

DO1463439



Department of
Primary Industries
Catchments & Lands

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

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Randwick City Council

12 APR 2012

Received
12/04/2012

Our Ref: 10/15852
DOC12/022530

Dear Karen

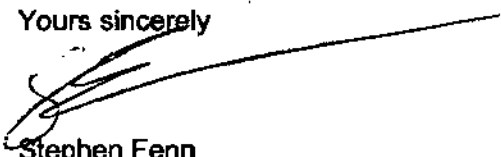
Randwick Draft LEP 2011 - Exhibition - Consultation

Thank you for your notification advising of the exhibition to Randwick City Council LEP 2011 and our recent discussions concerning issues affecting Crown lands within Randwick LGA.

The Sydney Metropolitan Office (Catchments and Lands) asks that the following issues be addressed in the LEP. Refer Schedule 1 attached and Figure 1. RE1 Zoning Table.

I would be pleased to discuss any of the issues raised in the attached schedule. I can be contacted on 8236 7113 or stephen.fenn@lands.nsw.gov.au.

Yours sincerely


Stephen Fenn
Manager, Stakeholder Relations
Crown Lands South

5/4/12

SCHEDULE 1
1. RANDWICK DRAFT LOCAL ENVIRONMENTAL PLAN 2011 (DLEP)

	Issue	RLEP 1998 Provisions	DLEP 2011 Comments
1	Zone RE1 & Horticulture as defined	Existing: Zone No 6A (Open Space Zone)	RE1 Public Recreation zone permits "horticulture" as defined without consent. The land use of "horticulture" for commercial purposes is unacceptable for Crown reserves set aside for the public purpose of "public recreation" or the like. This type of development may be considered with consent on Crown, lands zoned RU4. Provisions in Zone RE1 at should be changed to reflect the Department's position as set out above.
2	Anzac Parade and Allison Road Randwick	Ex: Unzoned	R500380 for public recreation adjacent to Anzac Road. Lot 1787 DP 821362. Proposed zone, SP2 Classified Road for R500380 incorrect. Zone RE1 appropriate for linear reserve. Refer map attached
3	Public Hall	Ex: 2A Residential Proposed: R2 Low Density Residential	Reserve D.500208- Public Hall, Malabar Library. Lot 4316//752015 Recommend SP2 Public Admin Building as Crown land set aside by the State for a public purpose. Noted that Zone SP2 Public Administration Building applies to Crown Reserve 1001065 "Town Hall Site" next to council chambers.
4	Little Bay.	Ex : various Proposed R1	Lots 3, 34, 35, 44 90 & 91 in DP 270427 should be zoned RE1 Public Recreation.
5	Home for Aged off Lawson	Ex.2A Residential Prop:R2 Low density res.	Crown Reserve 89835 Homes for the Aged. Lot 5193//752015. Lease to Catholic Health Care Ltd. It is noted that other sites in LGA are zoned SP2 Seniors Housing. E.g. St Basil's Homes Coogee Bay Road and

	Street		Little Sisters of the Poor site in Clovelly Road. Crown lands would prefer consistent zoning in this regard where possible.
6	Maroubra Police Station	Ex3A General Business Prop. B2 Local Centre	Crown Res. 84677 for Police Purposes. Lot 1 DP 504393 Proposed Zone – B2. Recommended Zone SP2 Police Services Facilities.
7	Matraville Fire Station	Ex 3B local business Prop B2 Local Centre	Crown Reserve 1000372 for Fire Brigade. Lot 41 D.P.752015. Recommend Zone SP2 Emergency Services Facilities. This maintains consistency with zoning applied to Randwick Fire Brigade, Crown R1001122 Site for Fire Brigade. Lot 14 S.10 DP 758867. Again, Crown lands would prefer consistent zoning in this regard where possible.
8	Significant coastal headlands	Ex. Zone: No 6A (Open Space Zone) Proposed: RE1 Public recreation	The department would like DLEP to recognise the “aesthetic” and natural” values of significant Crown reserve coastal headlands. This issue was raised at recent meeting with Department of Planning and Crown Lands understands that the zoning of the coastal strip will be the subject of further discussions with Planning and coastal councils.
9	Zoning of Council facilities on Crown lands e.g. depots, offices, etc	Ex Zone: Part 6A and part Residential 2B. Proposed: RE1 including Telstra site	Kensington Depot. Land provided by State of NSW and dedicated for a public purpose. Crown land sites should be zoned SP2 (Infrastructure) to reflect specific public/government use of site. R100376 for Municipal Depot, (Lots 1283/1284 D.P.752011) and R100192 Municipal Purposes (Lot 1752 DP 48478), Kensington. Zone SP2 (Municipal Depot) not RE1. Refer Crown Reserve 85043 for Municipal purposes Zoned SP2 “Depot”. Lot 4920 DP 752015

