

D) Submissions on centres and other sites/locations

Note: This table includes submissions relating to neighbourhood centres (including Maroubra Beach), Specialised Centre, and Matraville and Kensington business centres.

Neighbourhood Centres

1. Bream Street, Coogee

TRIM Ref	Submitter	Submission	Council Officers' Response
D01651533	Resident Bream St Coogee	<p>1-16 Bream St has been rezoned from Residential 2C to B1 Neighbourhood Centre. The new zoning allows food and drink premises which will have amenity impacts on a primarily residential area. An existing café at 10 Bream St has caused major problems to residents and these uses should not be allowed in this location.</p> <p>The change in zoning should not adversely impact upon residents. The uses permitted between the former 2C zone and B1 zone should not change, and food and drink premises should not be allowed in Zone B1</p>	<p>To clarify, the DCP does not identify permissible uses within land use zones. This is the role of RLEP 2012, which was gazetted in February 2013. The DCP must be consistent with the LEP. It is also noted that 'food and drink premises' would have been a permissible use (subject to DA assessment of impacts) in the residential zone if the rezoning had not occurred, under LEP 2012 clause 'Business premises, office premises, restaurants or cafes and shops in residential zones', which provides for redevelopment of existing businesses. The business zoning, in effect, formalised the recognised uses at this location for neighbourhood commercial uses.</p> <p>Amenity impacts of cafes/restaurants or food and drink premises are addressed in the new generic neighbourhood centres section in Part D, which provides guidelines for design, built form, acoustic and visual privacy, vehicle access, servicing and loading. These controls are considered to suitably address the issues raised, and no amendments are proposed to the DCP.</p> <p>The new late night trading section of the DCP, which applies to restaurants/cafes, includes an objective to ensure proposals are appropriate to the location in terms of nature and scale of operations, and requires</p>

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			details to be submitted for assessment with any DA including suitability of the location, proposed patron capacity & trading hours, and measures to minimise noise or other amenity impacts on adjoining properties.
D01657352	Resident Bream St Coogee	The rezoning from 2C to B1 allows for food and drink premises, which is inappropriate given residential uses are located directly under, adjacent and across the road. The rezoning is a dramatic change and inconsistent in approach. This will have a detrimental impact and is unfair to residents. The cafe/restaurant at 10 Bream St has approval for 7 days trading up to 9 or 10pm, the use of bi-fold doors which can be left open until 5pm and a liquor licence. This approval has eroded the amenity of the area through increased noise, loss of privacy and traffic issues to residents. Food and drink premises of this nature (i.e licensed restaurants, long trading hours) should not be allowed in this location	This submission raised the same issues as the above submission. Refer to the above response.
D01657355	Resident Bream St Coogee	Forwarded the same submission (D01657352) as above	This submission raised the same issues as the above submission. Refer to the above response.

2. Malabar Road, South Coogee

TRIM Ref	Submitter	Submission	Council Officers' Response
D01661877	Planning Ingenuity, consultants on behalf of owners in South Coogee	<p>Submission in relation to Neighbourhood Centre at Malabar Road/Napper Street, south Coogee</p> <p>The controls do not encourage economic redevelopment of the land. The additional height and setback controls are objected to, and these controls should be deleted or modified.</p> <p>Land on the northern side of Malabar Rd at this B1 centre is different because of the relatively steep south-westerly sloping topography. This unique topography presents an opportunity to permit higher development towards the Malabar Rd/Napper St frontages of the site whilst maintaining a 9.5m maximum height for the adjoining zones.</p> <p>The proposal to limit mixed-use development to 2 storeys (with the exception of habitable roof space/partial floor if incorporated into roof design and not visible from the street) on page 5 of Part D7 (Neighbourhood Centres) is unsupported. Clarification is sought why habitable roof space/partial floor needs to be "incorporated into the roof design" when it is not visible from the street. If these are alternatives, the wording</p>	<p>It is noted that submissions requesting increased height and floor space in relation to this Centre were made during public exhibition of the Business Centres Discussion Paper and draft comprehensive LEP, on the basis that the proposed controls were too restrictive, and discouraged economic redevelopment of the land.</p> <p>Analysis of these requests was included in Council reports in December 2011 and May 2012 respectively. In both cases the requests were not supported, and it was recommended that a height of 9.5m and FSR of 1:1 was maintained, consistent with other neighbourhood centres of a similar size and context within a predominantly low density residential area.</p> <p>These recommendations were endorsed by Council, and the RLEP 2012 provisions are reflective of this. Further re-visiting of overall height and floor space controls is not supported. The DCP cannot override or conflict with the LEP controls (height or FSR).</p> <p>To clarify, the intention of this control is to encourage roof forms as an integral part of the overall building design. Visibility of a top floor from the street is important in proposals for an additional floor above an existing building, or an infill development within an established shop-top housing context, to ensure the development is subservient to existing primary building lines (eg: parapets). Where roof forms are present (or are suitable), the intention is to encourage habitable</p>

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		<p>should be changed to "incorporated into roof design or not visible from the street".</p> <p>The criteria of not visible from the street is not made clear and the interpretation of this clause should be clarified- what part of the street is to be used for such an assessment. The clause could refer to "not visible from the footpath on the opposite side of the street and a point perpendicular to the frontage".</p> <p>A preferable alternative is to stipulate a minimum setback of the upper level from the lower level of say 3m in order to achieve the desired design outcome. Suggested wording could be "incorporated into roof design or setback 3m from the level below".</p> <p>Development potential is further limited by excessive floor-to-ceiling heights. It will be impossible for any development to comply with the minimum floor-to-ceiling heights and the 9.5m LEP height control.</p> <p>The minimum floor-to-ceiling height controls are in excess of the controls under the Residential Flat</p>	<p>roof space to be integral with the roof rather than appearing as an additional storey.</p> <p>Supported. Suggestions regarding habitable roof space /visibility from the street are noted and additional clarification and information in the DCP is supported. (Note the overall maximum height of 9.5m in the RLEP remains). It is recommended that D7 section 2.3 Building heights be amended for clarification of this measure and also of any instances where a roof form may not be consistent with the streetscape (e.g. heritage buildings).</p> <p>It is recommended that the wording in the DCP be amended to clarify the intention of visibility of upper floors.</p> <p>Suggestion is noted. Suggested wording for the upper level to "be incorporated into roof design" is supported and it is recommended that the DCP be amended to reflect this. Suggestion regarding 3m setback is not supported. However, clarification of desired design outcome in terms of visibility of upper stories from the street is also proposed to be included in the DCP, as noted above.</p> <p>Suggestion to amend floor to ceiling heights is supported. It is important that ground floors retain higher ceiling heights to present a generous street frontage, to support shopfront displays and accommodate signage and awnings where applicable. Upper levels are likely to be primarily residential or small scale commercial activities/ offices, and the request for 2.7m ceiling height is supported.</p>

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		<p>Design Code and there is no justification for this. Given the neighbourhood scale of these centres, it is unlikely that there will be much retail and commercial space above the ground floor level. It is strongly suggested that if any minimum floor to ceiling height control is to be retained, it should be adjusted to provide a minimum of 3.3m for the ground floor and 2.7m for any other floors.</p> <p>The use of rear and side setback controls below the ground level is questioned. Such a restriction will constrain the ability to provide appropriate off street parking and servicing facilities and may force additional excavation to provide basement levels. Whilst we accept the need to provide appropriate landscape screening, this can be achieved by appropriate soil depths reinstated above by basement levels. Another option may be to define setback as applying only to any part of the building "above existing ground level"</p>	<p>The recommended adjusted minimum floor to ceiling heights are:</p> <ul style="list-style-type: none"> - ground floor: 3.3m (reduced from 3.5m) - upper floors: 2.7m (reduced from 3.3m) <p>Acknowledging that some long established neighbourhood centres may have different floor to ceiling height (e.g. higher for older centres with heritage values). An additional control is recommended to require consideration of the predominant storeys/floor levels of the centre.</p> <p>The DCP's explanation of setbacks in neighbourhood centres (B7, section 2.4) explains that setback controls are applied to the building line, being any part of the building that is above ground level – and would include any exposed partial basement, or part of a storey above ground on a sloping site. The objectives in this section support this. Setback controls do not apply to below ground structures, and it is recommended that a minor amendment to the explanation to address this confusion).</p>

3. Maroubra Beach

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D01642844	Resident Maroubra	All we want at Maroubra Beach is some progress instead of seeing the beautiful area constantly depreciating because of this inaction and constant objection to development. Let's evolve instead of devolve!	Noted.
D01660322	Resident Maroubra	<p>Support for the modernisation of the area around McKeon Street. The dilapidated block of dirty shops is an eye sore. The new DCP will improve the area and bring more civilised social life to it. It will additionally establish a meeting point for people older than 22 years.</p> <p>Any more "cutting" of the envelope is opposed as this is likely to make the project unfeasible. The maximum 19m height with a recessed top floor shouldn't been abandoned.</p>	<p>Noted.</p> <p>To clarify, the maximum height limit for the Maroubra Beach centre is a control in the LEP 2012, which was reduced to 16m following extensive consultation with the community on the LEP. The DCP now provides design guidance within this height limit.</p>
D01662122	Resident Maroubra	The Maroubra Beach Town Centre DCP doesn't take into account the primary views expressed at the community consultation meetings or in previous written feedback to RCC about the LEP.	The Maroubra Beach commercial centre DCP is a culmination of a 3 year community consultation process. The process involved the establishment of the Maroubra Beach Working Group which comprised of local residents, property owners, the Maroubra Beach Precinct Committee and the Maroubra Chamber of Commerce. Urban Design Consultants (Allen Jack & Cottier) were engaged to prepare a study and preferred master plan for the site and suitable development controls. The Maroubra Beach Design Study, built form controls and master plan were incorporated into the LEP which was endorsed by Council on 6 December 2011 for public exhibition in early 2012. Following community input, changes were made to the final

