of the proposal is “shading, lighting and noise spillover effects onto the remaining vegetated areas”. No mitigation measures are recommended in regard to this.

Under the SJB Masterplan submitted as part of the Planning Proposal, the buildings in Lot J are enveloped on one side by the ESBS community. The buildings in Lot G are the highest buildings within the scheme and are located to the immediate west of the ESBS community. Clearly overshadowed from 1pm onwards, there has been no assessment of the impact of this shadowing on the critically endangered ecological community.

The PTW Alternative Masterplan does provide for lower building heights adjacent to the community and as such the overshadowing impacts have reduced. Notwithstanding, consideration must be given to the potential impacts that the alternative masterplan may have on the critically endangered ESBS community. The new layout of the alternative masterplan removes the road space on the eastern boundary adjacent to the ESBS and thus the ‘buffer’ has been reduced.

The Biodiversity Development Assessment Report also found that the subject site provides habitat for the threatened Grey-headed Flying-fox (*Pteropus poliocephalus*) and Eastern Bentwing-bat (*Miniopterus schreibersii oceansis*) as well as potential habitat for the threatened sunshine wattle (*Acacia terminalis subsp. terminalis*). As such, greater consideration to the impact that the central spine link proposed as part of the Alternative Masterplan will have on these species as well as the overall biodiversity of the site is required.

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

A number of environmental effects have been identified as part of the assessment of the Planning Proposal. Mitigation measures to address these impacts have not been provided as part of the proposal nor alternative masterplan documentation. The following demonstrates that due to these environmental effects, the proposal should not proceed to Gateway.

Density, building heights and massing

Under the SJB masterplan the Planning Proposal states that it places the tall buildings towards the eastern side of the site because it has lower ground levels and to reduce the scale of the buildings from Anzac Parade and the neighbouring lower buildings on Gubbuteh Road to the south. Council has made it clear in its past correspondence with Meriton that this is unacceptable.

The Alternative Masterplan states that it “*addresses concerns raised by Council’s Design Review Committee and the local community especially in terms of visual impact*”. This has been realised through its two ‘landscape character zones’ where higher densities are realised in the west, and lower densities in the east in response to the coastal character of the area.

Maximum building heights under the SJB masterplan would reach up to 73m or 22 storeys. Under the alternative masterplan, maximum heights are not provided however it proposes a maximum of 17 storeys within the Western precinct. Irrespective of the scheme, the building heights are out of proportion with the surrounding area. Directly adjoining the site to the north, consists of the large Bilga Crescent Estate comprising of three-storey walk up flats and single storey dwellings to the north of the site, and beyond that the 41.2 hectare Long Bay Correctional Facility. To the west and south, there is a fairly consistent low density residential character, with some small scale (3-5 storey) residential flat building development at Prince Henry and the adjacent apartments on Solarch Avenue (Solis development) and Galaup Street (Illume development) that were built as part of Stage 2 DAs under the existing masterplan.

As noted in the Design Excellence Panel's (DEP) comments on the alternative masterplan, the smallest blocks in the coastal precinct already reach the height of the tallest buildings in the surrounding Prince Henry development. The DEP states that this suggests that the *"scale change proposed is an order of magnitude greater than what is considered contextually appropriate"*. Council shares the same view in this regard. The visualisation of the alternative masterplan provided in Figure 10 demonstrates this.



Figure 10: View of the alternative masterplan looking south (Source: Urbis)

One of the design principles used to inform the preparation of the alternative masterplan for the site is to *"provide a sensitive transition in relation to adjoining and well-established lower scaled residential neighbourhoods"*. It is unclear how this has been achieved. While the proposal provides row housing along the southern boundary to provide a *"scale transition with adjacent communities and sensitive landscapes"*, scale transitions have not occurred toward the western or northern boundaries. Buildings in the Illume and Solis developments would have 16-18 storey apartments directly adjacent, with ground floor retail and commercial uses. Buildings in the Bilga Crescent Estate would have dwellings ranging from 1-3 storeys to 16-18 storeys adjacent to them. There will be view impacts for the proposed 2 storey terrace dwellings on Solarch Avenue as well. These buildings would face buildings of up to 8 storeys directly adjacent to them, with 13-15 storey portions of buildings just beyond these. No consideration in the planning proposal or alternative masterplan has been given to reducing the impacts that the proposed dwellings will have on these adjacent communities.