11	Various pedestrian access-ways & drainage reserves	Ex. Unzoned	Drainage reserves etc that function as pedestrian pathways play an important role in providing through site links and access to public open space. Pedestrian pathways & access ways determined to be Crown land should be zoned RE1, not residential. This principle to apply to all pedestrian access-ways in LGA owned by Crown. Refer sample pedestrian pathways Maroubra. R62948 for drainage purposes. Bent Lane, French Lane, Little Lane, Wide Lane, Cooper Lane etc. . Provide pedestrian access and some vehicular access. Note objective in Leichhardt DLEP RE 1 Zone relating to "provide links between open space areas" Appropriate zoning RE1 Public Recreation.
12	Bowling Clubs on Crown lands	Zone No 6A (Open Space Zone) Proposed :	Bowling Clubs on Crown Land RE1. Privately owned Bowling Clubs RE2. Crown Lands does not favour use of Zone RE2 (Private recreation) over Crown Land, as public land owned by the State of NSW and used for bowling clubs. Refer Preparing LEPs. LPMA July 2010
13	Boy Scouts Girl Guides on Crown lands (Specific reserves and direct leases)	Zone No 6A (Open Space Zone)	Department prefers Zone RE1 Public Recreation zone for scouting facilities on Crown reserves with the public purpose of BS & or GG and Crown leasehold lands set aside for BS & GGs. List of seven (7) Boy Scouts reserves and 1 lease site (Kensington) sent by email to council on 23 Dec 2011. E.g. Daceyville Scouts R.87896. All should be zoned RE1 Public Recreation to reflect community and public recreational purpose of facilities. Our letter of 26 March 2011 refers.
14	Tram shelter Maroubra	Prop. RE1.	Original location Hyde Park - date range of c.1908 - pre WWI. Moved to Maroubra Beach around 1923. Has significant heritage significance.