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		<p>I do not recall colonnades being raised by the community and am not in favour of this. It is unattractive and completely out of keeping with a beach side suburb. The best investment for Maroubra Beach Town Centre by RCC would be an alternative solution to the flooding issue. The raising of the floor level will make even the most attractive town centre look very odd and very different in character from surrounding areas.</p> <p>The presence of a local mini-supermarket was also not something raised by the community, and I do not support it. It is out of keeping with the character and form of Maroubra Beach Town Centre, and would likely send small mixed businesses out of business. From a financial perspective, I think a mini-supermarket would struggle to survive when there is South Maroubra Shopping Centre nearby.</p> <p>Although there will always be a range of community</p>	<p>controls for Maroubra Beach, which were endorsed in the LEP in May 2012 (and gazetted on 1 February 2013).</p> <p>The development controls contained within the Maroubra Beach DCP are the final step of a process which involved extensive consultation at all stages. The masterplan and subsequent LEP/DCP controls are the result of a consensus based process which has sought to balance and integrate the views and interests of all stakeholders.</p> <p>To clarify, the current DCP provides for colonnade. The 4m wide colonnade along Marine Parade is required under the amalgamated scheme (Figure 12) to address flooding levels, provides weather protection and disabled access, and creates a transition from the street. Changes to Section 9 is proposed to make the purpose of the colonnade clear. The rising of the natural ground level by 1m is required to minimise risk of inundation of ground floor properties and safe egress of occupants. Reference to the natural ground level and 1m flood level is depicted in Figure 11 of D8.</p> <p>The small scale supermarket would be limited to 600sqm in maximum floor area. In comparison, the average size of a full-line Woolworths supermarket typically has a retail floorspace of approximately 3,200sqm. The proposed mini supermarket for Maroubra Beach is thus, 1/5 the size of a conventional supermarket. The intent of the small format supermarket is to attract a convenience market and to target the shopping</p>

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		views on any issue, ignoring the overwhelming trends in community opinion for minority views which agree with a pre-existing RCC vision for the area would make a farce of community consultation.	demographic of the local area. A supermarket of this size is considered to complement the services already provided in a Neighbourhood Centre and provide necessary services to residents. Noted. Community consultation is an essential component to plan making. Planning for Maroubra Beach centre has involved extensive consultation during the formulation of the urban design principles and master plan and also during the LEP and DCP process.
D01663179	Resident Broome St Maroubra	The maximum building height should not be 16m but 13m. We already have cliffs at the north and south end of the Maroubra beach landform. We do not need another cliff in the middle (on the flood plain) of Maroubra Bay. Any good new shops will still be viable as there is a large population already near the beach who would appreciate a walk to good shops rather than a drive to South Maroubra village or Junction.	Not supported. The maximum height limit for the Maroubra Beach centre has already been reduced to 16m from the original proposal of 19m following extensive consultation with the community. The 20010DCP for Maroubra Beach had in place for many years, provisions that 15m may be appropriate subject to a DA. A further reduction in maximum building height to 13m would significantly impact upon the potential for any redevelopment within the centre.
D01663208	Resident Malabar Rd Maroubra	Feedback from the community focused on a desire to maintain the seaside village character of the area. There are some objectives and controls outlined in the DCP that are consistent with this vision (e.g, "incorporate architectural features which reduce the visual bulk of a building" (D8, p18); "maintain the scale and proportion of the existing fine-grain, narrow shopfronts" (D8, p28); articulate the roofline to minimise the apparent bulk and relate to the context of smaller building forms" (D8, p31)). However the inclusion of a colonnade and a 600sqm	Noted. The Maroubra Beach Commercial Centre Urban

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		<p>supermarket as part of the amalgamated scheme, are not compatible with maintaining the community vision for the area. These controls (colonnade and supermarket) for Maroubra Beach seem to contradict the general controls outlined for Neighbourhood Centres. For example, the colonnade is proposed to run the length of Marine Parade from Mons Avenue to McKeon St when the general controls state that colonnades are inappropriate. There are no colonnades in the Maroubra Beach area so it is hardly in keeping with the existing character of the location. Also, a colonnade is likely to make other objectives such as "promoting development that is well connected to the street and contributes to the accessibility of the public domain" (D7, p15) difficult to achieve. The rationale for including a colonnade is not clearly stated. Possibly it is one way of managing the 1 metre elevation of the building from street level required due to the flood risk in the area.</p> <p>Having a supermarket included in the Maroubra Beach section of the draft DCP seems inconsistent with statements made about the nature of a Neighbourhood Centre, such as having a "distinct character and identity which offers services on a more</p>	<p>Design Report (August 2011), prepared by Allen Jack and Cottier states that the intent of awnings and colonnades is to incorporate architectural features to provide a human scale to the building at street level. While colonnades do not currently exist in Maroubra Beach centre, the provision of such will be complementary to the building and provide weather protection to pedestrians.</p> <p>To clarify, the current DCP provides for colonnade. The 4m wide colonnade along Marine Parade is only required under the amalgamated scheme (Figure 12) as this would be difficult to achieve with properties in different ownerships (and thus not recommended for all other Neighbourhood Centres in Part D7 of the DCP). It should be noted that Part D7 Neighbourhood Centres – General Controls DCP applies to B1 centres that do not have a centre specific DCP (eg. The Spot and Maroubra Beach). A note will be inserted in Part D7 introduction to clarify this.</p> <p>Under the base scheme (Figure 13), awnings are required as a substitute for a colonnade on Marine Parade. The construction of a colonnade is required to address flooding levels, provides weather protection and disabled access, and creates a transition from the street. Changes to Section 9 is proposed to make the purpose of the colonnade clear.</p> <p>The small scale supermarket would be limited to 600sqm in maximum floor area. In comparison, the average size of a full-line Woolworths supermarket typically has a retail floorspace of</p>

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		<p>intimate level, often valued as it promotes personal contact between shopkeepers and shoppers...and creates a more unique shopping experience" (D7, p2). A supermarket represents the opposite of this type of shopping – impersonal, generic and ordinary, particularly a supermarket that is located inside the building which would be more akin to a mall-like experience. Also, in the case of Maroubra beach, supermarkets are readily available close by (e.g., South Maroubra – where there is ample parking, and Maroubra Junction). Mckeon Street is already naturally developing a varied and vibrant commercial area without the artificial imposition of a particular type of commercial operation (e.g. a supermarket). This unique and diverse business area is clearly what the community would like to preserve and nurture. It is unclear how the delivery of stock to the supermarket would be managed and the impact this would have on the amenity of residents close to the site.</p> <p>There is no mention in the DCP of the management of flood risk in the area by elevating any development by 1m. The DCP does not explicitly state how the elevation of a building will be managed in terms of access, nor the impact that this elevation is likely to have on the appearance of the building in relation to the surrounding streetscapes and natural environment (i.e. parks and the beach). I am not aware of how this 1m elevation was determined as the solution to flood risk. My understanding is that the Maroubra Bay Floodplain risk management study and plan is yet to be developed and I wonder if there is another solution to this problem as the 1m elevation would seem to make it impossible to build in a way that is consistent with the existing character of the area.</p>	<p>approximately 3,200sqm. The proposed mini supermarket for Maroubra Beach is thus, 1/5 the size of a conventional supermarket. The intent of the small format supermarket is to attract a convenience market and to target the shopping demographic of the local area. A supermarket of this size is considered to complement the services already provided in a Neighbourhood Centre and provide necessary services to residents.</p> <p>In Part D8 – 16 in the DCP, the importance of integrating adequate vehicle servicing and parking without compromising street character, landscape or pedestrian amenity and safety is noted. The design of vehicular access points are to accommodate expected flood levels. Steps and ramps will be within the development site and not on public land.</p> <p>A flood study determined that the main ground floor level of any redevelopment be located approximately 1 metre above the natural ground level to minimise risk of inundation of ground floor properties and safe egress of occupants. Due to</p>

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		<p>The section of the draft DCP relating to the Foreshore Scenic Protection Area is included under Low Density Residential. There are many types of development within the Foreshore Scenic Protection Area (Maroubra Beach being one of them) and the particular objectives and controls relating to this area should thus be included in the general controls.</p>	<p>the impact of the 1 in 100 year flood level and Council's flood mitigation strategy, a podium of approximately 1m in height above the existing corner of McKeon Street and Fenton Avenue is required. The exact reduced level (RL) of the podium is yet to be determined and will be part of the analysis under current flood planning management process. Reference to the natural ground level and 1m flood level is depicted in Figure 11 of D8.</p> <p>Noted. The LEP foreshore scenic protection area clause applies to Maroubra Beach commercial area and thus the DCP controls (in the C3 Low Density Residential section) area also relevant. See the Council report for further discussion on this issue.</p>
D01645202	Resident Portland Crescent Maroubra	<p>Central courtyard at Maroubra Beach should be a public area, such as european style plaza/meeting place, with outdoor dining/drinking, live music. Arcades should run through the site from Marine Pde to Fenton Ave, with a pedestrian plaza on McKeon Street.</p> <p>If there is a supermarket it should be hidden away. Include deep soil planting, tall palm trees.</p> <p>Allow late night trading for small diverse restaurants and bars on level 1, with views to beach. No franchise</p>	<p>The Maroubra Beach Commercial Centre Study states that the "community identified the need for a north-facing public square within the retail precinct, taking advantage of the solar access and protection from southerly winds" as its driving vision. Under an amalgamated scheme this would be achieved on McKeon St (Figure 2 of D8) in addition to a public through site link for pedestrian link to Marine Parade from Fenton Ave (Figure 14 of D8).</p> <p>The proposed mini supermarket will not be visible from the street, as indicated in Figure 17 of D8. The DCP also contains provision which necessitates deep soil zone landscape requirements.</p> <p>Premises which seek to provide late night trading will be subject to a DA and will need to address</p>

