

7.0 Issues

This Chapter discusses key issues which need to be considered as part of the future planning of residential lands in Randwick City, particularly with respect to specific clauses in the Comprehensive LEP and performance requirements in the Comprehensive DCP.

7.1 Housing Diversity

A key objective of the NSW Government Metropolitan Strategy and draft East Subregional Strategy is for councils to provide for housing diversity and choice to meet the different housing needs of the community.

Having a mix of housing types, sizes, styles and densities is important because it can help address affordability issues and provide for changing demographics, different lifestyle choices and life stages. It can also facilitate housing for people with a mix of skills and occupations in the locality, particularly key workers and those in serviced based industries. Further housing diversity can contribute to local economies and create local employment opportunities through demand for a diverse range of goods and services.

Randwick City is currently contributing to housing diversity through the state and local planning framework which supports a range of housing types through zoning, land use permissibility, planning controls and planning incentives. These include:

- Detached dwellings, dual occupancy and semi-detached dwellings
- Town houses, terraces, villas and lower scale walk up flats
- Medium and higher density multi-unit housing in and around town centres (which provide ready access to retail, employment and transport services)
- Housing that accommodates the needs of the aged and disabled
- Affordable housing such as boarding houses, secondary dwellings and social housing
- Student housing; and
- Tourist/ visitor accommodation

Housing choice and diversity will increasingly be important given an anticipated ageing population and smaller households as the City continues to gentrify. Consequently there will be continued demand for housing of a variety of sizes, types and forms, particularly more smaller dwellings in multi-unit developments in close proximity to town centres and public transport and greater affordable housing and seniors living options.

This review recognises the need to provide for this diversity which involves continuing to protect low density residential areas, as well as ensuring a range of medium density areas and housing in town centres.

Comprehensive LEP Implications

The Comprehensive LEP will address housing choice and diversity by permitting a range of housing types, forms and densities that are compatible with the objectives of residential zones and character of different localities. It is proposed in this regard that the current approach of RLEP zones, in relation to their permissible housing types be translated into the Comprehensive LEP (see Appendix B).

The Comprehensive LEP should include overarching aims for the City's development and change. It is proposed to include an aim on housing diversity consistent with the Standard Instrument, which provides for the overarching guiding principles for the entire LEP.

The following existing RLEP aim relates to housing diversity:

- *(2) (k) to encourage the provision of housing mix and tenure choice, including affordable housing in the City*

It is proposed that this existing aim be incorporated into the Comprehensive LEP in recognition of the different housing types needed to cater to the diverse housing needs of the local community.

Recommendations:

- Ensure a diverse range of housing types are permitted in the Comprehensive LEP consistent with the objectives for the different residential zones and character of different localities (see Appendix B for further detail on zones and proposed land uses in the Comprehensive LEP); and
- Include an overarching aim on housing diversity in the Comprehensive LEP.

7.2 Affordable Housing

Affordable housing refers to housing that is appropriate to the needs of households and within their means to pay for it. Housing is considered to be affordable when households that are renting or purchasing are able to pay their housing costs and still have sufficient income to meet other basic needs such as food, clothing, transport, medical care and education.

A commonly used benchmark in measuring affordability for low to moderate income households is where housing costs are below 25% and 30% of gross household income (respectively). Rental or housing stress is considered to occur when low to moderate income households pay more than 30% of their household income on their rent or mortgage.

7.2.1 Importance of Affordable Housing

Affordable housing offers a number of economic, social and environmental benefits to the community. At the local level affordable housing is important because it:

- Promotes social integration and social diversity
- Meets the needs of the growing number of smaller households living in high cost areas
- Allows key workers (such as nurses, police etc) and students to remain in the area close to work and educational establishments
- Provides direct economic benefits to local economies, including an increased demand for a range of goods and services which in turn can create employment opportunities; and
- Allows people to stay in the community that they know as they move through different life stages.

When housing is unaffordable households are placed in a position where their residual income is insufficient to pay for essential necessities such as food, education and healthcare. This can lead to social dislocation and fragmentation of communities as people are forced to leave the locality that they are familiar with in search of more affordable housing options.

7.2.2 Demand for Affordable Housing

Housing affordability continues to worsen in Randwick City due to increasing land/property values, increasing rents and the resultant loss of rental stock at the lower end of the market.

As highlighted in Chapter 4, a significant proportion of low to medium income households in Randwick City are now considered to be in housing stress (85% of low-income renters and 67% of the low-income mortgage holders)⁷. Despite the additional supply of around 6,501 additional dwellings since 1998, there have been limited flow-on effects by way of reduced rental costs and property prices.

The loss of affordable housing through the 'gentrification' process and the limited ability of the private rental market to accommodate the needs of low to moderate-income families at affordable levels now represents one of the most critical housing challenges confronting Randwick City, similar to other inner city Sydney councils.

The need for affordable housing extends further than members of the community who are living on pensions or the elderly. An increasing number of professionals and children of aged parents are being priced out of the area further away from places of employment and established families. This has the undesirable effect of severing long term links with their support networks, ageing family members and impacts on community cohesiveness.

⁷ NSW Department of Housing LGHK database, ABS Census 2006

⁸ Metropolitan Development Program 2010 (1998/1999-2009/2010)

Some of the main issues which have led to the decline of affordable housing have been identified as being:

- Redevelopment of boarding houses and older residential flat buildings
- Shortage in alternate dwelling types such as smaller sized dwellings for one person households and large sized dwellings (4+ bedrooms) for group housing
- Refurbishment, strata titling or demolition of low cost housing; and
- Redevelopment of existing stock into housing aimed at high to very high income earners.

7.2.3 Existing Affordable Housing Stock and Role of Planning Instruments

In August 2009 the state government introduced the State Environmental Planning Policy (Affordable Rental Housing) 2009 (AHSEPP) to serve as the primary planning mechanism to increase the amount and diversity of affordable housing in NSW and protect existing stock.

The AHSEPP planning provisions provide for secondary dwellings, town houses, residential flat buildings, boarding houses and other low cost accommodation. Such approaches include:

- Allowing medium density residential development (such as townhouses, villas and low rise residential flat buildings) in all residential zones (except low density residential)
- Providing floor space incentives for residential flat buildings in zones where they are currently permissible
- Making secondary dwellings (granny flats) permissible in all residential zones with the opportunity to gain approval through the streamlined Complying Development process
- Providing incentives for the development of 'new generation' boarding houses
- Enabling the provision of supportive accommodation for tenants who require specialised services and facilities
- Streamlining approvals for NSW Government social housing projects of up to 20 units
- Simplifying approvals for new style group homes in residential areas; and
- Implementing a compensatory payment system for the loss of low cost housing.

To date the Policy has provided for an increase in affordable housing in Randwick City mainly in the form of secondary dwellings and boarding houses. The high land values and lack of sufficient incentives for developers are likely to have restricted any private medium density development of affordable housing under the SEPP.