While density impacts are reduced in the east in the alternative masterplan, the proponent's approach to basically redistributing the desired density around the site has led to larger buildings being situated in the western precinct. While the buildings may not be as high as in the original SJB masterplan, they have larger building footprints to ensure that the same FSR is achieved across the site and the desired development returns are realised. Bulk and scale issues arise in the western precinct as a result of the proposed apartment dwellings with larger footprints. Overall, the proposed FSR of 2:1 over the site quadruples what is currently approved (0.5:1 overall FSR) and is out of character with the surrounding area. Information about net FSRs for buildings within both schemes was not provided.

This results in densities and scales that are incompatible with the surrounding character, in particular the scenic coastal character of the area and the natural environment. Furthermore, it does not align with the desired future character of the area and the natural environment.

Council in collaboration with the community has identified this as part of its draft Local Character Statements. While this work is still in draft form, Council's draft Local Character Statements are a direct action from the Randwick LSPS and should be considered in any future development of the site beyond the approved masterplan.

The Draft Local Character Statements aim to outline the key features and desired future character of all land within the LGA. The Draft Southern Coast Local Character Statement which is relevant to the proposal further demonstrates how the planning proposal is out of character with the area both now and into the future. Key character principles that are relevant for consideration include:

- Maintain vistas to the ocean from public areas
- Appropriate development that responds to the coastal landscape
- Ensure future development respects the cultural significance of Indigenous landscapes and sites
- Ensure that future redevelopment of large sites responds to the coastal character and other key considerations such as public transport access to the LCA
- Maintaining the 'village feel' at Maroubra, Malabar and Little Bay beaches

Moreover, Meriton states that the alternative masterplan incorporates a higher diversity of housing on the site and Council notes some medium-low density housing typologies to the east and south of the site. Notwithstanding, high rise apartment dwellings are still the predominant land use in the alternative masterplan. Given the issues raised in regard to density and scale, visual impact and overshadowing, a greater diversity of housing at a much lower scale is needed on the site. Such housing typologies would be consistent with the surrounding local character and the adjacent communities in the Bilga Crescent to the north, Illume and Solis to the west and Prince Henry to the south.

Council also notes the urban design framework intention for the site as provided on Pg. 30 of the PTW Masterplan Report (see Figure 11 below) has not been followed in the resulting alternative masterplan as submitted to Council (see Figure 12 below). Despite both images being included in the Alternative Masterplan documentation.

Figure 11 below shows greater building separation and a reduced bulk, (particularly in the western portion) which would provide for better connectivity, a more appropriate transition to the adjoining sites to the south and an overall better urban planning outcome for the site. In comparison, the resultant development block layout in Figure 12 below shows the resultant block layout which is at odds with the intended block layout in Figure 11, at the cost of adding more density to the Western precinct. Figure 12 also demonstrates inconsistency with the design principle of the Masterplan Report to *"provide a sensitive transition in relation to adjoining and well-established lower scaled residential neighbourhoods"*.

Figure 11: Pg. 30 of the PTW Masterplan Report



Figure 12: Pg. 24 of the PTW Masterplan Report



Visual impact

As Figure 13 illustrates, the visual impacts from the SJB Masterplan are significant. The taller buildings are very visible from Little Bay beach and Malabar Headland and are out of character with the existing scenic coastal landscape character of the area. The visual impacts on these environmentally sensitive coastal areas, and the golf courses surrounding the development will be high. The proposed buildings will also be visible from McCartney Oval in the Prince Henry development site to the south.