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		companies.	Part D5 of the DCP: Late Night Trading.
D01660282	Resident Maroubra Rd Maroubra	<p>1. Amalgamated Scheme and Base Scheme</p> <p>The planning for the whole of this area at Maroubra beach needs to have a major re-think. Suggestion for a competition to design an eco-village as a showcase for what can be done in an urban area. Suggestion for an international competition to be arranged with criteria including: winter sun to shine on Marine Parade, ecological sustainability, passive solar design, water harvesting, roof top gardens, etc</p>	<p>Not supported. The Maroubra Beach commercial centre DCP is a culmination of a 3 year community consultation process. The process involved the establishment of the Maroubra Beach Working Group which comprised of local residents, property owners, the Maroubra Beach Precinct Committee and the Maroubra Chamber of Commerce. Urban Design Consultants (Allen Jack & Cottier) were engaged to prepare a study and preferred master plan for the site and suitable development controls. The Maroubra Beach Design Study, built form controls and master plan (arising from the Study) were incorporated into the LEP which was endorsed by Council on 6 December 2011 for public exhibition in early 2012. Following community input, changes were made to the final controls for Maroubra Beach, which were endorsed in the LEP in May 2012 (and gazetted on 1 February 2013).</p> <p>The development controls contained within the Maroubra Beach DCP are the final step of a process which involved extensive consultation at all stages. The masterplan and subsequent LEP/DCP controls are the result of a consensus based process which has sought to balance and integrate the views and interests of all stakeholders.</p>
		<p>2. The Building Envelope</p> <p>When it says "maximum", in reality it only refers to the width and length, which are largely determined by the position of the property boundaries. However, the</p>	<p>The height controls for Maroubra Beach commercial centre is not only enforced via the DCP through the building envelope control – height is also set at 16m in RLEP, which being a legal planning instrument strengthens the maximum</p>

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		maximum height is quite different: there is no horizontal property boundary in the air at 16m above ground. No-one owns the airspace above 16m, so the height boundary is only a guideline and is quite flexible, especially now that the infamous SEPP 1 has been incorporated into the RLEP as Clause 4.6. The maximum height should also be set in stone, so that everyone is clear what is going to happen.	building height control.
		<p>3. The “mini-supermarket”</p> <p>The DCP states that “B1 allows for small scale retail” and that the character of a Neighbourhood Centre is a small cluster of retail and commercial businesses; intimate level of service by the shopkeeper; personal contact with people. A mini-supermarket is NOT small-scale retail. There are plenty of supermarkets in the area already – at South Maroubra, at Coogee, at Maroubra Junction, at Eastgardens, and at Southpoint.</p> <p>The siting and the location of the proposed “mini-supermarket” will make it difficult for large trucks to make deliveries, and add to the traffic congestion, fumes and noise of this fairly quiet and mostly residential suburb. Fenton Avenue is a quiet residential street, and large trucks coming and going at all times of the day and night will make it unbearable, and unsafe.</p>	<p>The small scale supermarket would be limited to 600sqm in maximum floor area. In comparison, the average size of a full-line Woolworths supermarket typically has a retail floorspace of approximately 3,200sqm.</p> <p>The proposed mini supermarket for Maroubra Beach is thus, 1/5 the size of a conventional supermarket. The intent of the small format supermarket is to attract a convenience market and to target the shopping demographic of the local area. A supermarket of this size is considered to complement the services already provided in a Neighbourhood Centre and provide a necessary service to residents.</p> <p>Given the scale and size limitation of the supermarket (should it eventuate), it is expected that deliveries and servicing requirements would not adversely affect the amenity of the area. However this would be subject to separate assessment and community consultation under the DA process.</p>

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		<p>4. Colonnade along Marine Parade – setbacks.</p> <p>The draft Neighbourhood Centres DCP states in Control (xi) “The development of colonnades is discouraged.”</p> <p>Section 9 of the Maroubra Beach DCP states “Awnings and colonnades are required to preserve the existing character” despite the fact that in the whole of Maroubra beach there are no colonnades, only awnings, so how can adding a colonnade preserve existing character?</p> <p>Section 9.3 Controls states “Colonnades and awnings must be provided in accordance with Figure 12 – the Amalgamated Scheme shows a Colonnade the full length of Marine Parade, while Figure 13 shows only awnings and no colonnade on Marine Parade. Why try to preserve the character of the place in one scheme by adding a colonnade, while in the other it is taken out altogether?</p> <p>A colonnade with a massive block of flats above is a bad design with the southerly aspect of Marine Parade, and is totally inappropriate, especially in light of the Council's addition of the Ecologically Sustainable Development section in the DCP.</p>	<p>It should be noted that Part D7 Neighbourhood Centres – General Controls DCP applies to B1 centres that do not have a centre specific DCP (eg. The Spot and Maroubra Beach). A note will be inserted in Part D7 introduction to clarify this.</p> <p>The Maroubra Beach Commercial Centre Urban Design Report, masterplan (and subsequent LEP/DCP controls) was specifically prepared to provide updated planning controls that would improve the visual qualities of buildings whilst enhancing the functioning, economic viability and amenity of the Maroubra Beach centre.</p> <p>The Maroubra Beach Commercial Centre Urban Design Report (August 2011), prepared by Allen Jack and Cottier states that the intent of awnings and colonnades is to incorporate architectural features to provide a human scale to the building at street level. While colonnades do not currently exist in Maroubra Beach centre, the provision of such will be complementary to the building and provide weather protection to pedestrians.</p> <p>To clarify, the current DCP provides for colonnade. The 4m wide colonnade along Marine Parade is only required under the amalgamated scheme (Figure 12) as this would be difficult to achieve with properties in different ownerships. It should be noted that under the base scheme (Figure 13), awnings are required as a substitute for a colonnade on Marine Parade. The construction of a colonnade is required to address flooding levels, provides weather protection and disabled access,</p>

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			and creates a transition from the street.
		<p>5. A cliff-like edifice along Marine Parade</p> <p>In Figures 4 and 5, the highest building heights can be along Marine Parade (16m) for both the Amalgamated Scheme and the Base Scheme. This will create a cliff-like edifice along the entire length of Marine Parade, and over a good part of Fenton Avenue and McKeon St in both Schemes. This will create a vastly expanded "Dead Zone" along Marine Parade.</p> <p>The DCP states that upper level setbacks are necessary to limit overshadowing, so why isn't there a series of upper level setbacks to limit the overshadowing on Marine Parade, and to enable a bit of winter sun to penetrate the "Dead Zone"?</p> <p>Section 22 Solar Access states "Shadow impacts on the public domain and adjacent properties require careful consideration and are to be minimized." It states an objective: "To ensure new development limits shadow impacts on the public domain". These statements are not reflected in the controls, which deal with the amount of direct sunlight that must be received in each apartment, and that the number of apartments with a southerly aspect must be minimized.</p>	<p>The building heights vary across the development but generally provide for lower heights (two to four storeys) at the street frontages. Higher elements are kept to a minimum and located to the centre of the site where they have less impact.</p> <p>Figure 11 of the Maroubra Beach DCP indicates that buildings along Marine Parade are required to incorporate a 2.5m articulation zone for all floors above the ground level in both the amalgamated and base schemes. The articulation zone requires architectural elements such as modulation and other design features.</p> <p>The Maroubra Beach Commercial Centre Study states that the "community identified the need for a north-facing public square within the retail precinct, taking advantage of the solar access and protection from southerly winds" as its driving vision. Under an amalgamated scheme this would be achieved (Figure 2). Given the southerly aspect of Marine Parade, it is inevitable that some overshadowing will occur in this location. However the minimisation of overshadowing was a key consideration in the formulation of the building envelopes and building heights were configured to minimise overshadowing within and from the development itself.</p>
		<p>6. Controls</p> <p>The term "Gross Floor Area" doesn't really mean anything to the layperson, so how can we judge what this means? Floor Space Ratio is also a difficult</p>	<p>Under the Standard Instrument for LEPs, a definition for gross floor area is provided in the LEP Dictionary. The benefit of the Standard Instrument, is that the definition for gross floor area is the same throughout all LEPs in NSW.</p>