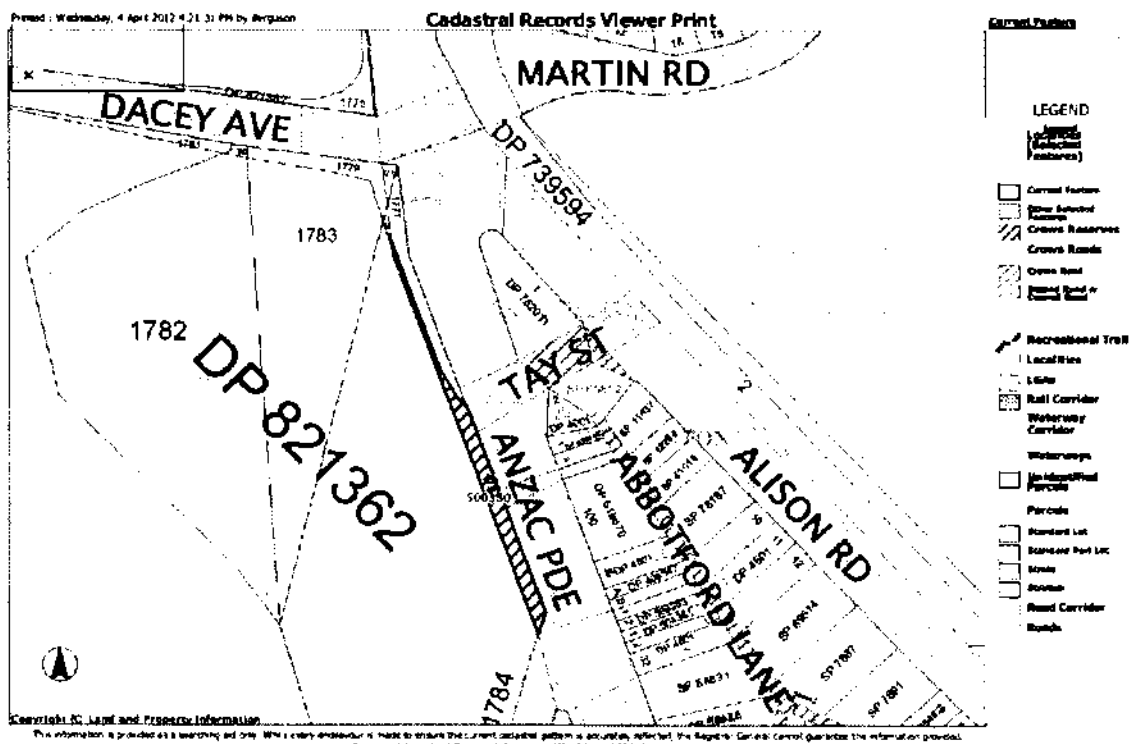
	Beach		Council advises that heritage studies have been completed. Consideration should be given to listing as Heritage Item – General in DLEP.
15	RSL Club Matraville		War memorial. Lot 4631 DP 93726. Crown reserve D.500308 dedicated for war memorial Zone RE1 Public Recreation. RSL under CL lease 317557 & car park under PO 6754 Zone RE1 Public Recreation not Residential R2 as public land owned by the State of NSW and used for registered club. Amend Schedule 1, Item 7
16	Franklin Street Pt. Lot 604/752015	Ex: Unzoned Proposed: Pt R2 & Pt. RE1	Pt Reserve 64116 for Future Public Requirements. No formal road existing on Crown land maps. Further understanding sought of the road and the implications for the zoning.
17	Chelmsford Ave. Malabar. Childcare centre	Ex : Res A Prop:R2	81519 Reserve for public purpose of 'baby clinic'. Lot 4087 DP 752015 As Crown land set aside by the State for a public purpose. Crown Lands prefers SP2 for Crown reserve used for child care and other community purposes if appropriate
18	Duffy's Corner child Care off Beauchamp Road	Proposed:R2 Res.	R10012 for Community Purposes. As Crown land set aside by the State for a public purpose, Crown Lands prefers SP2 for Crown reserve used for child care and other community purposes if appropriate.

2. Draft Randwick Development Control Plan 2011 (DCP)

No comments.

Figure 1. Randwick DLEP RE1 Zone Table

Zone RE1	Public Recreation
1	Objectives of zone • To enable land to be used for public open space or recreational purposes. • To provide a range of recreational settings and activities and compatible land uses. • To protect and enhance the natural environment for recreational purposes. • To protect, manage and restore areas with high biodiversity, ecological and aesthetic values, including buffer areas and habitat corridors.
2	Permitted without consent Environmental facilities; Environmental protection works; Flood mitigation works; Horticulture; Roads
3	Permitted with consent Animal boarding or training establishments; Boat launching ramps; Boat sheds; Building identification signage; Business identification signage; Car parks; Child care centres; Community facilities; Helipads; Information and education facilities; Jetties; Kiosks; Markets; Passenger transport facilities; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Recreation facilities (Major); Restaurants or cafes; Water recreation structures
4	Prohibited Any development not specified in item 2 or 3





**Department of
Primary Industries
Catchments & Lands**

Our Ref. 10/15852

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

Randwick City Council

29 MAR 2012

Handwritten signature

Attn: Karen Armstrong

Dear Mr Brownlee

Randwick Draft Comprehensive LEP 2012- Exhibition and Consultation

I refer to the recent meeting of 21 March 2012 between representatives of Council, Crown Lands and the Department of Planning and Infrastructure on the Randwick Draft Comprehensive LEP 2012.