Source: PTW

Figure 13: View from Little Bay Beach

In comparison, the visual impacts from the PTW Design have reduced from Little Bay Beach. One of the built form principles that informs the masterplan, as per the PTW Masterplan Report is to “*modulate the built form and provide a minimal visual impact when viewed from nearby public spaces*”. However, no other photomontages were provided as part of the Masterplan Report which would illustrate the visual impact of the Alternative Masterplan from other key viewpoints such as from within Prince Henry, Anzac Parade and Boora Point. Therefore an appropriate visual impact assessment of the alternative masterplan cannot be undertaken due to the lack of information.

Shadowing

The Planning Proposal states that it has managed shadow impacts on surrounding buildings and open spaces, although shadowing within the site appears excessive.

In regard to the Alternative Masterplan, Council raises concern with the potential overshadowing that the 15-17 storey dwellings in the western precinct will have on proposed public space within the site, and on surrounding development. These concerns were also raised by the Design Excellence Panel (DEP) in its assessment of the Alternative Masterplan. While it notes that the shadow diagrams show minimal impact on the development to the south of the site in the Prince Henry residential area, it is unclear whether this is the case for the existing 5 storey Solis and Illume apartments adjacent to the site. It is Council's view that the overshadowing on these buildings as a result of the 15-17 storey dwellings directly adjacent in the western precinct of the development are excessive. More information is required to properly assess the potential overshadowing of the western precinct on these adjacent properties, as well as properties in the Bilga Crescent Estate. Therefore, an appropriate assessment of the shadowing impacts of the alternative masterplan cannot be undertaken due to the lack of information.

Access and Connectivity

The alternative masterplan would result in an amended access structure which reduces the extent of roadways that have already been built as part of the Council approved LEP.

As previously stated in Q7 of the report, the reconfigured street layout will reduce the 'buffer' to the critically endangered ESBS community in the north-east of the site and beyond the site boundary. The building layout may mean that there are overshadowing impacts on this community that haven't been appropriately addressed in the documentation. Furthermore, as stated by the DEP, a greater emphasis should be put on the integration of the proposed street layout and structure plan with developments to the north (Bilga Crescent Estate) and south (Prince Henry). As previously noted, the alternative masterplan contains an image on Pg. 30 which shows visionary connections to the south of the site which haven't eventuated. More information needs to be provided in regard to how connections with developments to the north and south will occur, as well as the walkways along the eastern portion of the site. The potential eastern walkway connecting to the north should also connect south to the Prince Henry site and Little Bay beach.

The Alternative Masterplan also proposes a central spine which intends to be an east-west pedestrian spine through the centre of the site, connecting Anzac Parade in the west to the coast in the east. Council raises concern about the impact that the construction of the central spine will have on the natural scenic landscape and heritage values of the site. As previously stated in Q7 of the report, the subject site provides habitat for two threatened fauna species and potential habitat for one threatened flora species. As such, greater consideration to the impact that the central spine link proposed as part of the Alternative Masterplan will have on these species as well as the overall biodiversity of the site is required. Based on the information provided, an assessment of the impact that such a walkway will have on the ecological values of the site cannot be undertaken due to a lack of information.

Traffic and transport

See consideration under Q2 and Q10 of this assessment.

Aboriginal Heritage

The Planning Proposal has not sufficiently considered the impact of the development upon the existing Aboriginal features at the site, or the ochre deposit located in 2012. It is not sufficient to say that the impact on the Aboriginal heritage features will be no worse than under the existing consent, or that the proposed layout will simply not overlay the ochre deposits.