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		<p>concept, and is only mentioned once, (<i>control (iv) pdf page 81</i>) in relation to the areas <i>outside</i> of the Maroubra beach area bounded by McKeon, Fenton, Mons and Marine Parade. Why isn't there a set FSR for the main site at Maroubra beach?</p> <p>The floor to ceiling heights for Maroubra Beach differs from the controls stated in the Neighbourhood Section of the draft DCP which state minimum floor to ceiling heights are: Ground floor 3.5m First floor 3.3m Residential floor 2.7m</p> <p>Compare these with the same items for Maroubra beach: Ground floor 3.8m First floor 3.1m Residential floor 3.1m</p> <p>Why are they so different for Maroubra beach? The effect is that at Maroubra beach, these larger floor to ceiling minimums will allow only 4 and a half storeys to be built within the 16m maximum height limit. Obviously any developer would be very keen to use Clause 4.6 to expand above the 16m height, and add another storey. With the smaller floor to ceiling heights, the 5th storey would be contained within the 16m "maximum" height limit. I don't understand why floor to ceiling heights are set when they know that the maximum height is 16m.</p>	<p>Floor space ratio (FSR) provides an easily calculated measure for the community and landowners about the bulk and scale of development that is permissible, by allowing a defined maximum floor space to be calculated based on the size of the lot.</p> <p>In recent years, there has been a move away from the use of FSR, with a preference to use building envelope controls in Randwick City's larger business centres. The advantages of a building envelope control is that these are underpinned with detailed planning and design reviews and requires quality design outcomes. Building envelopes are determined by controls such as setbacks, building width, height and articulation.</p> <p>It should be noted that Part D7 Neighbourhood Centres – General Controls DCP applies to B1 centres that do not have a centre specific DCP (eg. The Spot and Maroubra Beach). The purpose of this section of the DCP is to provide generic design controls to guide development in these centres. A note will be inserted in Part D7 introduction to clarify this.</p> <p>Following the extensive design and planning review for the Maroubra Beach centre, specific built form controls have been created to respond to the urban character, opportunities and constraints of the centre.</p> <p>The floor to ceiling height control establishes the number of storeys permitted in a development.</p>

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			Well designed ceilings can create visual interest and improve amenity. The maximum height of a building must take into account the minimum floor to ceiling height, ceiling space, floor slabs and the roof. With these other additional factors contributing to the height of the building, the opportunity to create a 5 th storey is not considered possible.
		<p>7. Flood levels</p> <p>The requirement of the design for any new development at Maroubra beach to be raised by 1m due to the findings of the flood study has been known for a long time. The entire area will have to be raised by 1m, with a plethora of ramps and stairs and elevated access ways to the basement car parking. None of this is really addressed in the DCP, yet it is an important factor in the design, appearance and aesthetics of any eventual development. It will effectively isolate the buildings on the site, which will be raised on a 1m plinth above the surrounding streets.</p> <p>There does not seem to be any provision for the steps and ramps to be constructed within the building envelope, as construction is allowed right up to the building line, so are the steps and ramps to be built on public property, that is, on the footpaths all around the site?</p> <p>It will be impossible to have some of the old shops retained under this DCP: they will all have to go and be replaced with a raised row of shops topped with a wall of units. The Maroubra character that we know and love will be gone.</p>	<p>Part D8 – 7 in the DCP: Building appearance and façade articulation, requires all external walls to have a high material quality and design in order to enhance the public domain and character of the locality.</p> <p>Part D8 – 16 in the DCP: Building entries, has as an objective the requirement that building entries contribute positively to the streetscape and façade design. Steps and ramps will be within the development site and not on public land.</p> <p>Part D8 – 15 in the DCP – size and configuration of retail spaces, contains controls to limit the width of commercial/retail premises specifically in order to maintain the fine grain character of Marine Parade and McKeon Street.</p>

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		<p>Part A: Introduction</p> <p>Is there a hierarchy indicated by the phrase “economically, socially and environmentally sustainable”? Should I understand that economics comes first, and the environment comes last? Or are they intended to have equal weight?</p> <p>The DCP should insist that any new and large buildings be put across the width of the site, with main living rooms and balconies facing to the north and north east. Instead, the DCP rules that the majority of any new buildings on the site will be facing south (along Mons Avenue), south-east (along Marine Parade), and north-west (along Fenton), with very few facing towards the north and north-east – only those along McKeon Street. Added to this, if the public plaza goes ahead on McKeon Street, most of those shop top accommodation residences will not face north-east either.</p> <p>With regard to this, in the new general section on Ecologically Sustainable Development (<i>Part B: General Controls, pdf page 109 onwards</i>), RCC is to be congratulated on incorporating ESD objectives. Where does this fit with the proposed DCP controls for Maroubra Beach? I cannot see that any thought has been put into this aspect of the DCP with regard to Maroubra Beach.</p> <p>Where is the architectural merit in what has been proposed, and then <i>imposed</i> in the DCP at Maroubra beach? There are some buildings at the beach which</p>	<p>There is no hierarchy placed on the words in this phrase. Equal value is placed on all three objectives.</p> <p>The master plan and subsequent building envelope controls for the Maroubra Beach commercial centre was determined by urban design requirements to balance both public and private amenity including new public open space, streetscape appearance, solar access, retention of water views, flood safety, traffic generation and economic feasibility. The building envelope seeks to allow reasonable solar access to the public domain and within the development site and within each apartment give the narrow width of the envelope providing for natural ventilation.</p> <p>The structure of the Comprehensive DCP requires any future development in Maroubra Beach centre to consider Part A and Part B of the DCP in addition to the centre specific section (Part D8). Therefore Part B3 Ecologically sustainable development would apply to any redevelopment in Maroubra Beach commercial centre.</p> <p>The Maroubra Beach Commercial Centre Urban Design Study was prepared with the aim of</p>

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		have no architectural merit whatsoever: the Seals Club for one; but that should not be a reason to totally wipe out what is essentially a characterful place with nice little shops with shop top flats (one level) and a friendly community.	providing planning controls that would improve the visual quality of buildings in the centre. These controls have been transferred into the DCP.
		<p>The following General Controls have been ignored at Maroubra beach:</p> <p>“To ensure high quality urban design is a fundamental consideration for all development”. <i>(Section 1.1 Objectives, page 2/pdf page 3)</i>. There is an explanation of this statement in the following section, listed under the seven qualities of successful places, which includes nebulous things such as “Sense of Place”, “Ease of Understanding”, “Adaptability and Responsiveness”. The list seems to be a list of qualitative non-tangible things about a particular place, which is exactly what the local residents think they have got at Maroubra beach, as they keep saying, over and over again: Maroubra beach has a “friendly seaside village atmosphere”.</p> <p>It has become this way over the years, and in my view cannot be retained when completely redesigning the area along the lines proposed in the DCP; it is something that grows with time, and can be destroyed in an instant with a bulldozer. It is about the people who live here, the buildings that have survived here, and the characters that live in them and visit them, and the spaces between and around the buildings and what they are used for.</p> <p>For instance, the part of Marine Parade in front of the Seals Club is widely known as the “Dead Zone”</p>	<p>The character of an area is defined by the combination of the particular characteristics or qualities of a place. Buildings in the study area have varying setbacks to the street, generally attributed by the building's use. This lack of consistency results in poor streetscapes and a lack of spatial definition of the street and street edge. The built form within the study area is also inconsistent in height, bulk and scale. This is primarily due to building use, zoning and the era of development. The overall urban form in the study does not contribute to the legibility and hierarchy of its streets and places. A building like the Seals Club with its lack of an active street frontage, blank walls and dark windows reduce the passive surveillance of the public domain and so reduces safety and security. The scale and proportion of the existing fine grain (narrow lots) shopfronts on McKeon Street is distinctive to and enriches the place. The draft controls recommends a maximum shopfront width of 5m to reflect this fine-grain form of retail frontages at street level along McKeon Street, the proposed public open space fronting McKeon Street and along Marine Parade. The draft controls are aimed at reinvigorating the centre by providing a diverse range of services and active street frontages. The public open space on McKeon St also offers the opportunity to create a new well</p>

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		<p>because it has no character, no life, is freezing cold for 6 months of the year, exposed to the southerly winds, and it is densely shaded by the Club building. If Fenton Avenue was allowed to have cafes, they would be popular, especially in winter, as it is a winter sun trap there on the southeast side. Any shops or cafes that are built along Marine Parade will have very few customers, unless the owners can do something about the freezing cold wind and deep shadow for 6 months of the year. Alternatively, the roofs facing Marine Parade could be sloped gradually back, so that winter sun reaches the street on Marine Parade. However, no such design has been provided for in the DCP for Maroubra beach</p> <p>Key Aspects of Urban Form - 4: Height and Massing (<i>Section 2.0: Components of Urban Design, page 4/pdf page 5</i>). It mentions the importance of scale, arrangement, volume and shape of buildings in relation to humans, other buildings, spaces, skylines and views. But at Maroubra beach, there is an allowance in the draft DCP for any new building to be built up to the property boundary on 3 sides of the block, with no relief of setbacks on upper stories until the top level, creating canyon-like spaces on the roads around it in which humans feel dwarfed and claustrophobic. The Council is expounding good design in the draft DCP, and has listed the aspects fundamental to the success of a place, yet then completely ignores these excellent principles at Maroubra beach.</p> <p>Car Share (<i>Section 2: Sustainable Transport, Section 2.2 Car Share, page 4/pdf page 150</i>) It sounds like a possible loophole for a developer who wants to put the</p>	<p>defined space that can become a meaningful place, allowing the various residents and visitors to the beach to engage on a number of different levels and contribute to the wellbeing of the community. The residential uses above the retail premises that would front the plaza would provide for many eyes on this space making it inherently safer.</p> <p>Note that envelopes built to the front and side boundaries is generally required in all town centres in Randwick City and as a best practice in planning and design, to create continuity of developments and shopfronts within centres.</p> <p>The DCP contains these provisions to recognise opportunities for minimising car use and private vehicle ownership, given other alternatives are</p>

