

IRF18/6497

Ms Therese Manns
General Manager
Randwick City Council
30 Frances Street
RANDWICK NSW 2031

Randwick City Council

27 DEC 2018

Records Received

Dear Ms Manns

Planning proposal PP_2017_RANDW_001_00 – Alteration of Gateway determination

I refer to your request for a review of conditions 1, 2, 3 and 7 imposed by the Department of Planning and Environment as part of the Gateway determination to amend height and floor space ratio controls and introduce new local provisions for Kensington and Kingsford town centres issued on 12 December 2017.

Further to the Independent Planning Commission's (IPC) recommendations in its Gateway determination review report, I have determined as the delegate of the Minister for Planning, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 12 December 2017 for PP_2017_RANDW_001_00. The Alteration of Gateway determination is enclosed.

These alterations reflect the removal of the condition to require a further increased dwelling capacity for the proposal, revisions relating to the provision of community infrastructure and to provide additional time to complete the LEP.

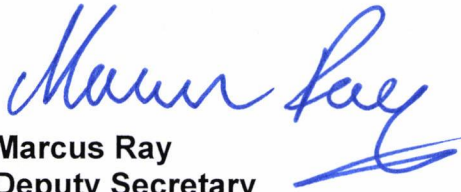
The revised conditions relating to community infrastructure for the planning proposal require that this infrastructure be limited to the list of works as recommended by the IPC, linked directly to the site of the development for which building height and/or floor space uplift may be afforded by the planning proposal and supported by updated feasibility modelling.

I note the IPC's recommended draft community infrastructure clause. However, it is required that the planning proposal be revised only to reflect and explain the intent of the proposed community infrastructure arrangements, rather than include this or any other specific written clause. This approach will ensure that the intent of implementing the community infrastructure provision is clear to the community and other stakeholders when the proposal is publicly exhibited.

Drafting of any new clauses for this proposal will be undertaken by Parliamentary Counsel at the finalisation stage of the plan-making process. This approach is the Department's current practice and is consistent with the Department's *A guide to preparing planning proposals* (2016).

If you have any questions in relation to this matter, I have arranged for Ms Amanda Harvey, Director, Sydney Region East to assist you. Ms Harvey can be contacted on 8275 1128.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

19/2/2018
Encl: Alteration of Gateway determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2017_RANDW_001_00)

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 12 December 2017 for the proposed amendment to the Randwick Local Environmental Plan (LEP) 2012 as follows:

1. Delete:

“condition 1”

and replace with a new condition:

“1. Prior to community consultation, the planning proposal is to be amended to:

- (a) provide a revised statement of intent for the inclusion of a clause for community infrastructure which is to:
 - i. be limited to recreation areas, recreation facilities (indoor), recreation facilities (outdoor), public roads, drainage and/or community facilities; and
 - ii. clarify that this be linked only to the delivery of this infrastructure on the site to which the development relates;
- (b) include an updated infrastructure feasibility assessment for the community infrastructure clause;
- (c) remove the proposed clause in the planning proposal for affordable housing and instead provide a statement of intent for the inclusion of a clause in a draft LEP for affordable housing (Attachment A – draft Affordable Housing Clause); and
- (d) include in the statement of intent for affordable housing a reference to:
 - i. determining an appropriate figure (\$/m²) for the town centres, equivalent to the value of the properties; and
 - ii. providing more detail, including an example of how the contribution is calculated and future explanation of the ‘accountable total floor space’.”

2. Delete:

"condition 7"

and replace with a new condition:

"7. The time frame for completing the LEP is to be 12 months from the week following the date of the Alteration of Gateway determination."

Dated 19th day of December 2018.



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning