

Submission to Randwick City Council's Local Environment Plan (LEP) 2012

by



I would like to address several issues, asking Council to support them in the framing of the relevant sections of it's LEP 2012.

i) Sustainable House Design:

There are many simple measures as revealed in the Federal Government's Your Home Technical Manual: <http://www.yourhome.gov.au/technical/index.html>, that, when implemented in a new dwelling house, reduce energy consumption and provide a comfortable living space all year round. One of the most important elements in making housing sustainable in respect of heating and cooling is the orientation of the longest side of the building to the north, within 10 degrees east or west. The provision of wide eaves provides shading for any glassed areas in summer but allow warming sun to enter a home in winter. I ask Randwick's town planners to study Your Home Technical Manual and incorporate as many sustainable housing measures as possible in the LEP 2012.

ii) La Perouse/Phillip Bay Market Gardens:

This land is of environmental and historical significance. It also produces fresh, local vegetables for the Sydney market. This land should be preserved as a market garden and must be supported as we will face food security issues in Sydney in the coming decades. Randwick's LEP 2012 MUST reflect this in it's framing with appropriate clauses.

iii) Stormwater Reuse and Recycling:

I encourage Council to actively support measures to reuse and recycle stormwater in all new buildings. By insisting that adequate rainwater harvesting tank/s be installed and plumbed to flush toilets, clothes washing machines and garden watering systems, Council will help prevent water wastage.

Thank you for accepting my submission. I trust that you will consider it's points fully.

D01459201

3 Coudounaris

PO Box 486

Wentworth NSW 1465

General Manager,
Randwick City Council
30 Frances Street
RANDWICK NSW 2031

Date: 2 April 2012

To Whom It May Concern:

Draft Randwick Local Environmental Plan 2012 (Draft LEP)

This letter seeks to make an objection to the Draft Randwick Local Environmental Plan 2012. The objection relates specifically to the inconsistency of planning provisions proposed under the draft LEP for properties along Coogee Bay Road.

A majority of Coogee Bay Road proposes to the same zoning – R3 Medium Density Residential. However, the Height and Floorspace provisions will differ for a small section along the northern side of Coogee Bay Road, extending from Powell to Mount Street. Please see maps below for more detail.



Above: Height Map (Draft Randwick 2012 LEP)



Above: FSR Map (Draft Randwick 2012 LEP)

The properties within this small section contain a mix of residential densities with buildings already reflecting a scale of development common to Coogee Bay Road. It appears unclear and unnecessary as to why this section of the road are being revised down. The proposed FSR and Heights should match surrounding properties along Coogee Bay Road.

Coogee Bay Road is a main road which links Coogee Beach to Randwick. All sites along the road have similar topography and built forms and it would therefore be assumed that consistent planning provisions would prevail.

Should you wish to discuss this further, please do not hesitate to contact us.

Yours Sincerely,

G. Coudounaris

[REDACTED]
From: [REDACTED]
Sent: Monday, 2 April 2012 2:59 PM
To: LEPreview
Subject: Draft Comprehensive LEP - My Comments

LEP Review

My Background

I have lived in the Coogee area much of my adult life. Since 2001 I am the owner/resident, with my daughter, of [REDACTED] Coogee. This is the street address and for council purposes it is [REDACTED]. Prior to this, I owned and lived in a home unit in Arden Street. As a child and student I lived in our family home in Kensington. Accordingly, Coogee Beach, Coogee and its surrounding areas are well known to me and form my local environment and community.

My Concerns

Failure to revise the complimentary Development Control Plan (DCP) and a lack of alignment between the draft LEP with a revised DCP and state government initiatives for a new planning system in NSW (expected release of Green Paper in May 2012).

Proposed changing of zoning in Carr Street to commercial local centre B2 against the wishes of more than 17,000 people who last year clearly indicated they did not want the Coogee Village environment deteriorated or changed. The likely increase in new commercial activities, following any rezoning, would reduce the natural environmental amenity, negatively impact on the village community and seriously increase vehicle traffic and associated hazards.

The introduction of substantial changes in the planning rules for building heights and densities (significant increases) in the context of a current dense and increasing population and no NSW Government requirement for this. The continuing permission for extremely high buildings in Kensington, Kingsford, Maroubra and Matraville is not in keeping with the surrounding environments and ought not be used as a measure to increase population densities.

The exclusion and/or omission of important development standards including wall heights, landscaped areas, minimum frontages and side clearances and definitions for *low, medium or high density* which would lead to a cumulative loss of amenity for the community.

Failure to limit the use of State Environmental Planning Policy No 1 (Development Standards) when exercising the power to provide consent to non-complying development.

Failure to undertake and/or complete flood and storm water management in critical areas including Coogee, Kensington and Maroubra while changing zonings.

Failure to properly consider the coastline, the impact of climate change and sea level rises.

My Recommendations

1. Defer the LEP until the NSW Government planning reforms are implemented; a complimentary DCP is finalised and approved flood and storm water management plans are in place for Coogee, Maroubra and Matraville.

2. No rezoning of the southern end (or other areas) of Coogee Beach to 2B commercial.

3. Strengthen development standards as mandatory rules.

4. Restore the development standards for minimum subdivision lot size, the height of buildings and the floor space ratio requirements.

5. Restore/provide the development standards for wall heights, minimum frontages, landscaped area and side clearances.

6. Provide definitions for *low*, *medium* and *high* density.

7. Discontinue approval/support for extremely high buildings in Kensington, Kingsford, Maroubra and Matraville.

8. Develop/introduce a coastal planning framework which incorporates a climate change assessment and ensures the coastline is not further developed while preserving recreational enjoyment and use.

I am happy to expand on my concerns and recommendations if they are not sufficiently clear. In the meantime, please acknowledge receipt of my response to the "Draft Comprehensive LEP".

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Monday, 2 April 2012 1:44 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

I note that Section 6.11 of the draft LEP requires a DCP be prepared for sites over 10,000 sqm or if classified as a key site. It is important that any site do more than 'encourage' sustainable transport, but provide the infrastructure for walking and cycling - the end-of-trip facilities for people who walk or run to work or play lunchtime sport, as well as the short term bicycle parking and longer term residential / commercial secure bicycle storage (e.g. overnight or on rainy days). Further, I note that p. 57 requires UNSW not intensify the parking provision on campus -- parking controls should be written as a parking maximum (e.g. 'not to exceed 100 vehicles) rather than as parking minimums (e.g. 'provide 100 spaces). It is critical that someone be responsible for additional public transport or bicycle network provision in order for the university's desired student and staff growth targets be met. If operations can not be addressed in the draft LEP, supporting Randwick processes / procedures should be in place to support this transport part of the land use plan -- in particular, funding and responsibility. In reviewing your land zoning maps, I note that the area around the surf club has been coded to Local Centre. The block is currently zoned residential - with the Barzura operating under historical existing use rights. This proposal is in Councils new draft planning document [the LEP]. On one of the maps it shows as blue for commercial zoning when it is used to be residential. Any changes or intensification to this land use should be covered through a community process rather than simply changing the map. Further intensification of development around Coogee should be considered as a change to the 'local neighbourhood' classification and intensification of the public transport provision to the area, the morning peak buses and Saturday beach buses already are standing room-only so significant increases in capacity are required with any changes along these lines. I look forward to your response. Kind regards,

**Upload and
attach your
Submission**

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Randwick City Council

03 APR 2012

Records Received

**Comment****Randwick Draft Local Environment Plan 2012**

Introduction: As might be expected, this is a pretty poor job, driven by pressures remote from any consideration of amenity or benefit for the residents. So far as the northern part of the city is concerned, planning is constrained by the long history of development guided by different rules and rorts or often by no rules at all. The plan responds by exacerbating the mistakes of the past and perpetuating them for the future. It builds on the simple themes of maxi buildings on mini lots, no new local open space and main road strip shopping surmounted by high-rise flats to enjoy maximum exposure to traffic noise. The exploited area is neatly delineated by the State electorate of Coogee. In particular, an area that might be called the Coogee basin contains one in five of Randwick's population in one twelfth of the total area of the city and little open space.

Zones and Land Uses: The pattern of the plan is laid down by the "Standard Instrument" (SI), prepared by the NSW Department of Planning and Infrastructure.. The SI was developed to produce standard zone names and definitions for the many LEP's in NSW. The zones are defined by the land uses and activities permitted in zone either with or without the permission of the Council. DoPI lays down a few of its favourites but most of the entries have been chosen by the Council.

It is pleasing to see that, in the "Objectives" list in Zones R2, R3, B1 and B2 the interests of the residents are mentioned. It is ominous that they are not mentioned in R1. The other objectives inserted are tendentious and dangerous and should be dropped. Council has no power or means to improve housing affordability; that objective should also be dropped. It is a pity that DoPI has not yet noticed that s.25 of the Act was repealed in 2008. It would be no bad thing to drop the objectives altogether.

Land Uses

Zone R1 - General Residential This seems to be a general ragbag sort of zoning that is intended for large undeveloped or redeveloping sites. The details will be controlled, no doubt, by site-specific DCPs. I query the inclusion of **semi-detached dwellings**, a form that seems obsolete these days (With good design, row housing can be a good alternative) and also boarding houses (see below under *R2 Residential*)

In the "Objectives" I object to the **housing affordability** clause inserted by Council. This is a code phrase introduced by Council to cover and favour low-grade, low-amenity but highly profitable projects such as are promoted by the infamous AHSepp. The coastal climate, the beaches and other recreational facilities with the proximity to the hospital and the university mean that the coastal strip will always be highly valued. Experience shows that the AH objective can only be achieved at heavy amenity cost to the ordinary neighbouring residents. The only reasonable means of bringing in low-income residents, if that is felt to be desirable, is by direct government

subsidy. Randwick already has large areas of Department of Housing settlements. Others have been sold off by direct Government policy. Interestingly, they were mainly of better quality than those that the Council now promotes.

Zone R2 - Low-Density Residential The objectives for this zone that are proposed by DoPI are unexceptionable. Those inserted by the Council are not so harmless. I take the view, for instance, that in large part the planning schemes have been introduced to correct the mistakes and abuses of the past. Quotations from the "existing streetscape" objective can be used, and are used, to undermine the desirable standards by reference to existing bad examples. That "objective" should be struck out. The "desired future character" of an area can best be served by sound development standards, firmly applied.

The explanatory note to the uses seems to counteract the "small business uses" objective.

The DoPI, continues to promote "boarding houses". I put the words in quotes because these developments are not boarding houses in the dictionary sense or on the ordinary understanding, at least of older people. Not a widow or a struggling couple offering bed and board, in a spare room, to one or a few young people down from the bush for work or education, but a large establishment - inflated by extraordinary density concessions, they are much larger than would be allowed for a house or a block of flats on the same site - with many small rooms let in lodgings and with minimal parking. No meals are provided. Rather like backpacker accommodation. The Minister swells his breast with pride and the neighbours pay the bill. These establishments are really only suitable for commercial zones.

R3 - Medium-Density Residential The Objectives stated are subject to the same objections as those for R2. Likewise for the uses the same objections are relevant. Additionally, it is highly questionable whether Motels and Hotels are suitable for this zone.

Development Standards (1)

It is particularly notable that the development standards proposed in this plan have been laid down without the slightest regard to, or consideration of, residential amenity or environmental values. Any discussion is set in terms of a jumble of numbers. There is no attempt at justification of the values proposed.

Part 4 of the **Standard Instrument (SI)** deals with development standards. It lays down no compulsory standard. The only compulsory feature is Clause 4.6 - Exceptions to development standards - the new, local equivalent to SEPP 1. Part 4 suggests three relevant **optional standards** being: **4.1- Minimum subdivision lot size**, **4.3 - Height of buildings** and **4.4 - Floor space ratio** which are, in fact, with a rule for minimum landscaped area, standards that have customarily been used in Randwick for many years following a s.117 direction to that effect. But **landscaped area has been ditched**. It appears that the Council has not taken up the option of making additions to the controls. There has been considerable disappointment to residents that the wall height control has been dropped.

It is only possible to comment usefully on the proposals by exploring the history of the controls in Randwick.

Subdivision Lot Size – Lot size, when combined with floor space, is a fundamental determinant of population density. Following recommendations in the Australian Model Code for Residential Development (1989), Clause 30 of the original Randwick LEP 1998 laid down, in order “to protect and enhance local amenity”:

- In Zone 2A, 450 m² with a minimum 12 m frontage;
- For an allotment that might be subdivided to create separate allotments for the dwellings comprising an attached dual occupancy in a 2A zone, 900 m².
- For a dwelling house or an attached dual occupancy in Zone 2A, 450 m² with 12 m frontage.
- The DCP for residential flat buildings has a recommended 20 m minimum frontage.

These rules have been degraded over the years. In its current form the LEP requires

- In zone 2A, 400 m² with minimum 12 m frontage;
- In zones 2B or 2C, 325 m² with minimum 9 m frontage;
- For a dwelling house in zone 2A, 400 m² with 12m frontage;
- For an attached dual occupancy in Zone 2A, 450 m² and 15 m frontage.

The 325 m² figure was a throwback to the Local Government Act (1919). Though the reports acknowledge a tendency for homes to expand there was no thought of enlarging allotments. 2B and 2C are residential flat zones: It is hard to imagine feasible flat development on a 9m frontage.

The current proposal recommends:

In Zone R2 – equivalent to current 2A - 400 m²

- **In Zone R3 – equivalent to current 2B or 2C – 325 m².**
- **With no specified minimum frontage. The minimum frontage standards have been ditched.**

I suggest that the minimum dimension rules of 1998 should be renovated and restored.

Height of Buildings

Purpose: The *stated* purpose is “to operate together with controls for floor space ratio and landscaped area to limit the size, scale and site coverage of a building having regard to the environmental amenity and aesthetic character of the area.” (– whatever that may mean.)

Commonly, the actual importance of the control of **overall height** of a building arises from the possible obstruction or preservation of views – particularly sea views. Also it is possible that a proposed height might be absurdly or grotesquely excessive compared with its neighbours.

The **actual purpose of a wall height control** is, together with the side clearances set down in the Development Control Plan, to maximise the penetration of natural light and sunlight into buildings. The actual important feature is the height and location of the eaves line.

In the existing plan, dwelling houses are explicitly excluded from height and density controls.

Otherwise, shorn of some details, the existing plan requires:

- In present **zones 2A and 2B** the maximum building height is 9.5 m. The maximum height of an external wall is 7 m.
- In **Zone 2C** the maximum building height is 12 m. The maximum external wall height is 10 m.
- Heights in other zones are defined by distinctive shading or hatching on the scheme map.

The DCP recommends average side clearances of 3.5 m for 2C zones and 2.5 m for 2B. Calculating on the wall height, these clearances are both a little more than the $(H + 9)/4$ m calculated for Sydney's latitude and recommended by the Building Regulation Advisory Committee. Calculating on the maximum height the setbacks are inadequate.

In the **current proposal**, maximum heights are indicated by distinctive colouring on the "Height of Buildings" Maps.

In **Zone R2**, the maximum heights are 9.5 m;

In **Zone R3**, the areas that are now in the 2B zone mainly—but not always—remain at 9.5 m; those now in 2C zones remain at 12 m.

But the wall height controls have been dropped. This means, besides the loss of a control over light penetration, that, for a given overall maximum height, an extra storey can be accommodated in these zones with, perhaps, only a small infraction of the height rule.

It is being said that the wall height control can be included in the relevant Development Control Plan (DCP). Several serious objections arise:

- No DCP is seriously in preparation; preparation may take as long as a year.
- A DCP lacks the statutory clout of the LEP; DCP's have only the effect of a council resolution. They can be set aside—and often are set aside—by another resolution.
- Sceptical residents have no guarantee that anything at all will happen.

Being on exhibition means that the new LEP already has some force. And the failure of the council to prepare one or more DCP's to complement the LEP, leaves a serious legislative gap in the approvals process. Important features are being left uncontrolled.

Either wall height controls should be inserted in the LEP or a DCP should be prepared and put in place immediately. Completion of the LEP should be deferred until the environmental question of light penetration has been seriously examined and properly dealt with.

Clause 4.3A provides for height limits in certain parts of the Matraville Town Centre and the Maroubra Beach town centre to be extended to as much as 22 m.

In Matraville! And Maroubra! They must be joking. Kensington is bad enough. To preserve the probity of the planning process, this clause should be struck out.

Floor Space Ratio – Density Control

The most basic characteristic of a residential area is its density of population. It defines the nature and the intensity of interactions and relations – good and bad, friendly and otherwise – that each of us has with the neighbours. This aspect is often viewed negatively in terms of noisy parties, annoying neighbours or pets, heavy street traffic and limited parking. Hence, low density is preferred by residents. Owners of empty land prefer high.

Planning for a desired population density is not easy. Control by number of residents per hectare is clearly impossible and controlling the number of bedrooms little better. Control by residential floor area m^2 per m^2 of site (floor space ratio- FSR) was introduced as a crude but practical substitute in the 1970's.

The necessity for side clearances to get fire protection and light penetration and front and back clearance for a bit of yard space front and back mean that a single-storey dwelling house will have a FSR of 0.4 or less; Three-storey flats can get up to 1.0 and high-rise flats might get up to 2, 3 or 5.

In Coogee, each m^2 of permitted floor area is worth some \$3,000 to \$5,000 pure profit to a land owner-developer. On a 1,000 m^2 site, for instance, and $\text{FSR} = 1$, that is a lot of money.

Existing Plan – Randwick LEP 1998 – Original form – Clause 31 – Residential zones:

- The maximum floor space ratios, other than buildings erected for the purpose of a dwelling house, within Zones 2A, 2B and 2C is 0.5, 0.65 and 0.9, respectively.
- Despite subclause (1), the maximum floor space ratio for buildings, other than dwelling houses within Zone 2C is 0.65 where the site area is less than 700 m^2 .
- Etc for other zones and uses.

The Purpose of the whole clause was given at the end of the clause:

"To establish reasonable upper limits for development in residential, industrial and special uses zones through a limit on the amount of floor space that can be provided. Etc..."

"Floor space ratio" was defined as "the ratio of the total gross floor area of all buildings (existing and proposed) to the site area. And "gross floor area" was defined as "the sum of the areas of each level of a building where the area of each level is taken to be the area within the outer face of the external enclosing walls...." with certain obvious and harmless qualifications.

In Plan Amendment No.23 in 2003, relating principally to the planning of the Bundock St. ex-Defence site, this definition was quietly changed for the whole of Randwick so that the gross area is now taken to be the area within the inner face of the external walls. This measure is sometimes referred to as the *net* floor space. This change, which obviously was, indeed, a more sensible measurement of "floor space", was justified as being more convenient. The fact was glossed over that, for any particular building, the new definition produces an area and an FSR some 15-20% less than the old definition. Nor was the style of measurement more convenient.

The change meant that, under the new rule, a stated FSR would produce a building some 15-20% larger than the old rule would allow. The proper complementary action would have been to reduce the FSR numerical limits by about 15-20% – to about **0.43, 0.55 and 0.78**. No such change was made.

Shortly afterwards, Commissioner Watts of the Land and Environment Court commented adversely on the change saying that it upset the balance of the controls.

Proposed Plan In the new plan, the proposed densities are indicated by distinctive colourings on the "Height of Buildings" maps. For the Clovelly/Coogee/Randwick areas the current 2A areas have an FSR of 0.5; the current 2C areas have been somewhat expanded in size-particularly along Coogee Bay Road. The broad area of currently 2B zoning in the basin of West Coogee with a tail running off into Clovelly that was always understood to be suitable for 2-storey buildings, has scored a large increase to 0.75 – Effectively a 35% increase over the 1998 density. That area has an allowable height of 9.5 m which, without the wall height restriction, is quite enough for 3-storey flat buildings.

The density of 0.75 is unreasonably high. To retain the *status quo ante*, it should be reduced to about 0.55. Likewise the FSR for the low-density areas should go to 0.45, say, and for the higher density, 0.8 say.

Site Area – Large Sites

In clause 4.5, the Standard instrument goes to great lengths to define "site area" but seems to neglect one important factor – the importance of internal roads in large sites. Unless they are otherwise treated as public space (Clause 4.7 is very obscure.). Except perhaps for a short distance from a building served by the road – 6 m, say – a "right of way", say 15 m wide, for internal road and footpath should be subtracted from the site area for FSR calculations.

Landscaped Area

The current LEP retains a minimum "Landscaped area" as a further control for residential zones. In Zone 2A, except for dwelling houses, a minimum of 40% of a site must be retained as for use or possible use "for outdoor recreation or garden areas...". In zones 2B and 2C, except for dwelling houses, a minimum of 50% is required. In both cases, no more than 50% of the required landscaped area should be over a podium or an excavated basement area.

The requirement for a minimum landscaped area has been dropped from the Draft LEP.

So much for residential amenity. The landscaped area control should be restored.

Development Standards (2)

SEPP 1 – and Clause 4.6 of the Standard Instrument

SEPP 1 is an instrument that allows a consent authority (Council or Court etc.) to consent to an application that does not comply with a development standard upon receipt and consideration of a written objection that strict compliance with the standard is unreasonable or unnecessary. If the objection is judged to be well founded, the scope of the concession is unlimited. This instrument will be repealed upon the making of the LEP (See clause 1.9(2) of the SI), and its equivalent will now, in effect, be written directly into the LEP as clause 4.6 of the Standard Instrument.

There are serious probity risks associated with this policy. Abuse of it has led to a great deal of corruption, ICAC inquiries and reports, the dismissal of several councils and prosecution of council officers. It is heavily used in Randwick and we would be much better off without it.

In the Issues Paper associated with the NSW Planning System Review, now running, there is a long list of questions to be considered. The third question is, "Should there be strict controls in plans?" followed by "Should applications that depart from development controls be permitted?" We should answer with a firm, "Yes." and to the second question, "No."