As previously mentioned, the planning proposal would result in densities that are quadruple what is currently approved. This is particularly pertinent when considering that the ochre deposits were found after the approval for the existing consent. As stated by the Heritage Council of NSW in their two submissions to Council, the site 'Little Bay Geological site' is proposed to become a State heritage item. The Miocene and ochre deposits of Aboriginal cultural heritage significance are listed on the Register of the National Estate. Council notes that it is the only known site containing peat of Miocene age (22 million years before present) on the NSW coast and one of two in Australia. Council also notes that the site has high significance to the local Aboriginal

community as a source of ochre or pipe clay used in body decoration for various cultural practices, including dances and ceremonies.

No information is provided on excavation for basement parking, impacts on groundwater recharge and movements and other potential hydrological impacts that the proposed development may have on the Aboriginal heritage features of the site. Given the nature of the site, more information is required in order to fully understand and assess the impacts the planning proposal (in whichever form) will have on both the existing and proposed Aboriginal heritage features of the site. The submission also notes that the additional information in regard to Aboriginal heritage that was provided as part of the alternative masterplan has not addressed many of the concerns raised in their previous advice.

Non-aboriginal heritage

The site is adjacent to the State heritage register (SHR) listed Prince Henry site and in proximity to the SHR Long Bay Correctional Facility. The eastern section of the site is within the Prince Henry Hospital Heritage Conservation Area (HCA).

The Planning Proposal seeks to downgrade the heritage conservation area status of the site by calling it a 'legacy listing' with no immediate material heritage significance. The HCA is a valid consideration for the site, and it is not up to the proponent to determine whether or not the HCA should be considered in the assessment of the Planning Proposal. It is Council's view that the proponent is downplaying its significance in order to not consider it.

The Proposal notes that the former Prince Henry Hospital site has been sympathetically redeveloped to a medium density residential development and that the proposal will complement the expanding urban neighbourhood. The approved masterplan which is of a similar scale to the former Prince Henry site development, better complements the Prince Henry HCA. It is also noted that the approved masterplan for the site was developed in consideration of the surrounding local heritage character, including the Prince Henry development to the south.

The proposed building envelopes are considerable higher than any development on surrounding sites including the former Prince Henry Hospital site, the Housing NSW Bilga Crescent site and the Long Bay Gaol site. The lowest buildings in the eastern portion of the site would be higher than the highest building in the Prince Henry development. The planning proposal would have considerable visibility for many kilometres. There are concerns that the proposed development will impact on the open landscape character of the area and therefore on the setting and views to and from surrounding heritage sites including the (SHR) listed Prince Henry site and in proximity to the SHR Long Bay Correctional Facility. The Prince Henry site will be dominated to the north by the proposal if built, particularly given the much lower scale to which it has been redeveloped.

As stated by the Heritage Council of NSW in their two submissions to Council, the proposal fails to consider the impacts that it will have on the adjacent SHR listed Prince Henry Site and SHR listed Long Bay Correctional Facility to the north of the site. As noted in their submission dated 13 February 2020, *"while the proposal does not provide sufficient information to fully assess its impact, the scale, density and proximity of the proposed development is considered excessive and likely to have adverse impacts on the state heritage values, inherent site character (open, low, coastal with wide views out and in), interpretation and ability to understand why these facilities were located in this isolated, remote location. Considerably upgraded assessment focussed on the wider impacts of the proposal on adjacent SHR heritage items is required"*. These issues are also raised in their second letter dated 11 May 2020, including impacts on landscape character and surface and storm water runoff affecting the adjoining and nearby SHR items. The submission also notes that the additional information in regard to non-Aboriginal heritage that was provided as part of the alternative masterplan has not addressed many of the concerns raised in their previous advice.

9. Has the planning proposal adequately addressed any social and economic effects?

Economic Impact

The Economic Benefits Report prepared by Urbis outlines the positive economic impacts of the proposal on the immediate and broader community. The report states that the proposal will result in the following increase in direct and indirect employment and economic activity:

- 2019 direct and 329 indirect jobs from the construction of the proposed development concept resulting in gross value add of \$61.19 million.
- 418 direct and 112 indirect jobs from the operation of the retail uses, child care and tourist and visitor accommodation uses resulting in a gross value add of \$27.51 million.