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		<p>maximum number of units on a block without having to provide the usual number of mandatory car spaces. Maroubra beach is well served with bus routes, and a block of apartments could be built more cheaply with less car spaces using this clause, but who would police the number of cars people could own if they bought or rented a unit in such a block? The result would be more pressure on the already overcrowded streets from the added new resident parking. If the DCP included a control about how many cars each unit could own, this would be a very good clause.</p> <p>In the Section on Water Management, (<i>Water Management Section; Section 1: Introduction, page 2/pdf page 173</i>) the draft DCP states that the overall focus is “Water Sensitive Urban Design” - to reduce the amount of pollution in stormwater ending up in local waterways; there is an encouragement for developers to install water tanks, onsite retention, water reuse, infiltration systems and the like. Yet, at Maroubra beach there is no provision whatsoever for any of this. In fact, it will be a worse situation than now, as more of the site will be hard-surfaced, and where there are areas designated for vegetation, many of them are in concrete planters above the basement. Very little of the area has been marked for “deep plantings on natural ground”, thus contributing to more stormwater runoff than at present. So, why weren't the ideas in this section taken into account in the design for Maroubra beach in the RLEP and the draft DCP?</p> <p>Section 5 on Flooding (<i>Water Management Section; Section 5: Flooding, page 9/pdf page 180</i>) does apply to Maroubra beach: it is well known to local residents</p>	<p>available (public transport, cycling, car share). The intention of this section is to minimise pressure for growth in traffic and parking demands.</p> <p>It is important to note that Parts A and B of the Comprehensive DCP applies to all development proposed within Randwick LGA. Rather than duplicate controls across various sections of the DCP, the intent is to streamline the document.</p> <p>It is confirmed that Part B8 Water Management applies to Maroubra Beach. Part D8 – 16 in the DCP: Building entries, has as an objective the</p>

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		that the area of Chapman Ave and Fenton Ave gets flooded in extreme rainfall events. A flood study confirmed it. The result is that the entire block surrounded by Fenton Ave, Mons Ave, Marine Parade and McKeon Street will have to be raised on a 1m plinth to allow any development to cope with such an event; that is, to stop storm floodwater entering the shops and cafes, residences and basement. The access route into the one or two levels of basement parking will have to be built up so that they are 1m above the present ground level. Nowhere in the DCP for Maroubra beach does it specifically say how this 1m plinth will be incorporated into the general design of the building(s).	requirement that building entries contribute positively to the streetscape and façade design. Steps and ramps will be within the development site and not on public land. A flood study determined that the main ground floor level of any redevelopment be located approximately 1 metre above the natural ground level to minimise risk of inundation of ground floor properties and safe egress of occupants. Due to the impact of the 1 in 100 year flood level and Council's flood mitigation strategy, a podium of approximately 1m in height above the existing corner of McKeon Street and Fenton Avenue is required. The exact reduced level (RL) of the podium is yet to be determined and will be part of the analysis under current flood planning management process. Reference to the natural ground level and 1m flood level is depicted in Figure 11 of D8.
		Heritage section: There seems to be no mention whatsoever of the Chinese Market Gardens at La Perouse , which I believe has Heritage status. Why was it omitted?	Section B2 is a new section on Heritage which provides detailed background and controls for heritage items. The Chinese Market Gardens is a State heritage listed item and B2 identifies the importance and additional requirements for assessment of any development relating to these State items, including NSW Heritage Council approval requirements. The DCP does not provide detailed controls for each of our heritage items. As the site is listed on the State Heritage Register, a detailed Statement of Significance is provided by the NSW Heritage Branch, who are the consent authority for any application affecting this site. The Statement of Significance allows for the heritage impact of any

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			proposal to be assessed.

Specialised Centre

TRIM Ref	Submitter	Submission	Council Officers' Response
D01661945	Planning Ingenuity	<p>Submission regarding 149-155 Belmore Road Randwick:</p> <p>Objection to height limits imposed, including excessive floor to floor height requirements.</p> <p>Heights should be consistent with Residential Flat Design Code (RFDC) controls.</p> <p>Object to limitations of ground floor uses to health services facilities.</p> <p>Object to front and rear upper level setbacks of 4m and 6m. Object to 6m wide dedication to link Don Juan Avenue.</p> <p>Refers to a Council submission to include this</p>	<p>Overall height limit of 15m is covered by Randwick LEP 2012, based on a Council resolution. The DCP cannot contradict the LEP.</p> <p>Floor to floor heights must be suitable for health/medical uses, and are not considered excessive. However, it is agreed to amend the controls to specify minimum floor-to-ceiling heights rather than floor-to-floor heights, as these are generally provided in other sections of the DCP. (See specific recommendations in the submission below)</p> <p>Agree that for residential floors, minimum floor to ceiling heights should comply with the RFDC (ie: 2.7m as currently stated in the DCP).</p> <p>Provision of suitable floor space for health and medical uses near the hospital campus is a key objective for this site. (Nevertheless the R3 medium density residential zone also provides for a range of other permissible uses that may supplement health/medical uses – eg: neighbourhood shops) Objection not supported.</p> <p>Not supported. The envelope controls in the draft DCP are the result of a consultant commissioned study. Connection to Don Juan Avenue will provide a setback to the adjoining heritage item, and also provide access to the street from rear parking/servicing. Easement for public access can be considered as an alternative to dedication.</p> <p>Council did not make a submission to nominate any</p>

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		<p>location in (State Government) Urban Activation Precinct investigations. This plus its location warrants a taller building - controls are unduly restrictive.</p> <p>Object to <i>requirement</i> for site amalgamation; suggest wording change to encourage rather than require - should be allowed to develop as smaller parcels, and still achieve parking and servicing needs.</p>	<p>Urban Activation Precincts. Any outcomes of the UAP process (as yet unknown) can be reflected in future DCP amendments where relevant.</p> <p>Envelopes in the draft DCP for this site are based on a consultant study. Do not agree that parking and servicing needs can be met without a coordinated design across all lots. Objection not supported.</p>
D01633374	Rezidence Property Group	<p>Submission from property owner in relation to 149-155 Belmore Rd:</p> <p>Agrees with objectives to provide suitable ceiling heights to suit health and medical related uses, but considers current controls are oversized, and seeks lower min. heights to improve potential for affordable dwellings above ground/first floors within the 15m height limit.</p> <p>Suggests controls are amended to state:</p> <ul style="list-style-type: none"> - minimum floor - ceiling height of 3m & 2.7m respectively for ground & first floors; or - minimum floor - floor height of 3.5m & 3.2m respectively for ground & first floors. <p>Also requests confirmation that controls for ceiling heights and habitable roof space in C4: Medium</p>	<p>Agreement with objectives noted. Specific recommendations for lowered floor/ceiling heights on ground and first floors are not supported – these are considered too low and inflexible, and would provide a poor street presentation at ground level. However as noted above, amendment of the controls to define minimum floor to ceiling heights (instead of floor to floor heights) is supported. With an efficient structure, it should then be possible to maximise useful floorspace without compromising amenity or functionality.</p> <p>Recommend that height controls are amended as follows:</p> <ul style="list-style-type: none"> - ground floor: minimum floor - ceiling height of 3.3m - first floor (and any other upper level used for health / medical related uses): minimum floor-ceiling height: 2.7m <p>To clarify, controls for residential uses in upper floors should be consistent with the controls in C4: medium</p>

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		<p>Density Residential do not apply to the High Street area blocks in the Specialised Centre.</p> <p>Notes the highest specified BCA and Australasian Health Facility Guidelines ceiling height is 3.0m, with a general ceiling height of 2.7m for treatment and activity areas & 2.4m for corridors, offices etc.</p>	<p>density residential uses (drafted to be consistent with the RFDC code).</p> <p>This reference is noted – however a higher floor to ceiling height is recommended at ground level to provide a suitable scale to the street, and flexibility for a range of permissible uses. This is consistent with the approach in all commercial centres.</p>
D01663249	Urbis, on behalf of landowner	<p>Submission on behalf of Australian Turf Club (ATC).</p> <p>Part E3 of the draft DCP relating to Royal Randwick Racecourse should be deleted from the DCP. The controls are obsolete and do not recognise recent major developments.</p> <p>They have not been updated to reflect changes to the operation of the racecourse (eg: name change from AJC to ATC).</p> <p>They are not needed, given the application of the State and Regional Development (SRD) SEPP since 2011 (to development over \$10 million capital investment value and all non-race day events).</p> <p>Likely impending changes to the Planning framework through the (State government) Urban Activation Precinct (UAP) process will include Randwick Racecourse.</p>	<p>Not supported. A site specific DCP is a requirement for all sites over 10,000sqm under Randwick LEP 2012. The draft DCP controls for Royal Randwick Racecourse are essentially the same as the standalone Randwick Racecourse DCP, adopted in 2007. This was based on a master plan prepared by the Australian Jockey Club, and contains valuable information about the site, its significance, and broad planning and design principles that remain relevant, despite application of the recent SRD SEPP for specific major developments and events.</p> <p>Not supported. This section of the DCP will still apply to development under the \$10 million threshold. Minor amendments to reflect recent development and changes in operation of the Racecourse are recommended. The DCP can be further updated upon completion of any new development. This will be undertaken in consultation with the ATC.</p> <p>Possible (as yet unknown) changes that may arise from the current UAP process can be incorporated in a future amendment to the DCP.</p>