The Standard Instrument actually invites Councils to nullify clauses making a plan. Such an action is contemplated by the words in 4.6(2): "However this clause does not apply to a development standard that is expressly excluded from the operation of this clause." Examples are offered in clause 4.6(8). And 4.6(8)(c) gives "clause 5.4" as an example. A Direction then adds "Additional exclusions may be added." Randwick Council has an ambiguous record in SEPP 1 matters. There would be a very great relief in the community if the words "(d) clauses 4.3 and 4.4." were appended to clause 4.6(8) of the LEP.

Business Zone B2 – Anzac Parade, Kensington

This zoning exercise forcibly portrays the stupidity of the planning effort. These strips on Anzac Parade have never comprised a local centre and never will. There is nothing much for them to be the centre of. Surrounded as they are by the University, the Racecourse, Centennial Park, Moore Park Golf Course, the E.S. Marks Athletics Field and the predominantly low-density area of West Kensington, they have not the population base to support significant local commerce. Even if there were a need for such a centre it makes no sense to locate it on both sides of a very busy main road carrying perhaps 50,000 cars, trucks and buses daily or to line it with high-rise residential flat buildings suffering the traffic noise. Where is the parking to be? The RTA, rightly, will not allow any vehicular access from the road frontage. Even the land is unsuitable. The area suffers severe hydraulic problems – flooding above ground and a very active water table just below the ground.

Apart from food, all of the serious commerce in the area has been captured by the SupaCentre at the intersection of Dowling Street and Todman Avenue nearby in the City of Sydney. There was once a mini-market beside the Doncaster Hotel at the corner of Anzac Parade and Doncaster Avenue. It

had a useful parking lot with access from Doncaster Avenue, that was shared with the hotel. It successfully served the local community. There was a special **spot rezoning** and the market was demolished to allow for high-rise flats on the site. Despite predictions that it would be replaced, no effort has been made to replace it. Nor ever will be now. The convenient hotel parking vanished too.

The Anzac Parade properties should be rezoned down.

[REDACTED]

*The General Manager
 Mr. Ray Brewster - Randwick City Council
 30 Francis St. Randwick.*

Re: Randwick Draft Local Environmental Plan 2012

Submission
 [REDACTED]

Randwick City Council

03 APR 2012

RECEIVED
 Records Management

1. I strongly object to the fact that nearly all the proposals for introducing extra population densities and reducing residential amenity are concentrated in Coogee, Kensington and Randwick.
2. No further action should be taken on the new LEP until the draft of the essential, complementary Development Control Plan (DCP) has been completed and is ready for joint exhibition with the LEP.
3. To ensure penetration of light between high buildings, firm rules for side clearances and eaves heights must be introduced into the LEP.
4. The old rules on subdivision areas and minimum frontages and landscaped areas should be restored to the new LEP.
5. The proposed upwards spot rezoning of the business district at the southern end of Coogee Beach should be abandoned.
6. The development standards for flat developments should be strengthened by making them mandatory.

Yours sincerely
 [REDACTED]

[REDACTED]
 [REDACTED]
 [REDACTED]



P.S. I wish to enlarge on these points at the promised Public Hearing.

201461387

Randwick City Council

03 APR 2012

Records Received

2nd April 2012

General Manager
Randwick City Council
30 Frances Street NSW 2031

CUSTOMER SERVICE
RANDWICK CITY COUNCIL

Re : Randwick Draft LEP.

- 2 APR 2012

Dear Sir

RECEIVED

I like some of the environmental and conservation aspects of the LEP, that Randwick can retain and value some of its distinctive built and landscape features. I hope that even more sandstone heritage can be retained. I applaud your efforts to support the Chinese Market Gardens. I understand that provision has to be made for future residential, and commercial, medical, educational and transport developments. However, even now, new developments can have serious impacts on existing residents. The LEP does not seem to provide a lot of protection; the DCP is not yet available.

Controls for residential development.

It would seem reasonable that if Council has controls in place for building development they should be adhered to. In that way everyone could know what is going on. I understand that the LEP has 3 controls for R2 and R3 residential areas: building height controls, (increased) FSR and minimum lot size. There is no external wall height control. Other controls are to be in the DCP, but have less force.

- Questions:**
1. **The LEP defines the objectives of each zone.** For R2 (and for R3) the 3rd (and 4th) objective defines the 'desired' character of an area as being important, and as being either the existing streetscape or the future character in 'precincts undergoing transition'. What makes for such a transition? 'The future character' suggests a style (as does the term streetscape), but in a very open, uncertain way. Does the approval of one large, non-complying development that is out of character with an existing streetscape make the area one that is in transition? Developers seem to hunt for local buildings that they can seize on as 'precedents' for non-compliance. On what criteria are developments approved as part of the 'destined future character' of the area? Is this a very open statement that could in effect allow for any development?
 2. I understand that Zone R3 combines the previous 2B and 2C zonings, and keeps different criteria depending on whichever the original zoning was.
 - * Is it possible that in time this distinction will be put aside?
 - * Do all the 'permitted with consent' uses apply (or potentially apply) to both previous zonings within Zone R3?
 - * Are there to be strong controls to determine where consent should be granted for 'permitted with consent' uses in both Zone R2 and Zone R3?

A need for stronger controls.

Even now it seems that new developments can have serious impacts on the amenity of adjoining and nearby properties. Unfortunately it often seems that the amenity of the developer is so overwhelmingly supported that neighbours can literally be left in the dark, with light and sun being significantly lost. The current 'preferred solution', or reducing standards to 'guidelines only', or allowing for 'building envelopes' all seem to make it possible for controls to be manipulated for development. The outcome can seem to

be that if a development is big enough it can have anything it wants, by making only the most minor of amendments. This contrasts with smaller renovations or additions that people say are required to comply strictly with controls.

The LEP defines an objective of R2 and R3 zones as being to 'protect the amenity of residents.' Can DCP controls have real strength in order to work towards this for all residents, not just those who are developing their properties? Can the DCP controls be firm regulations, and maybe even enforceable, rather than just a 'preferred solution'?

The increase in the FSR in the LEP acknowledges a desire for bigger contemporary homes, although not necessarily for increased housing. It seems that 'design' is looked to as a justification for impacts on adjoining / nearby properties, but 'design' is not an objective standard. Clearly, much bigger houses can hugely increase the amenity of the developer. But for next door there can be a serious loss of light and sunlight, directly or by overshadowing; privacy, both visual and acoustic can be seriously compromised; view lines can be obliterated, especially when a flat roof replaces a pitched roof.

There also seems to be an increasing fashion for serious privacy in new buildings, for the developer. Very small windows on street frontages, and high walled / fenced / garage-door-entrances obviously impact on the streetscape, creating a very shut off sense. Is this a desired streetscape for our community? Often these houses can be very open and overlooking away from the street.

How can detrimental impacts on amenity be lessened?

Height, bulk and scale and setbacks have impacts. So:

- * Can all setback requirements be adhered to?
- * Can the bulk of a building be kept as a criteria, and obviously be contained if having impacts?
- * Can the protection of others' light, sun and view corridors be insisted on in design? External wall heights can make a difference here.
- * Can balconies, (and possibly courtyards, terraces, decks) be included in the enlarged FSR? Outdoor entertaining, dining etc is such a part of these design features that they are very much used as living areas.
- * Can streetscape be valued in all areas? A street full of garage doors or big shut off houses cannot be seen as desirable. A streetscape could end up looking like a rear lane.
- * Can swimming pools require Council approval? They are now not necessarily just at the rear of a house away from everyone. They can be cantilevered close to boundaries, they can ignore side setbacks, they can even be on rooftops. Similarly rooftop terraces can possibly have privacy issues for surrounding properties.
- * Landscaping seems to be planned as 'concept' only, with a wish list of native plants. This seems to be automatically approved. Can more authenticity be required where landscaping is a condition / control for a development?

Rezoning in the Draft LEP.

1. South Coogee: Garie Place, 58 Denning Street and 147-167 Malabar Road.

To extend the rezoning to Malabar Road seems to be more than correcting a zoning mismatch. 58 Denning Street is a block of 8 flats in 4 levels, with 3 levels above the Denning Street road level. Garie Place is largely tucked away and is quite dense, with 5 blocks of 3 levels above garages containing 6 - 12 flats, with negligible setbacks and landscaping.

In contrast, there are no more than 2 levels on the Malabar Road frontage for this mix of houses, duplexes and flats. Apart from one no longer used shop frontage, all have reasonable setbacks from the road frontage, some very much so. This proposed rezoning to match Garie Place would allow for a significant height increase in this section of Malabar Road, and a huge impact on the streetscape. There could be a 'corridor' quality, out of keeping with the character of the streetscape. Of course the opposite side of the road has a very distinctive streetscape of largely semis. Would this possible change to this part of Malabar Road be itself creating more mismatching?

2. South Coogee: The few shops on Malabar Road, near Moverley Road.

As for the previous example, you would have to hope that the co-hesive nature of small shops / commercial premises in a neighbourhood will remain. Two residential blocks here also are to be rezoned as commercial, allowing for increased height and presumably nil setbacks from the footpath to match the other shopfronts.

If these two areas are developed to their maximum R3 residential / commercial potential, would that mean that only two residential R2 houses remain between in this stretch of Malabar Road, on the southern side of Napper Street? The harmonious quality of the streetscape and parking access along very busy Malabar Road would change significantly.

3. Coogee: 58 - 60 Carr Street.

This is predominantly a residential area, and the commercial zoning must raise questions, about proposed commercial use and impacts. Apart from the next door restaurant all adjacent buildings are predominantly of varying residential use, including more affordable long-term accommodation.

What controls can ensure the amenity of nearby residents? Can the style of development, including setbacks and the type of business, manage excesses here? This location is already busy with people accessing the beach and coastal parklands, and even walking to the real commercial centre of Coogee Bay Road. It could become a very complicated area if a difficult commercial use were to be allowed here. If it really can't work as a commercial site it still has its place with its 8 levels of residential apartments. Does the commercial zoning have to stay in place if there are doubts as to its suitability?

These three examples are nearby areas to me, and I assume it is the pattern for all of Randwick in this LEP. Certainly a framework is set up for growth, and it is not simply correcting mismatches in zoning. As with residential developments there should be controls in place that can ensure that future developments respect the amenity of all concerned, and that businesses can prosper and be beneficial to the whole community. If those controls can only come via the DCP then they need to be clear and enforced.

Yours sincerely

[Redacted Signature]

[Redacted Signature]

After reading the L.E.P and perusing the accompanying maps, I thought I would ask some questions that in my opinion need airing. My comments are a general response to the document.

1. Why does Council set provisions and guidelines and then blatantly ignore them?
2. Why is every objection fobbed off with weasel words such as, "It is acceptable in the circumstances"? What is that supposed to mean? Here is an example taken from Part 6, Local provisions of the L.E.P. page 43 "Buildings will improve quality and amenity of the public domain". In reality this means totally blocking a view with a huge grey edifice that certainly doesn't do anything for the public domain and has nothing to do with amenities. I could go on.
3. Why are the neighbours given a chance to put in a submission and then all the objections are explained away by one town planner? This can be exceedingly subjective especially when at the council meetings, set up to arbitrate these submissions, read in the report that this or that particular development will have no impact on the neighbours when it obviously does. There should be a committee or at least a group of people to do this.
4. Why are all the formalities of submissions made so hard to understand that most people just don't bother, or give up? The average person would find it difficult to navigate through all the paper work. When given a chance to speak for 3 minutes at a Council meeting to give the resident's view, no one advises you on the use of high tech presentations similar to the professional ones, given by the developer's architects who know every little trick of the trade.
5. Why can only the developers appeal to the Land and Environment Court?
6. Why is it permissible for a DA to be lodged under one system of title (Torrens), then re-submitted as strata—and passed—when the first application fails, and then to be submitted a third time as Torrens even though the development is exactly the same?
7. Why can council decide on changes to the original plan without putting it out in the public domain as 'someone' deems it won't cause any significant impact? How do they know? It appears that once approval has been granted for a DA, carte blanche is given to any further changes with no further avenue for residents to have a say. No one seems to be the slightest bit interested in the normal ratepayer; it all appears to be solely in the interests of the developer.

Draft Comprehensive LEP 2012

Submission from: [REDACTED]

Dear General Manager,

We would like to make a personal submission on the subject of the Draft LEP 2012 for the Randwick Council area.

Our main concern is with the proposed zoning for the various sections of Malabar Headland:

1. Western Section (Lot 102)

Firstly, the proposed change for the Western section from Residential to E1 National Park is most welcome, and may we say, long overdue. With the recent transfer of the land to the State government for use as a National Park, it is a huge relief for us to know that the bush will be protected from development forever.

2. Eastern Section (Lot 2)

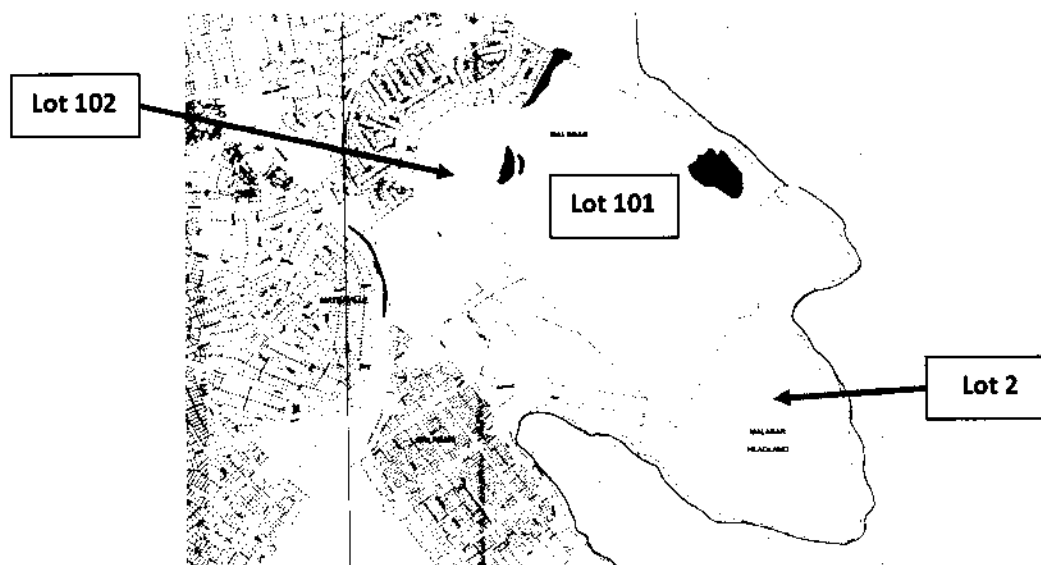
The zoning you propose of E1 National Park is consistent with the current zoning of 8 National Park. We agree with this.

3. Central Section (Rifle Range area, Lot 101)

If this area is to become public open space, why does the draft LEP propose to zone this area as RE2, Private Recreation? At the discussion paper stage, the proposal was to zone it RE1, Public Recreation. We would like this zoning to be changed to RE1, as initially suggested, in view of the intended ultimate use.

In addition, there are 3 areas of Eastern Suburbs Banksia Scrub (ESBS) within Lot 101 which will be zoned RE2, public recreation. This is an inadequate zoning for proper protection of bush which contains an endangered ecological community such as ESBS. Moreover, these 3 areas of bush adjoin those areas of bush which you propose to zone E1. At the very least, these 3 areas should be zoned E2, Environmental Conservation.

On your map of Terrestrial Biodiversity, these 3 areas are marked, but none of the other bush is shown. Is this an oversight? The whole of Lot 102 and Lot 2 should be coloured green. (see map below)



Above: Extract showing Malabar Headland from your map "Terrestrial Biodiversity", sheets 8 & 9; only the 3 areas of ESBS as mentioned above are marked, all on Lot 101, the rifle range area.

Hoping that you will take our suggestions seriously, and amend the Draft LEP 2012 accordingly,

Yours sincerely,

[Redacted signature]

Randwick City Council
Frances Street
Randwick 2030

30 March 2012

Re: Submission on Draft LEP

I have consulted with my neighbours about the draft LEP and agree with them that there are serious areas for concern.

The draft LEP introduces considerable changes to planning rules and does not meet council's stated *sense of community* and would impact the amenity and environment. This is particularly due to the proposed increases in population density.

My issues with the draft LEP are listed below.

The draft LEP is not backed by a DCP nor updated State Planning requirements

- There are two fundamental flaws in the exhibition of the draft LEP:
 - The complementary development control plan (DCP) has not been revised and there is no indication of when this is to take place.
 - The present NSW government has indicated *A Green Paper* with recommendations for a new planning system in NSW is currently being prepared for the Minister for Planning & Infrastructure for release in early May 2012. The community has not been informed how the LEP will be aligned with any changes that emerge from a new planning system.

Council has not completed flood planning or stormwater surveys, nor engaged in public consultation

- Council has not undertaken proper flood and stormwater management in critical areas such as Coogee, Kensington, Maroubra yet they have changed the zonings. There has been no information provided to residents nor public consultation in the areas most affected. Therefore changes in zoning should not take place till proper flood and storm water management schemes are in place.

Proposed development standards allow for increased population density

- Before the last election the present Member for Coogee stated that the O'Farrell government would not require any increased population densities in the Randwick Council area, particularly Coogee, because of existing high population densities. Yet the draft LEP would alter the minimum lot size, the height of buildings and the floor space ratio requirements to allow for significant increases to dwelling bulk and population density increases.
- The LEP drops minimum requirements for frontage and landscaped standards. This means that buildings can take up the whole of a site in residential areas leading to visual impacts on neighbourhood streets.

Lack of definitions, clear requirements

- There are no definitions for *low, medium or high density* in the draft LEP or clear requirements for wall heights, minimum frontages and side clearances. This leads to misunderstandings and

council representatives making their own decisions without proper guidance on the densities and other requirements allowed in particular areas. Residents, developers and council staff need clear standards so there is no room for disputes and matters being taken to the Land and Environment Court.

Extremely high buildings

- The introduction of extremely high buildings in Kensington, Maroubra, Matraville and Kingsford is not in keeping with the surrounding environment and should be stopped and not seen as a way to increase population densities. Any new building works should be in keeping with the height and size of the area.

The coastline and climate change are not given sufficient attention

- There should be a coastal exclusion zone that does not allow any further development of buildings, monuments etc along the coastline to preserve the area for recreational use and reduce the impact of sea-level rises.

Rezoning in Coogee

- Last year, 17,000 people clearly indicated they did not want changes to Coogee village yet council is proposing to change the zoning to local centre (B2). This would allow a range of new commercial activities including bars, which are not needed in Coogee. Traffic movement and alcohol related incidents in Coogee are already issues, and this would make the situation worse.

Recommendations

These are my recommendations:

- Defer the LEP until:
 - changes to state government planning reforms are made;
 - a complimentary DCP is finalised and approved;
 - flood and stormwater management plans are made for Coogee, Maroubra and Matraville.
- Make no changes to development standards for minimum subdivision lot size, building height and the floor space ratio requirements.
- Provide clear definitions for *low*, *medium* and *high density* in the LEP and clear requirements for wall heights, minimum frontages and side clearances.
- Stop the introduction of extremely high buildings in Kensington, Maroubra, Matraville and Kingsford, which are not in keeping with the surrounding areas.
- Make no changes to the present zoning in Coogee.
- Introduce a coastal planning zone that prohibits development along the coastline.

Yours faithfully




[REDACTED]

From: [REDACTED]
Sent: Friday, 30 March 2012 12:21 AM
To: LEPreview
Subject: Opinion. Environmental/ Dogs/Heffron Park/Nature Strips/Cemetery/Go to air/M'bra Junction

[REDACTED]

Date: 26 March 2012 5:08:11 PM AEDT

To: LEPreview@randwick.nsw.gov.au

Dear Mr Brown-Lee, Mayor of Randwick,

I am writing, most humbly, to you to express my opinion on several important issues. I have been a resident of Maroubra for fifty six years and I love living here.

1. The current dog laws in the RLA.
2. Upgrade of Heffron park.
3. Curb side nature strips.
4. Extensions of burial grounds for the Greek Orthodox Church.
5. Access to Council Meetings.
6. The Beautification of Maroubra Junction

Dog owners need some beaches to be available to them and their dogs.

The current attitude to dogs, ignores many important animal, social and human rights. How is this so? Apart from the current restrictions in parks and lawful prohibition of dogs on beaches and in shopping centres, there is also a larger issue of a universal nature.

These comments come from observation of others and my own personal experience, since I have two large dogs. I will explain.

Seventy-five percent of people in RLA have dogs. The benefits of having dogs include, enforced exercise and therefore, increased social interaction (as "dog" people engage with "dog" and non-"dog" people). The

result of these two proven facts, leads to physically and mentally healthier people. As you no doubt know, this decreases the burden on the current hospital and social systems.

The sheer delight from watching dogs strutting or playing with each other or their owners should be enough to inspire and honour the humble mutt more.

One of the ways a society is judged, is by how respectful it is towards those less able to defend, or speak up for themselves.

Dogs should be treated with more respect, by considering ways that allow them to consistently interact more, with their owners.

For over fifty years the local people in and around Little Bay Beach, have taken their dogs to swim with them at the northern end of the beach. Now a minority group armed with their hysteria and lack of insight into the notion of sharing, have forced a tougher enforcement of the already existing laws. Law that ban the noble dog off the bay! Let's share!

The importance of this beach's availability to dog owners is a huge and crushing loss. This is because the reef across the ocean entrance to the bay provides safety from sharks. I speak on behalf of hundreds if not thousands of people who would like this beach to be open to dogs and their owners. If you have ever been down to this beautiful bay, you will notice that the litter consists of nappies, picnic refuse and broken beer bottles.

I have to say I have never seen any dog droppings.

In addition, I would like to see other beaches open at certain times for dogs and their owners. Perhaps before 8am on one end of the beach and after 3pm?