The report calculates that the proposal would result in approximately \$337 million in total additional taxes as contributions to local and state infrastructure. The proposed hotel is predicted to attract tourists and support Randwick City's economy.

The Randwick Economic Development Study, which was prepared in 2019, examines the role, function and character of Randwick City's local and neighbourhood centres, including current land use and vacancies. The Study examined the LGA's diverse range of centres, including the town centres and a range of neighbourhood centres.

The existing neighbourhood centre at Little Bay plays a population-serving role with a range of retail and hospitality uses, including cafes, restaurants and a supermarket. The Study identifies that the neighbourhood centre has the potential to grow and develop into a local centre serving the surrounding population.

The planning proposal has not adequately considered the impact of the proposed mixed use development on the hierarchy of centres in Randwick City, specifically the impact on the existing neighbourhood centre at Little Bay.

Social Impact

The Planning Proposal's Community Needs Assessment suggests that the area has sufficient capacity in the schools to absorb the population, although a new primary school would be required for the combined master-planned site. However, a submission from Schools Infrastructure indicates the Planning Proposal would generate the need for five additional primary school classrooms within the La Perouse or Chifley catchments, to be funded via a State Infrastructure Contribution (SIC).

The Community Needs Assessment also recommends a contribution (as part of the proposal) towards improvements to the Malabar Library would be the most efficient way to provide sufficient library space. The Planning Proposal (if combined with the LAHC lands) triggers the need for an additional community centre. A new early education and care centre will be required to service the site and is included in the proposal.

The proposal triggers the need for 1 sportsfield and 1 playground. A playground is included in the proposal. Although there is some area provided within the site for open space, this will not include a sportsfield and the population will add pressure to the existing sportsfields at Chifley Reserve. The report recommends a financial contribution towards the provision of a new district park/sportsfield for the combined masterplan site. The Community Needs Assessment does not propose that the 1 playing field be accommodated on the site of the Planning Proposal.

Furthermore, Council notes that the proposal has not properly considered the Aboriginal heritage features of the site, including the SHR nominated 'Little Bay Geological site'. It is noted that the site is of high significance to the local Aboriginal community as a source of ochre or pipe clay used in body decoration for various cultural practices, including dances and ceremonies.

10. Is there adequate public infrastructure for the planning proposal?

The original ARUP Transport Assessment developed a scenario where the site was provided with a high capacity, high frequency public transport. The mode share assumptions in that scenario predicted 68% of future residents would catch public transport in the AM peak hour. Until the mass transit was delivered, the report indicated that 9-12 buses could support the public transport needs of the development.

The TTPP letter submitted as part of the Alternative Masterplan recognises that Transport for NSW has not committed to provide any additional public transport to the site and that the mode share assumptions had been revised accordingly. The amended traffic generation rates were based on the 'Trip Generation Surveys: High Density Residential (Car Based) Analysis Report'

compiled by Bitzios Consulting (20 October 2017) that was commissioned by the Roads and Maritime Services (RMS). The TTPP letter outlines the measures to be included in a Green Travel Plan to discourage private vehicle use.

Council requested EMM to conduct a peer review of the Arup Transport Assessment report and the supplementary letter from TTPP. The principal conclusions of the EMM review are summarised under Q2 of the assessment. An assessment regarding whether there is adequate public infrastructure for the planning proposal is contained below.

Mass transit

The original Planning Proposal Report justified the new planning controls on the basis that the redevelopment of the site is aligned with new transport infrastructure identified in Future Transport 2056.

However, the TfNSW submission from November 2019 confirmed that TfNSW is not in a position to define the location or timing of any new city-shaping and/or city serving networks that may be in the vicinity. The submission confirmed that there is no NSW Government commitment to provide additional mass-transit/rail infrastructure that would provide immediate support to the proposal. Future residents in the area would need to rely on existing transport infrastructure, and some increase in bus services could reasonably be assumed.