At the local level Randwick City Council has long recognised the need to support affordable housing to maintain a diverse society despite increasing inner city housing costs. Encouraging affordable housing is a key direction of the City Plan.

The *Council's Randwick Affordable Rental Housing Program and Strategy/Action Plan 2008-2018* sets policies to retain existing stocks of affordable housing and facilitate development of new housing for low to moderate income households based on negotiated voluntary planning agreements (VPAs) for large redevelopment (master plan) sites. This has resulted in 15 new affordable housing units being approved/ dedicated to the Council and managed by community housing providers.

Council's RLEP also contains numerous provisions to encourage the retention and provision of affordable housing in the City. These include:

- An overarching aim to protect affordable housing for each of the City's Residential and Business zones
- An objective to improve housing affordability in each residential zone
- Clause 34 - Protection of existing boarding houses (matters of consideration to address the cumulative loss of boarding houses); and
- Clause 40A - Consideration of affordable housing in DCPs for large master planned sites.

While Randwick City is one of the state's more active councils on affordable housing, in the coming years continued demand will require commitment to further provision. The Council's measures, while progressive for local Government, are having little influence on retention and provision of new affordable housing across the City. Similarly the State Government's AHSEPP is providing for limited additional affordable housing in Randwick City. The reality is that further measures in partnership with the State Government will be needed to make in-roads into affordability.

Comprehensive LEP Implications

While Council cannot influence the macro economic parameters that shape housing affordability, it can assist indirectly by influencing housing supply and housing mix through the land use planning framework and the development assessment process.

The Council can use the Comprehensive LEP to encourage different forms of affordable housing in a range of compatible residential zones and densities consistent with the requirements of the AHSEPP and the Standard Instrument. Further locally relevant aims and zone objectives could be included in the Comprehensive LEP to guide future development of affordable housing.

The RLEP currently contains the following aim which relates to affordable housing:

Aim:

- (2) (m) *To encourage the retention of affordable housing in the City in a variety of types and tenures*

It also contains the following objective for each residential zone:

- *To encourage housing affordability*

It is proposed that these existing aim and zone objectives be incorporated into the Comprehensive LEP. Further discussion on the existing *RLEP Clause 34 – Boarding Houses and Clause 40A – Site Specific Development Control Plans* is provided in sections 7.3.1 and 7.7.1 respectively.

Recommendations:

- Include an overarching aim on encouraging affordable housing in the Comprehensive LEP
- Include an objective on housing affordability for each residential zone in the Comprehensive LEP
- Ensure that the Comprehensive LEP supports appropriate affordable housing forms consistent with the requirements of the Standard Instrument and the existing approach of the RLEP; and
- While limited measures are currently available, continue to advocate with the NSW Government for more effective measures to encourage affordable housing.

7.3 Types of Affordable Housing

While housing affordability varies in according to location, dwelling size, age and other factors, this section will overview the key types of affordable housing in Randwick City.

7.3.1 Boarding houses

Boarding houses provide an important form of low cost, flexible and shared housing for a diversity of residents including younger persons, couples, students and key workers⁹.

They traditionally comprise bedrooms for lodgers with shared kitchens, living and bathroom facilities. Modern developments (i.e. 'new generation' boarding houses) can include both self-contained rooms with en-suite bathrooms and kitchenette facilities and shared facilities for lodgers. In effect they can now include small studio apartments.

Currently there are 75 registered boarding houses in Randwick City. The majority of these are concentrated in the northern suburbs (more than half in Randwick, Coogee, Kensington and Kingsford), which largely coincides with the spatial pattern of development densities, established services, institutions such as UNSW and housing costs (see fig 14).

⁹ *NSW Boarding House Accommodation Study* (by NSW Department of Housing).

The retention and provision of additional boarding accommodation contributes to diversity of housing choice and provides:

- A cost saving to the NSW Government by providing housing for residents who may otherwise need to be housed in government funded housing; and
- Low cost accommodation that reduces the levels of homelessness, crisis accommodation and pressure on the private rental market.

Notwithstanding these benefits boarding house development in Randwick City is limited by the following factors:

- The process of gentrification and urban renewal leading to rising land values
- High running costs including increasing insurance cost resulting in poor financial returns
- Age of stock and maintenance
- Demolition by neglect; and
- Community opposition based on concerns about amenity impacts (e.g. noise, rubbish, on street parking demands etc)

As housing costs continue to rise, the demand for boarding accommodation in Randwick City is likely to increase in the future due to:

- Growth in land and housing costs and the corresponding reduction in home ownership affordability
- Higher proportion of low-income households in housing stress than the Sydney SD, especially in the rental market
- High occupancy rates presently experienced in the private rental market
- Demographic trends including an ageing population and a growing proportion of single households
- Stable demand for student accommodation due to close proximity to UNSW; and
- Growing need for flexible accommodation through changing life style needs and work patterns.

Current Policy and Planning Framework

At the state level, the AHSEPP provides a range of incentives for boarding house development. It extends land use permissibility by permitting boarding houses across all residential and business zones and provides floor space bonuses in zones where residential flat buildings are permitted. The SEPP provides development standards and design considerations and also prohibits the strata subdivision of boarding houses. In response to community concerns a recent (2011) amendment requires consideration of impact of proposals on local character.

At the local level (consistent with state government directions) the RLEP permits boarding house development in all the residential zones of RLEP (and also the business zones) subject to consent.

The RLEP requires the assessment of the cumulative loss of boarding house accommodation via Clause 34 – Boarding Houses, including impacts of the loss of a boarding house on the existing supply in the locality, adverse social and economic effects and whether arrangements have been made to assist residents etc.

Comprehensive LEP Implications

Under the Standard Instrument boarding houses are a mandatory use permitted in all residential zones and a number of business zones consistent with long standing state government policy, the current AHSEPP and RLEP approach.

The Standard Instrument does not contain an equivalent to RLEP Clause 34 to address the loss of boarding houses as the overriding AHSEPP contains provisions to assess the cumulative loss of affordable housing (including boarding houses).

RLEP Clause 34 – Boarding Houses is therefore not suggested for inclusion in the Comprehensive LEP.

Comprehensive DCP Implications

A key action of the Randwick Affordable Housing Strategy is for the preparation of DCP performance requirements aimed at guiding and encouraging suitable new boarding house developments in Randwick City.

Council research is underway to review key issues being raised by the community with respect to boarding house development proposals. Working with the AHSEPP standards and guidelines, it is suggested that further controls and management measures be prepared to minimise impact of boarding houses on neighbourhoods.

The Comprehensive DCP should include guidelines covering operational issues (that also complement the requirements of the AHSEPP). These include Plan of Management requirements which outline management structures and measures to minimise residential amenity impacts and anti-social behaviour. Other considerations include design requirements for common areas such as storage, kitchens, bathrooms, as well as acoustic and access requirements. A background paper will be prepared to support provisions on boarding houses in the Comprehensive DCP.