Dog owners would be overjoyed to see council fine those irresponsible few, who litter dog droppings and refuse to leash their dogs. A \$5000 fine would soon see the absence of all dog droppings and irresponsible behaviour of dog owners.

The frustration and disappointment of many dog owners is a growing and important issue. Must we march, thousands strong along Belmore Road, to make our point?

Must we gather petitions to convince you of the urgency of this matter? If so, let me know how many signatures we require to meet our needs.

Lynn White Of Animals Australia, brought all of Australia to the attention of the cruelty towards the live stock export to Indonesia. She is a leader in this kind of humane thinking. Perhaps your council could consider inviting her to talk to your council and even the wider community, to spread awareness of the need to increase our attitude of respect and understand of the animal world.

Wouldn't it be a wonderful thing if this notion of respect and care, could also extend further to the flora and fauna around us? Council diligently plants trees in an effort to beautify and provide habitats for the local animals. Although appreciation of "being green" is improving, it has a so much further to go. So many locals remain ignorant or unmoved.

There are a multitude of canine stories, containing the loyalty, heroism and companionship that dogs provide to humans. The old slogan, "Man's best friend" needs to be honoured. Let Randwick Council lead the way.

In regard to Heffron Park, it desperately needs colour, texture, variety and vitality.

The recent upgrade, is appreciated by many locals, just as I do.

However, the park is devoid of atmosphere. I believe this is because the trees and shrubs that are currently there are not diverse enough.

There is no colour, but a derision of dark greens upon slightly different greens....May I suggest, the park needs a variety of colour, texture and shape.

For example, flame trees, scented trees, flowering gums, lime green rebinnias, grevillias and lillypilly to encourage and support birds, attractive ponds to

promote habitats for frogs and insects and tough perennials, that will catch the eye and invigorate the mind with their endless colours and textures.

I am only sorry the development proposal to build units on the Bunnerong Rd side of the park did not go ahead. This was an excellent idea, in order to fund the park upgrades. However it is not expensive to transplant the stunning variety of plants and trees from Randwick's own nursery. Surely this is achievable! Provide the ponds and the frogs will arrive on their own.

Council's Nature strips.

I would like to see most nature strips planted with colourful natives and edible perennials and bushes and then lawfully protected by Council.

This would provide more food to the birds and insects which are so vital. I am aware that Council has tried to inspire residents to do this but it has not worked well enough.

For ten years I worked on the Council nature strip at [REDACTED] Maroubra, where I lived. My aim was to build an attractive bird habitat and shade for the elderly as they carried heavy shopping loads. I had been given some rare plants by Randwick council and had bought hundreds of dollars of natives, including Grevillias, various perennials and annuals. However, in 2010, I had to sell my property. Consequently, the new owners ripped out the nature strip, replacing it with grass, which as you know needs fossil fuel to cut.

I believe, once a nature strip has been planted with Natives it should be illegal to strip them from the ground. Part of my efforts were inspired by Council's own initiative to assist local residents to provide bird and insect habitats. I believe unless there are more consistencies, in regard to promotion of environmental efforts and follow ups, then Council's own efforts and

resources are wasted. Money goes to waste. Residents like myself who are passionate about beautifying and caring for our area, are also frustrated and disappointed that their efforts are not protected by council.

I would like to see Council raise plans that instigate, inspire and assist locals to continue cultivating council's nature strips. These plans need to become lawful in order to maintain

and protect projects. May I suggest further, that various fruit trees also be part of the planting. Council needs to fight the ridiculous insurance laws that provide opportunities for council to be undermined and sued by the public, who cannot take responsibility for their own footsteps. Perhaps it should be Council who sues the opportunists for crushing public lemons under their feet! Council must muster the the total intellect of its employees and take action for change. Change for the better. Change which will defy stultifying laws that strangle great ideas.

The issues relating to the extension of the The Greek Orthodox Burial Grounds.

The Greek Orthodox community must have more land. Indeed such a respected and hard working section of the community must not be ignored.

It is well known that many years ago, the area used for agriculture, had been pronounced "not suitable", for growing plants for human consumption. The toxic plume from Orica has also reached as far as Botany Bay, adding to the poisonous nature of the land.

Many people are aware and disturbed by the fact that contaminated soil is still being sold to many unsuspecting businesses. Who are these customers, consuming contaminated vegetables? **I cannot imagine tucking into some bok choy or cos lettuce, laced with the poisonous chemicals leaching through the soil from thousands of dead bodies, up on the hill. Yes, the dangerous levels of contamination continually get topped up!**

I have already signed a petition, organized by Father Stephen from St Spyridon Church at Kingsford, so I will not repeat the issues which must be considered very carefully.

Must the Greek Community also march, along Belmore Road to the Council Chambers?

Air Council Meetings

I would like to suggest that the Tuesday night meetings be available on air. Perhaps the Community Television Station, Channel 44?

There are many of us, who are very interested in the council proceedings, but for many reasons cannot attend.

Is it possible that Randwick Council could be innovative again, by being the first council to go to air? How transparent Council would become? I believe Council's image would substantially improve.

Maroubra Junction

Finally, Maroubra Junction needs further landscaping and careful, town planning, in order to make it an ever increasingly beautiful place to live in.

Before Pacific Square was built, I was on a committee that voiced our opinions about the kind of things we would like in regard to the shopping complex and the general area.

Some things materialized: 12 palm trees along Maroubra Road, outdoor seating areas and some kind of plumbing, that is supposedly a fountain.

If Redfern, can have huge baskets of stunning red begonias, hanging on both sides of Redfern St, why cant we?

Maroubra Road needs attractive hedging, many more deciduous trees, that define the seasons. For example, Almond trees that blossom in Spring. Will it look like Cherry Blossom time in Japan? Add scented Magnolias, Flowering Red Gums, etc. Maroubra Junction need not be devoid of a lushness, that is found only in our Australian Rainforests. A natural environment, that exudes beauty enhances mental health. Maroubra Junction has a high percentage of effected people. Let Randwick Council help them heal. Just plant.

Many of us are very disappointed with the lack of classic design of the newly constructed buildings. One on the corner of Maroubra Road and Robey Streets and thankfully, the facade of the site on the corner of Maroubra Road and Anzac Parade are the only two that show beauty.

Maroubra is the largest suburb in the RLA and yet instead of growing into a centre, which we can enjoy to a point, we can only use our imaginations to pretend what might surround us.

Please consider a better idea for the Junction by using your foresight that will allow future generations to comment on the great minds that came before them.

Steer a pattern of beauty of building and luscious gardens and solar run fountains.

I would like to thank you for your time and consideration of these issues which I have sent to you after deep thought.

I look forward to interesting and satisfying responses that I can share with the many locals that I know.

Yours sincerely,

[REDACTED]

[REDACTED]

28th March, 2012

Click [here](#) to report this email as spam.

General Manager
Randwick City Council
30 Frances St.,
Randwick NSW 2031

Sent by email to : LEPreview@randwick.nsw.gov.au

20th July 2011

**RE : Jennifer Street Holdings - Randwick Open Space and Environment
Discussion Paper**

I am writing to disagree with the proposed dedication of part of the land as a public park of the Jennifer Street holdings located in Little Bay. The proposed change to the subject site located on Jennifer Street, Little Bay poses the following issues :

1. Open Space Size : This is a standard residential house block which will have greatly reduced usable area if privacy is to be maintained to surrounding private residences. The effective site size is approximately 21 square metres.
2. Location ; the area is well served with a variety and extensive park and open space. The proposal for conversion of this site to open space does not provide added benefit to the area.
3. Security : the site provides an ongoing security and surveillance issues for council and local residents
4. Maintenance : the site provides an ongoing maintenance liability to the council
5. Population growth : the site provides an opportunity to address requirement of increased dwelling numbers required in Randwick due to population growth which is close to good infrastructure.
6. New residence : opportunity to complete streetscape and reduce liability to council by allowing site to move into private ownership

The following outlines arguments against the site becoming open space.

1.0 THE SITE

1.1 Site Identification

The site is located on Jennifer Street, Little Bay (see figure 1) identified as Lot 2 of DP255794. The site fronts Jennifer Street to the east and has residential single dwellings to the north, west and south. To the east of Jennifer Street is Botany Bay National Park, St Michaels Golf course and the Eastern Suburbs Banksia Scrub(ESBS) with Jennifer Street Boardwalk. The open space opposite the site is approximately 300 Ha from Randwick Golf Course to Botany National Park.



Figure 1 : Aerial photograph of subject site and surrounds

1.2 Site Context and Description

The subject site is a vacant, grassed site of 742 sqm typical of the standard residential house blocks in the area (see figure 2). The site shape is of a truncated right angle triangle with a 38M frontage to Jennifer Street, 34M rear western boundary, 29M northern boundary and 14M southern boundary (see figure 3). Access to the site is via Jennifer street with no through links. The site has single residential dwellings on equivalent sized blocks to the north, west and south of the site.



Figure 2 : Aerial photograph of subject site.



Figure 3 : Aerial photograph of subject site showing dimensions.

Note : all aerial information in this document provided from rpdata and nearmap.

2.0 Proposed Redevelopment of the Site

The site's proposed rezoning is for open space. I contest this rezoning under the following categories:

2.1.1 Strategic Planning Context

Metropolitan Plan for Sydney – 2036 : This document outlines the challenges Sydney faces regarding population growth and subsequent requirement for increased residences to accommodate this growth.

Response : The subject site provides opportunity to provide a dwelling or dwellings to accommodate a small part of this growth.

2.1.2 Randwick Local Environmental Plan

The current zoning for the area is 2A (Residential A Zone). The objectives of Zone No 2A are:

- (a) to provide a low density residential environment, and
- (b) to maintain the desirable attributes of established residential areas, and
- (c) to protect the amenity of existing residents, and
- (d) to allow for a range of community uses to be provided to serve the needs of residents, workers and visitors, and
- (e) to encourage housing affordability, and
- (f) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality.

Response : The Jennifer Street holdings has the specific benefit of being located opposite significant open space offering a variety of uses including Botany National Parks walking and cycling routes, sporting facilities located at 4 contiguous golf courses running from Malabar to LaPerouse and local pocket parks with playgrounds and BBQ facilities. With such extensive open space area and options, an additional small park on Jennifer Street does not provide additional benefit to the community. The residents are well served with existing amenity and this site provides opportunity for redevelopment consistent with the desirable attributes of the established residential area. Furthermore, this site provides opportunity to address dwelling targets within the area.

2.1.3 Randwick Development Control Plan

Under the Randwick City Council Development Control Plan – Dwelling Houses and Attached Dual Occupancies December 2002 the proposed site redevelopment contravenes the following objectives of the DCP :

Part 4 – 4.5 Visual and acoustic privacy : *Overlooking of internal living areas and private open spaces of residential development is minimized. The use of screening and distance recommended with a 9M separation recommended between dwellings.*

Response : This control is relevant with respect to the subject site as it shares a boundary to the private areas of the neighbouring residences. Adopting this requirement to ensure existing residents do attain privacy from the public use of the park with 9M setbacks to private areas greatly reduces the useable park size (see figure 4). The affective park size is approximately 211 square metres and is questionable of its benefit to the community.



Figure 4 : Site diagram showing 9M privacy and acoustic setback to park

Part 4 – 4.6 Safety and Security: to ensure a safe physical environment by promoting crime prevention through design and to ensure the security of residents and visitors and their property and enhance the perception of community safety.

Response : Casual surveillance of the public domain reduced by having deep unused area with singular access to Jennifer Street. Potential security issues exist to surrounding residents from the park due to the shape and access to the park. Any additional landscape, or equipment to the park will provide added surveillance issues to the park due to affected sightlines (see figure 5).



Figure 5 : Evidence of car use on site provide potential security issues

Part 4 – 4.8 Fences : to ensure front fencing integrated with streetscape and contributes positively to street character and to ensure adequate privacy, amenity and safety for occupants of new and existing dwellings.

Response : As the surrounding residents have side boundary fences onto this proposed public area the current DCP suggests the fence design contributes positively to public character. The existing fences consist of unattractive colourbond fences and a timber fence is disrepair (see figure 6).



Figure 6 : Fencing that does not enhance street character

3.0 Summary

In summary, the subject site on Jennifer Street, Little Bay should not become open space and become privately owned because :

1. Size : This is a standard residential house block which will have greatly reduced usable area if privacy is to be maintained to surrounding private residences. The effective site size is approximately 21 square metres. This is too small to serve as a useful public park.
2. Location ; the area is well served with a variety and extensive park and open space. The proposal for conversion of this site to open space does not provide added benefit to the area.
3. Security : the site provides an ongoing security and surveillance issues for council and local residents
4. Maintenance : the site provides an ongoing maintenance liability to the council
5. Population growth : the site provides an opportunity to address requirement of increased dwelling numbers due to population growth which is close to good infrastructure.
6. New residence : opportunity to complete streetscape and reduce liability to council by allowing site to move into private ownership

Regards





Do 1459593

2 April 2012

General Manager
Randwick City Council

Copy Ms Karen Armstrong

Dear Mr. Brownlee

Submission on Draft LEP

We support the Submission by the La Perouse Precinct Committee on Draft LEP below and wish to add that we do not want any land currently zoned open space be it public or privately owned rezoned for other uses. We note in particular sites where the soil is contaminated at 3 and 7-11 Elaroo Avenue, La Perouse. This is a much used area by locals and visitors to the area it has also been a popular hand gilding area for decades and since council rectified the area as a local park more and more residents use this as a recreational area particularly as other parks are becoming over crowded by visitors in peak holiday times.

We oppose any higher density in Malabar, Phillip Bay, La Perouse, Little Bay and Chifley areas which make up the peninsular suburbs. With the ongoing development of the Prince Hennerly Hospital area we have noticed the tranquil laid back feel of the peninsular has given way to traffic congestion, overcrowding of local schools, sporting facilities, lack of parking at local shopping centers, longer waiting times for medical care, even getting in to see the local doctors can take days to get an appointment or hours wait in rooms. Beaches, parks and picnic areas are getting more restrictive to use in short this wonderful peaceful corner of the eastern suburbs that could become another up market part of the east like the Vaucluse peninsular is being destroyed by overcrowding and lack of infrastructure.

This is a peninsular and there are only two roads that service the area. Both are one lane in each direction for the most part and when combined with added traffic calming and lights added recently, congestion has begun build. It now takes between 10 and 15 minutes more to take the children to and from school, 10 minutes more to get to the local shopping centers, added fuel costs and yet no added public transport has been provided.

Must planners turn every suburb in Sydney into gridlock and cram so many people in to an area that we have to fight to get basic services. Please maintain our open spaces, local parks, schools and hospitals and stop allowing land to be overdeveloped with no regard for the impact they cause on the suburb and surrounding suburbs.

[REDACTED]

(LA PEROUSE PRECINCT SUBMISSION
NOT ATTACHED)

.. " D01459369

We thank you for this opportunity to provide our feedback and comments to this important process.

The Draft LEP at its core has the need to meet an 8,400 population target set by the NSW Department of Planning. Randwick has already approved over 4,000. We urge Council to reconsider reducing the overall population target down from the 8,400 and the infill target to zero especially for suburbs such as Coogee which is already one of the most densely populated areas in NSW.

Given the above mandate, the Draft LEP is a strong indication of Council's desire to increase density in our municipality. I am particularly addressing our coastal environment that was never planned to be anything more than a coastal seaside village. Should the draft LEP be gazetted in its current form the ramifications to our precious coastal community will be severe as it will give town planners enormous latitude to permit commercial use and construction of medium to high density buildings. The existing infrastructure is already strained and incapable of any further increase in density and the proposed incredible added land usages. The significant changes in density and usage are as follows:

1. R2 FSR will increase by as much as **25%** -
 - Dwelling houses and semi-detached:-
 - Up to 300 m2 from 0.65:1 now "on merit"
 - 301 -450 m2 from 0.60:1 to 0.75:1 - **(25% increase)**
 - 451 - 600 m2 from 0.9 - site area (m2)/1500 to 0.65:1
 - Over 600 m2 from 0.5:1 to 0.6:1 - **(20% increase)**

'The Floor Space Ratio Map' - Sheet FSR suggests that the prevailing FSR is 0.5 and is misleading and perhaps suggests a reduction, when actually given land plot sizes and the existing type of dwelling type the FSR will be in the range from 0.6 to 0.75 or possibly worse based on an arbitrary concept of "on merit". It must also be noted that currently balconies and terraces are not included in the FSR calculation and are increasingly dominating dwellings and impacting on residences and the community and thus should be included in FSR calculations.

2. R3 FSR will increase by as much as **15%** - in the case of other developments in residential zones where by FSR changes from 0.65:1 to 0.75:1.
3. Existing 2B Residential (Low to Medium Density) and 2C Residential (Medium Density) are being merged into R3 Medium Density. This is in effect a rezoning as we are losing our low-medium density zone and creating a larger medium density zone which will lead to greater commercial/business use and higher density buildings. This is compounded by the fact that there is **no minimum lot size** for multi dwelling housing and residential flat buildings in the R3 zone.
4. Across all the existing zones 2A, 2B, 2C and 2D there are **significant additional permitted usages** which further increase density. For instance:

- a. Existing 2A Residential (Low Density) Zone now to be classified as R2 Low Density Residential will allow the following **significant additional** uses:

- Business premises
- Office premises
- Respite day care centres
- Restaurants or cafes
- Shops

- b. Existing 2B now to be classified as R3 will allow the following **significant additional** uses:

- Business premises
- Hostels
- Hotel or motel accommodation
- Neighbourhood shops
- Office premises
- Carparks
- Residential flat buildings
- Respite Day Care Centres
- Restaurants or cafes
- Seniors housing
- Shops

- c. Existing 2C now to be classified as R3 will allow the following **significant additional** uses:

- Business premises
- Hostels
- Hotel accommodation
- Neighbourhood shops
- Office premises
- Residential flat buildings
- Respite day care centres
- Restaurants or cafes
- Seniors housing
- Shops

- d. Existing Zone 2D (Comprehensive Development Zone) now to be classified as Zone R1 General Residential will allow the following **significant additional** uses:

- Business premises
- Hostels
- Neighbourhood shops
- Office premises
- Respite day care centres
- Seniors housing
- Shops
- Shop top housing

5. Existing 2B&2C now to be classified as R3 will also permit increased density for instance:
 - Previously multi- unit housing was permitted which was two or more dwellings and now it means 3 or more dwellings.
6. Whilst overall building heights aren't changing **the absence of wall height control** in the draft LEP creates the opportunity to increase the number of floors in a dwelling and therefore increase density. In this absence there should be a restriction to the number of floors in a dwelling which may ultimately mean an overall lower building height.

It is clear under the draft LEP that there is an opportunity for more people to visit and reside in Coogee, given increased usage and permissible housing density controls. Whilst this draft LEP is attempting to correct mismatches it is at the same time allowing for increased density through a standardising planning instrument.

One size does not fit all when it comes to planning controls and what the draft LEP should do is localise the planning controls to specific regions within our municipality in context with our densely populated area, topography, streetscape, foreshore scenic protection area, infrastructure constraints and heritage. It may be possible for Randwick to have separate DCPs for the coastal suburbs from those for the hinterland which would assist in dealing with view sharing issues.

It should set clear and meaningful objectives in connection with controls for instance building and wall heights and setbacks should have objectives that meet the requirements of the specific area in question which may in the case of coastal areas require, for instance, preservation of existing views. This is to be contrasted with what would seem on the face of it as meaningless objectives that have been included for example in zones R2 and R3 specifically, "To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area". What does this mean and what is given weight and priority?

Clearly this design feature would have a merging of LEP and DCPs which currently exist in other municipalities such as Woollahra. This is not a radical idea or approach but rather is completely sensible though at odds with the State Governments approach of standardisation of LEPs in a vacuum and without a DCP to set context.

For there to be greater certainty in planning and for fair and equitable outcomes DCPs should be enforceable i.e. direct controls rather than preferred solutions.

At a minimum consultation should involve both the draft LEP and DCPs in tandem.

Our municipality should not be an up zoning target to facilitate strategic growth; it was never designed for this outcome and is incapable of delivering this outcome.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

30 March 2012

General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031

Re: Draft Comprehensive LEP – City of Randwick 2012

Thank you for the opportunity to review and comment on the Draft Comprehensive LEP – City of Randwick 2012.

After looking over the documents in tune with the Mayor of Randwick Cr Scott Nash's position – 'opposing inappropriate over-development in the City of Randwick and neighbouring areas, and working to ensure that the unique character and amenity of our streets and suburbs is maintained' – we think the following points require consideration and amendments to the draft LEP.

1. We oppose the plan to turn the B1 Local Neighbourhood Centre at the end of Beach Street, South Coogee, into a B2 zone.

Currently a B1 zoning, we reject the need for this predominantly low-rise residential area to be expanded into a B2 zone. B1 zoning meets the needs of the local residents and visitors, while B2 would open the area up for larger developments that change the local, predominantly low-rise, human scale of the precinct. From Coogee Beach, the view to the southern headland with the Coogee Surf Lifesaving Club, Grand Pacific Hotel, Barzura and the Beach Street residential strip, is one of the few remaining original vistas left in Coogee. We would argue that Randwick/Coogee has many B2 zoned areas already, with a great bus system connecting them.

Like the marine biodiversity you are protecting, the built environment needs diversity protection as well. The reason that people choose to live in this precinct is because areas including The Spot have remained low-rise and village in feel.

We need the balance and Randwick City Council should be fostering happy and healthy urban villages.

1b. Proposed Heritage Conservation Area

We would also like to take the opportunity to recommend that Beach Street, on both the South and North Coogee ends, which includes a number of heritage items with local and state recognition and sits within a Scenic Protection Area, be formerly recognised as a Heritage Conservation Area. With so many significant houses and amenities along Beach Street this is an obvious and necessary step.