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D01663189	UNSW	<p>LEP 2012 and draft DCP have been prepared without considering likely impacts of NSW government planning initiatives, including:</p> <ul style="list-style-type: none"> - EP&A Bill changing the role/force of DCPs, - the review of the NSW Planning system, - Randwick Urban Activation Precinct (UAP), - Light Rail, - the new Sydney Metropolitan Strategy. <p>The draft DCP should not be adopted in its present form (based on the above).</p> <p>Draft DCP does not mention increasing the supply of affordable housing to reflect the needs of workers and students in the Specialised Centre, or to ensure land is located for housing with good access to transport infrastructure.</p> <p>Housing and employment objectives relating to affordability and proximity to public transport</p>	<p>Noted. All the State government planning initiatives mentioned were either at a preliminary stage or unknown at the time the draft DCP was endorsed by Council for public exhibition (November 2012).</p> <p>Since this time, the amendment to the EP&A Act amending the role of DCPs has been implemented. The draft DCP has been updated to address this in Part A.</p> <p>Any relevant future outcomes of the current review of the NSW Planning system, the light rail and UAP planning processes, and the finalisation of the Sydney Metropolitan Strategy can be addressed in a future amendment to the DCP.</p> <p>Not supported (see also explanation above re the AJC).</p> <p>To clarify, the draft DCP does provide for the supply of affordable housing in the Specialised Centre. Objectives for the whole Centre (E2: page 5) and the High Street area (E2: page 8) stipulate a diversity of residential uses including affordable housing to reflect the needs of key workers and students. Specific controls require a proportion of dual key apartments (recommended by Housing NSW as an effective option), and potential for creating habitable roof space to accommodate affordable accommodation.</p> <p>Objectives for affordable housing and location of land for housing with good access to transport infrastructure is also addressed in RLEP 2012.</p> <p>The LEP and DCP already include overarching objectives at the front of each document applying to all</p>

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		<p>should be included in Part C and Part D.</p> <p>Part A: Support new performance-based provisions that allow for some flexibility in design and construction. Correction should be made to reference Clause 2.3, not 2.2.</p> <p>Part B2: Old Tote/Fig Tree Conservation Area: HCA boundary does not align with recent student housing construction; should be adjusted to exclude non-heritage buildings.</p> <p>Part B7: Light rail decision is not acknowledged in the DCP; objectives regarding integration of development with the public transport network should be expanded, and new provisions developed for town centres and key sites around the light rail route.</p> <p>Part D: commercial objectives/provisions relating to development in the UAP and light rail corridors should be added.</p> <p>Part E2: Specialised Centre: the area covered by this section does not reflect the UAP investigation area or light rail, and several aspects should be reviewed, including exclusion of the Racecourse land along High Street, exclusion of the Wansey Road/Arthur Street block, exclusion of most of</p>	<p>development, such as housing affordability and diversity, and integration of land use and transport. There is no need to duplicate in every chapter. Where critical (such as the Specialised Centre as noted above), specific objectives are included. Recommendation not supported.</p> <p>Support noted. Correction also noted.</p> <p>This issue was previously raised by UNSW during public exhibition of the draft RLEP2012, and was not supported. The extents of HCAs are defined in the LEP, and the DCP must be consistent with this.</p> <p>See notes above – Light rail was not yet announced when the draft DCP was endorsed for public exhibition. While there has been an announcement, light rail is still in the project planning stage and it is premature to amend the DCP. Any relevant outcomes for the DCP (once the light rail project is approved and confirmed) can be incorporated in a future amendment.</p> <p>See previous notes about suitable locations of objectives, and future DCP amendments if relevant following completion of the UAP/light rail projects.</p> <p>See previous notes about suitable locations of objectives, and future DCP amendments if relevant following completion of the UAP/light rail projects.</p>

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		<p>Eurimbla Avenue block; inability for UNSW to maximise future research development opportunities in the area identified.</p> <p>UNSW Kensington Campus (Masterplan): this is under review by UNSW, and in conjunction with planning outcomes from the UAP process, and related planning changes. Recommend it is not adopted in its current form.</p>	<p>The controls for UNSW Kensington campus in the draft DCP are consistent with the standalone UNSW DCP (which was based on a masterplan prepared by UNSW) adopted by the Council in 2007. Any updates to the UNSW masterplan, when completed by UNSW, can be considered for incorporating into a future DCP amendment.</p>

Matrville business centre

TRIM Ref	Submitter	Submission	Council Officers' Response
D01661887	Resident Matrville	<p>Submission regarding controls for the Matrville RSL site:</p> <p>Object to using Norfolk Parade to provide all vehicle access to and from Matrville RSL Car Park. The impact will result in greatly increased traffic flow leading to congestion as development continues to progress. My greatest concern is the impact on our health and on my property value, due to hazardous fumes from the increased traffic which could make my home unliveable.</p> <p>I request to change the plans to stop the huge increase of traffic coming into Franklin St from Bunnerong Rd and into Norfolk Parade from Franklin St to enter and exit the Matrville RSL Car</p>	<p>Draft DCP provisions for the RSL Club site (Part D14, 3.3.6) refer to the need for a comprehensive development framework for the whole site, and a site-specific staged DA.</p> <p>The Norfolk Pde is currently the key access to and from the RSL Club. To clarify, the DCP controls do not apply to the existing Club. They are applicable only to new development proposals. Given the requirement for a comprehensive approach to any redevelopment, it is recommended that control vi) which requires all vehicle access from Norfolk Pde, be amended to require a traffic and access study to be submitted with any staged DA to identify appropriate vehicle access route(s) to the site.</p>

TRIM Ref	Submitter	Submission	Council Officers' Response
		Park.	

Kensington business centre

TRIM ref	Submitter	Submission	Council Officers' Response
D01662869	Resident	<p><u>Minimum Lot Size</u> Minimum lot size (900sqm) in KTC is important and must be adhered to. Disappointed in decision on the site at corner Bowral St/Anzac Pde which fell short of this minimum.</p> <p><u>Botany Sand Aquifer</u> Botany sand aquifer unsuitable for 25m buildings and Council will be liable for subsidence and damage to adjoining buildings; heights should be limited to no more than 15m including parking levels; depth of Botany sands never been reliably assessed and mapped. Geotechnical investigation for proposed development at 2-6 Goodwin St did not address "recharge"</p> <p><u>Water Management</u> DCP should clearly include conditions of consent and geotechnical engineers should include options and reasons and should not be the cheapest option; submissions must contain fullest detail; retaining walls in basement car parks should be specified; sites should be "fully tanked" as required in Water Management Act; protection of adjoining properties is essential and should be in DCP. DCP should specify</p>	<p><u>Minimum Lot Size</u> To clarify, the minimum 900sqm lot size within Kensington Town Centre (section 4.1.1) is specified for corner sites only as a guide for suitable design and site access.</p> <p><u>Botany Sand Aquifer</u> The maximum height controls are contained in the RLEP, while the DCP provides supplementary guidance, but cannot override the LEP controls. Engineering considerations of appropriate heights or setbacks in relation to foundation and groundwater conditions should be undertaken on a site by site basis. Refer to further discussion on this issue in the report.</p> <p><u>Water Management</u> These issues are addressed in Section B8: Water Management. Refer also to the discussion on this issue in the report.</p>

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		<p>quality of reports from technical experts and supervision sign-off (important matter)</p> <p><u>Commercial Landuses and setbacks</u> Avoid increasing commercial space on side streets east of Anzac Parade. Maintain setbacks to residential buildings</p> <p><u>Dining Area Setbacks</u> Dining area setbacks of 0.6m leaves diners exposed to weather and pollution</p> <p><u>Rear Colonnades</u> Colonnades to the rear of multi unit blocks have not eventuated without explanation.</p> <p><u>Vision Statement</u> DCP should state the means by which the vision for KTC will be achieved, eg: through showing locations of planned public improvements, landscaping, convenient facilities, public art and public spaces.</p>	<p><u>Commercial Landuses and setbacks</u> To clarify, the RLEP 2012 establishes the land use zones and permissible uses. Since 2002, the LEP has identified locations of permissible commercial land uses on certain streets linking to Anzac Parade. The DCP provides setback controls (see Part D 10 4.2.6) that recognise instances where existing adjacent buildings are unlikely to change (e.g. stratas). It should be noted that the DCP does not propose any change to the amount of commercial floorspace in Kensington town centre.</p> <p><u>Dining Area Setbacks</u> To clarify, this setback is a standard setback for outdoor dining areas has been established to allow vehicles to exit adjacent to outdoor dining tables.</p> <p><u>Rear Colonnades</u> To clarify, the rear colonnades are proposed to assist in delivering the slim building footprint specified in this section of the DCP and apartment layouts that encourage natural ventilation (see also section 4.7.2). However if the objectives of the DCP can be achieved without the rear colonnade, this also provides for acceptable outcomes.</p> <p><u>Vision Statement</u> The Kensington Town Centre vision statement is a long term goal and is achieved through various measures/channels – including public domain improvements, infrastructure, advocacy and the development process, including extensive consultations. The vision statement is included in the DCP to provide to</p>