Recommendations:

- Continue to include boarding houses as a permissible use in residential zones, subject to consent, in the Comprehensive LEP as required under the Standard Instrument
- Omit RLEP Clause 34 – Boarding Houses in the Comprehensive LEP as equivalent provisions are now contained in the AHSEPP; and
- Incorporate performance guidelines for boarding houses in the Comprehensive DCP that cover operational/management and design issues that complement the requirements of the Affordable Rental Housing SEPP.

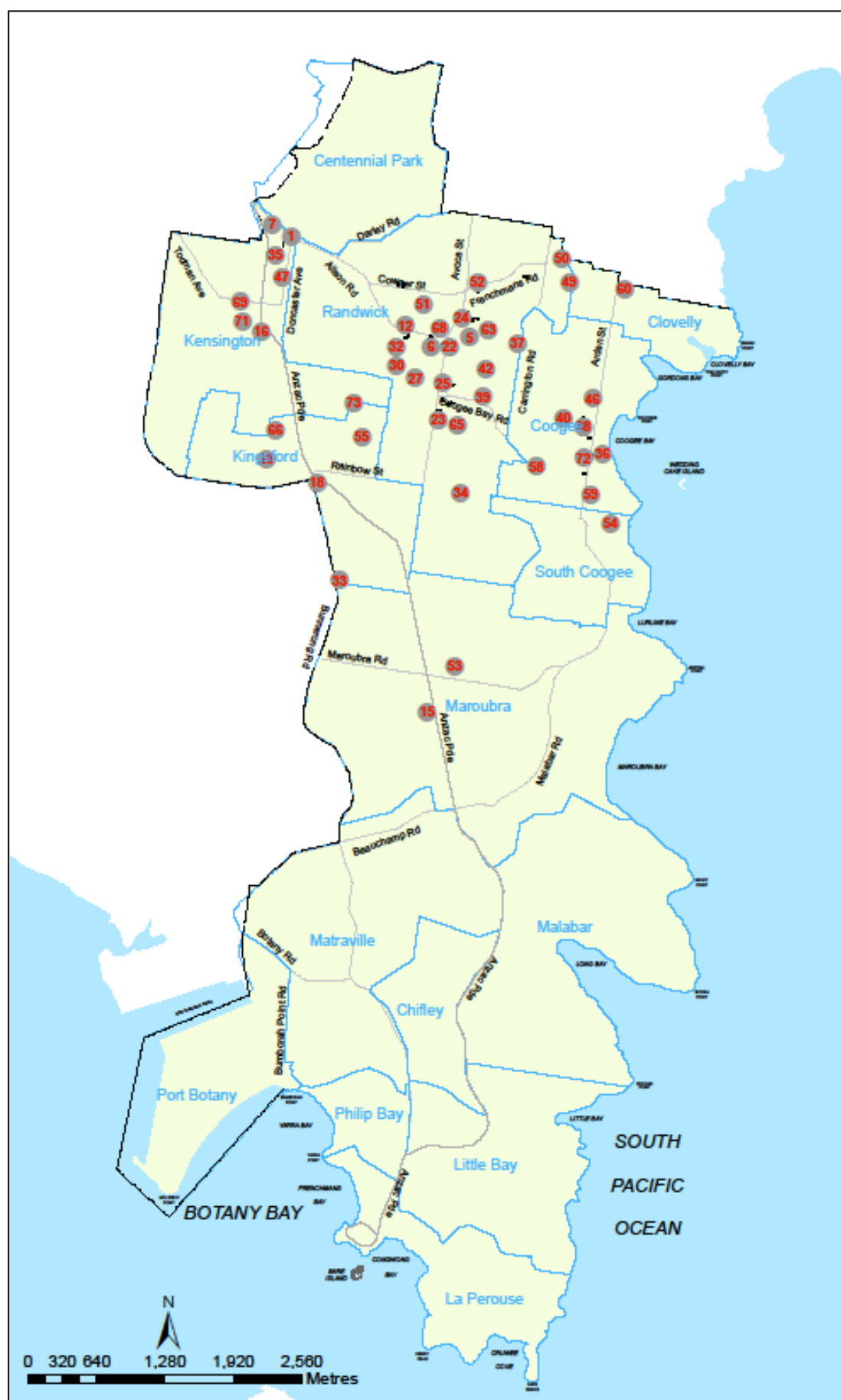


Fig 14: Location of boarding houses in Randwick City (2010)

7.3.2 Social Housing

Randwick City has a significant provision of social housing (also known as community or public housing) by Housing NSW and community housing providers. Social housing takes various forms including residential flat buildings, villas, town houses and houses that are typically grouped in estates across the City.

Currently, there are 4,296 social housing dwellings in Randwick City including 3,984 public housing dwellings (owned and managed by Housing NSW), 62 La Perouse Aboriginal Lands Council dwellings and 250 community housing properties. Many of these buildings are reaching an age where renewal is underway or may soon be required to improve the amenity and liveability for residents.

Current Planning/ Policy Framework

In addition to using the current RLEP provisions for residential development, the AHSEPP provides the key planning framework for the delivery of new social housing stock in Randwick City. It provides development standards and planning controls that social housing providers are required to consider in preparing proposals, in addition to the design guidelines contained in the Seniors Living Policy: Urban Design Guidelines for Infill Development. Under the AHSEPP social housing providers must notify the community about proposed developments in line with Council's consultation requirements to ascertain community input.

As with boarding houses the recent AHSEPP amendment also requires social housing proposals to specifically address local character issues in response to community concerns.

Housing NSW Properties

The current policy for Housing NSW is to disperse social housing stock across residential areas to reduce the concentration of welfare recipients and the stigma attached to such housing, and facilitate greater social inclusion. The policy approach includes a reduction in 3 bedroom dwellings and an increase in 1 and 2 bedroom dwellings to better address demand.

Housing NSW is currently considering future renewal work pertaining to its Randwick City social housing stock over the next 10 year time frame.

The significant land holdings by Housing NSW present an opportunity for redevelopment of innovative social, adaptable and affordable housing. While these properties are primarily the responsibility of Housing NSW, there is an opportunity for the Council to work more closely to help facilitate physical and social improvements to these and adjacent areas and to achieve better integration with surrounding areas. Redevelopment of such sites will also assist in meeting long term affordable housing needs.

Pending the outcome of any Housing NSW renewal investigations, it is proposed that the current zones (and applicable development standards and planning controls) pertaining to the Housing NSW sites be transferred into the equivalent Standard Instrument zones in the Comprehensive LEP. Figure 15 shows the location of Housing NSW properties.

La Perouse Aboriginal Lands Council Properties

The La Perouse Aboriginal Lands Council owns a number of land parcels, mainly located in Phillip Bay (the Hill 60 area), Little Bay (Jennifer Street holdings) and La Perouse (Elaroo Avenue holdings). These sites are currently zoned Residential 2B and 6A Open Space under RLEP.