Local recognition:

- Ross Jones Memorial Pool, 133R Beach Street
- Coogee Beach Sandstone wall, Beach Street
- "The Warwick" (c 1930), 154 Beach Street
- Grand Pacific Hotel (c 1920s), 64 Carr Street (cnr Beach Street)
- "Warimoo", 69 Beach Street
- "San Antonio", 79 Beach Street
- Giles Baths. 105-109R Beach Street

State recognition:

- McIver Women's Baths, 145C-149R Beach Street
- Wyllies Baths, 4B Neptune Street
- "Cliffbrook", 45-51 Beach Street

2. Special Uses Zoning – inappropriate over-development.

Yes, we agree that neighbourhoods need amenities, including hospitals, nursing homes, universities etc. etc. However, there are many developers who see the 'broad' opportunities of this zoning and are working hard to develop Trojan horse projects. We feel that there needs to be tighter rules around the scale/impact and design of buildings in this zone. A review of this is necessary and urgent.

Thank you.

Kind regards




2.4.2012



The General Manager
Randwick City Council

Submission to Draft Randwick LEP

Dear Sir,

1. I believe the Draft LEP should be exhibited together with the Draft DCP so that we know what the controls are. Therefore I believe that the Draft LEP should be withdrawn until the DCP has been prepared, and the two documents should be exhibited together. Otherwise it is unclear what the controls are, and there is also a period of a vacuum before the preparation of the new DCP when inappropriate developments could be lodged.
2. I live in a low density residential area in Kensington. In the previous 2a zone only 1 or 2 storey buildings were permitted. Three storey buildings were never permitted in this zone, there are only one and two storey buildings. The new LEP could allow 3 storey buildings.

There is some confusion about this, and whilst most 9.5 metre buildings may be 2 storeys, it appears 3 stories (with a flattish roof) could be built. This is a huge change to the low density residential areas. Previously 3 storey buildings could not be built in the 2a zone low density residential. The mayor in his column in the Souther Courier on Tuesday 6th March page 32 also said that in the low density residential areas "with the 9.5 metre height limit (**that's two to three storey**) strengthened". We have never had 3 storeys in most of the streets in Kensington. Does the council plan to allow 3 storeys in the previous 2a zone? If this is the plan then the community should be informed, or otherwise there should be controls in place so that only 2 storeys can be built.

The low density residential streets (previous 2a zone) should remain 2 storeys. Maximum wall heights of single dwellings, attached dwellings and town houses should remain 7 metres.

3. "Aims of the Plan" should include "protection of amenity of existing residents."
This amenity needs to be strongly protected by council.
4. I believe that there should be landscaping and set backs in the draft LEP in order to preserve light and sunlight, and noise privacy.
5. I would like the following additions to be removed from the R2 low density residential zones.

With Consent: Office premises, Business premises, Child care centres, Community facilities, Home industries, Passenger transport facilities, Places of public worship; Recreation facilities (indoor); Recreation facilities (outdoor); Restaurants or cafes.

I understand that some of these uses already exist but don't believe that new premises as described above should be allowed, as they will affect the amenity of the existing residents.

Thank you for considering the above points,
Yours sincerely,

[REDACTED]

From: Bang The Table [admin@bangthetable.com]
Sent: Monday, 2 April 2012 9:06 AM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'
Attachments: Submission__Randwick_Council_Comprehensive_LEP__20412.pdf

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

Type your Submission

Upload and attach your Submission

Submission__Randwick_Council_Comprehensive_LEP__20412.pdf (file attached).

Click [here](#) to report this email as spam.

~~Sub next page~~

Submission to Randwick Council – Comprehensive LEP

Randwick Council's draft LEP introduces considerable changes to planning rules and does not meet council's stated *sense of community*. Council once again wants to stamp its objectives on the community without any consideration of the impact to the amenity and environment. Residents love their local area and expect council members as their representatives and council staff to provide an area that is sustainable, safe without further increases in population densities in critical areas such as Coogee.

The present LEP has resulted in strains on infrastructure, transport, hospitals and other social services so an LEP that introduces further changes and does not represent the wishes of the majority of people is not on. Council haven't got it right with the present LEP, this draft LEP only makes it worse.

Poor legislative backing - draft LEP not backed by DCP nor updated State Planning requirements

- There are some fundamental flaws to the exhibition of the draft LEP as there is no updated development control plan (DCP) and no alignment to state government initiatives.
 - The complimentary development control plan (DCP) has not been revised and there is no indication of when this is to take place.
 - The present NSW government has indicated *A Green Paper with recommendations for a new planning system in NSW is currently being prepared for the Minister for Planning & Infrastructure for release in early May 2012*. The community has not been informed how the LEP will be aligned with any changes that emerge from a new planning system.

Council hasn't completed flood planning, storm water surveys nor engaged in public consultation

- Council has not undertaken proper flood and storm water management in critical areas such as Coogee, Kensington, Maroubra yet they want to change zonings. There has been no information provided to residents nor public consultation in the areas most affected. Therefore changes in zoning should not take place til proper flood and storm water management schemes are in place.

Development standards allow for increases in population densities with no mandate for them.

- Before the last election the present Member for Coogee clearly stated that the O'Farrell government would not require any increased populated densities in the Randwick Council area particularly Coogee because of pre-existing high population densities. Yet the minimum subdivision lot size, the height of buildings and the floor space ratio requirements allow for significant increases to dwelling bulk and population density increases. If the state government does not require increased densities why has council allowed changes to lot size, height of buildings, floor space ratio?
- In addition, minimum requirements for frontage and landscaped standards have been dropped. This assumes buildings can take up the whole of a site in residential areas leading to a cumulative loss of amenity and environment for the community.

Submission to Randwick Council – Comprehensive LEP

Lack of definitions, clear requirements

- There are no definitions for *low*, *medium* or *high density* in the draft LEP or clear requirements for wall heights, minimum frontages and side clearances. This leads to misunderstandings and council representatives making their own decisions without proper guidance on the densities and other requirements allowed in particular areas. Residents, developers and council staff need clear standards so there is no room for disputes and matters being taken to the Land and Environment Court.

Extremely high buildings

- The introduction of extremely high buildings in Kensington, Maroubra, Matraville, Kingsford not in keeping with the surrounding environment should be stopped and not seen as a way to increase population densities. Any new building works should be in keeping with the height and size of the area.

The coastline and climate change is not given sufficient attention

- There should be a coastal exclusion zone that does not allow any further development of buildings, monuments etc along the coastline to preserve the area for recreational use and reduce the impact of sea level rises. With climate change there will be more flooding particularly in those areas that are already under threat, the very areas council wants to rezone.

Rezoning in Coogee

- Last year 17 000 people clearly indicated they did not want changes to Coogee village yet council is proposing to change the zoning to local centre (B2). This would allow a range of new commercial activities including bars which are not needed in Coogee. Traffic movement in Coogee is already difficult and this would make the situation worse.

Lack of integration

- In developing this LEP the council has given little thought to the existing stress points in the community i.e. council's overuse of concrete, overcrowding, traffic, public transport routes and the impact the proposed changes will have on this. Better integration of residential planning changes, transport, social services etc is needed. This is supposed to be a comprehensive LEP.

Aboriginal Heritage

- There is little mention of the preservation of Aboriginal heritage yet there are significant numbers of our First People in the Randwick. There should be more recognition given to the Aboriginal community in the council's business and in the community.

Submission to Randwick Council – Comprehensive LEP

Recommendations

These are my recommendations:

- Defer the LEP until:
 - changes to state government planning reforms are made;
 - a complimentary DCP is finalised and approved;
 - Flood and storm water management plans are made for Coogee, Maroubra, Matraville.
- Make **no** changes to development standards for minimum subdivision lot size, the height of buildings and the floor space ratio requirements.
- Provide clear definitions for *low, medium or high density* in the LEP and clear requirements for wall heights, minimum frontages and side clearances.
- Stop the introduction of extremely high buildings in Kensington, Maroubra, Matraville, Kingsford not in keeping with the surrounding areas.
- Make no changes to the present zoning in Coogee.
- Introduce a coastal planning zone which allows no development along the coastline.
- Provide more recognition of the heritage of our First People.

LEPreview@randwick.nsw.gov.au

April 2nd 2012

RE: DRAFT COMPREHENSIVE LOCAL ENVIRONMENT PLAN

Dear Ms Armstrong,

Chris Johnson, formerly the NSW Government Architect (1995-2005) and now the chief propagandist for the Urban Taskforce, the developer lobby group, stated in March 2012 (SMH 14 Local Government) that a 'presumption for growth' should be the main driver for the state's planning system: "It is important that the planning system lifts the NSW economy by encouraging development".

In this economic rationalist view it is difficult to differentiate 'planning' from 'development'. Planners for local and state government should be impartial and act in the best interests of the civil society. The corporate sector should not drive the shape of our suburbs and city.

However in developing the "DRAFT LEP" Randwick Council is using the requirement from the NSW Government to collapse definitions (codes) into a uniform set across the state, as an opportunity to rezone vast areas of Randwick City in order to satisfy the developer lobby and the politicians they fund.

In the current residential 2C zones, not a free standing house will survive the rezoning. Walls of apartment buildings will line both sides of Coogee Bay Road up to Randwick Junction, and flow through to 8 level apartment buildings all the way down High Street to Anzac Parade. If anyone thinks the increased density will not overwhelm Coogee they are kidding themselves. This LEP will transform Coogee into the Gold Coast.

The Draft LEP spells the final death knell for Coogee as Randwick Council and the NSW Government finally hand over this unique and historic beach side suburb to vested interests. Rezoning Coogee Bay to B2 will satisfy the hotel owners. In B2 Tourist and Visitor (backpacker)

accommodation are mandated. The whole area will be handed over to the tourist industry.

By comparison, Clovelly, where similar strips of old shops also exist, these areas are to be rezoned residential R3 Medium Density, preventing future intensification of commercial use. Maroubra beach will be rezoned to the lower impact BI. In the opposite of environmental protection, Coogee is to do the job of Maroubra Junction and Randwick Junction and, already groaning under the weight of commercial exploitation is be subjected to even greater exploitation. That is the commercial area.

This is the picture I have derived by attending an information session and studying the maps and other documents.

How will the 'low level' emphasis on nature be protected. What about advertising and outdoor advertising. Once the existing 'Outdoor Advertising DCP 1998' is deleted, what controls will replace it. Look, this is just a different vision, when I look at and think about Coogee Bay I think about low level development, environmental protection and an emphasis on that precious thing, nature, which Coogee has retained. When I look at the draft LEP and listen to the planners, I see the Gold Coast and Las Vegas, units, units, units, pubs, backpackers, casinos and gambling machines. It is a difference of vision. Why does the vision of the crass and the exploitative have to prevail? Isn't there room for any other view?

[REDACTED]

SUBMISSION REGARDING DRAFT RANDWICK LEP

[REDACTED]

Coogee is a village. It is the reason people visit here and the reason people want to live here. It already has more than sufficient population density and has suffered already from inappropriate and excessive development in the recent and not so recent past. Part of the role of a new LEP should be to protect the Coogee area from further increase in population density, pressure on infrastructure, loss of amenity for residents, and inappropriate development.

With these general principles in mind, there are several aspects of the Draft Randwick Environmental Plan which are a cause of serious concern.

ZONING

Zone R2

In the Objectives for the new zoning category R2 (Low Density Residential), Council has added the objective

"To encourage small scale business uses in existing commercial buildings"

In the list of Uses added by Council, there is an explanatory note included which says

"Note: Existing Business premises, Office premises, Shops and Restaurants or Cafes are allowed but it is not intended to allow new ones."

According to this explanatory note, Council does not intend to encourage commercial activity in zone R2. Therefore, this objective should be removed.

The inclusion of Boarding Houses, Semi-detached Dwellings and Home Industries is not appropriate for this R2 zoning (*low density AND residential*) and should be removed.

Zone R3

Uses added by Council include *Hotel or Motel Accommodation*. This is not appropriate for Zone R3 (medium density residential) and should be removed from the Draft LEP.

DEVELOPMENT STANDARDS

Subdivision Lot Size

Lot size, when combined with floor space, is a fundamental determinant of population density. Since the 1998 LEP, the minimum lot size has decreased. For example in the 1998 LEP, in Zone 2A, lot size was 450m² with a minimum frontage of 12 meters. The current LEP specifies 400m² with a minimum frontage of 12 meters. The proposed Draft LEP has removed any reference to minimum frontage and retains the 400m² area.

To limit the increase in population density, the minimum dimension rules from the 1998 LEP should be restored for all residential zones.

Height of Buildings

The control of the overall height of buildings is what has an impact on views. The control on wall heights, in particular eaves height, together with side clearances (as specified in the

DCP) is to ensure the maximum penetration of natural light and sunlight into adjacent buildings.

In the proposed LEP, wall heights have been omitted. For example, in zone R2 the previous wall height of 7 meters for a building height of 9.5 meters becomes a building height of 9.5 meters alone. This means that there is loss of control over light penetration. It also means, very importantly, that an extra storey can be accommodated with, perhaps, only a small infraction of the height rule. So in zone R2, what were 2 storey buildings with a pitched roof under the old LEP may become 3 storey buildings with a flat roof; and in zone R3, what were 3 storey buildings with a pitched roof may become 4 storey buildings with a flat roof.

We have been assured that the wall height control can be included in the DCP. However, no DCP is currently in preparation. There is no guarantee that an appropriate change in DCP will occur. Most importantly, the DCP does not have the regulatory constraints of the LEP (they can be and are frequently set aside by Council resolutions). Therefore, I urge Council to include wall heights in the LEP and ensure they are no higher than those for current residential zonings.

With the proposed new LEP being on exhibition, it already has significant influence on development applications and approvals. The failure of Council to prepare one or more DCPs to complement the changes in the new LEP, leaves a serious legislative gap in the approvals process.

Clause 4.3A: Height limits of 22 meters have been proposed in the draft LEP for some parts of Matraville Town Centre and Maroubra Beach. This is not only inappropriate, it is outrageous. These should not be included in the new LEP.

Floor Space Ratios

Floor space ratios increased, de facto, from 1998 to 2003 when it was decided that the floor space would be measured from the inner face, rather than the outer face, of the external walls of the building. This meant that the measured floor space effectively decreased by 10- 15%, but the footprint of the building effectively increased. Despite this the FSRs were not amended downward to maintain the same footprint. So there has already been an increase in FSR between 1998 and 2003.

In the proposed LEP, the broad area corresponding to current 2B zoning in the basin of West Coogee with a tail running off into Clovelly has an increased FSR to 0.75 – effectively an increase of 50% from the 1998 density. The area has an allowable height of 9.5 meters which, without wall height restrictions, is quite enough for 3-story flat buildings.

The density of 0.75 is unreasonably high. It should be reduced to about 0.6.

Landscaped area

The current LEP includes a minimum “Landscaped Area” as a further control for residential zones. For example, in Zone 2A, a minimum of 40% of a site must be retained for use of possible use “for outdoor recreation or garden areas”.

The requirement of a minimum landscaped area has been omitted from the Draft LEP and should be re-instated.

001457757



30th March 2012

Draft Randwick LEP 2012 Submission

Dear Randwick Council,

Please find below my comments in relation the Draft LEP 2012:

DCP

The primary challenge I had with the Draft LEP was the lack of a Draft DCP to reference it with. In my recent experience of being affected by a Development application, I used both documents to determine what is/should be allowable on the site and the impacts to myself. I believe that without a Draft DCP on public exhibition we are only given half a story. Changes to the DCP (at this point unknown to the public) which may have a nexus to the LEP can make a relatively small change/impact into something that is unexpected and possibly unacceptable.

HEIGHT

I applaud the decision to include height controls for dwelling houses in the R2 (current 2A) zone into the LEP, it's important to keep such a primary control consistent across the zones and building forms.

However I disagree that wall height should be removed from the LEP, this effectively increases density by adding another level in place of a pitched roof form. The consequences from this can include increased overshadowing, loss of visual & acoustic privacy, increased traffic and congestion etc.

Case in point regarding my comments on a lack of DCP, I would have liked to see something akin to increased setback in the DCP to offset this impact, or ideally the transfer of this control into the DCP. I firmly believe that wall height should not be removed in it's entirety without any remedial action.

FLOOR SPACE RATIO

My comment on FSR is focused on the R3 zone of 0.9:1 where the current LEP is based on a split according to land size greater or lesser than 700m².

This is a significant increase if the land is less than 700m² and I would guess that a great deal of land in this zoning particularly in the areas of Coogee and , Randwick is less than 700m². According to the Randwick Residential Discussion Paper Appendices August 2011, page 59 approximately 78.2% within the 2C zone is below 701m².

This is an increase in density and alongside the removal of wall height, the combination would create a much larger building envelope than the present controls envisage.

Although, I don't agree with the increase in FSR, I would have like to see some countering of the uplift of these control within the DCP such as increased setbacks, strengthening of other controls such a solar access to living areas increased for example to 4hours. Without having the Draft DCP to review, the exact opposite could be true, that setbacks are decreased and solar access decreased to 2hours per day.

Additionally, I would like to see balconies whether or not enclosed to be included in the FSR calculations, in the LEP.

REZONING OF CARR ST BETWEEN KURRAWA AVE AND BEACH ST

Please see my separate submission objecting to the rezoning of this area from Residential to Business.

CONCLUSION

The large increase in FSR and removal of wall height on relatively small block sizes is a setting for dangerous outcomes:

- Difficult to achieve visual and acoustic privacy
- Lack of private open space
- Difficult to achieve optimal solar access, some with no solar access and subsequent increased greenhouse gasses
- Overbearing developments due to increased scale of bulk and height
- Lack car parking and traffic congestion
- Lack of spacing between buildings
- Increased opportunities for anti social behaviour and other crimes.
- Lack of choices for building forms

The above demonstrates that the controls are being lessened so as to increase density.

I live in Coogee, and it's already a densely populated area, with a heavy influx of visitors on weekends during the summer months causing traffic congestion and parking problems. This is even noted within Wikipedia under 'Coogee New South Wales, stating ' Coogee is one of Australia's more densely populated areas, with apartment buildings in every style from the 1930s onwards. Some freestanding houses remain. The suburb is a popular destination for tourists, particularly backpackers.'

By increasing the FSR and height via removal of wall height, the council is in effect giving its approval to the various over-developments of the past and encouraging the way for a future rezoning of R4 High Density Residential.

I would have liked to see Randwick Council add in a clause in relation to Coogee where new development have a smaller scale, ie lower height, lower FSR, increased landscaping etc, to counter the density issue.

I conclude that the Draft Randwick LEP 2012 through Randwick Council is not acting in the best interest of the residents and the landscape of Coogee and Randwick.

My closing remark is a quote from Winston Churchill.

'We shape our buildings, thereafter they shape us'

Winston Churchill

Yours Sincerely

[REDACTED]

D01460011

From: [REDACTED]
Sent: Monday, 2 April 2012 10:47 PM
To: LEPreview
Cc: Paul Tracey; Margaret Woodsmith; Kiel Smith
Subject: LEP submission

Dear Sir

I am concerned about the draft LEP, in particular with the inclusion of 9 new commercial centres and the completeness of Council's consultation process.

1. Business centres

I am not in favour of the additional business centres. I consider the existing permitted uses under residential zones is sufficient for the small groups which are proposed to be rezoned. Indeed, the wider permitted uses under the B1 zoning are inappropriate for these shops, which are closely surrounded by residential areas.

In particular, permitted uses 'food and drink premises' or 'commercial premises' under zone B1 or B2 respectively permit pubs. This single definition is indicative of the complexity of the permitted use definitions, which start at:

1. commercial premises, which includes:
2. Retail premises, which includes:
3. food and drink premises, which includes:
4. pubs.

I request that Council publish a matrix of these definitions and subdefinitions and includes the relevant subdefinitions in the permitted uses (eg in brackets, in italics). This to clarify what type of development is possible.

I further note, that not all areas small groups of shops in residential areas have been identified for rezoning to business centres. If this rezoning from residential to business uses proceeds, it must be applied on a consistent basis.

2. Transparency of changes proposed in the draft LEP.

I am also concerned that additional areas were included in the draft LEP for rezoning without datasheets for each of these proposed rezoning areas being made available as part of the advertising documentation. As an example, an area on the corner of Howard & Ethel Streets Randwick is proposed to be rezoned from R2 to R3, based on a request of a property owner. However, this change is not immediately obvious without a datasheet, which also sets out the reasons for the request. In the interests of transparent decision making, I request datasheets be prepared for any rezoning proposals in the draft LEP.

I further consider that the LEP should remain open for public comment to align with the close of comment for the draft comprehensive DCP.

3. Foreshore scenic protection and foreshore building line

The application of these controls on the coastal area are very important to the amenity of Randwick City and to individual landholders with coastal and beach views. A greater study is required for these controls, which only operate in a piecemeal way along the coast-line. As an example, Maroubra beach and points south, have a very sporadic coverage of these controls. No reasons are given as to why this is the case.

Yours faithfully

[REDACTED]

Also as the "best guess" maps are then put in concrete in the new LEP, there is an automatic rubber stamp of all of the developments that have exceeded the previous height and FSRs as justified and in some locations possibly push them into a new zoning classification. This outcome is a poor reflection of the planning system in general and indicates a whitewash. What will happen in 5 years in the new LEP era, will it be time again to call for a review to then justify all of the even higher and more dense developments that have somehow gone under the radar – more zoning changes? Residents in Randwick are tired of this snowballing effect of the "creeping increase" in densities and heights of our villages.

Make Coogee Business Centre Zoned B2/B1

It is also disappointing to see that Randwick Council doesn't more actively take on the Department of Planning than what is described in Misc Report M26/11. The Council's role is to serve the community not the Department. Council should put the community's wishes in the draft LEP and recommend to change the Zoning to B1. This should then be pushed harder with the Department if they overrule as I don't agree with the Department's justifications for keeping it zoned as 3A.