Given the absence of any Government commitment to new transport infrastructure such as light rail or a metro line, no additional transport services other than bus services can be considered in the assessment of the planning proposal.

Bus services

The TfNSW submission from April 2020 states that it can be reasonably assumed that TfNSW will enhance existing bus services in the area associated with the recent commencement of operations of the CBD and South East Light Rail.

The existing public transport servicing the site is bus services operating on Anzac Parade. The original ARUP Transport Assessment report identified that an additional 9-12 buses servicing the site from Anzac Parade would be sufficient to provide for the public transport needs of the future residents.

The EMM report notes that the number of extra buses required is now difficult to calculate due to future uncertainty in what bus passenger capacities would be allowed in the future normal (post Covid-19 situation).

As outlined in the EMM report at Attachment 2, the current pedestrian accessibility to the bus stops on Anzac Parade, particularly the bus stop on the eastern side of Anzac Parade servicing buses travelling in the northern direction, is very poor. The pedestrian accessibility to and from the site to existing bus stops means that bus travel is not likely to be a viable future public transport option for the majority of future residents of the site unless a more site specific 'Transit-Oriented' development is proposed.

For this to be achieved a formal "Transport Terminal" location will need to be defined at a central location within the site, with resulting modifications to the currently approved and constructed road network to provide unimpeded bus circulation and bus parking areas (for up to 2-3 buses at peak times) within the development.

The future bus network which will travel to and from this Transport Terminal will require four separate bus routes to each of the major regional transport destinations:

- Route 1 to and from the POW Hospital, Randwick Junction and Bondi Junction via Avoca Street.
- Route 2 to and Maroubra, Kingsford, UNSW and Kensington to the Sydney CBD via Anzac Parade
- Route 3 to and from Pagewood, Eastgardens, Daceyville, Rosebery, Green Square and Redfern
- Route 4 to and from Matraville, Botany, Mascot and Sydney Airport

Each of these future regional bus routes would require a minimum 10 minute service frequency over the full two hour 7-9 am morning peak travel period, which with a likely two hour round trip during the peak hours, including the bus turnaround and waiting times at each end, would effectively require 12 new buses to operate each route. Thus, in total 48 new buses would be required to provide the required direct and accessible new bus services at attractive.

Road capacity

As identified in the ARUP Transport Assessment Report and Updated Traffic Analysis, there is existing traffic congestion in the vicinity of the site, which will worsen with the impact of the proposed additional dwellings.

The Updated Traffic Analysis identifies intersection upgrades which will need to be undertaken to mitigate the impact of the planning proposal. In particular, the Bunnerong Road/Beauchamp Road intersection, will need additional eastbound and westbound right turn lanes on Beauchamp Road, which are likely to require land acquisition. The Planning Proposal does not consider who pays for the intersection upgrades, including the potential land acquisition and the legal arrangements may be necessary for any land acquisitions to take place.

In addition, the future site car based traffic generation rates which have been assumed in the developer's traffic analysis (in the latest version which is presented in the March 2020 letter prepared by TTPP) are still considered to be unrealistically low for the likely future site car based travel demand, given:

- the current poor and potentially unsafe accessibility to bus stops on Anzac Parade (see Appendix A of Attachment 2);
- the lack of any clear commitment by RMS (now TfNSW) to approve any new traffic signal controlled intersection for access to Anzac Parade;
- the absence of any NSW government commitment to providing improved public transport infrastructure to the Malabar and Little Bay areas;
- the doubtful feasibility for any through site pedestrian or future bus route connection to Bilga Crescent, and
- The likely future reduced attractiveness of public transport in the post Covid-19 travel situation.

In this context, the future site assumed traffic generation rates will need to be reviewed in the context of the post Covid-19 travel situation, where for reasons of crowding and other issues, future peak hour public transport travel is now likely to be a much less attractive option compared to car travel, than it has been in recent years.