An application to the NSW Government Planning Acceleration Fund has been sought by the Council and granted to assist the Lands Council in undertaking a strategic planning/design review of the sites to determine the most suitable zones, uses and development controls.

Key issues requiring investigation include the suitable scale of residential development, location of future public open space, presence and significance of remnant bushland and road access.

Funding for the review will be available in late 2011/2012. Pending the outcome of the review, it is proposed that the current zones of these sites be transferred to the equivalent Standard Instrument zones in the Comprehensive LEP and amended (where suitable) only after the detailed planning review and community consultation is completed.

Recommendations:

- Continue to rely on the provisions of the AHSEPP to assess social housing development in Randwick City
- Translate the existing RLEP residential zones and development standards for Housing NSW social housing developments into the equivalent Standard Instrument zones (generally R3 Medium Density) under the Comprehensive LEP; and
- Translate the existing RLEP zones and development standards for the La Perouse Aboriginal Lands Council sites to the equivalent Standard Instrument (R3 Medium Density) zone under the Comprehensive LEP.

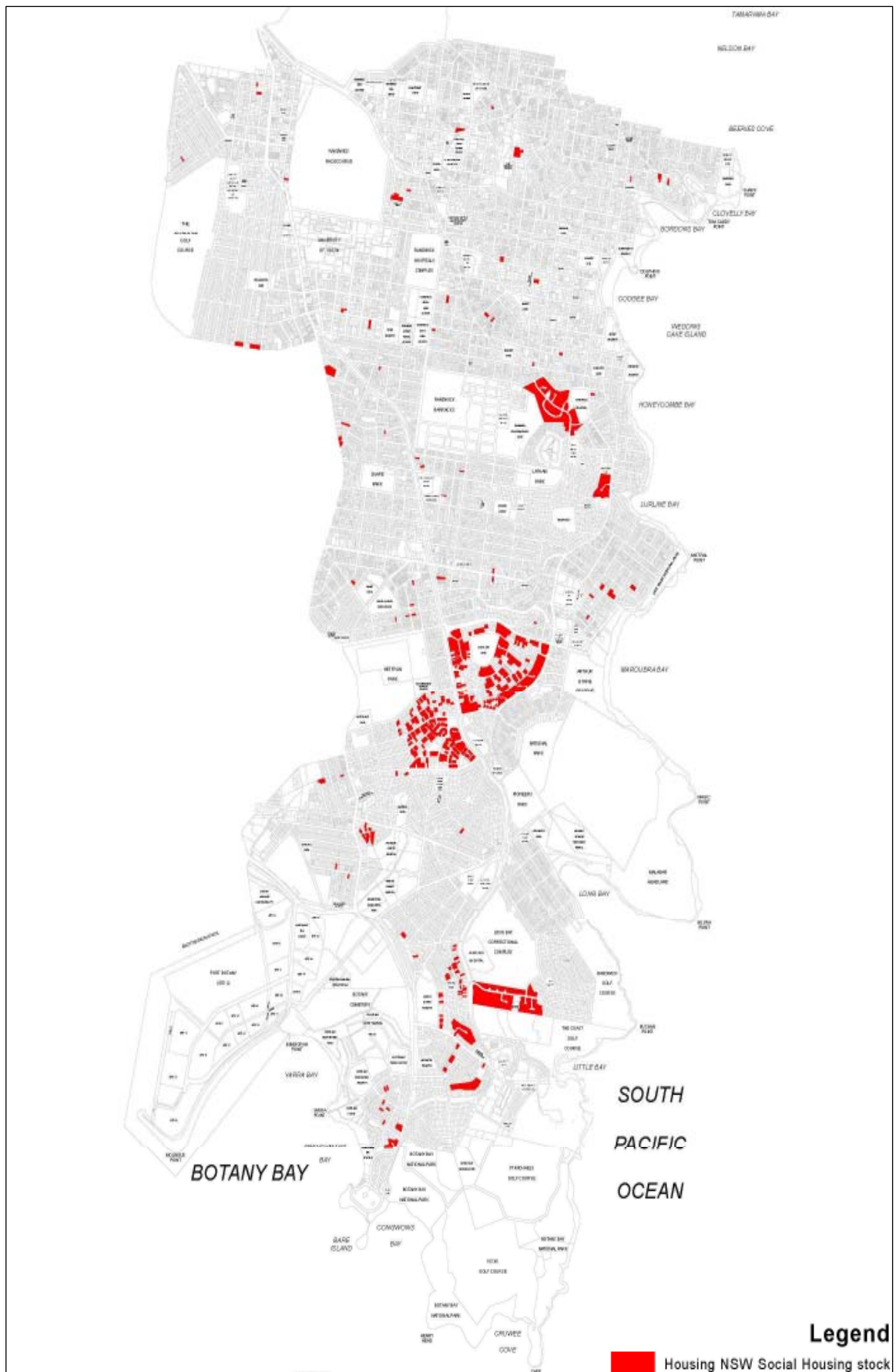


Fig 15: Housing NSW Social Housing Stock in Randwick City
Source: Randwick City Council

7.3.3 Secondary Dwellings

As identified earlier in Chapter 6, a secondary dwelling (commonly known as granny flats) is a self contained dwelling, limited in size which can be attached, within or detached from the principle dwelling. Secondary dwellings contribute to the choice and diversity of affordable housing and can allow additional housing opportunities for those who want to remain in the area such as older people, people with a disability, younger people and the like.

The AHSEPP is the main planning mechanism to facilitate secondary dwellings in Randwick City. Under the AHSEPP secondary dwellings of up to 60m² are permitted in all residential zones where dwelling houses are permitted. They cannot be subdivided. A secondary dwelling may be approved in 10 days by Council or an accredited certifier if it meets Complying Development provisions under the SEPP such as minimum lot size (450m²), minimum site coverage (of both principal and secondary dwellings), landscaped area, setbacks etc. If a proposal does not meet the Complying Development provisions, then a Development Application is required and the proposal assessed on merit.

RLEP does not define secondary dwellings nor specifically permit this form of development in the residential zones; however it does permit one form of this development as an attached dual occupancy.

Comprehensive LEP Implications

Under the Standard Instrument secondary dwellings are not required as a compulsory use in the residential zones as they can be approved under the AHSEPP.

No additional planning controls or performance requirements are suggested for inclusion in the Comprehensive LEP or DCP as the requirements under the AHSEPP are considered adequate to control the bulk and scale of this form of development.

Recommendations:

- Continue to rely on the provisions contained in the AHSEPP to guide secondary dwelling development in Randwick City.

7.3.4 Student Accommodation

UNSW and other tertiary education institutions within Randwick City generate a significant demand for affordable student accommodation in the local area. The international and domestic student market, whose preference is to live within close proximity to the university campus, has driven recent demand.

Student accommodation in the City takes many forms including:

- On-campus purpose built halls, colleges and self catering apartments
- Commercially operated off-campus apartments
- The private rental market – share houses and apartments; and
- Boarding houses.