Backpacker Problems have been Ignored

It is also disappointing that the Department of Planning is passing the buck about Backpacker accommodation as "management" not zoning issues. I and other residents disagree and think Backpacker issues should be solved by zoning rather than pushing the problem to residents who have to deal with problematic management on the ground. Tourism in NSW needs to pick itself out of the gutter and perhaps aim a bit higher. While not supporting a second Casino, I do think that James Packer has a more visionary view than the Department of Planning and Department of Tourism on where our "future" lies from tourists. Unfortunately Coogee is cursed with the current departmental view of backpackers as an important part of the mix. If the cost of all of the damage to ratepayer property and councils services were compiled, Randwick Council would be significantly financially better off without the backpacker hostels etc. The Council should address these issues in the LEP. That indeed would be visionary.

Yours sincerely,



From: [REDACTED]
[REDACTED]
[REDACTED]

Randwick City Council
02 APR 2012
Records Received

1. Under the Randwick Local Environmental Plan 1998, clause 33(3) states:

The maximum height for any external wall of a building, other than a dwelling house, within Zone No 2A or 2B is 7 metres measured vertically from any point on ground level.

We noticed that a similar clause for the *maximum external wall height* has been left out in the Randwick Draft LEP 2012 for Zone R2.

We request the Council retain the *maximum external wall height of clause 33(3)* in the Randwick Draft LEP 2012.

2. Under the Randwick Local Environmental Plan 1998, clause 32(1) states:

The maximum floor space ratios for buildings, other than buildings erected for the purpose of a dwelling house, within Zones Nos 2A, 2B and 2C is 0.5:1, 0.65:1 and 0.9:1, respectively.

We noticed that the ratios have been increased in the Randwick Draft LEP 2012 for Zone R2:

Draft LEP 2012 4.4(3) Despite subclause (2), the maximum floor space ratio for a dwelling house or semi-detached dwelling on land identified in Zone R2 Low Density Residential or Zone R3 Medium Density Residential Zone is:

- (a) On merit – if the lot is less than 300sqm;
- (b) 0.75:1 – if the lot is between 301 - 450sqm;
- (c) 0.65:1 – if the lot is between 451 - 600sqm;
- (d) 0.6:1 – if the lot is greater than 600sqm

We request the Council retain the *maximum floor space ratios of clause 32(1)* in the Randwick Draft LEP 2012.

Justification:

Denning Street at South Coogee is currently in a Low Density Residential area Zone 2A and is characterised predominately by two (2) storey dwellings.

Without the provision of the maximum external wall height at 7m in the new Draft LEP 2012, developers could take advantage of the sole provision of the maximum building height at 9.5m to build high rise three or four storey buildings in the Denning Street, which is out of character with the prevailing two (2) storey streetscape in Denning Street.

Retaining the existing maximum floor space ratios in the Randwick Draft LEP 2012 will also help to limit the future development in Denning Street to two (2) storey dwellings.

[REDACTED]

From: [REDACTED]
 To: General Manager, Randwick city Council
 Subjects: Comments - Draft LEP 2012
 Date: 21 March 2012

Randwick City Council
 26 MAR 2012
 Records Received

1. Under the Randwick Local Environmental Plan 1998, clause 33(3) states:

The maximum height for any external wall of a building, other than a dwelling house, within Zone No 2A or 2B is 7 metres measured vertically from any point on ground level.

We noticed that a similar clause for the *maximum external wall height* has been left out in the Randwick Draft LEP 2012 for Zone R2.

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Retaining the existing maximum floor space ratios in the Randwick Draft LEP 2012 will also help to limit the future development in Denning Street to two (2) storey dwellings.

From: Bang The Table [admin@bangthetable.com]
Sent: Wednesday, 28 March 2012 12:19 AM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name [REDACTED]

Email [REDACTED]

Phone [REDACTED]

Address [REDACTED]

Type your Submission I think that Kensington should be allowed to be reclassified as a Local centre rather than a Neighbourhood Centre. As a local centre, there is a greater chance that a moderately sized supermarket could find it worthwhile to establish there. Remaining as a neighbourhood centre, will constrain Kensington to drift in its development, and remain a place that has few attractions.

Upload and attach your Submission

Click [here](#) to report this email as spam.

Do1466247

[REDACTED]
Kensington NSW 2033

April 17, 2012

The Mayor – Councillor Scott Nash

Randwick Council, Frances Street Randwick NSW 2031

Dear Councillor Nash

Following the submission submitted from KWKPrecinct and as members of West Ward, we are writing to request a Public Hearing in accordance with the EPA Act 1979, as the facilitations that were held on April 2 and 3 did not comply, i.e no notice of 21 days given.

We registered for the meeting on April 2, which I attended, and in the 4 hours 3 items were presented, the Cemetery vs. the Chinese Gardens, rezoning in Carr Street, Coogee and the development in Maroubra Bay. We were informed late that night that the Kensington Town Centre would be covered on the following day at 2.30 pm – a time when virtually no-one was able to attend or know about.

We also request that the draft LEP be withdrawn and exhibited with the draft DCP, as all Randwick DCPs made prior to 2005 cease to operate 6 months after the gazettal of the S1 LEP, which will mean no development controls in Kensington, which will be a huge benefit for developers. This will mean no set backs, no landscaping, no block by block control which regulate building footprint and intensity.

We are also aware that the existing RLEP 1998 repealed when S1 LEP commences which means commercial uses apply to all floors throughout the Kensington Town Centre. RLEP clause 42 limited commercial uses to ground and first floors only.

Your urgent attention to this matter is requested.

Yours sincerely

[REDACTED]
Cc Cnr Bradley Hughes, Deputy Mayor

Mr Brownleee, General Manager RCC

Mr Neil McGaffin, Executive Director, Planning and Infrastructure NSW

FACSIMILE

Handwick City Council
17 APR 2012
Records Receiver

To :- Councillor Scott Nash
Mayor, Handwick Council
Handwick, N.S.W. 2031.

Fax: 93984463 (1 page)

Dear Mayor Nash,

Re: URGENT MATTER: DRAFT LEP + PUBLIC HEARING

I attended the Kensington Facist Meeting on 19 March 2012. The concerns I had then about the draft LEP have intensified over the ensuing period. I place some of these concerns before you :-

[A.] Handwick Council has not yet convened a Public Hearing in accordance with s68 EPA Act 1979. The facilitations held on 2 & 3 April 2012 did not comply with the requirements for such.

[B.] Along with many residents I believe that the draft LEP should be withdrawn & exhibited with the draft DCP. Parliament clearly intended that both instruments be radically amended to conform to SI provisions. More importantly, under Clause 289A, former DCPs will cease to apply 6 months from the date of gazettal of the SI LEP.

Therefore, I formally request :-

- * [1. THAT A PUBLIC HEARING BE CONDUCTED UNDER S68 EPA 1979.
2. THAT THE DRAFT LEP BE WITHDRAWN & EXHIBITED CONCURRENTLY WITH THE DRAFT DCP.]

I request a written response to this letter. Thank you.

Yours sincerely,
J Chyan

[REDACTED]

Randwick City Council

02 APR 2012

Records Received

[REDACTED]
The General Manager
Randwick City Council
30 Frances Street Randwick 2031

Dear Sir ,

Re: The draft LEP on exhibition from 21 February to 2 April 2012
- Kensington Town Centre

I wish to reiterate my objection to the rezoning of Kensington Town Centre from General Business to Zone B2 Local Centre. *Letter to Council dated 20.09.2011.*

Kensington Town Centre is restricted to a long narrow strip bordering a six lane highway. Through traffic and street parking in the vicinity are major and apparently intractable problems.

Increase in the range of business interests in Kensington Town Centre would exacerbate these problems and increase the possibility of antisocial behaviour.

What the residents of Kensington West Kingsford precinct need in Kensington Town Centre is a CENTRE. *Letter to Council dated 11.10. 2011.*

Acquisition by the Randwick City Council of a site such as that now occupied by the Kensington Post Office, would permit the development of dedicated open space and a Community Centre.

Bus transport to such a centre is already in place with buses along Anzac Parade and bus routes 302 and 303 servicing the precinct in depth. Outside peak periods, these bus services would offer low-stress, convenient transport to a potential social hub.

A Community Centre In an attractive square would certainly contribute to the revitalization of Kensington Town Centre.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

D01465673

1/2

FAX MESSAGE

To : Councillor Scott NASH, Mayor,
RANDWICK CITY COUNCIL. Fax: 9398 4463.

From : [REDACTED]

Resident - 10 Inglethorpe Ave.,
Kensington NSW 2033

Phone No. 9663 1827. - also fax. No.

Date : 16 April 2012

2 pages.

Re : Draft LEP - further to written
submission.

Message : -

Randwick City Council

17 APR 2012

HANNAH HANNAH

I formally seek a Public Hearing under
Section 68 EPA Act 1979. in relation
to significant issues concerning the
draft LEP.

Considerable confusion followed Council's
resolution to hold a public hearing on
28th March 2012, a date preceding the
closing date for submissions, after some
Councillors had heard of only some, but
not all, "the significant issues" raised by
residents of one Precinct. That Public
Hearing, a legislative step, under Section 68
EPA Act has not been held.

Council's "facilitations" held on 2 April
and 3 April 2012 do not comply with
the objective 55(a) of the EPA Act 1979.

The 2nd April

2/2

fell within the exhibition period, so that submissions submitted would not have been given fair consideration by Councillors, and time limits placed on residents wishing to present their views were restrictive. Further the EPA Regulations 1994, Part 2, Division 3 (13)(2) requires notice "at least 21 days before the start of the public hearing."

I request that the draft LEP be withdrawn and exhibited concurrently with the draft DCP.

DCP's made under the former Act will not apply where there is an inconsistency with the LEP S1 provisions.



RECEIVED

- 2 APR 2012

RECEPTION - GSC
RANDWICK CITY COUNCIL

NSW 2033

26th March 2012

Mr Brownlee
General Manager
Randwick City Council
30 Frances Street,
Randwick
NSW 2031

Randwick City Council

- 2 APR 2012

Records Received

Dear Sir,

Re: Submission to Randwick City Council on draft LEP 2012

The matters raised here concern the Kensington West Kingsford area but also some that concern the whole city.

1. The draft LEP 2012 and the draft DCP (DCP's) should be exhibited concurrently.

- To avoid inconsistency
- Because these are complementary documents
- To avoid a period of time when the new LEP operates in the absence of up-to-date DCP, which creates conflicting implementation decisions which could result in bias in favour of developers and land owners excluding considerations of impacts on existing residents and the environment.
- Other councils are exhibiting both draft documents simultaneously and see the sense of fairness in doing so.
- To do so promotes the orderly use and development of land in Randwick City and supports the clause _ section 5 (a) (ii)
- It is essential for transparency and fairness.
- Inconsistencies between the two draft documents would give the LEP sole power.

2. The Kensington Town Centre Development control Plan should be comprehensively revisited.

- In its operation it has not been complied with, I believe.
- At this time information supplied suggests building heights in Anzac Parade are now proposed at 25m with roof top additions over a proportion of the roof.
- Currently the KTC – DCP extends along streets to the east between Anzac Parade and Doncaster Avenue. The rate at which commercial units along Anzac Parade change operations suggests that the number of existing commercial premises is not being supported.
- There is no substantial supermarket and the variety of businesses needed to make it an attractive shopping centre has been reduced by recent development.
- Anzac Parade is a major arterial road with a constant traffic flow – buses, cars, trucks – creating noise and rush.
- Parking is at a premium.

Kensington Town Centre should be zoned B1 Neighbourhood Centre.

The narrow catchment for businesses in the town centre and the traffic in Anzac Parade mitigate against its expansion beyond a neighbourhood centre.

The impact of the development it allows at the boundary of the Kokoda Memorial Park shows a lack of respect for the lives remembered and for local users of the park.

The Kensington Primary School with its heritage buildings would be surrounded on all sides by 4 (possibly 5) stories and even higher on the Western boundary (21m)

Even so, any children living in the possible new multi-unit buildings along Doncaster Avenue and in the side streets would not be able to be accommodated in the school which is already fully enrolled by children from existing development in Kensington and this is likely to continue to be.

The school playground is inadequate and land between Bowral Street and Todman Avenue should be acquired to enhance the space for school sport and recreation, if opportunity arises.

3. Changed conditions with the renaming of 2 A zones to R 2.

The heights of buildings in the R 2 zone can be 9.5m under the draft LEP. This means that all the types of buildings permitted with consent "can have three levels plus a "decorative roof", where single storey and now two storey buildings exist.

The State government lists three types of buildings for R2 zone but then Randwick City Council adds nineteen others e.g. bed and breakfast accommodation, boarding houses, building identification signs, places of worship, recreational facilities etc. Any of these can be 9.5m – 3 stories high plus. Even business premises shops, restaurants, cafes provided they are not "stand alone" are permissible with consent in this formally residential 2A zone.

This needs to be changed.

4. Wall heights have been specified in the Consolidation LEP [page 26 (20G) (3)] "where the maximum height for any extended wall of a building, other than a dwelling house, within zone 2A or 2B is 7 metres".

The qualification for dwelling houses needs to be clarified.

However, as "the size and scale of buildings is to be limited by taking into account the environmental amenity and aesthetic character of the area" it is reasonable to assume that the intention is to prevent dwelling houses from having a dominating expression.

Wall heights for all buildings in R 2 should be specified at 7m.

5. Impact of development on adjoining and nearby residential zones.

Zone B Page 17 (1- Objectives of zone) (dot point 3)

Change the words to:

"To protect the amenity of adjoining and nearby residential zones"

This would mean that developers would have to make decisions that did not have significant impact on nearby properties with regard to privacy, potential for noise impacts, etc, and that matters raised by those affected would warrant real consideration.

This applies also to zone B2 Page 19 (1-objective of zone) (dot-point 6).

6. Conservation Area.

Kensington was originally developed as a garden suburb, and has been referred to by planners at Randwick City Council as a place of special character.

The community has put forward a request for an area between Roma Avenue and Gardeners Road, Doncaster Avenue and Tunstall Avenue to be designated as a Conservation area at a previous time. The request was summarily dismissed but there is something here worth keeping intact, and this matter should be given further consideration.

8. The Geographical Names Board about 11 years ago agreed to the roadway between the Commonwealth Bank and St. George Bank in Kingsford and extending down to Houston Road being named Southern Cross Close.

Would Council please correct any references to this space that are otherwise referred to?

9. Infrastructure development should be proportional to structural development.

10. Kensington Town Centre is in the Lachlan Swamp (part of Botany Aquifer) and more care is needed to protect this from contamination and to prevent damage to neighbouring properties when they are impacted by sub surface development.

If our planners were to revisit the consultant's report titled Kensington Town Centre Development Control Plan written by Civitas the extent to which this 2001 plan was discarded is astonishing.

By consenting to the building of structures as high as 31m where 18.6m (page 26) was the recommendation a more limited core commercial area (pages 10 and 12), and a little (if any) diversion of the commercial centre along the eastern side streets, the DCP produced by the Randwick City Council has ignored the consultant's report.

The provisions of that report would have been economically tested.

However, even Council's DCP has not been enough for developers whose applications have been supported by Council.

Council should ask itself what public benefit has resulted?

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.

From: Bang The Table [admin@bangthetable.com]
Sent: Sunday, 18 March 2012 5:19 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

We are concerned the new zoning and some current practices will allow 3 storey and or out of character buildings to be constructed in [REDACTED] in Kensington. We would object strongly to any further development along these lines (or and so called student lodges or boarding houses) west of Anzac Parade. Also council seems to be far too lenient about allowing developments at the Uni without parking on the university site. Students drive cars! Please reply. This is a big issues in our street. With best regards
[REDACTED]

**Upload and
attach your
Submission**

Click [here](#) to report this email as spam.

Randwick City Council

17 APR 2012

RECEIVED RANDWICK

URGENT MATTER

16 April 2012

Councillor Scott Nash
Mayor
Randwick Council
Randwick 2031

Dear Councillor Nash

Public Hearing pursuant to s68 EPAA

Further to my written submission of 02 April 2012, I write to seek a s68 public hearing under the EPA Act 1979.

I, along with many residents believe the draft LEP ought to be withdrawn and exhibited with the draft DCP. This is the clear intention of Parliament when simultaneously amending statutory provisions in relation to both the LEP and DCP to the standardized form.

Further, under clause 289A(2) of the EPA Regulation, all Randwick DCPs made prior to 2005 cease to operate 6 months after the gazettal of the SI LEP.

This means that the *Kensington Town Centre DCP block by block* provisions in relation to building envelopes, landscaping and set backs become inoperative 6 months after the gazettal date of the SI LEP. Kensington residents will be left with a regulatory void, and it will open slather for developers.

There has been a great deal of confusion, no doubt in part caused by the *Mayoral Minute* and Council resolution of 28 March approving a public hearing. While Council quite rightly perceived the necessity of a hearing, the public hearing in accordance with s68 EPAA has not yet been convened. We, residents await notification of the date it is to be held.

It is clear to members of the community attending Council's "facilitations" on 2 & 3 April that these facilitations do not comply with requirements of a public hearing prescribed by s68, EPA Act 1979.

- 1 Further, the facilitations failed to comply with the prescribed manner of notification: *Clause 14, EPA Regulation 2000* (reproduced below).

- 2 The "facilitations" were held within the exhibition period, and before the expiry of the public exhibition period (02 April 2012), and before Council had the opportunity to consider the issues of significance.
- 3 "Facilitations" are frequently held in respect of Part 4 development applications and must be distinguished from a public hearing which is a deliberative process held under Part 3 EPAA, in pursuance of the Objects clause s5(c) EPAA "to provide increased opportunity for public involvement and participation in environmental planning and assessment."

A Part 3 decision-maker must be independent, and is required to prepare a Report with recommendations. The advantages in having an "independent" person – (impartial, free from bias), conduct an inquiry is that it provides a fair opportunity for everyone to make their submissions to raise issues of significance and to be questioned in an ordered proper and transparent manner. (ICAC Report into Randwick CC 1995 @ 96).

The significance of public participation in the local plan-making process was identified in *Vanmeld Pty Ltd v Fairfield City Council* [1999] NSWCA 6 @ 38 by Spigelman CJ:

"the detailed scheme of consultation and public exhibition in the Environmental Planning and Assessment Act, makes it clear that Parliament regarded the procedural steps as of considerable significance for the integrity of the process of formulating local environmental plans."

- 4 Council's "facilitations" did not comply with the Rules of a public hearing; facilitation is an alternate dispute resolution, conflict resolution process (alternate to a judicial process). It cannot be a substitute for an expert convening a deliberative and formal inquiry. The 5 minute limitation trivializes and suppresses resident submissions and infringes the "opportunity to make a submission and consequently "public participation".

Local plan-making requires consideration of competing interests in the making of local laws to be applied to other planning assessment decisions over the next 10 to 15 years. Competing community views must be given due consideration, a mandatory requirement of the objects clause EPA Act. Environmental and residential amenity issues are weighed with the economic considerations.

Members of local communities have local knowledge, judged to be important in the local plan making process. This much has been adverted to in a number of successful legal challenges to the validity of LEPs.

Yours faithfully

[Redacted signature block]

Enc. 1 page

2/3

EPA Act 1979 prior to 01 July 2009**Section 68 Consideration of submissions****(1) Where**

- (a) a person making a submission so requests, and
- (b) the council considers that the issues raised in a submission are of such significance that they should be the subject of a hearing before the council decides whether, and, if so, what alterations should be made.

The council shall, in the prescribed manner, arrange a public hearing in respect of the submission.

- (2) A report of the public hearing shall be furnished to the council and the council shall make public the report.
- (3) The council shall consider the submission and the report furnished pursuant to the subsection (2) and may make any alterations it considers are necessary to the draft local environmental plan arising from the consideration of submissions or matters raised at any public hearing.

EPA Regulation 2000*"prescribed manner"***Clause 14 How is notice of a public hearing to be given?**

- (1) A council that decides that a public hearing is to be held under section 68 of the Act must give notice of that fact
 - (a) in a local newspaper, and
 - (b) in a letter sent to each of the persons who requested a public hearing when making a submission about the draft local environmental plan.
- (2) The notice must contain details of the arrangements for the public hearing and must be sent or published, as the case requires, at least 21 days before the start of the public hearing.

EPA Regulation 2000 (current)**289A Transitional provisions relating to development control plans**

- (1) This clause applies to a development control plan:
 - (a) that was made before 30 September 2005 and in force immediately before that date, or
 - (b) that was approved before 30 September 2005 (but did not take effect until after that date), or
 - (c) that is approved after 30 September 2005 (regardless of when it takes effect).
- (2) Section 74C of the Act (as inserted by the 2005 Amending Act) does not render invalid any provision of a development control plan to which this clause applies until:
 - (a) the principal local environmental planning instrument applying to the land to which the development control plan applies adopts the provisions of a standard instrument as referred to in section 33A of the Act, or
 - (b) in the case of a provision that is not inconsistent with, and capable of operating in conjunction with, the principal local environmental planning instrument—6 months after that day.
- (3) This clause has effect despite clause 94 (2) of Schedule 6 to the Act.

02 April 2012

Mr R Brownlee
General Manager
Randwick Council
Randwick 2031


EPreview@randwick.nsw.gov.au


Dear Mr Brownlee

Submission to exhibition Draft RLEP 2012

- 1 Illegal purpose – the inclusion of massive spot re-zoning in the entire Randwick area is not a lawful purpose for preparation of an LEP to accord with the Standard Instrument – validity of LEP open to challenge**

Council has conceded in its Business Centre Discussion papers released in late 2011, that the spot re-zonings being effected as part of the Standard Instrument re-write, are in response to "requests from landowners".

This is an illegal purpose. The Ministerial Directions make it abundantly clear that while no floor space area may be decreased, any additional spot re-zonings must be subject of either an environmental study or justification, that is, spot re-zonings are subject to the usual applicable statutory constraints – either s 57 of the former EPA Act or s 55 under the amended Act.