In addition, it is unclear whether Arup's analysis considers the impact of the introduction of more buses on the existing operation of Anzac Parade and whether the existing bus infrastructure such as bus stops and the road itself, can accommodate additional buses.

Cycling Infrastructure

The applicant proposes a Green Travel Plan (GTP) to reduce private car usage and support alternative modes of transport. However, the road layout of neither masterplan appears to provide for cycleways to encourage active transport within and from the site. The EMM report notes that to achieve the future increased cycling predicted by the GTP, safe and separated cycleways would be required to provide safe cycling access from Little Bay to and from destinations along Anzac Parade.

Additional modelling and analysis required

The entire development traffic analysis needs to be repeated using more accurate future travel mode share assumptions, including future car travel traffic generation rates no lower than the rates currently identified for the existing site residential uses and confirmation from TfNSW whether future right turn traffic signal controlled access is either technically feasible and/or meets relevant warrants, at either the Cawood Avenue or Solarch Avenue access intersections.

The assessed traffic impacts of the new masterplan levels of development will then be likely be significantly higher if the same assumed future car travel traffic generation rates are used, as have been previously surveyed to occur at the site.

In relation to any future intersection capacity analysis which is to be undertaken by the developer's consultants, the electronic files of the SIDRA intersection analysis would need be supplied to the Council for review for further detailed checking of all the input traffic signal controlled intersection cycle times, phasing and other assumptions, including the "Linked Intersection" co-ordination assumptions for any pairs of intersections where the traffic queues from one intersection could potentially interact with another intersection.

The future road network transport capacity analysis for the proposed new masterplan development will also need to consider mid-block capacity constraints in addition to intersection capacity for both Anzac Parade and Bunnerong Road, as there are many locations between the subject site and the Kingsford Light Rail terminal, where there is only a single travel lane available in each direction at most times of the day.

In addition, the mid-block capacity constraint analysis should be undertaken further north along Anzac Parade between Kingsford and Kensington (through the K2K Precinct), where the vehicular traffic capacity in both directions has generally been reduced to accommodate the new light rail tracks.

Open Space

While the site adjoins a golf course, the golf course is not publicly available (unless playing golf) and therefore the golf course would not cater to the open space needs of the future residents.

The Community lot at the centre of the site is for passive recreation uses only, which will provide some open space for residents. While both proposed masterplans contain approximately 10,000m² of open space to be dedicated to Council, there are differences in the utility of the proposed open space.

The original proposed masterplan contained 4 parks, including a park of 5000m² at the western portion of the site, to function as a civic square for the precinct. The civic square also functioned as a separation between the existing apartment buildings on the site and the higher building forms proposed in this application. The alternative masterplan contains a series of open spaces, including an east-west linear park, which is likely to be overshadowed by buildings adjoining the space. The smaller size of the parks proposed in the alternative masterplan reduces opportunities for active recreation on the site.

In conclusion, the planning proposal demonstrates some significant future road network capacity constraints. In order to encourage public transport usage, a transport interchange on the site would be required, along with 48 new buses to provide regional access to employment. In addition, the analysis underestimates the car travel traffic generation rates and needs to be repeated using more accurate mode share assumptions to enable a valid assessment of the public transport infrastructure required to support the proposal. Additional school infrastructure is required, which would need to be funded via a SIC, and a financial contribution to upgrading Malabar Library would need to be provided. The proposal generates demand for an additional playing field, which the applicant does not propose to accommodate on site.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council has referred the Planning Proposal submitted September 2019 and the alternative masterplan documentation submitted March 2020 to a number of government agencies and key stakeholders for their comment. Their comments are provided above in the 'Consultation' section of this report.