Aside from on-campus and off-campus purpose built facilities, the informality and flexibility of certain arrangements such as private rental share housing and home stays makes student accommodation difficult to define or quantify. Tenure requirements often vary with many students seeking short term on-campus accommodation to allow them to become accustomed to the area before moving into traditional forms of rental accommodation. Students may also live with other renters who may not necessarily be university students.

The shortage of affordable student accommodation will continue to be a key housing issue for Randwick City. Although much of the purpose-built student accommodation provides services and facilities for its residents beyond the private rental market (e.g. furnishings, cleaning, utilities etc), the fees charged are often comparable or higher than the rates charged for a room in an apartment acquired through the private rental market.

The Randwick Education and Health Specialised Centre Discussion Paper provides more detail regarding recent and potential student housing opportunities.

Comprehensive LEP Implications

RLEP does not define student accommodation. Similarly, no such definition is included in the Standard Instrument.

In terms of the Comprehensive LEP, given the diversity of housing types and living circumstances, it is difficult to implement planning controls that specifically apply to student accommodation. Notwithstanding this, the Comprehensive LEP should continue to support a range of residential accommodation which also accommodates the housing needs of students particularly proximity to education campuses and affordability.

Comprehensive DCP Implications

The UNSW Kensington Campus DCP (2007) contains performance requirements to encourage on-campus student accommodation. This has resulted in a number of on-campus student housing developments.

This DCP should be reviewed to enhance affordability requirements and transferred into the Comprehensive DCP.

Recommendation:

- Continue to support a diverse range of affordable housing (that can also accommodate students) in the Comprehensive LEP; and
- Transfer the current UNSW DCP planning provisions for on-campus student housing into the Comprehensive DCP with further affordability requirements, where possible.

7.4 Housing for Seniors and People with a Disability

As highlighted in Chapter 4, over the next 20 years, significant ageing of the residential population of Randwick City is forecast, highlighting the importance of providing more aged care facilities and housing appropriate to this demography.

The ageing population have significant differences in mobility, income and family support networks. As such there is a need to offer diverse housing options that are well designed (to address mobility challenges) and appropriately located in close proximity of town centres, community services and public transport to support accessibility.

Additionally the ageing population is likely to increase demand for smaller dwellings, particularly in multi-unit developments as household size decreases and people choose to down size from larger dwellings and to dwellings with level or lift access.

7.4.1 Current Seniors Housing Stock

Housing for seniors or people with a disability (seniors housing) encompass a range of developments including nursing homes, retirement villages, infill housing, hostels, groups of self contained dwellings, and the like.

At present there are approximately 14 seniors housing developments in Randwick City. Four of these provide retirement living for active seniors and the remainder are low and high care nursing homes.

Seniors housing developments are concentrated in the central and southern half of the LGA around Maroubra Junction and Little Bay, with two new seniors facilities located on the Prince Henry redevelopment site. There are only four seniors housing facilities in the northern half of the LGA where the population density is greatest.

Current Policy and Planning Framework

The Housing for Seniors or People with a Disability SEPP (Seniors Living) applies to all forms of seniors housing. The SEPP enables the take up of this form of housing where zoning and/or planning controls may limit such options, subject to compliance with development criteria and design standards. Additionally the SEPP contains a number of development standards that cannot be used to refuse development consent for seniors living developments (e.g. FSR 1:1 for residential care facilities).

A range of seniors housing developments are currently permissible under the SEPP across all residential zones of Randwick City including nursing homes, infill housing, residential care facilities, groups self contained dwellings and the like.

Under RLEP, housing specially built for seniors or people with a disability falls under the definition of residential care facilities which includes hostels and nursing homes that provide meals, cleaning services and care staff.

Residential care facilities are permitted in the 2D zone of RLEP only. While residential care facilities are not permitted in the other residential zones, as

indicated above, the Seniors Living SEPP in certain circumstances can override this prohibition.

Comprehensive LEP Implications

Given Randwick City's demographic changes, it is appropriate to facilitate seniors housing close to existing town centres, services and hospitals to maximise the potential for the ageing population to remain within the area that they know and to ensure their independence for as long as possible.

Consistent with this, the Standard Instrument requires seniors housing as a mandatory use (with consent) in the R3 Medium Density Residential and the R1 General Residential zones. As Randwick City's town centres are generally bounded by the 2B and 2C zones (equivalent to the R3 Medium Density zone), seniors housing would be suitable use in such locations.

Recommendation:

- Include seniors housing as a permissible use (with consent) in the Standard Instrument's R3 Medium Density and continue its permissibility in the R1 General Residential zone (existing 2D zone) in the Comprehensive LEP.

7.4.2 Adaptable and Universal Housing

Housing requirements for the ageing population are not solely limited to purpose built senior's housing developments such as nursing homes or retirement villages. A proportion of the ageing population will choose to live in conventional dwellings in the neighbourhood that they are familiar with, close to familiar community networks. Accordingly there will be a demand for conventional housing to be more adaptable to suit changing mobility needs.

Adaptable and universal housing design can provide an integral role in meeting mobility challenges and changing life circumstances associated with ageing as well as disabilities. 'Adaptable housing' refers to housing that is designed with accessible features that can be modified over time (e.g. adjustable kitchen benches), whereas 'universal housing' comprises the inclusion of key design features at the construction stage. Design features of adaptable and universal housing may include wider corridors and doorways, reinforced bathroom walls to facilitate the installation of grab rails in the future, levelled pathways and the like.

Both adaptable and universal housing can provide a number of financial and social benefits for the community including:

- Adding to the diversity of housing choice for a wide range of people
- Allowing the occupation of housing for a longer period of time
- Reducing costs associated with retrofitting dwellings that would otherwise be incurred on non-modified homes as people age and/or develop physical disabilities; and
- Allowing people to 'age in place' without having to move to often expensive nursing homes and aged care facilities.

Increasing the amount of adaptable housing in Randwick City is a key direction in the Randwick City Plan.

Comprehensive DCP Implications

The Department of Planning and Infrastructure has indicated that adaptable and universal housing design requirements would be better placed in the Comprehensive DCP (as opposed to the Comprehensive LEP) given the level of detail required in the controls.

Recent Council research examines key issues and potential performance measures that should be included in the Comprehensive DCP to encourage more housing of universal and adaptable design in Randwick City.

Such responses may include the application of a threshold for the number of adaptable units in new multi unit housing developments and critical universal housing design criteria for all new dwellings (e.g. continuous levelled pathways, wider corridors and doorways and reinforced bathroom walls to facilitate future installation of grab rails). These performance requirements will be further explored as part of the Comprehensive DCP preparation process.

Recommendation:

- Include performance guidelines in the Comprehensive DCP to encourage more housing of adaptable and universal housing design.

7.5 Tourist and Visitor Accommodation

The draft East Subregional Strategy acknowledges the demand for temporary and holiday accommodation (tourist/visitor accommodation) and requires Councils in the subregion to identify future visitor accommodation and demands, while ensuring adequate supply and mix of housing for residents.