Council has provided no justification, apart from a number of unsupported assumptions and conclusions. Council planners have failed to grasp that massive re-zoning of land is not the purpose of the Standard Instrument re-write of the draft LEP. It goes beyond the basis upon which the 2005 and 2008 amendments to EPA Act, provide for standardising EPIs.

The alternation of RLEP is ill-conceived and ill considered. The draft LEP is open to challenge on the ground of validity.

Nowhere in the Ministerial Directions is there any provision for such massive spot re-zonings. The s117 Ministerial Direction clearly identify the need for councils to comply with the Environmental Study requirements if draft LEPs are prepared under the former Part 3 provisions.

 1/16

Council claims that the preparation of the existing draft LEP is being completed under provisions of Part 3, of the former EPA Act. Prior to preparing a draft LEP under the former Part 3, Section 57 required a council to prepare an *Environmental Study*.

No Environmental Studies have been prepared.

The only exception claimable in the s 117 directions is if the "inconsistencies" are of "minor significance". Council has already complied with the state strategic policies – this is not a basis that remains open.

The extensive re-zonings proposed throughout the Randwick municipality cannot be described as of "minor significance". For example, the Kensington expansion proposes heights of buildings adjacent to the Kensington Public School of 21m – there is no playground attached to this school. There is a specific ministerial direction dated 19 July 2007 (3.1 Residential zones) requiring councils to "*ensure that new housing has access to infrastructure and services*". This direction has been ignored.

The last published *Study* for the Kensington Town Centre prepared in consultation with the local community and stakeholder landowners was completed in April 1998 by Jackson Teece Chesterman Willis, Peter Annand & Associates and Leyshon consulting. No studies have been undertaken since that date.

However, Council is proposing to vastly increase heights of buildings and densities of land zoned within the Kensington Town Centre. These are matters relating to land use.

Additionally, the commercial 3B planning uses were limited to the ground and first floor, in respect of the land, fronting Anzac Parade between Addison street and Todman avenue. This land is actually currently zoned 2C residential. The ground and first floor restriction no longer applies, once RLEP 1998 is repealed since the former section 42 will also be repealed.

It is clear that entire Town Centre sites are to be zoned commercial and these commercial uses can operate on any floor – **unlawfully destroying existing residential amenity**.

Council has not provided residents with the statutory pre-planning requirements such as:

- any statutory justification for increasing heights of buildings and densities; and
- any statutory justification for increasing the commercial use footprint; and
- any review of the existing planning controls, development trends; and
- an identification of the major planning issues for the Centre; and
- identifying options for future development – where development of Tower blocks takes place directly over an environmentally sensitive Aquifer
- assessing the demand for office, retail and other uses, beyond bald statements that more employment opportunities are to be created which will require additional housing.

It is clear that the land available for residential development in Kensington is limited (discussed below) that the population of Kensington will likewise be limited, and that the limited population does not provide any financially viable impetus for increasing development of existing sites.



2/16

However, the massive re-zoning of the land on either side of Anzac Parade now accords to buildings, whether fronting Anzac Parade or whether located on side streets, commercial 3B uses.

The re-zoning will not encourage employment growth in suitable locations and support the viability of the Kensington Town Centre – as the overriding purpose seems to be to increase the residential component with provision of miniscule box type apartments of the lowest common denominator. Such development does not improve “housing choice” – it does not bring in families, instead it increases the number of short term rentals, as people move in and move out with little regard for local residential amenity.

There is a great deal of noise from people living in these miniscule apartments at present.

The expansion of residential apartment living will simply lead to greater increases noise and anti-social behaviour.

2 **Retail Demand decrease due to online businesses**

Council has failed to justify expansion of commercial uses.

The Jackson Teece Report concluded at page 22, giving substantial reasons:

“In our opinion, the maximum level of floorspace required to support the local retail needs of the population of Kensington is in the order of about 5,000 sqm. In essence, therefore although Kensington lacks a major supermarket a substantial increase in retail floorspace could not be justified in the context of the demand figures and the existing and proposed level of competition in the surrounding trade area”.

The Report earlier referred to the Peters of Kensington site occupying a substantial part of the then available total of 13,400 sq m, when only 7,560 sqm would be supported or would be viable.

Nothing has changed – and if there has been any change – it is for the worse. This is due to **online marketing and sales**. It is now observable that the crowds shopping at Peters of Kensington have thinned as a result of their intense online business. Further, Peters have opened another sales centre further afield on cheaper land to deal with some sections of their business.

There are a number of shops and restaurants in Kensington that appear and disappear in rapid succession indicating that restaurants are not viable due to (1) population constraints and (2) competition from other neighbouring centres, for example Kingsford and Coogee.

ph

3/16

3 The lack of Demand for residential Tower Blocks

The major concern to local residents has always been the scale of residential development in Kensington Town Centre and the extension of tower blocks in side streets. All of these blocks now have provision for commercial uses whether or not at ground level.

Council has failed to justify the increases in building heights and floor space areas in the comprehensive draft LEP. The last justification was detailed in the Jackson Teece 1998 Report.

Council has not provided recent statistics detailing (1) the number of apartments have been completed as a result of the 2002 reforms (2) the number of shops and business operating as a result of the 2002 reforms.

4 Limitations - inadequate car parking and increased traffic generation

The presence of an underground aquifer poses significant limitations in respect of car parking provision in Tower Blocks.

The streets of Kensington in proximity to Anzac Parade and Doncaster Avenue are fully parked out during the day with commuters or with uni students.

The policy of "discouraging" car ownership is unworkable. Residents use their cars for shopping or working in other regional centres and will continue to own and park their cars locally unless the council or government introduces a "congestion" tax.

A huge amount of street parking is occupied by users of local restaurants and Randwick Racecourse resulting in increased traffic generation.

Business, such as local restaurants fail to provide sufficient car parking for their customers.

Thus increasing the floor space area for business purposes will only add to existing degradation of residential amenity.

For example, the excessive traffic generated in Addison Street as a result of traffic turning from Anzac Parade, as well as from Tunstall Avenue means that any resident crossing Addison street, takes their life in their hands. Motor vehicles have poor visibility of pedestrians in Addison street, as drivers turn at high speeds from Anzac Parade, into Addison street. The problem is compounded with the street being parked out with vehicles on both sides and vehicles turning into the small car park.



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5 Integrating Land Use and Transport – Direction 3.4 (19 July 2007)

While the draft LEP claims the "proposal is consistent with this direction", Council Town Planners have failed to substantiate the claim – in what respect is it consistent – and what is meant by the claimed consistency?

How does the increase in building heights to 25 m lead to improvements in "access to housing jobs and services by walking, cycling and public transport and reducing travel demand including the number of trips generated by development"?

The direction is aimed at developing new business precinct. Which in turn justifies further development by linking of public transport.

Kensington already has existing provision for businesses, yet to be taken up and to be located on the ground and first floors on Anzac Parade.

The potential for further businesses on side streets is unlikely to lead to improved public transport or to promote walking and cycling.

It appears that Council planner have misunderstood the planning direction.

Once clause 42 of the existing RLEP is repealed, there will be no controls applying to regulate the expansion of business proposed in the comprehensive LEP.

6 Withdraw draft LEP - Draft DCP must be exhibited concurrently with the draft LEP to avoid inconsistencies

The draft LEP must be exhibited concurrently with a draft DCP. This much is dictated by the 2005 amendments to the EPA Act 1979

Once the "principal" or "comprehensive" LEP (conforming to the SI) is gazetted, **all Randwick DCPs currently in force, will be out of date, leaving a regulatory vacuum.**

Two principal objects of the 2005 statutory reforms (Explanatory Note May 2005), first introducing section 33A, in relation to local plan-making was:

(b) to facilitate a strategic approach to land-use planning and to simplify and standardise land-use planning controls under environmental planning instruments, and

(c) to replace existing master plan and staged development arrangements with more secure arrangements for obtaining concept or staged approval for local development,

We repeat:



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First, the objects of the 2005 statutory reforms were "to simplify and standardize land-use planning controls under EPIs....." and

Second, the 2005 reforms simultaneously introduced standardised DCPs – to achieve uniformity of development standards and development control.

Thus, the 2005 reforms also repealed the former s 72 relating to DCPs, to conform with LEPs. New sections 74B and 74C provide for standardised DCPs. The standardised provisions establish generally that only one development control plan may apply to any land, how development control plans may be made, amended or revoked.

Importantly, Development control plans have no effect if their provisions are the same or substantially the same as the provisions of an environmental planning instrument or are inconsistent with or would tend to prevent compliance with the provisions of an environmental planning instrument.

Additionally, we are aware that the Department of Planning & Infrastructure ("DoPI") recommends draft LEPs ought to be exhibited concurrently with draft DCPs prepared under the amended standardised provisions.

The Explanatory Note (Amendment Act May 2005) in relation to Schedule 2 – Planning Instrument Amendments and section 33C provides:

"Proposed section 33C enables the Minister to determine standard technical requirements for the preparation of environmental planning instruments, development control plans, maps and other documents and requires councils to provide the Director-General with copies and electronic files in the required format". (underlining our emphasis)

The reasons below support the immediate withdrawal of the exhibition of the draft LEP until the draft "standardised" DCP can be exhibited together with the draft LEP:

- First, as a result of the **Inconsistency between the LEP and later draft DCP** several provisions in the DCPs currently in force will end up being "inconsistent" with the provisions of the Draft LEP, and consequently of "no effect": s74C(5).
- Second, there are no wall heights currently stated in existing DCPs. All wall heights are provisions in the existing RLEP 1998. The lack of clearly stated wall height development standards, is bound to result in overdevelopment, setting a precedent to be followed and rendering inconsistent any later DCP wall height provision.
- Third, while the overriding advertised purpose of the comprehensive Draft LEP is to effect standardisation under the new statutory EPA Part 3 regime, Randwick Council is also effecting a massive rezoning of land use, by stealth, under the guise of "standardisation", in the entire city area. This up-zoning is unlawful, since it fails



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to comply with the former Part 3 requirements, under which the Draft LEP is purportedly being prepared.

Explanatory Note – EPA Amending Act 2008

Schedule 1.1 [6] amends section 33A of the EPA Act to enable a LEP that adopts the standard instrument to be made without complying with the statutory conditions precedent for making the LEP if it replaces an existing LEP and does not make substantial changes to the general effect of the existing instrument.

The numerous spot re-zonings, increases in building heights, removal of wall heights, or in other words intensifying development in the entire Randwick city does falls into the category of "substantial change to the general effect of the existing instrument".

We argue that this principal or comprehensive draft LEP presents extensive substantive changes.

For example, land bordering the *Kensington Public School* is now zoned B2 Local Centre and is to include height increases to 21m; ie. there will be people residing in towers looking down on small children!! No buffer zone, or land acquisition for a playground is proposed. Such a planning proposal doesn't just lack foresight of the needs of small children, but is doubly foolish, when the same proposal is to vastly increase the population, but without provision for these small children in the future to attend their local school, since enrolments are currently restricted due to lack of space.....

- Fourth, the 2005 statutory amendments define a DCP (S74B EPA Act) by reference to an LEP (which includes draft LEPs) as if the two tie in together. The legislative explanatory notes, Minister's 2005 second reading speech, and the initial draft 2005 EPA Amendment Bill clearly indicate that the Part 3 amendments standardising LEPs also standardise DCPs and the two are intended to be complementary.
- Fifth, the objects clause section 5(a)(ii), encourages "*the promotion and co-ordination of the orderly and economic use and development of land*". The "orderly use and development of land" demands that statutory provisions regulating the orderly use and development, are made known publicly and exhibited together in draft form, in pursuit of clarity and public confidence in the planning system. This was the stated statutory goal of the 2005 statutory amendment to the EPA Act 1979.
- Sixth, case law indicates that a draft DCP introduced after a DA has been submitted is given less weight, that is, its weight may be considered but is not determinative: *Architectural Property Services v Rockdale City Council [1999] NSWLEC 83 Lloyd J said at [16]*:

The haste of the massive rezoning being rushed through in a climate of uncertainty due to the lack of updated Development Control Plans making "more detailed



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provisions" to complement the draft LEP, will result in a regulatory vacuum and a situation advantageous to one powerful lobby group – developers and landowners.

The lack of complementary DCP is bound to result in precedent that will endure to the disadvantage of the population of Randwick.

Finally, we understand Randwick Council proposes to draft associated DCPs towards the end of 2012. But the majority of city councils exhibit a draft LEP at the same time as a draft DCP. For example, Waverley Council, North Sydney Council and Warringah Council.

7 Wall heights must be included in the LEP

Wall heights must be included in the LEP. Wall heights are a land use "development standard" and thus have always been included in the RLEP 1998, to avoid inconsistency arguments.

(a) Inconsistency

The inclusion of wall heights in a future DCP will be of no effect due to inconsistency with the LEP. This is due to the definition of "building" in the principal EPA Act 1979.

Section 4(1) EPA Act 1979

"building" includes part of a building and also includes any structure or part of a structure.....

Thus, the definition of "height of buildings" clearly includes "part of a building" and "wall height" is within the meaning of "part of a building".

There is no statutory basis for the information provided in DOPI's Practice Note 008 – 001 dated 30 January 2008

Q: Can wall or ceiling heights be specified in the LEP as an alternative?

A: If wall or ceiling heights are to be specified these should be addressed in the DCP.

In fact the above advice from DoPI is clearly incorrect.

Thus inclusion of "Wall heights" in a later draft DCP will be overridden by the height of buildings as stated in the LEP on the ground of statutory inconsistency.

(b) Is amendment of the SI Dictionary necessary?



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We argue that a SI Dictionary definition of "wall heights" is unnecessary. There is no change in the planning language resulting from the inclusion of "wall heights" in the Randwick draft LEP when compared with the SI across NSW.

Sections 10 and 11, *NSW Interpretation Act 1987* provide a more than satisfactory solution to the wall height question. Additions/ alterations to the Dictionary are unnecessary.

The NSW Interpretation Act 1987 No 15

10 Construction of amending Acts and instruments

Words and expressions that occur in an Act or instrument that amends or repeals some other Act or instrument have the same meanings as they have in the other Act or instrument.

11 Words etc in Instruments under an Act have same meanings as in the Act

Words and expressions that occur in an instrument have the same meanings as they have in the Act, or in the relevant provisions of the Act, under which the instrument is made.

Thus the Section 4 definitions, EPA Act 1979, more than satisfy any argument on the so-called "dictionary" ground.

Unless wall heights are included in the LEP, existing single dwelling housing zones with "height of buildings" to 9.5metres will result in buildings of 3 storeys. The same will apply across other zones. ie. Residential flat buildings will rise to 12 metres and have 1 extra storey with a flat roof.

(c) Wall heights – a land use "development standard"

Wall heights fall within the definition of "development standard" in the principal Act, and thus are relevant to land use, rather than development control.

EPA Act 1979, Section 4 Definitions

"development standards" means provisions of an EPI or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development including, but without limiting the generality of the foregoing, requirements or standards in respect of:

(a)

(b)

(c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,

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(d) Include Wall Heights in the LEP and leave the decision to DoPI

We argue that Council must include wall heights in the draft LEP and leave the final decision to DoPI.

The Kensington Precinct maintains that the **actual purpose of the wall height control** is, together with the side clearances set down in the Development Control Plan, to maximise the penetration of natural light and sunlight into buildings. The actual important feature is the height of the eaves line.

The Kensington Precinct seeks inclusion in the LEP of the following wall heights in the using DOPI's recommended drafting rules:

Include these Wall height standards:

Zone R2 – Low Density – single dwellings - wall height 7 metres (existing 2A & 2B)

Zone R3 – Medium Density - wall height 10 metres (existing 2C)

Kensington Town Centre fronting Anzac Parade – 19.6 metres maximum wall height with 2 metres to accommodate the roof.

8 Aims of the Plan

We submit the following **"Aims of the Plan"** for consideration and amendment of the stated Aims in the draft LEP which we consider to too vague to be effective. We consider the "Aims of the Plan" are of pivotal importance to our residential community and ought to address the matters raised in the objects clause of the principal EPA Act.

We have given a great deal of thought in drafting our Aims extracted below and would appreciate Council incorporation in the draft LEP.

Accordingly we suggest the following:

Aims of the Plan

- (1) This Plan aims to make local environmental planning provisions for land in Randwick in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:



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(a) to promote ecologically sustainable development,

(b) to promote development that is appropriate to its context and enhances the amenity of the Randwick community and environment,

(c) in relation to the *character of Randwick's neighbourhoods*, to:

(i) to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and

(ii) protect and enhance the residential use and amenity of existing residential environments, and

(iii) increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity of Randwick, and

(iv) ensure that new development on coastal and/or foreshore land does not adversely impact upon the visual qualities of that coastal or foreshore land, when viewed from surrounding coastal waters and inlets, and

(d) in relation to *residential development*, to:

(i) protect and enhance the residential use and amenity of existing residential environments, and

(ii) ensure new development does not adversely impact upon residential amenity in terms of visual and acoustic privacy, solar access and view sharing, and

(iii) increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity of Randwick, and

(e) in relation to *non-residential development*, to:

(i) ensure that non-residential development does not adversely affect the amenity of residential properties and public places, in terms of visual and acoustic privacy, solar access and view sharing, and

(ii) maintain a diversity of employment, services, cultural and recreational activities, and

(iii) maintain waterfront activities and ensure that these activities do not adversely affect local amenity and environmental quality, and

(f) in relation to *environmental quality*, to:

(i) maintain and protect natural landscapes, topographic features and existing ground levels, and

(ii) minimise storm water run-off and its adverse effects and improve the quality of local waterways, and



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- (iii) ensure that new development over the Botany Aquifer does not adversely impact the quality of water and to ensure de-watering is utilised to recharge the Aquifer, and
- (iv) achieve development outcomes of quality urban design, and
- (v) encourage development that demonstrates efficient and sustainable use of energy and resources, and

(g) in relation to *environmental heritage*, to identify and protect the natural, archaeological and built heritage of Randwick and ensure that development does not adversely affect its significance, and

(h) in relation to *community well-being*, to

- (i) provide for the growth of a permanent resident population and encourage the provision of a full range of housing, including affordable housing, and
- (ii) ensure good management of public assets and promote opportunities for social, cultural and community activities, and
- (iii) ensure the social and economic effects of development are appropriate, and

(i) in relation to the *coastal and foreshore areas* of Randwick, to improve access by acquisition or dedication or by gaining rights of public access over coastal and foreshore land where it will not diminish the natural values of the coast and foreshore.

9 Zoning – Kensington ought to be zoned B1 Neighbourhood Centre

Kensington ought to be zoned a B1 Neighbourhood Centre. It is a "corridor" suburb, located on either side of the arterial state road, Anzac Parade.

It is unlikely to ever become a roaring commercial centre – due to the restricted availability of land.

Kensington is surrounded by wide expanses of open space recreational areas, ie Centennial Park to the North, Randwick Racecourse to the East, the Australian and Moore Park Golf courses to the West and to the south - the massive public facilities - the Uni of NSW and tertiary (teaching) public hospital complex the Prince of Wales, the Women's and the Children's Hospitals as well as a large private hospital.

The LEP proposes three residential zones and two business zones. They are:

R1 General Residential
R2 Low Density Residential
R3 Medium Density Residential

B1 Neighbourhood Centre
B2 Local Centre



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We could find no definition offered for any of these terms in the Standard Instrument.

However the existing zoning of Kensington and West Kensington indicate that the more appropriate or parallel zoning with respect to the Standard Instrument, is B1 Neighbourhood Centre.

There is no rational basis and no justification, for stepping-up to Local Centre B2. Further we believe that the rezoning, proposed as it is under the former Part 3 (un-amended EPA Act), is unlawful. No environmental study has taken place and as a consequence the requirements of the former Part 3 have not been complied with.

There is no basis to Council's claim that the *Kensington Town centre* zoned for 3B local business planning uses *"has surpassed its role in providing basic neighbourhood centre services and now provides retailing and business opportunities for a wider population catchment given its strategic location on Anzac Parade"*.

For instance:

- Block 8 (DCP) fronting Anzac parade between Addison street and Todman Avenue is in fact currently zoned 2C Residential under RLEP 1998. However, Block 8 has been accorded "3B uses" subject to RLEP Schedule 2 and clause 42 limitations, ie commercial uses located on the ground and first floors.
- The supposedly thriving businesses in the Kensington Town centre change hands at remarkably rapid rates as they appear to experience viability problems as profitable businesses
- There is no busy supermarket, to speak off, simply a small mini-market
- The presence of underground water (Botany Aquifer) militates against the proposed intense development on environmental grounds.

10 (a) Zone R2 Low Density Residential

We understand that 2A zones are mainly located in the proposed R2 zone.

We seek removal of the following Council additions:

With Consent: Office premises, Business premises, Child care centres, Community facilities, Home industries, Passenger transport facilities, Places of public worship; Recreation facilities (indoor); Recreation facilities (outdoor); Restaurants or cafes.

We understand that some of these uses already exist but we don't accept that new premises described above should be allowed.

10 (b) Zone R3 Medium Density Residential



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We understand that 2B and 2C zones are now in the R3 zone.

We seek removal of the following Council additions:

With Consent: Bed & breakfast accommodation; Hostels; Hotel or motel accommodation, Business premises, office premises, Passenger transport facilities, Recreation facilities (outdoor), Serviced apartments

We understand that the above uses are allowed currently but we do not accept that new ones should be permitted.

11 Principal development standards

Clause 4.1 - Minimum subdivision lot size

(1) (a) **Remove** Council's addition: " The objectives of this clause are as follows: (a) to minimise any likely adverse impact of subdivision and development on the amenity of neighbouring properties",

Substitute (1) (a) to protect the amenity of existing neighbouring properties from adverse impacts

(1)(b) leave as is

(1)(c) remove

Note: Council includes the phrase "suitable for its purpose" raising the question "what purpose?"