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		<p><u>Public Domain</u> Implement Public Domain Improvement Strategy for the Centre. Images of leafy streets – DCP should show how this will be realised.</p> <p><u>Public amenities</u> Financial commitment from Council needed to achieve vision eg: buy green spaces, community centre, school playground.</p>	<p>the development scenario and controls. It is not the role of the DCP to go into detail of how the vision will be achieved by means other than the development process. All other more recent commercial centre reviews (or desired character) which have been derived from community input in the centre review, are considered an important reflection of the direction of each centre.</p> <p><u>Public Domain</u> Noted. Public domain improvements, open space, community facilities, etc provided by the Council are funded through Council's budget and s94A developer contributions, and implemented over time.</p> <p><u>Public amenities</u> This is not relevant to the DCP. The S94A Development Contributions Plan governs the application of contributions via a schedule of works applicable on a city-wide basis. The Plan was updated in 2012 and there is no review scheduled at this time. Section 94A of the EP&A Act provides a system for levying development contributions from new development to ensure that communities have adequate public amenities and services. Council's Section 94A Plan requires development contributions (monetary or in-kind) to help provide for open space (parks/reserves), local road improvements, town centre improvements, community centres and other infrastructure and services.</p>
D01663182	Resident, Kensington	Duplication of Kensington West Kingsford Precinct submission	Refer to the Precinct Submission Table and report for response to issues.
D01662899	JW Planning on behalf of	<p><u>Clarification of Controls</u> Clarification of draft controls for Kensington Town Centre- specifically Addison Motel: 147-</p>	<p><u>Clarification of Controls</u> Noted. The current provisions for Kensington Town Centre (Part D10) have been in place since 2002 following an</p>

TRIM ref	Submitter	Submission	Council Officers' Response
	resident	<p>151 Anzac Pde Kensington.</p> <p>Draft controls for Kensington are largely the same as existing Kensington Town Centre DCP and little development has been achieved under that DCP during its 13 years of operation.</p> <p><u>Hierarchy of Controls</u> Lack of statements in the Draft DCP to clarify the hierarchy or priority of controls or provisions ie: there is conflict where controls have equal status and leads to uncertainty. Suggest that DCP distinguishes between public and private issues eg: streetscape appearance, height and physical appearance would have priority and internal amenity could have lower priority.</p> <p><u>Public Transport Reference</u> Section 3.9 Public Transport- include updated reference to light rail</p> <p><u>Building Envelopes</u> Section 4.2 Building Envelopes-requirement</p>	<p>extensive planning and design review. The exhibited draft Comprehensive DCP provisions including the centre's vision, context and development/design controls are essentially the same as the existing provisions, whilst the preliminary section has been updated to refer to the new Randwick LEP 2012 and other parts of the DCP. Overall these provisions are still considered relevant and appropriate for the centre. It should be noted that many sites have been suitably redeveloped under these provisions. It is recognised that in order to continue to achieve the centre's vision amalgamation of sites is necessary. This issue can be considered in a future review of these provisions.</p> <p><u>Hierarchy of Controls</u> To clarify, Part D10- 1.1 and 1.2 specify clearly that the application of the DCP controls. Part 1.2 also notes that no single element takes precedence unless specified. To achieve the stated vision for the centre, all elements of the DCP must be considered for creation of active building frontages, achieving design excellence, achieving environmental sustainability and a high level of residential amenity. A balanced assessment of all these issues is required in order to achieve a good design outcome. Any potential conflicts arising due to specific issues for certain sites, must be suitably analysed and justified in the DA.</p> <p><u>Public Transport Reference</u> Supported. It is recommended that Section 3.9 Public transport be updated to refer to the State Government's commitment to light rail along Anzac Pde. See also DCP sections B7 2.1- 2.5 Sustainable Transport which addresses other transport options including car share and fuel efficient cars.</p>

TRIM ref	Submitter	Submission	Council Officers' Response
		<p>that GFA occupy no more than 80-85% of building envelope is unclear and is unnecessary. e.g achieving a street wall should prevail over amenity</p> <p><u>Building Heights</u> Section 4.2.4 Building Heights- No mention that Anzac Pde is 40m wide; the right scale of buildings should be reviewed as LEP 2012 allows up to 25m and objectives of DCP should be reviewed. Graphic on pg 19 conflicts with cl 4.3 of LEP 2012 and contrary to B2 Local Centre Zone. The most suitable form of development is the re use of existing buildings and this should be recognised in the DCP. Achieving a specific floor to ceiling height for each storey may not be achievable.</p> <p><u>Setbacks</u> Section 4.2.10 Setbacks- 7 storey buildings along Anzac Pde with little or no setbacks is desirable therefore 4m setback is inconsistent</p>	<p><u>Building Envelopes</u> Not supported. The purpose of this provision (i.e.: that no more than 80-85% of building envelope be taken up by floor area) is to recognise and encourage good design and articulation of frontages. This is a key element in achieving the Centre's vision. It is noted that this provision could be clarified in the 'Objectives' of s.4.2.1 New Built Form and wording to this effect is recommended. The provision requiring a continuous street wall along Anzac Pde is to reinforce the character of the Town centre along with amenity considerations for providing a reasonable level of visual and acoustic privacy to both side and rear properties.</p> <p><u>Building Heights</u> To clarify, the diagram on pp 18 of Part D10 does make reference to the proportions of Anzac Parade (40m) in the analysis that lead to the LEP height limits (introduced in 2002). It is noted that the diagram is poorly reproduced and the final DCP graphics will be corrected.</p> <p>The draft DCP does not change the maximum height permissible within the centre. The explanatory notes and diagram about building height have been clarified to distinguish between maximum building height permissible in the LEP and maximum building height permissible in the DCP. It is already acknowledged in the DCP that the reuse of existing buildings may be appropriate, and in those instances the existing floor to ceiling heights would be acknowledged in any reuse/upgrade. However where possible, the DCP floor to ceiling heights should be considered in the context of any expansions to an existing building or the interfaces.</p>

TRIM ref	Submitter	Submission	Council Officers' Response
		<p>with DCP vision of achieving a "human scale"; in the case of building re use would be allow retention of existing buildings.</p> <p><u>Carparking</u> Section 4.5.2 On Site Carparking- conflicting requirements between landscaped area and parking provision at grade- consideration must be given to provision of light rail and therefore concessions on parking should be available.</p> <p><u>Colonnades</u> Section 4.6.8 Colonnades- requirement for rear colonnades would appear to be of little public benefit as other controls can achieve objectives</p>	<p><u>Setbacks</u> The proposed 4m setback on floors above the fourth floor was included as a means to provide visual interest /articulation of frontages along the street and was based on design advice appropriate to the street. It is acknowledged that where buildings are adaptively reused, there is little scope for adjustment in the street wall. This is a matter that can be reviewed in a future amendment to the DCP controls.</p> <p><u>Carparking</u> To clarify, the DCP Parking requirements are for semi basement or basement parking (not 'at grade') and there is no conflict in the landscaping and parking controls. Requirements for car parking is reviewed on a case by case basis and any variations need to be justified through a traffic/transport study that addresses parking/traffic generation, and considers the merits of a proposal. The DCP (in Part B), recognises the role of sustainable transport, such as light rail, in preparing such studies.</p> <p><u>Colonnades</u> To clarify, the provisions for rear colonnades aim to encourage articulation of rear facades, provide opportunities for communal open space at ground level, private open space at upper residential levels, as well as staggered internal spaces (maximising internal amenity). Being at the rear, these are not intended for general public use or benefit, however, the DCP does note the potential for high quality connected pedestrian and visual through links between sites.</p>
D01662671	Urbis on behalf of	<u>77-95 Anzac Pde and 59-71 Boronia St Kensington</u>	<u>77-95 Anzac Pde and 59-71 Boronia St Kensington</u> Noted. Council officers met with the applicant on 18.3.13

TRIM ref	Submitter	Submission	Council Officers' Response
	landowner	Development concept for 11 lots. Submission suggests variations to block form controls in draft DCP. Proponent intending to lodge a Planning Proposal to amend the development standards under Randwick LEP 2012. Elements of the concept include opportunity for a supermarket, central civic space connected by wide openings, shared laneways and pedestrian paths to create viable retail area and incorporates a tower of 17 storeys to redistribute the floor space permitted under the LEP/DCP controls for these public benefits. Proponent requests that Council give consideration to the proposal and requests that discussions be initiated with Council.	as requested in this submission. Council advised that this proposal requires preparation of a formal Planning Proposal as it exceeds the permissible height under RLEP 2012 and is based on a different building envelope than that envisaged under the DCP. Council noted that the site falls within the State Government's Urban Activation Precincts Program (UAP) to consider zoning land for housing and employment, and the proposal should also be raised/referred to the Department of Planning and Infrastructure. Given that the proposal comprises a significant change in the building envelope, any future application should be accompanied by a detailed review justifying the inconsistencies with existing planning controls.

Submissions regarding 153-157 Anzac Parade, Kensington

TRIM ref	Submitter	Submission	Response
D01660373	Resident, Kensington	1. Council has not informed residents of rezoning proposal for the land; strongly opposed to the proposal to construct 27m (7-8 storey) building on the land with common boundary to their property.	1. A rezoning request for the land at 153-157 Anzac Pde Kensington was submitted to Council as a submission during the exhibition of the draft Comprehensive LEP in March 2012. The LEP was reported to Council in May 2012, accompanied by a review of all submissions. No changes were suggested/recommended for either the draft LEP or Kensington Town Centre DCP now incorporated into this draft DCP. Therefore, it is confirmed that there is no rezoning process commenced for this site in accordance with the Environmental Planning and Assessment Act. If a DA is lodged with Council, adjoining residents will be notified.