The tourist/ visitor market is an important economic driver in Randwick City offering substantial benefits to local economies including diverse goods and services, local employment opportunities and support for key institutions (for example visitor accommodation for patients' families near the hospitals, visiting lecturers near UNSW and for sports teams near the range of sporting facilities). Accommodation in the City includes private hotels, backpacker establishments, motels, serviced apartments and bed and breakfast accommodation. Planning for these forms of accommodation has traditionally acknowledged the need to provide suitable options for diverse segments of the tourist market in tandem with balancing residential amenity concerns of the local community.

The following subsections summarise the tourist accommodation in residential zones in the Comprehensive LEP being: bed and breakfast accommodation, motels and other tourist accommodation (e.g. serviced apartments etc).

7.5.1 Bed and Breakfast Accommodation

Bed and breakfast accommodation refers to private dwellings where rooms are provided commercially for short term or temporary accommodation by the permanent residents of the dwelling.

This form of accommodation generally has a lower level of impact relative to other types of tourist and visitor accommodation.

RLEP currently permits bed and breakfast accommodation (with consent) in all its residential zones (namely Residential 2A, 2B, 2C and 2D zones). The RLEP permits no more than 6 guests in a premises under its definition for bed and breakfast accommodation.

Comprehensive LEP Implications

The Standard Instrument introduces an additional requirement under Clause 5.4 - Controls Relating to Miscellaneous Permissible Uses which requires that the number of bedrooms provided to guests in a bed and breakfast establishment be specified.

To minimise adverse impacts on residential amenity, it is proposed that the maximum number of guest bedrooms in bed and breakfast accommodation be limited to 4 bedrooms.

These requirements are also consistent with the NSW Exempt and Complying Development Code requirements for bed and breakfast accommodation which allows for up to 4 bedrooms as Complying Development.

To reflect the current RLEP approach it is suggested that bed and breakfast accommodation continue to be permitted throughout all residential zones in the Comprehensive LEP.

Recommendations:

- Permit bed and breakfast accommodation in the Standard Instrument's R1 General Residential, R2 Low Density, and R3 Medium Density zones in the Comprehensive LEP; and
- Limit the number of bedrooms available to guests to 4 bedrooms under the Standard Instrument's Clause 5.4 -Controls Relating to Miscellaneous Permissible Uses.

7.5.2 Motel Accommodation

Motel accommodation provides another form of low cost, short-term tourist and visitor accommodation in Randwick City. They are traditionally designed for motorists, typically having rooms arranged in blocks with parking directly outside.

The RLEP defines motel accommodation as a building that provides short term accommodation for tourists and travellers. Motels are currently permitted with consent only in the 2C zone.

Comprehensive LEP Implications

The Standard Instrument introduces a definition to encompass both motels and hotels which refers to a building or a place (licensed or unlicensed under the Liquor Act 2007) which provides for temporary or short-term accommodation on a commercial basis. It may comprise rooms or self contained suites and provide meals and parking facilities for guests' vehicles. It relates to that part of the building which principally provides accommodation and other amenities. That part of a building where the principal purpose is for the retail sale of alcohol for consumption on the premises is separately defined as a 'pub'.

Under the Standard Instrument motels and hotels are compulsory in the R3 Medium Density zone (equivalent to RLEP 2B/2C zone).

An implication of this translation into the Comprehensive LEP is that motels and hotels will become permissible (with consent) in those areas currently zoned Residential 2B under RLEP.

To minimise the potential for adverse impacts on residential amenity including anti-social behaviour, it is proposed that pubs continue to be prohibited in all residential zones in the Comprehensive LEP.

Recommendation:

- Include *motel and hotel accommodation* as a permissible use (with consent) in the Standard Instrument's *R3 Medium Density* zone in the Comprehensive LEP.

7.5.3 Other Tourist Accommodation

Backpackers Accommodation

Backpackers accommodation which is appropriately planned for and managed offers a legitimate form of affordable accommodation for tourists as well as residents on low incomes. Furthermore it adds to the diversity of housing stock in Randwick City and contributes to the local economy by providing low cost accommodation to suit the needs of an important segment of the tourism market.

Despite their benefits, backpacker establishments tend to generate the most planning and compliance issues-particularly with respect to the unauthorised use of residential dwellings and boarding houses. Unauthorised backpackers establishments have been linked to public health and safety concerns such as noise and rubbish which in turn has the potential to pose significant impacts on residential amenity.

Backpacker accommodation is currently prohibited in all residential zones of RLEP. Given the issues raised above, it is appropriate that backpacker accommodation continue to be prohibited in the residential zones in the Comprehensive LEP.

Recommendation:

- Continue to prohibit backpacker accommodation in the residential zones of the Comprehensive LEP.

Serviced Apartments

Serviced apartments are self contained furnished apartments which provide accommodation on a commercial basis and are regularly serviced or cleaned by the owner, manager or manager's agents. They are a valuable source of temporary to longer term accommodation for a variety of groups including business travellers and tourists and contribute to the diversity and choice of tourist accommodation in the City.

Under RLEP serviced apartments are permissible in the 2B, 2C and 2D zones.

Comprehensive LEP Implications

The Standard Instrument introduces a definition for serviced apartments which is similar to the definition used in RLEP with the only difference being that the RLEP

definition makes it clear that serviced apartment accommodation is temporary in nature, whereas the Standard Instrument does not contain such a restriction. Under the Standard Instrument serviced apartments are compulsory only in the *R3 Medium Density* zone (equivalent to the RLEP 2B/2C Zone). To ensure consistency with the current RLEP approach for the 2D zone, it is proposed that serviced apartments also be permitted (with consent) in the R1 General zone in the Comprehensive LEP.

Recommendation:

- Continue to permit serviced apartments as a permissible use (with consent) in the Standard Instrument's *R3 Medium Density* and *R1 General Residential* zones in the Comprehensive LEP.

7.6 Non-Residential Land Uses in Residential Zones

All residential zones in RLEP include a range of other permissible non-residential uses that provide facilities or services to meet the day to day needs of residents.

As noted in Appendix B, these include child care centres, community facilities, health consulting rooms, places of public worship, recreation facilities, advertising, earthworks, roads and public transport. These non-residential uses will be translated over into the equivalent zone under the Comprehensive LEP.

The following are examined given different definitions or requirements under the RLEP and the Standard Instrument.

7.6.1 Business Uses in the Residential Zones

Small scale business uses such as corner stores and speciality shops are a common feature throughout Randwick City serving local retail needs and offering a range of other social, economic and environmental benefits.

These uses support local economies by providing diverse goods and services and local employment opportunities. They also help create vibrant neighbourhoods and strengthen communities by encouraging social cohesion and interaction. Importantly they help support environmental sustainability by encouraging people to walk or cycle to purchase their daily needs.

Small scale business uses and neighbourhood shops are currently permitted with consent in the residential zones of Randwick City via RLEP *Clause 35 – Business Premises in Residential Zones*.