Clause 4.1B – remove Council addition in its entirety

Council's addition will lead to site overdevelopment.

12 Height of Buildings: clause 4.3

Keep the Standard Instrument objective:

- The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Add the Objective:

- To protect the amenity of existing residents



14/11/16

Remove all Council added Objectives. ie remove clause 4.3 (1) and 4.3 (3).

Remove 4.1 B in its entirety – council's addition will lead to site overdevelopment

4.1B Exceptions to lot sizes in the R3 zone

(1) The objective of this clause is to enable medium density housing on a range of lots sizes enabling development to respond to the site and surrounding locality.

(2) Notwithstanding subclause 4.1(2), there is no minimum lot size for attached dwellings, detached dual occupancy, multi dwelling housing and residential flat buildings in the R3 zone.

Kensington Precinct maintains that minimum lot sizes must be restored to the comprehensive LEP for reasons that Lot size, when combined with floor space, is a fundamental determinant of population density. Following recommendations in the Australian Model Code for Residential Development (1989), the purpose of minimum lot sizes is "to protect and enhance local amenity".

13 FSR

Clause 4.4 SI – Include the objective:

- to protect the amenity of existing residents

Amend clause 4.4 as follows:

(3) Despite subclause (2), the maximum floor space ratio for a dwelling house or Semi-detached dwelling on land identified in Zone R2 Low Density Residential is:

- (a) On merit – if the lot is less than 300sqm;
- (b) 0.75:1 – if the lot is between 301 - 450sqm; **amend to 0.5: 1**
- (c) 0.65:1 – if the lot is between 451 - 600sqm; **amend to 0.5: 1**
- (d) 0.6:1 – if the lot is greater than 600sqm; **amend to 0.5:1**

Zone R3 Medium Density Residential Zone FSR is:

0.9 : 1.

14 Clause 5.3 Development near zone boundaries [optional]

Delete Council's additions



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15 Botany Aquifer – Kensington environs – impact of tower block development

Include provisions relating to underground water, for example, requiring re-charge of the aquifer from de-watering as required by the Department of Water Resources & Management.

Insert the Aquifer provisions after 6.10 Stormwater management (draft DoPI model clause.

CAUTION – the lack of environmental studies

In respect of incremental development over the Botany Aquifer:

(1) no detailed studies have ever been undertaken of the impact on the Aquifer of incremental development of tower blocks, the evacuation of water and concrete filling of sites; and

(2) no detailed studies have been undertaken of the impact, on existing federation and walk-up residential development, of permanent removal of aquifer water in sandy soils and concrete fill of sites housing tower blocks.

We believe that our homes are at increased risk of subsidence, since foundations are located in shallow sandy soil. We hold Council and the State government liable for any future damage to our homes.

16 Stormwater management

We believe that there ought to be included measures for storm water control to encourage groundwater re-charge and reduce flooding.

17 Infrastructure

The draft LEP ought to make provision for upgrades to existing infrastructure in preparation for the expected population influx.

[REDACTED]

16 / 16

Randwick City Council

03 APR 2012

Records Received

RECEIVED

- 2 APR 2012

RECEPTION - CSC
RANDWICK CITY COUNCIL

31 March 2012

The General Manager
Randwick City Council
Frances Street
RANDWICK NSW 2031

Dear Sir

RE: PROPOSED AMENDMENTS TO RANDWICK LEP - KENSINGTON

Dear Mr Hazzard

RE: PUBLIC HEARING - PROPOSED AMENDMENTS TO RANDWICK LEP - KENSINGTON

I request a public hearing or inquiry is held under the Environmental Planning and Assessment Act 1979, in relation to Randwick City Council's proposed amendments to the current Randwick LEP. I object to Council's proposal which favours developers over current residents, my main objections as follows:

1. At present Kensington does not quite reach the Standard Instrument requirements for B1 zoning. The rezoning proposed for the Kensington Town Centre to B2 Local Business is unwarranted. Council has failed to provide a rational bases for The proposed B2 rezoning and the remarkable increase in building heights, currently proposed to be 25 metres, but with the flexibility of SEPP 1, is likely to be higher. Kensington is adjacent to large commercial areas such as Kingsford and Randwick and does not need to be subject to such over-development. Surely the planning mistakes of Kingsford's monolithic town centre buildings do not have to be repeated on this suburb which is still primarily residential and well serviced by other adjacent commercial areas?

The rezoning also opens the doors to the introduction of backpackers and brothels which is indeed a poor prospect for families in the vicinity. Despite previous poor town planning outcomes, somehow Kensington has managed to maintain a strong sense of community which is valued by families. With the significant development of units to cater for singles such as students in and about our suburb, it's time the Council recognised the integrity of Kensington as a place for families. Instead of further eroding the amenity of the single dwellings in favour of multi story developments, recognise Kensington for what it was originally designed for - a "garden" suburb to be enjoyed by families, not just high density housing to service the Hospitals and the University. High rise development which does not interface with adjacent dwellings is poor town planning - overshadowing, loss of privacy, inadequate parking all impact on current residents.

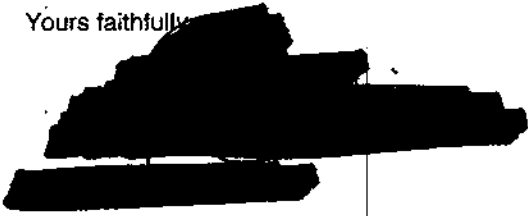
2. The removal of prescribed density/FSR standards, set backs and external wall heights will result in over-development of sites located in proximity to existing federation homes and loss of privacy. Personal experience has seen me battle three major developments in the immediate vicinity of my home in recent years; success in curtailing over-development mainly dependant on whether Council is prepared to support the residents and has the capacity to pay the pursuant legal fees. With rezoning, the battles will be against greater heights and further poor design outcomes for the current residents.

3. Council's failure to consider environmental factors such as the impact on the underground aquifer and conversely the impact of the aquifer which is located a mere 1.5 metres below ground in some areas. What is the future impact on the aquifer of proposed 25 metre buildings in relation to existing buildings and what impact will the aquifer have on these proposed buildings? Recently built units in the area have suffered cracking in walls, residents believing it to be from the changing levels of the water table.

4. Council's failure to consider the impact on current and future residents regarding the inadequate public transport. Existing bus routes are overloaded at peak times with no increases in service to be provided. The talk of light rail is just that, talk; even if it is part of the solution. The attitude of the Council is to develop now and then disgruntled residents can lobby for improved transport sometime in the future - years away.

5. Increased pressure on open space is also not addressed. If families are to be attracted into units in order to satisfy Council's need for "mixed dwellings" in the area, then there will be further pressure on open space. The only open space in my area is "Kokoda Memorial Park" which is well utilised by residents as well as the local primary school. Careful consideration should be given to rezoning which allows backpackers and brothels, when the location of this park directly adjacent to the town centre, is taken into account. As it is, recent development of a boarding house adjoining the park has seen a negative impact on the safety for the children - do we wish to jeopardise community safety?

Yours faithfully



D01438432


Kensington 2033 NSW

20/02/2012

To Scott Nash
Mayor of Randwick City Council
30 Francis Street
Randwick NSW 2031

Randwick City Council

29 FEB 2012

Records Received

Dear Mr Nash

Public Hearing – proposed amendments to Randwick LEP - Kensington

We request a public hearing or inquiry is held under the Environmental Planning & Assessment Act 1979, in relation to Randwick Council's proposed amendments to the Randwick LEP. We reject Council's proposal which is skewed to developers.

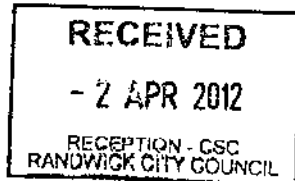
We reject Council's imposition on local residents concerning:

1. At present Kensington does not quite reach the Standard Instrument requirements for B1 zoning. Thus, the huge increase in rezoning proposed by Council, for the Kensington Town centre to B2 Local Business is unwarranted. Council has failed to provide a rational basis for the (1) proposed B2 (commercial) rezoning and (2) drastic increase in building heights, currently proposed to be 25m but with the flexibility of SEPP 1, is more than likely to result in 30 metre (or) higher buildings.
2. The removal of prescribed (1) density / floor space area standards (2) set backs and (3) external wall heights will result in massive over-development of sites located in proximity to existing federation homes and removal of any privacy afforded to existing residents. Worse still existing residential amenity will no longer be protected but merely "minimised". I.e. residents have next to no chance of amending future commercial proposed development.
3. Council's failure to consider environmental factors such as the impact on the underground aquifer and vice versa, the impact of the underground aquifer, located a mere 1.5metres below ground in some areas included in tower block zonings. First, recent studies indicate that the water quality is almost pure in Kensington. Second, the water exerts an upward pressure and this is currently posing huge problems for recently constructed completed development in the environs of the University of NSW. Specifically, what is the impact for existing homes and walk-up strata units? What is the future impact on the aquifer of proposed 25 – 30 metre buildings in relation to existing development.

4. Council's failure to consider the need for upgraded public transport. We have thousands of daily commuters travelling to and from the University of NSW Kensington and the public hospitals in Randwick. A vast development sky rise expansion as planned by Council, requires the introduction of heavy rail to move the daily masses of people. Existing bus corridors from the Southern Peninsula – La Perouse, Malabar, Little Bay and Maroubra, carry full loads through Kensington. We have been reliably informed by State Transit that Anzac parade will not support increases in public bus services.
5. Social factors – the effect of cramming in 21st Century families in residential flat buildings, one above the other, with poor amenity, reduced living space and little local open space – Centennial Park is too remote for young families requiring playground space for children on a day to day basis.
6. The lack of a playground for local children attending the Kensington Public School limits the numbers that can attend this local educational facility.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.



Mr Roy Brownlee
The General Manager
Randwick City Council
30 Frances St
Randwick NSW 2031

Randwick City Council

03 APR 2012

Records Received

Dear Sir,
For the attention of Mr Kevin Armstrong, Manager Strategic Planning Team
Ref. Randwick Draft Local Environmental Plan 2012

Thank you for the assistance provided and courtesy extended to residents seeking to understand the proposed transitional streamlining of statutory land use zones, development standards and associated planning controls in the Randwick/Croissy region.

I look forward to subsequent revised and consolidated plans reflected in the Comprehensive Development Control Plans to be exhibited later this year, given the complex interests and ranges of interpretations involved throughout the community.

The continuing ease and professional advice of your Planning Team has been very much appreciated.
Congratulations on the effectiveness of your operational team and best wishes for the future.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: Friday, 2 March 2012 1:13 PM
To: LEPreview
Subject: Draft Comprehensive LEP
Attachments: img-301093659.pdf

Dear Karen Armstrong,

We are the owners of [REDACTED] Recently we received a letter (attached) from you (F2010/00454) titled, "Draft Comprehensive Local Environmental Plan – Public Exhibition".

As the owners of this property and life time constituents of the Randwick council, my wife and I completely support the proposed amendment to the zoning of our property. It makes sense and is line with the properties surrounding our property.

Please do not hesitate to contact us if you require further feedback / support.

Many Thanks

Do 1457251

[REDACTED]

28th March 2012

Karen Armstrong
Manager, Strategic Planning
Randwick City Council
30 Frances Street
Randwick, NSW 2031

Dear Karen,

LEP Review: re-zoning of 772 -784A Anzac Parade and 104 Gale Road, Maroubra Junction

The approach taken by your office in preparing the draft LEP and conducting the public consultation program is truly commendable. As a landowner affected by one of the rezoning recommendations in the draft LEP, I found that your office was always available to discuss my concerns and explain the ramifications of the proposed changes.

In relation to the rezoning of the above-mentioned sites, I note that the Council has recommended R3 zoning with a FSR of 0.9:1 and height control of 12m, with the potential to increase to 15 m subject to a detailed assessment. This is a better solution than what was proposed in some of the rezoning submissions.

I am confident that the Council proposed solution would allow smoother transition between the town centre and the surrounding residential areas, integration of pre-existing developments, consistency in zoning and land use, and many other benefits.

Therefore I support the recommendations made in the draft LEP in relation to the above mentioned sites.

Should you have any further queries, please do not hesitate to contact me.


[REDACTED]
[REDACTED]
[REDACTED]

This letter is also supported by landowners of:

Address	Name	Signature
---------	------	-----------

[REDACTED]

[REDACTED]

8 OTHER SIGNATURES INCLUDED Page 1 of 2

Do1458635

Ms Sima Truuvert
Head of Planning
Randwick City Council



Dear Ms Truuvert

Re: Randwick Draft Local Environmental Plan 2012

Response re Heritage Items

A request to add Caerleon Crescent as a Heritage Conservation Area

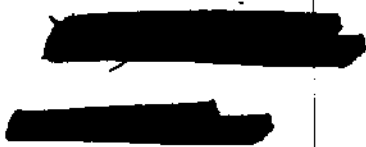
We would like to acknowledge the work Council has done in identifying this area as a Heritage Conservation Area.

I have attached a petition signed in support by 5 households in support of the proposal.

Unfortunately I could not get a response from 6 owners including one property which is currently rented out. I had three owners say they were not in support.

I did not contact Chapel St residents or the other previously identified houses in Frenchmans Rd although I think it would be good to offer these people the opportunity too.

Yours sincerely



Randwick City Council

- 2 APR 2012

Records Received

Including
6 Signatures
(NOT PUBLISHED)



30 March 2012

The General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031
via email: LEPreview@randwick.nsw.gov.au

Re: Draft LEP Zoning - Kingsford Centre

I lodge this submission as a Kingsford resident and rate payer. I have concern for lack of adequate planning controls and/or policies to facilitate a desirable urban outcome for the Kingsford Centre.

Key concerns:

- Unclear urban design outcome for Kingsford Centre including a DCP which is outdated and over 15 years old. The DCP does not cover business zoned centre expansion sites.
- Lack of consideration of future centres hierarchy. Kingsford could potentially become a Town Centre as one of the 3 bookends to the Randwick Education and Health Specialised Centre (other bookends being Randwick and Kensington). Keeping Kingsford as a village could be detrimental to the success of the Specialised Centre by limiting the residential and retail capacity.
- Rezoning of the Kingsford Markets without adequate policy. It is unclear how this site will 'better connect' (p.113 Business Centres Discussion Paper - Appendix) South Juniors Club with the existing centre when there is no policy to encourage or enforce this. Potentially poor outcome for Rainbow Street if car parking arrangements egress to Rainbow Street.
- Proposed height control 24m for the Kingsford Markets site limits the ability to provide a taller slender building which could provide a better outcome on this site by allowing more solar access through producing a faster moving shadow.

Recommendations:

- Defer rezoning the Kingsford Markets site until adequate policy is in place i.e. DCP.
- Prepare and exhibit a comprehensive urban design study for the Kingsford centre to inform a new or updated DCP as well as site specific LEP height and FSR controls. An individual report for Kingsford Markets site is inadequate.
- Council must acknowledge that a merit based assessment of the Kingsford Markets site will result in the best outcome for Kingsford.
- Council must identify adequate location for Kingsford markets to occur.

Should you wish to discuss this matter further, please contact me at the above details or at



Yours Sincerely



To
General Manager
Randwick City Council
30 Frances Street
RANDWICK NSW 2031
PH : 02 9399 0999

Randwick City Council

- 3 APR 2012

Records Received

Dear sir/ madam

My name is [REDACTED] NSW
2032.

Regarding the Part 8 of the Exhibition Report of the Design
Collaborative of Lot 1 DP 120465, Lot DP 408111, Lot 1 DP 188265 and
Lot 1 DP 1135723.

Proprietor of the land are STA and Randwick City Council.

I am writing in regards to the site rezoning known as 1 - 21 Rainbow
Street or better known as The Kingsford Markets.

My concern being this land is adjacent to my Home, the Nine Ways
roundabout, Anzac Parade etc.

I went to a session on Saturday 24 of March at Maroubra Library to get
an idea of the future planning for this site is, and learned that they are
considering building a set of units.

My worry is if they do go ahead and build a set of units in this part of
Kingsford, it will cause an even more dense population and an
infrastructure that will place the residents of the area at risk of danger as
the traffic is chaotic at the best of times.

My specific concerns for the proposal are:

The design is not compatible with the character of the locality.

The design will impact negatively on amenities of adjoining and
neighbouring land in terms of:

- Visual Bulk.
-
- Loss of Privacy.
-
- Overshadowing the views.
-
- Impact on traffic.
-
- Impact of Pedestrians.
-
- Infrastructure Capacity of the Land.
-
- Public Safety an Inconvenience when demolition/development start.

I would appreciate it if you take the issues I have raised into consideration and let me know of any changes of the plans in the future.

With Regards

[REDACTED]

March 29 2012

[REDACTED]

From: Bang The Table [admin@bangthetable.com]
Sent: Wednesday, 28 March 2012 5:18 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

[REDACTED]

Email

[REDACTED]

Phone

[REDACTED]

Address

[REDACTED]

Type your Submission

I do not agree with the proposed LEP height changes.

Upload and attach your Submission

Click [here](#) to report this email as spam.

[REDACTED]

From: [REDACTED]
Sent: Sunday, 1 April 2012 10:50 PM
To: LEPreview
Subject: Objection to the proposed rezoning

Dear Sir/Madam,

We are concerned about the proposed rezoning in the local Environment plan and have to object to that. We have been living in Coogee for 8 years and appreciated its village style.

The proposed rezoning will bring more noise, more traffic, more pressure on parking and therefore negative impact on Coogee environment.

Thank you in advance for consideration.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Click [here](#) to report this email as spam.

1201460007

[REDACTED]
From: [REDACTED]
Sent: Friday, 30 March 2012 4:45 PM
To: LEPreview
Cc: Peter O'Rand, Nirosha Paramanathan, info@edp.com.au
Subject: Draft LEP - Ref # 2010/00454

Good afternoon [REDACTED]

As per our conversation on **Friday March 30**, we wish to seek an extension (as long as possible owing to persons circumstances) in which to make comments with regards to the LEP per your Reference # 2010/00454

I speak on behalf of many residents including numbers **60, 64, 66, 68, & 70** Howard Street, Randwick who never received any information pertaining to these proposals, and understandably would like the opportunity to voice an opinion.

I look forward to meeting with you to discuss the matter further on **Monday April 2**

Kind regards
[REDACTED]

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Saturday, 24 March 2012 12:30 PM
To: LEPreview
Subject: [REDACTED] Draft Comprehensive LEP '

[REDACTED] just submitted the form 'Draft Comprehensive LEP ' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

Type your Submission

I am strongly against such changes to the building code.

Upload and attach your Submission

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Thursday, 29 March 2012 7:01 PM
To: LEPreview
Subject: ida completed 'Draft Comprehensive LEP'

just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

Type your Submission The roads, the schools, and other amenities won't be able to handle all the population that the LEP will led with massive developments.

Upload and attach your Submission

Click [here](#) to report this email as spam.

From: [REDACTED]
Sent: Monday, 2 April 2012 10:08 PM
To: General Manager
Subject: Randwick Draft LEP 2012

Follow Up Flag: Follow up
Flag Status: Flagged

The General Manager

In response to the exhibition of the draft Randwick LEP I request that council maintain the current 7.2 m height limit in residential areas within the LEP (rather than the DCP)- including the Lurline Bay area and that the density provisions for residential areas be retained in the LEP.

yours sincerely

[REDACTED]

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Monday, 2 April 2012 10:28 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

I object to the proposed LEP clauses which allow for increased density in the Council area. The proposed LEP only contains a requirement for an overall height of buildings without the additional requirement for a wall height restriction. I object to this, as it will inevitably lead to increased size buildings being allowed for development.

**Upload and
attach your
Submission**

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Friday, 23 March 2012 3:14 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name [REDACTED]

Email [REDACTED]

Phone [REDACTED]

Address [REDACTED]

Type your Submission There are TWO aspects of the draft LEP which are of concern to me: 1. INCREASE IN POPULATION DENSITY which would result from -the proposed increase in FSR - amended/changed zoning (i.e. loss of the low density residential zone and merging of two existing residential zones into one zone), and -exclusion of external wall height from the draft LEP 2. REZONING OF THE SOUTH END OF COOGEE BAY FROM RESIDENTIAL TO COMMERCIAL: This will have significant impacts on the bay, the community and nearby residents such as increased noise and traffic, further pressure on parking, more garbage, commercial signage, alcohol issues, over-development and more built bulk on the foreshore

Upload and attach your Submission

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Monday, 2 April 2012 10:14 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name [REDACTED]

Email [REDACTED]

Phone

Address South Coogee

Type your Submission I object to the INCREASE IN DENSITY (proposed increase in FSR, amended/changed zoning (i.e. loss of low density zone and merging of two existing zones into one zone) & exclusion of external wall height from the draft LEP. The removal of the wall height restriction will result in larger dwellings being approved for development even though the FSR requirements are still in the draft LEP. FSRs are constantly exceeded in residential developments.

Upload and attach your Submission

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Tuesday, 27 March 2012 10:02 PM
To: LEPreview
Subject: ida completed 'Draft Comprehensive LEP'

ida just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

We are very concerned that this new plan will increase density population in a level that will be not a sustainable living. The existing infrastructure are not sufficient for the population we are expecting with the developments as designed in the new LEP.

**Upload and
attach your
Submission**

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Tuesday, 27 March 2012 10:30 PM
To: LEPreview
Subject: ida completed 'Draft Comprehensive LEP'

ida just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

This LEP is designed to give space to new massive developments with a high increase of population. The consequences will be a disaster without the appropriate infrastructure.