It is noted that the Alternative Masterplan and supporting documents have attempted to address some of the key concerns raised by government agencies. Despite this, the Heritage Council and Heritage NSW have raised significant concerns with the original proposal and alternative masterplan on the Aboriginal and non-Aboriginal heritage features of the site and the SHR listed items within the vicinity of the site, including the lack of information and assessment provided to respond to the concerns raised.

Randwick Local Planning Panel

The planning proposal was referred to the Randwick Local Planning Panel for their consideration at their meeting held on 10 June 2020. The Panel resolved not to support the Planning Proposal, with the resolution being carried unanimously. The resolution is outlined at Attachment 1.

Council officers support the advice of the RLPP, and have included the RLPP's resolution as the recommended resolution of this Council report.

Planning Acceleration Program

On 28 April 2020 the Minister for Planning and Public Spaces announced the Planning System Acceleration Program, which is designed to fast track the assessment of projects which may be able to contribute quickly to NSW's construction pipeline and get shovel ready projects underway.

Council received a letter dated 3 June 2020 regarding the Little Bay Cove Planning Proposal. The letter stated that to be considered under the Acceleration Program, a project must already be in the planning system, deliver a public benefit, demonstrate an ability to create jobs during construction and once determined, be able to commence construction within six months, or for a planning proposal, allow a development application to be lodged within six months. The letter confirmed that fast-tracking of the planning system does not mean compromising due process or assessment of the merits of proposals.

The letter also noted that on 30 April 2020, Meriton submitted a rezoning review request to the Department on the basis that Council failed to support the planning proposal within 90 days of lodgement.

A rezoning review would allow the planning proposal to be considered by the Sydney Eastern City Planning Panel (Panel). The Panel would determine whether it has strategic and site-specific merit and whether it should proceed to Gateway determination and community consultation. If so, Council will have the opportunity to determine whether it would like to be the planning proposal authority and host and report on the public exhibition.

Strategic alignment

The relationship with the City Plan is as follows:

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

Resourcing Strategy implications

Council engaged the services of an independent planning consultant and traffic and transport consultant to undertake an assessment of the planning proposal. The total cost was \$18,350 of which was funded out of the lodgement/application fee of the planning proposal.

Conclusion

The Planning proposal for the land at 1406-1408 Anzac Parade Little Bay seeks an increased level of height and FSR to support a dramatically increased size and scale of development above that which was approved in 2009 and which is partially constructed. It also seeks additional permitted uses for hotel or motel accommodation and for medical services to the site. The Planning Proposal is seeking gateway approval for development on the site, however its justification is intricately linked to:

- Under the original proposal, the possible redevelopment of a master-planned combined site with the LAHC lands and Long Bay Correctional Centre at some unknown time in the future; and

- future transport improvements to the area for which TfNSW have indicated there is no defined location or timing, nor commitment that would provide any immediate support to the proposal.

The Planning Proposal hinges upon being a catalyst for future development of the area – encouraging development of future transport options through necessity rather than by responding to the planned and structured roll out of transport infrastructure by the State Government.

Council has undertaken and endorsed its strategic planning framework for the LGA as set out in the LSPS and Housing Strategy and as supported in the Randwick City Plan 2017. None of these documents envisage the intensification of dwellings in the Little Bay area as set out in the Planning Proposal including alternative masterplan, and nor is there anything in the planning documents which supports amending the strategic planning documents to accommodate the increased densities as proposed.

The RLPP has assessed the Planning Proposal and advised Council that it does not support the Planning Proposal proceeding to Gateway Determination.

It is considered that the Planning Proposal should not proceed to Gateway Determination as it does not meet the strategic merit test nor the site-specific merit test. The answers to the eleven questions outlined above do not lead to a conclusion that the Planning Proposal represents a sound strategic planning outcome. Nor does the site have the capacity to accommodate the proposed density.

Responsible officer: Elena Sliogeris, Coordinator Strategic Planning; Timothy Walsh, Environmental Planning Officer; Rebecca Jacobs, Senior Environmental Planning Officer

File Reference: RZ/4/2019