The purpose of this clause is to provide for the establishment and continued operation of small scale business development provided they are situated in a building originally designed or constructed for such and the floor area does not occupy more than 100m² of floor space.

Comprehensive LEP Implications

The Standard Instrument does not contain an equivalent clause to RLEP Clause 35. While it allows 'neighbourhood shops' in the *R3 Medium Density* zone (as a mandatory use with consent), this permissibility does not cover the range of small scale 'business' uses that are currently permitted under *RLEP Clause 35*.

The Standard Instrument requires that the maximum amount of floor space for neighbourhood shops be stipulated under *Clause 5.4-Controls Relating to Miscellaneous Permissible Uses*. To maintain consistency with the requirements of the RLEP, it is proposed that the maximum floor space for neighbourhood shops be maintained at 100m².

It is proposed that an equivalent clause to RLEP Clause 35 be maintained as a local provision in the Comprehensive LEP. The Department of Planning and Infrastructure has indicated support on this matter.

Recommendations:

- Retain RLEP Clause 35 – Business Uses in the Residential zones as a local provision and translate similar suitable permitted uses in the Comprehensive LEP; and
- Limit the amount of floor space for neighbourhood shops to 100m² under Standard Instrument Clause 5.4 -Controls Relating to Miscellaneous Permissible Uses.

7.6.2 Home Activities

Home activities refer to a business, profession or industry located within, attached to or within the curtilage of a dwelling. The primary purpose of the dwelling is for residential uses and the activity contained therein should not interfere with the amenity of the locality.

Trends indicate that there has been a notable increase in the amount of home occupation and business activities in Randwick City (an increase of 30% between 1996 and 2001)¹⁰. As such it is important that these activities continue to be supported in the Comprehensive LEP.

Comprehensive LEP Implications

The Standard Instrument introduces a number of definitions which cover the RLEP definition for home activities. These are: home occupation; home business; home based childcare and home industry. (The definitions for these activities are included in Appendix C).

Council is able to select which of these activities are suitable in the residential zones. These are summarised as follows:

Home Occupation

Home occupation means a low impact occupation carried on in a dwelling by one or more permanent residents of the dwelling. It does not involve employment other than the residents of the dwelling.

Under the Ministerial Section 117 Directions 3.3 - Home Occupations the Comprehensive LEP is required to permit home occupations in dwelling houses without the need for consent. This approach accordingly will be transferred into the Comprehensive LEP.

¹⁰ Randwick Economic Activity Study

Home Business

A Home business refers to a small scale low impact business carried out in a dwelling. It is similar to home occupation yet it also permits the employment of up to 2 other employees who are not residents.

Under the Standard Instrument *Clause 5.4 -Controls Relating to Miscellaneous Permissible Uses*, the Council is required to stipulate the maximum floor area for a home business. The Standard Instrument provides 30m² as a benchmark for home industry. In order to minimise potential adverse impacts on residential amenity it is suggested that the floor area of home business be limited to 30m² which would equate to approximately 2 average sized rooms.

Home Based Childcare

Home based childcare refers to a dwelling used by a resident for the supervision and care of up to 5 children and registered with the *Children and Young Persons (Care and Protection) Act 1998*.

Home based childcare is permitted as Exempt Development under the Exempt and Complying Codes SEPP and therefore does not require Council consent. Accordingly home based childcare is suggested for inclusion in the Comprehensive LEP as a use that does not require consent. When additional children are proposed (more than 5 children) then DA consent would be required for a childcare centre.

Home Based Industry

Home based industry generally refers to a dwelling (or building ancillary to a dwelling) that is used by the permanent residents to carry out low impact industrial activity, provided there is minimal impact on residential amenity and where employment for up to 2 employees (other than the residents) is allowed.

While home based industry is currently permitted across all residential zones (under the broad RLEP definition for home activities), it is appropriate that a level of protection is provided for medium density development (such as town houses and residential flat buildings) where the potential for impacts on residential amenity are higher due to the close proximity of dwellings (while in single dwellings the use is more likely to occur in the garage/ shed).

In recognition of these concerns, home based industry is proposed only in the residential low density zone in the Comprehensive LEP.

Under the Standard Instrument *Clause 5.4 -Controls Relating to Miscellaneous Permissible Uses*, the Council is required to stipulate the maximum floor area for a home industry. The Standard Instrument provides 30m² as a benchmark for home industry. In order to minimise potential adverse impacts on residential amenity it is suggested that the floor area of home industry be limited to 30m² which would equate to approximately 2 average sized rooms.

Recommendations:

- Include home occupations as a use that is 'permitted without consent' in the residential zones
- Limit the floor space of home businesses to 30m²
- Permit home based industry in the Standard Instrument's R2 (Low Density) zone in the Comprehensive LEP and limit the floor space to 30m²; and
- Continue to rely on the provisions of the Exempt and Complying Development Codes SEPP to support home based childcare in Randwick City.

7.7 Masterplan Sites/Large Redevelopment Sites

7.7.1 Masterplanned Sites – 2D Zone

The 2D (Comprehensive redevelopment) zone in Randwick City applies to large redevelopment sites (over 10,000m²). It recognises that different site conditions across large sites may warrant a range of housing forms and densities and accordingly requires detailed master planning of such sites and the preparation of a site specific DCP.

The 2D zone has been applied to sites such as the Prince Henry Site at Little Bay and Department of Defence land at Bundock Street, Randwick. Separate DCPs provide the framework for the redevelopment of these large sites including performance criteria and controls to guide built form, design and environmental amenity. These DCPs will be reviewed and translated into the Comprehensive DCP.

The RLEP contains the following clauses which relate to the 2D zoned sites which have site specific development controls.

RLEP Clause 20C - Site specific development controls

This clause contains specific built form controls and refers to an inset map which denotes specific FSR, storeys, heights, wall heights and landscaped area for such sites.

RLEP Clause 20D -Traffic and transport measures for Zone No 2D

The intent of this clause is to ensure that traffic and transport are taken into account when assessing a development application for development in the Residential 2D zone.

Under this Clause the Council cannot grant consent to a development unless it is satisfied that traffic and transport measures that apply to such development will be met.

Clause 40A – Site Specific Development Control Plans

RLEP Clause 40A requires the development of large sites to occur in the context of a site specific development control plan (including a masterplan for the site). The Clause is instrumental in guiding the planning and design of master planned sites and includes a range of matters that should be addressed in a DCP including built form, design, heritage considerations, affordable housing, ecologically sustainable development, open space etc.

Clause 40A has been used to achieve good urban design outcomes by guiding the preparation of a number of DCPs including Prince Henry and Bundock Street as well as other non-residential sites including UNSW and Randwick Racecourse.

RLEP Clause 35A - Non-Residential Uses in the 2D Zone

RLEP Clause 35A *Non Residential Uses in the 2D zone* permits non-residential uses in the 2D zone (where suitable and subject to consent) such as neighbourhood shops, restaurants and medical centres, but restricts such uses to activity strips identified on the built form control maps in the DCPS.