**Upload and attach
your Submission**

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Tuesday, 13 March 2012 7:38 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

With regard to the draft LEP we very much oppose the raising of the height limit for buildings in our precinct from 9.5 metres to 12 metres. We also oppose the increasing of plot density from .65:1 to .9:1. Both proposed measures would downgrade greatly the amenity of the area bounded by Carrington Road, Dolphin Street, Courland Street and Coogee Street. The existing residential mix in this precinct is of older style single dwellings and two or three storey flats. Already, parking within these streets is problematic with many residents having only street parking. Additionally, the current plot ratio allows for the growth of vegetation which absorbs both heat and noise to enable a better sense of amenity. It would be a retrograde step to consign this area to a proliferation of higher, denser dwellings. The first "victims" of such a change would be the single dwellings which despite their smaller land area would no doubt see their titles gradually amalgamated by developers to facilitate further building infill. It is the mix of houses and flats, gardens and trees which make Randwick a special place to live. Change the planning rules and this particular area risks becoming a ghetto of only rented flats and temporary residents.

**Upload and
attach your
Submission**

[Click here](#) to report this email as spam.

From: [REDACTED]
Sent: Friday, 9 March 2012 9:40 AM
To: LEPreview
Subject: LEP 2012 Comments

Dear sir/madam

My wife and I visited the Bowen Library on 1 March 2012 to examine and discuss, with your very helpful staff, some aspects of the LEP 2012. [REDACTED] and have for many years had the burden of living next door to 2 derelict properties ([REDACTED]). These owners purchased a block of land, many years ago, that runs at the back [REDACTED] which was originally the backyards of properties in [REDACTED] that block of land that was originally a Tennis Court, was not delegated to any property and was for many years shown on Randwick Council plans as a separate entity. More recently, it appears to have been included with [REDACTED] and shown as an L-shaped block and incorrectly zoned.

Our main concerns are as follows:

1. Development of [REDACTED] the inclusion of the old Tennis Court land with severely impact on the privacy of the properties in Wilson Street and [REDACTED]
2. The conditions of [REDACTED] e, Maroubra are an eyesore and derelict. Both houses are tenanted and unhealthy for the tenants. We often have to hire pest controllers to eliminate vermin and cockroaches coming from those properties.

Your records will show that we have complained about this before to your Health Department and nothing appears to have been done.

3. Randwick Council is always very concerned about the street scape and we find it incredible how you can allow these properties to continue in this derelict state. The council spends a lot of time and money beautifying the park and Jack Vanney Reserve for visitors to the area, and these properties are an eye-sore and very prominent in the street.

4. [REDACTED] has been on the market for sale for close to 2 years. Real Estate agents have told us that the main opposition in the street is the run-down condition of [REDACTED]. Beautiful newly built units at [REDACTED] has also had the same problems with prospective purchases. The Marine Parade street scape is essential in the overall look of the area and unfortunately we will never compare favourably with Coogee and other beach areas.

5. Several times over the years we have complained about the ugly garbage bins left out at the block of units at [REDACTED] next door, in full view to visitors to the park. They have a garbage bin room that is not used but the council refuses to do anything about it. This is another ugly eyesore that could easily be eliminated. When the units were built, the council required all bins to be put in the garbage room at all times. This is not being done.

We have lived at [REDACTED] Maroubra for over 50 years and brought up our family here. We have always loved the area but unfortunately the area is slowly deteriorating and unkempt. Even the surface of the road north of Torrington Road has been neglected for many years.

Thank you for taking the time to read our concerns. Your staff suggested that we put our concerns in writing.

yours sincerely

[REDACTED]

From: [REDACTED]
Sent: Monday, 2 April 2012 3:40 PM
To: LEPreview
Subject: FW: Draft Comprehensive LEP

To: lepreview@randwick.nsw.gov.au
Subject: Draft Comprehensive LEP
Date: Mon, 2 Apr 2012 15:10:07 +1000

Dear Sirs,

I have the following comments to make on this proposal :-

1. Height of Buildings Map - Sheet HOB_008

Areas 4 & 5, bounded by Marine Parade, McKeon St, Fenton St, and Mons Avenue, Maroubra Beach, proposed 'Q', 19metres, is excessively high, and together with the existing Seals Club building could result in a 'wall' effect along the Marine Parade frontage. This is out of keeping with the present amenity.

2. Floor Space Ratio Map - Sheet FSR_007

The proposed FSR of 0.5m maximum, particularly in the area of The Spot, bounded by St Pauls St, Perouse Rd, and Howard St. will impose severe, and in my view unjustified, restrictions on property owners wishing to carry out alterations and improvements to their properties. It should be retained at least at the 0.65:1, if not increased to 0.7:1

Yours faithfully

[REDACTED]

Click [here](#) to report this email as spam.

[REDACTED]

From: Bang The Table [admin@bangthetable.com]
Sent: Sunday, 1 April 2012 10:46 PM
To: LEPreview
Subject: [REDACTED]

[REDACTED]ust submitted the form 'Draft Comprehensive LEP ' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

[REDACTED]

We live at [REDACTED]k. We cannot determine how this LEP will impact us. I have made a fair effort to understand the LEP documents. They are very extensive and so require a greate effort to understand for the lay person. I can see that under the LEP we will be Residential Zone 3, which equates to RLEP 2B & 2C Residential. We do not understand if this means there will be any change to existing permitted land use. I can see that we appear to be part of Proposed Heritage Conservation Areas Boundary amendments and new Heritage Conservation Area for Draft LEP 2012 - North Randwick section, p253 of 376. I cannot see any specific rezoning comments (p277+) for Monmouth St. We are very concerned that some changes may be permitted that will adversely impact the amenity of our local environment. We would be grateful if some one could clarify the impact of the LEP on our street and the immediate vicinity.

[REDACTED]

**Upload and
attach your
Submission**

Click [here](#) to report this email as spam.

Victoria Gavan

From: [REDACTED]
Sent: Friday, 24 February 2012 9:53 AM
To: LEPreview
Subject: my commnets regarding LEP Review

Dear Sir,

As a long term resident of the Kingsford community of over 40 years I am continually seeing my quality of life and enjoyment of my community eroded by plans/changes that only benefit speculators and developers.

I live in an area bounded by Houston road, See Street, Borrodale Road and Doncaster Avenue. I understand the current climate/policy of urban consolidation but surely it is obvious that Kingsford has more than contributed to this policy.

This is one of the few areas in Kingsford that has had a two level restriction and it would be preferable by the majority of people that live here to retain this residential characteristic instead of transforming the area into more multi level developments that have infiltrated our Kingsford Community.

I have read all the press releases stating that the changes will not effect the existing zoning and that it is only a change of wording.....if this is the case why change?

I am sure that everyone that lives in this area would like the area exempt from the proposed changes to the zoning.

Thanks
[REDACTED]
[REDACTED]



Click [here](#) to report this email as spam.

General Manager
Randwick City Council
30 Frances St
Randwick NSW 2031

28th March 2012

DRAFT COMPREHENSIVE LEP 2012

Dear Sir/Madam,

I am writing regarding the "Draft Local Environmental Plan – Public Exhibition" letter sent to residents on 21 February 2012.

May I say that I found the letter to be conspicuously vague and misleading.

I am concerned that although the letter states "the draft LEP has been prepared consistent with State Government planning templates and strategies..." , that this is not the case. A new LEP demands a complementary Development Control Plan (DCP). No new DCP has been made, nor is one in prospect for perhaps a year. I think action on the LEP should be deferred until the complementary DCP is ready.

I have had feedback from neighbours who have attended the library to view the plans. They found the plans contained in a folder so detailed, that they said it would take them hours to digest the material. I do not find that this whole process has been transparent or well advertised in our community. I think I would be correct in saying that most people are not aware of what is going on and this worries me.

A few points that I am particularly against are:

1. The increased wall heights. These should be restored to the current Wall Height standard, so that we don't end up with 3 storey buildings with flat roofs.
2. Keep the minimum separation distance between houses. I don't want to be right on top of my neighbours and this would happen if they're allowed to build right to the boundary.

I hope you will take my concerns into consideration.

Yours Sincerely,

[REDACTED]

General Manager
Randwick City Council
30 Frances Street,
Randwick, NSW 2031.

[REDACTED]
[REDACTED]
[REDACTED]
Randwick City Council

29 MAR 2012

Records Received

Dear Sir,

Re: Draft Comprehensive LEP

I am concerned with the methods used to inform the general public of the Draft LEP + of some changes proposed in the LEP. Some neighbours whom I have spoken to did not receive a copy of the letter dated 21 Feb. 2012 inviting members of the community to view the Draft LEP. How many households throughout the Municipality did not receive this important letter?

At the library I found the plans contained in a folder so detailed + off putting that it would take hours sitting through + digesting the material. In the past important changes such as the growth of high rise unit blocks in the 1960s were well reported in local papers as well as public meetings but there have been few reports this time.

In the draft it mentions that wall heights could be increased to 9.5m which means that homes with a flat roof could be 3 storeys in height + by removing boundary restrictions light would be restricted, homes colder in winter so increasing electricity + gas costs + greater problems with noisy neighbours. These changes would not improve the well being of residents. The present wall height standards + boundary clearances should be retained to the LEP. Development standards should be strengthened by making them mandatory rules.

A new LEP needs a development control plan. No new DCP has been made. Without a DCP there is a legislative vacuum. Action on the LEP should be deferred until the complementary DCP is ready.

Yours sincerely,

[REDACTED]
[REDACTED]

From: Bang The Table [admin@bangthetable.com]
Sent: Sunday, 1 April 2012 7:41 PM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

Dear Sir / Madam, With regard to the proposed inclusion of 7 residential lots in a section of Higgs Street, Randwick, to the Conservation list, particularly with regard to the street scape aspect of this consideration as discussed with several council officers, we feel that given the current state of the street scape is a varietal mix of visual appeals that has no consistency of style, either with the banked retaining walls or mixed design footpaths. In addition to the two lots that we own of the seven proposed lots that may be affected by this Conservation amendment in the draft LEP, there are also two small apartment blocks, a semi and two other stand alone properties that may be included in this expanded area. Having already had draft renovation plans drawn for our dual lot property that were sympathetic to the current / or to be amended design considerations under the current LEP / amended LEP 2012, we feel that these design compliances are adequate to maintain the current street scape without the need to include these lots or others within the conservation area. Having spoken with our neighbour who has been a resident in the proposed conservation area of Higgs Street for more than 40 years, we understand that there have been many and continuous additions and changes to all these properties over this time, creating a more eclectic street scape than one of maintained originality. We would welcome any comment or question, or direct inspection to view this section of Higgs Street, as I understand that this expanded Conversation inclusion comes from a report first published in 2000. Please do not hesitate to contact us. Kind regards,

**Upload and
attach your
Submission**

Click [here](#) to report this email as spam.

From: Bang The Table [admin@bangthetable.com]
Sent: Monday, 2 April 2012 7:04 AM
To: LEPreview
Subject: An anonymous user completed 'Draft Comprehensive LEP'

An anonymous user just submitted the form 'Draft Comprehensive LEP' with the responses below. A full report of all form submissions is available within the activity report.

Name

Email

Phone

Address

**Type your
Submission**

I strongly oppose the proposal to increase height of buildings in Maroubra Beach town centre, clause 4.3B. Allowing further over-height development will not improve the appearance of the existing seals club building, and will only extend the height mismatch to the next adjacent buildings. The ridiculous rationale for this proposal could apply equally in all directions leading to unconstrained development. Increased heights and density in Maroubra Beach town centre will harm, not benefit the community. This proposal is putting developer greed ahead of community. The low development levels in Maroubra is essential to Maroubra's identity and uniqueness, and should be protected. I strongly oppose the removal of clauses relating to minimum landscaped area (clauses 20E of Randwick LEP 1998 consolidated). Randwick council has led many programs to improve biodiversity and encourage native wildlife corridors through the city. By removing these provisions from the LEP we are allowing developers to concrete an entire development site. This unfortunately has been a very common approach in the past with examples all along our street. Furthermore this change will result in both increased problems with stormwater management and increased use of tap water in the garden as rainfall is unable to soak into the ground. Please do not let developers return to their old ways just to save a few dollars on landscaping and maintenance. This change is putting developers ahead of community. Finally, I want to express my concern that the removal of this minimum landscaped area clause has not been flagged in any way for the community reader. The 2012 draft is in a completely different layout to the 1998, and comparison of the documents is not trivial. I am concerned about what other changes may be there that are not immediately obvious.

**Upload and
attach your
Submission**

Click [here](#) to report this email as spam.

[REDACTED]
From: [REDACTED]
Sent: Sunday, 1 April 2012 8:45 PM
To: LEPreview
Subject: draft Comprehensive LEP

Dear Sir/Madam

As a ratepayer resident in [REDACTED] Randwick, my first issue with the LEP is that it is very difficult to ascertain what changes are proposed. The FAQ should have explained what exactly is changing for each neighbourhood.

I am not happy that there are a number of changes to the type of buildings which are allowed to be built (permitted with consent) in Zone R3. I strongly believe that business premises, car parks, office premises, hostels, shops, restaurants or cafes and hotels should not be built in the same residential zone I live in. And of course such premises should not be allowed in zone R2, as appears to be proposed (with consent).

I have been advised that the draft LEP will change the residential zone applicable to the northern end of Monmouth Street & its surrounding areas so that there are significantly less restrictions on types of building there than currently apply - I strongly disagree any such move

regards

[REDACTED]
[REDACTED]
Randwick 2031

Click [here](#) to report this email as spam.

2014 58007

[REDACTED]

From: [REDACTED]
Sent: Sunday, 1 April 2012 8:30 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: +Height increase

The recent height increase proposed by council is out of character with the area and will only increase our shadowing and problems experienced by Surfers Paradise and other suburbs decimated by increasing height levels. All these councils who oversaw these planning controls wish they could go back in time to change their actions. In Europe, France and other beautiful timeless countries who have 5 storey limits in the CBD and less in provincial areas with most visitors arriving to observe the fantastic timeless architecture. The councils decision to increase the density will only increase traffic congestion, parking problems, increased infrastructure problems including waste services resulting in lowering of prices. Once this decision is made you can never go back hence I urge council to consider this as a grave decision they must not be made. Thank you

[REDACTED]

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2014 5 2005

[REDACTED]
From: [REDACTED]
Sent: Sunday, 1 April 2012 8:08 PM
To: LEPreview
Cc: office@hazzard.minister.nsw.gov.au
Subject: Draft LEP 2012

General Manager,

Suggestions

- 1) To avoid a legislative vacuum, defer action on the LEP until the complementary DCP is ready.
- 2) Strengthen the development standards by making them mandatory rules.
- 3) To maintain light penetration to houses and flat buildings, restore the Wall Height standards to the LEP.
- 4) Restore the minimum subdivision standards to 400, 450 and 900 M2
- 5) Cut back the FSR's to 0.5, 0.6 and 0.8 for dwellings, low-rise flats, 3-4 Storey flats.
- 6) Restore the Landscaped area development standard to the LEP.
- 7) Restore the minimum frontage standards to the LEP.
- 8) Supply definitions of "low-", "medium-" and "high density" in the LEP.
- 9) Eliminate the extremely high buildings in Kensington, Kingsford, Maroubra and Matraville.
- 10) Abandon the rezoning to 2B commercial at Carr St. at the South end of Coogee Beach.

[REDACTED]
Residents of Coogee.

[REDACTED]

From: [REDACTED]
Sent: Friday, 30 March 2012 10:36 AM
To: LEPreview; office@hazzard.minister.nsw.gov.au
Subject: Randwick Draft Local Environmental Plan 2012

I strongly object to any changes in the LEP Plan and request a deferral of any action. Many of the substantial changes are harmful to residents and need to be removed. It is essential that the wall height standards be restored to maintain light penetration to existing buildings. Also, restore the minimum frontage standards and landscape development standard to the LEP.

FSRs need to be cut back to 0.5 for dwellings, 0.6 for low-rise flats and 0.8 for 3-4 storey flats. I have registered for the public hearing.

[REDACTED]

[REDACTED]



1st April 2012

Mr. Ray Brownlee
General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031

Dear Mr. Brownlee

Thank you for the invitation to provide feedback regarding the Randwick Draft Local Environmental Plan (LEP).

As residents of Randwick we oppose developments that will increase bulk to well established neighbourhoods, many of which are conservation areas.

Our key request, after reviewing the LEP, is that there is more consistency between LEP controls and developments approved at council.

We look to the recently approved development at 39 Waverley Street that grossly exceeds current LEP controls. We refer to the Statement of Environmental Effects (SEE) document dated June 2011, regarding the property.

- Overall maximum height: "The proposed overall height amounts to a maximum of 15m, and exceeds the LEP standard by 3m"
- External wall comments: "The proposed external wall height amounts to a maximum of 14.7 m. This exceeds the LEP standard by 4.7m"
- Floor space ratio (FSR) "The proposal has a FSR of 1.09:1 and exceeds the development standard of 0.44:1"

We note that the reason provided for the increased FSR is due to the addition of a loft level that becomes the reason for exceeding the maximum height. The new FSR is 0.9m in the Draft LEP. In the case of the development at 39 Waverley Street, it appears that such a ratio could only be achieved through additional non-regulation building height approval.

We are extremely concerned that given the precedence set by the approval at 39 Waverley Street, and what seems to be an increase in the FSR in the Draft LEP, future developments will continue to add height and bulk to the established area of Randwick.

Yours sincerely

A black rectangular redaction mark covering the signature of the sender at the bottom of the letter.

From: [REDACTED]
Sent: Thursday, 22 March 2012 4:54 PM
To: LEPreview
Subject: Draft Comprehensive LEP

Submission:

The proposed zone R3 (Medium Density Residential) merges two existing zones. One of these zones is specifically designed to protect low density areas. The new zone gives no such specific or nominated protection. I realise that Council must follow the State Government template for the new planning scheme to the extent as shown in black type on the latest publication. I note however there is room for local additions as shown in red type.

In order to give some recognition of existing low density areas, the fifth objective as stated under the R3 zoning can easily be expanded to read as follows;

'To protect the amenity of residents in both low and medium density areas.'

This is a simple addition and gives some small recognition of the varied densities within those residential areas coming within the proposed Zone R3.

[REDACTED]

Spreadsheet of early submissions via "yoursayrandwick" website - D01440975

login	Name	Email	Phone	Address	Type your Submission
					Light rail please!
anonymou s_survey_ user_4					Dear Sir, ☐ As a long term resident of the Kingsford community of over 40 years I am continually seeing my quality of life and enjoyment of my community eroded by plans/changes that only benefit speculators and developers. ☐ I live in an area bounded by Houston road, See Street, Borrodale Road and Doncaster Avenue. I understand the current climate/policy of urban consolidation but surely it is obvious that Kingsford has more than contributed to this policy. ☐ This is one of the few areas in Kingsford that has had a two level restriction and it would be preferable by the majority of people that live here to retain this residential characteristic instead of transforming the area into more multi level developments that have infiltrated our Kingsford Community. ☐ I have read all the press releases stating that the changes will not effect the existing zoning and that it is only a change of wording.....if this is the case why change? ☐ I am sure that everyone that lives in this area would like the area exempt from the proposed changes to the zoning. ☐ Thanks ☐

anonymou s_survey_ user_5				Dear Sir/Madam, I I would like to action a Public Hearing held under the Environmental Planning & Assessment Act 1979 on the Randwick City Council's (RCC) LEP draft particularly referring to the Kensington/Kingsford areas. I As a resident I want to encourage a community/village style atmosphere with room for the community to congregate outdoors and space to do this in. This draft proposes to just encourage this area into becoming a greater thoroughfare to bi-pass. What I mean by 'bi-pass' is that the residents and those that live here get forgotten with the sway towards development and developers. I want community based projects that benefit the local area if any increase is justified to class it into a B1 first, like a shopping centre should have- IGA, Coles and Woolworths get the banks back and these amenities should want to be here and if not the the RCC should be asking why not. I Removal of the prescribed density/floor space areas, setback and external wall heights will mean that my area will simply funnel through traffic with businesses who see the road as just a thoroughfare, dfo not open there doors and do not benefit the local community to generate pedestrian Kensington does not reach the Standard Instrument requirements for B1 zoning so do not jump then RCC needs to concentrate its efforts and act first on upgrading public transport and traffic management I have studied the draft LEP and attended the Coogee Precinct meeting where four RCC councillors attended to answer questions posed by the attending local residents. I I agree with the opinions of most of the locals, certainly in the Coogee area, that the population density in many of the built up areas of the RCC is just too high to invite more chaos and traffic congestion. Some mornings at peak hour, I wait more than five minutes to enter Malabar Road, as the passing traffic is just too heavy. Trying to get through the business centre of Randwick at these peak times is also a true trial of the most patient driver. Best to avoid these areas, if possible, at these times. I Yes, people have to live some where, but placing more people in already congested and over populated areas does not sound like good common sense. Having just toured the central and far west of the state and visited many regional centres, it would seem better to improve the living conditions and job markets in these areas which would welcome more residents. The scientific literature on the social effects of severe crowding is quite convincing - too many people in too close p
anonymou s_survey_ user_6				

					I cannot see other people comment, please have look at light rail every one can read other commends and develop and understand the advantage and disadvantage of proposal. It would be good if this be as a forum so every one can read other people comment.
anonymou s_survey_ user_7					The report from Council supporting this rezoning is deficient on many fronts. It states that patrons of any new commercial activity will be local and will walk to it (cafe/restaurant/bar) and hence there will be no additional traffic or pressure on street parking. What is the basis for this assumption? Where is the professional survey data to back this up? I live in Coogee and I do walk to local venues but I am one of the few who walk. Even if some patrons do walk- most will not- neither will the staff. ☐ Another example is that there is no consideration of the fact that Kurrawa Avenue is a cul de sac and a narrow one at that. Any increase in delivery trucks in Kurrawa Ave is unsustainable as is any increase in garbage removal let alone more people looking for parking. Kurrawa Ave, in planning terms, is quite unsuitable for any further traffic movements especially those relating to large commercial vehicles. ☐ In addition, the summary of the objections to the proposal is quite incomplete and does not do justice to the time and effort that people put into their ☐