TRIM ref	Submitter	Submission	Response
		<p>2. Amalgamated area is below 900 sqm and is too small for proposed development;</p> <p>3. Building would obstruct natural light and cause overshadowing to 7 Addison Street Kensington.</p> <p>4. Noise from building being close to boundary.</p>	<p>Council's planning review of this earlier submission to the LEP concluded that a further detailed investigation/review of the controls for this block (building layout, footprint and western side setback requirements) is warranted as part of a comprehensive review of the DCP controls for the site given the difficulties arising in the current DCPs.</p> <p>It was concluded that the maximum height of any future development and removal of the carriageway should remain unchanged and there is minor scope, only, to adjust the location of the building envelope in the DCP to place it fully within the site boundary to Anzac Parade and retaining sufficient setback to the adjacent building on Addison Street.</p> <p>See also a further submission on behalf of the owner of 153-157 Anzac Parade, which was received during exhibition of the draft DCP and as discussed further in this table.</p> <p>2. Noted. The area of this amalgamated corner site is 712 sqm (approx). The DCP recognises the min 900sqm as generally required for corner sites, while for specific block by block controls, it notes where smaller sized development areas may be suitable. In this instance, (Block 8 section 4.3.8) it is noted that 2 properties should be amalgamated (as Parcel A) to enable suitable development of this corner.</p> <p>3-5. Noted. Impacts on adjoining properties from a future development on this site on sunlight access, overshadowing and noise should be addressed either via a detailed review of the building envelope or a detailed DA to be submitted to Council for consideration of all issues, including section 4.6.10 Solar Access, Overshadowing and</p>

TRIM ref	Submitter	Submission	Response
		<p>5. Disturbance of soil with earthworks and high water table and likely subsidence of external walls of their building; 5. Dewatering would lead to subsidence and cracking.</p> <p>6. Setbacks- underground table is 1.5-2m (below the surface) and proposed development should be setback 6m from side boundary; anything less than 6m may result in destabilisation due to sand settlement and Sydney Water main movement due to sandy soil.</p> <p>7. Building separation should be 9m to the rear adjoining 7 Addison St.</p>	<p>Natural Daylight (and other relevant controls such as setbacks).</p> <p>6 and 7. Note the comments are replaced by the addendum below.</p>
D01660378	Resident, Kensington	<p><u>Addendum to above submission</u></p> <p>1. Setbacks- underground water table is 1.5-2m below the surface and proposed development should be setback 12m from side boundary.</p> <p>2. Building separation should be 15m to rear adjoining 7 Addison St. Anything less than 12m may result in de-stabilisation due to sand settlement and Sydney Water main movement due to sandy soil.</p>	<p>Addendum noted.</p> <p>1 and 2. Engineering considerations of appropriate setbacks in relation to foundation and groundwater conditions should be undertaken on a site by site basis which will include a detailed analysis of local conditions. A one-size-fits-all approach to setbacks is not considered appropriate. Refer also to further discussion on this issue in the report.</p>
D01663264	Resident, Kensington	<p><u>Submission from adjacent owner (7 Addison Road) in relation to proposal from owners of 153-157 Anzac Parade, Kensington.</u></p> <p><u>High Water Table</u> Site is unsuitable for a 26.5m building due to</p>	<p><u>High Water Table</u> Engineering considerations of appropriate heights or</p>

TRIM ref	Submitter	Submission	Response
		<p>high water table. Concern about stability of the soil and impacts on adjoining 1930s RFB, including excavation and dewatering impacts on structures and common sewer line, subsidence, re-settlement of sand, and cracking of walls.</p> <p><u>Heights/building envelope</u></p> <p>1. Heights/building envelope proposed exceed DCP controls, and would result in excessive scale and bulk with negative amenity impacts on neighbours, including loss of access to sea breezes, overshadowing, noise, privacy loss.</p> <p>2. Heights of 21.6m should be maintained in KTC. Council overrode this in RLEP 2012 and approved 25m.</p> <p>3. Provide suitable transition to residential areas adjoining the town centre – suggest 15m max height at the rear boundary. Should maintain setback of 12m from town centre buildings to our flat building. Building to the boundary would have adverse amenity impacts (ventilation, solar access) and prevent deep soil planting on western boundary.</p> <p><u>Site Area</u></p> <p>Site area is 712 sqm and is too small for the height and scale of the building proposed. 900sqm should be the minimum site area. One solution is to consolidate the site with the adjoining site (ie: 7 Addison Street) to achieve a site area of 1232 sqm.</p>	<p>setbacks in relation to foundation and groundwater conditions should be undertaken on a site by site basis. Refer also to discussion on this issue in the report.</p> <p><u>Heights/building envelope</u></p> <p>1. See responses to above submissions on this matter: this proposed height increase was not supported when the submission proposal from the owner was considered in May 2012, as part of the comprehensive LEP process.</p> <p>2. To clarify, the difference in height between previous KTC controls and RLEP 2012 is due to a change in the definition of building height (required to be used under the standard instrument LEP). The overall maximum height of buildings has not changed. An explanatory note has been included in the DCP.</p> <p>3. Transitions for buildings in Kensington Town Centre adjoining residential buildings are managed through a combination of LEP height controls, detailed building envelope controls and DCP setbacks. Building to the boundary is not supported. DCP setbacks (section 4.2.10) provide for adequate site access and protection of amenity to adjoining properties and recognise variations in minimum setbacks based on adjacent building design (and location of habitable rooms).</p> <p><u>Site Area</u></p> <p>Noted. The area of this amalgamated corner site is 712 sqm (approx). The DCP recognises the min 900sqm as generally required for corner sites, while for specific block by block controls, it notes where smaller sized</p>

TRIM ref	Submitter	Submission	Response
		<p><u>Right of Carriageway</u> Oppose removal of right of carriageway. Site access needs to be maintained.</p> <p><u>Maintain Heights</u> Urge council to maintain recommendation of the report of May 2012 not to support height increase and removal of right of way.</p>	<p>development areas may be suitable. In this instance, (Block 8 section 4.3.8) it is noted that 2 properties should be amalgamated (as Parcel A) to enable suitable development of this corner</p> <p><u>Right of Carriageway</u> Opposition noted. Site access requirements are maintained in the DCP.</p> <p><u>Maintain Heights</u> Noted. Previous recommendations regarding height and right of way in the report of May 2012 are maintained.</p>
D01661946	Inner West Town Planning on behalf of landowner	<p>Submission relates to controls for Block 8 (s. 4.3.8) extending from Addison to Todman Ave Kensington and requests that the draft DCP be amended:</p> <ol style="list-style-type: none"> 1. The requirement to obtain continuous built form along Anzac Pde is unattainable 2. Requirement to provide right of carriageway is dependent on acquisition of Council car park as site is not large enough 3. Design Panel has questioned controls-acknowledged that acquisition of Council car park is not desirable or achievable 4. Difficulties with Kensington DCP have been raised with Council in the past by other consultants 	<p>The matters raised in this submission primarily relate to the building envelope controls outlined in the DCP for Kensington Town Centre Block 8. Specifically, the submission questions the requirement to incorporate the Council car park site within a future development and provision of a right-of-carriageway on the western side. The feasibility/technical difficulties of acquiring and developing the Council owned car park (157 Anzac Pde) and providing a right of way are outlined in the submission. The specific block controls (Block 8) in the DCP envisage a continuous streetscape solution for this block by enabling the building footprint to cover the car parking site along Anzac Pde.</p> <p>A rezoning request was made by way of a submission on behalf of the owner of 153-157 Anzac Parade to the exhibition of the draft Comprehensive LEP to amend the proposed height controls on the subject land and to modify the Kensington Town Centre DCP. These issues were addressed in the Submissions report on the draft Comprehensive LEP (in May 2012) and no changes were suggested/recommended for the draft LEP. Council's planning review of this earlier submission concluded that a</p>

TRIM ref	Submitter	Submission	Response
			<p>further detailed investigation/review of the controls for this block (building layout, footprint and western side setback requirements) is warranted as part of a comprehensive review of the controls for the site.</p> <p>It was concluded that the maximum height of any future development and removal of the carriageway should remain unchanged and there is minor scope, only, to adjust the location of the building envelope to place it fully within the site boundary to Anzac Parade and retaining sufficient setback to the adjacent building on Addison Street. This would require an expert architectural/design review for any revised envelope. This was not undertaken by Council prior to exhibition of the draft DCP. This submission from the owner/applicant similarly, has not provided a revised envelope as a suitable basis to revise the envelope.</p> <p>It is noted that this location falls within the State Government's Urban Activation Precinct Program to consider rezoning land for additional housing and employment, and the proposal should be raised/referred to the Department of Planning and Infrastructure. It is recommended that an expert architectural/design review by Council for any modification of the DCP envelope await the outcome of the UAP process. Pending that, should the applicant wish to submit a DA for minor modifications of the envelope, the DCP provides guidance on the need to fully justify any variations to the numerical standards of the DCP.</p>

153-157 Anzac Parade: building envelope analysis



Figure 1: site image

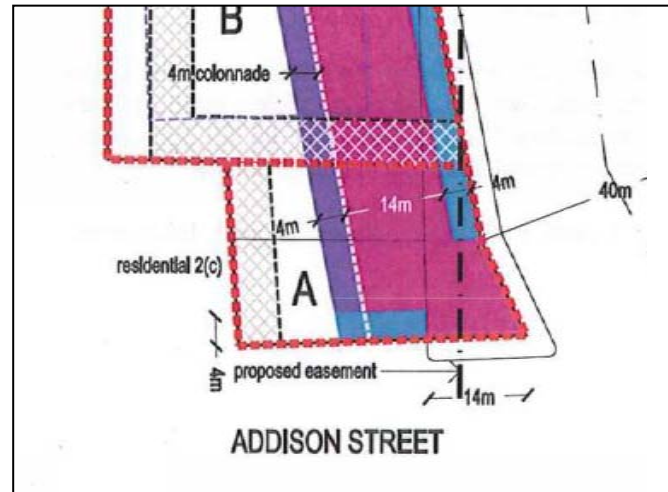


Figure 2: draft DCP envelope