The activity strips provide a range of social, environmental, economic and cultural benefits for master planned sites. They contribute to vibrancy in the built environment, provide for pedestrian activity and visual interest, and support local economies by providing employment opportunities. Activity strips can also play an active role in facilitating natural surveillance and social interaction.

Comprehensive LEP and DCP Implications

The Standard Instrument does not contain an equivalent to RLEP Clause 20C – Site Specific Development Controls. Notwithstanding this, the carefully graded heights and FSRs for these sites can be translated into the Comprehensive LEP using the Standard Instrument's Mapping Provisions.

As the Standard Instrument only enables FSR, minimum lot size and maximum height in the Comprehensive LEP, the controls relating to storeys, wall height and landscaped area will be transferred into the Comprehensive DCP.

The Standard Instrument does not include an equivalent to RLEP *Clause 20D – Traffic and Transport Measures for Zone 2D*. Consideration should be given to including this Clause in the Comprehensive DCP.

The Standard Instrument does not contain an equivalent to *CI 40A – Site Specific Development Control Plans*. Given its importance in terms of planning and design of master planned sites into the future, the Department of Planning and Infrastructure has indicated support for the inclusion of this Clause (or equivalent) in the Comprehensive LEP as a local provision.

The Standard Instrument does not include provisions related to activity strips in residential zones. The Department of Planning and Infrastructure have indicated support for the inclusion of an equivalent clause to *Clause 35A – Non Residential Uses in the 2D Zone* in the Comprehensive LEP as a local provision. It is proposed that the current approach of marking activity strips on the built form maps for master planned sites be transferred into the Comprehensive LEP.

Recommendations:

- Retain existing height and FSR controls pertaining to the 2D zone (Prince Henry and Bundock Street) and transfer to applicable maps in the Comprehensive LEP
- Transfer the height, storey and landscaped area controls into the Comprehensive DCP
- Transfer RLEP Clause 20D –Traffic and Transport Measures for Zone 2D into the Comprehensive DCP
- Include Clause 40A-Site Specific Development Control Plans (or an equivalent) as a local provision in the Comprehensive LEP
- Include a local provision in the Comprehensive LEP which permits business premises, neighbourhood shops, medical centres and restaurants on the activity strips identified for master planned sites; and
- Review the Prince Henry and Bundock Street DCPs for inclusion in the Comprehensive DCP.

7.8 Design Excellence

Design quality of the built environment is important for achieving a more sustainable and attractive City. Well designed buildings and spaces should be aesthetically pleasing, make a positive contribution to the streetscape and meet the contemporary needs of inhabitants. Importantly they should be environmentally sound in design and construction.

The importance of design excellence has been long recognised in Randwick City and is primarily facilitated through the state and local planning framework, namely through the application of SEPP 65 design criteria for residential flat buildings, the RLEP provisions and performance requirements contained in the Council's DCPs. Additionally under SEPP 65, the Council must require that a registered architect verify the design, construction certification and occupation certification of residential flat development.

In addition to these, Council initiatives to encourage design excellence in residential development include the biennial Urban Design Awards which promote design excellence and the operation of the Design Review Panel (conjointly with Waverley Council) to review the design quality of residential flat buildings comprising 3 or more stories and 4 or more dwellings.

The Council has also prepared a publication: *Design Ideas for Rejuvenating Residential Flat Buildings* to promote design excellence in the refurbishment of older flat buildings. This is in recognition of the high proportion of older (1960s and 1970s) walk up residential flat buildings throughout the City, many of which are now in need of redevelopment or refurbishment to meet current housing needs, improve sustainability and to update the building's appearance.

The publication reflects the design quality principles of SEPP 65 including: context and scale, built form and aesthetics, resource, energy and water efficiency, open space, amenity, safety and security and social dimensions.

Comprehensive LEP Implications

While the Standard Instrument does not include a specific design excellence clause, it is noted that other Council's have included a local provision on design excellence in their Comprehensive LEPs (namely Newcastle, City of Sydney and Wollongong Councils).

It is suggested that a clause on design excellence be included in the Comprehensive LEP to cover a range of matters to be considered in the development assessment process for large residential redevelopment sites (i.e. over 10,000m²) including architectural design, materials, relationship with other buildings and public domain as well as view corridors, separation, urban form and amenity. This would be applied across the City to large business or special purpose zoned sites as well as residential.

The Department of Planning and Infrastructure has indicated support on the inclusion of a design excellence local clause in the Comprehensive LEP.

Comprehensive DCP Implications

The Comprehensive DCP provides a significant opportunity to improve the design quality of residential development across the City and reflect contemporary requirements.

The Comprehensive DCP should support the proposed design excellence clause and outline matters of consideration and design analysis requirements such as heritage and streetscape issues and constraints, bulk, massing and modulation of buildings, environmental issues, accessibility and circulation.

Additionally it is suggested that the *Design Ideas for Rejuvenating Residential Flat Buildings* publication be reviewed along with critical design elements of SEPP 65 to promote design excellence in the Comprehensive DCP.

Recommendations:

- Include a design excellence clause in the Comprehensive LEP to encourage design excellence across large redevelopment sites in the City
- Include performance guidelines in the Comprehensive DCP to aid urban design analysis and support the proposed LEP design excellence clause ; and
- Incorporate performance guidelines (reflecting SEPP 65 and the *Design Ideas for Rejuvenating Residential Flat Buildings* publication) in the Comprehensive DCP to promote design excellence in residential flat buildings.

7.9 Other Design/Performance Requirements

As noted in Chapter 3 a number of DCPs, (both issues based and site specific) relate to residential lands and housing types in Randwick City. DCPs are important in providing detailed planning and design guidelines to support and complement the development standards and planning provisions of the RLEP and ensure that applicants address suitability of a proposed development in its neighbourhood context. Rigorous application of DCP provisions provides greater weight in decision making and court assessment and therefore a higher level of authority for the DCPs.

In 2010/11, approximately 1,100 Development Applications were lodged with the Council and of these 80% were for alterations and additions to existing dwellings. This highlights the importance of providing detailed and practical guidance via the Comprehensive DCP to assist home owners in achieving good design and addressing potential impacts on streetscape and neighbours.

Key issues which often arise with DA assessment and community submissions are: overshadowing, privacy, setbacks, view sharing/impacts, landscaping, parking and access/disabilities.

Comprehensive DCP Implications

DCP performance requirements are an integral planning mechanism to achieve good quality urban design outcomes and to ensure that environmental and amenity considerations are addressed in the residential development process. Accordingly the range of DCPs related to residential lands and/or housing will be reviewed and strengthened in accordance with best practice principles to provide clear concise controls that are easily understood by the community.

Recommendation:

- Review DCP performance requirements which relate to residential lands and housing, in line with best practice principles for inclusion in the Comprehensive DCP.