Crown Lands make the following comments about matters raised at the meeting:

1. **Bunnerong Road Lands** – Crown Lands recognises the environmental sensitivities of these lands and supports the proposed E2 Environmental Conservation zoning of Crown lands affected. However, as agreed at the meeting, approximately 800 square metres of Crown land, with road access to Forrest Street, bounded in the south west by the unformed section of Leichhardt Street should retain an R2 zoning. Crown Lands also support the retention of the RE1 Public Recreation zoning over the lands affected by the redevelopment of Chifley Park.
2. **Intertidal Zoning** – Crown Lands supports an appropriate zoning for Crown lands known as the intertidal zone (ITZ) to recognise and conserve its unique environmental values. The Intertidal Zone (ITZ) is defined as lands between MHW and MLWM (The LGA boundary). Crown Lands has proposed E2 for the ITZ within the LGA area but will be guided by what would be consistent and compatible with whole of State objectives for the coastal zone. We look forward to working with Planning and Coastal Councils in the metropolitan area to ensure a uniform approach to the zoning of Crown lands on the NSW coast.
3. **Scout and Girl Guide Halls** - Crown Lands considers that these facilities should attract a RE1 zoning, reflecting their community and recreational purposes.
4. **Randwick Literary Institute** – Crown Lands supports the retention of the R3 zoning over the site. Development of the site may need to rely on provisions of the *Heritage Act 1977*.
5. **War Lee Gardens - Lot 608 DP752015** - Crown Lands consider that an RU4 zoning is appropriate to ensure commercial horticultural activities occur with appropriate planning controls. This concurs with our communicated position that an RU4 zoning over the

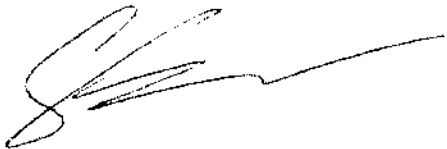
southern section of the Chinese Market Gardens site adjoining Eastern Suburbs Memorial Park is appropriate.

6. **South Sydney Amateur Fishing Association Inc.** Special Lease 81389 for erection of buildings and recreation. Described as Lot 4806 DP 752015. Crown Lands support RE1, not RE2, for this site as it is public land owned by the State of NSW and leased for recreation purposes.
7. **Wylie Baths** - Crown Lands supports a zoning and provisions that ensures uses on the reserve are compatible and supportive of its primary purpose and reservation for public baths.

A further submission about more minor issues affecting Crown lands will be provided shortly.

Thank you for the opportunity to provide additional comments on the draft LEP. Should you require further information regarding this matter I can be contacted via email stephen.fenn@lands.nsw.gov.au or phone 8236 7113.

Yours sincerely



Stephen Fenn
Manager, Strategic Projects

26/3/12



Australian Government
Department of Defence
 Defence Support Group

ID-EP-ELP-OUT-2012-AF10256039

General Manager
 Randwick City Council
 30 Frances Street
 RANDWICK NSW 2031

Randwick City Council

30 MAR 2012

Records Received

ATTN: Karen Armstrong (Manager Strategic Planning)

**RE: RANDWICK CITY COUNCIL DRAFT COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN-
 PUBLIC EXHIBITION**

Thank you for providing the Department of Defence (Defence) with the opportunity to comment on the Randwick City Council Draft Comprehensive Local Environmental Plan (LEP).

Defence understands that the Draft LEP has been prepared in accordance with State Government guidelines and is informed by a series of discussion papers and feedback from government agencies, including Defence, through consultation over 2010 and 2011.

Randwick Barracks is an important Defence asset that that supports the training of Defence personnel and units. Defence is concerned to ensure that the long-term viability of Randwick Barracks is not compromised by inappropriate development.

Defence has worked closely with Randwick City Council in regards to strategic planning and land use matters surrounding Randwick Barracks including most recently with comments on the Residential and Business Centre Discussion Papers. This work is carried out to ensure Randwick Barracks has the capacity to support current and future operational and capability requirements.

Defence requests that the land adjacent to the eastern boundary of Randwick Barracks, identified in the attached map as the area shaded in white, be zoned as *SPI Special Activities (Defence)* consistent with the rest of the Barracks and Defence land.

Defence acknowledges the balanced approach Council is undertaking in managing the continued future growth across Randwick. Defence requests that Council continues to give careful consideration to the types of land uses permitted within close proximity of Randwick Barracks.

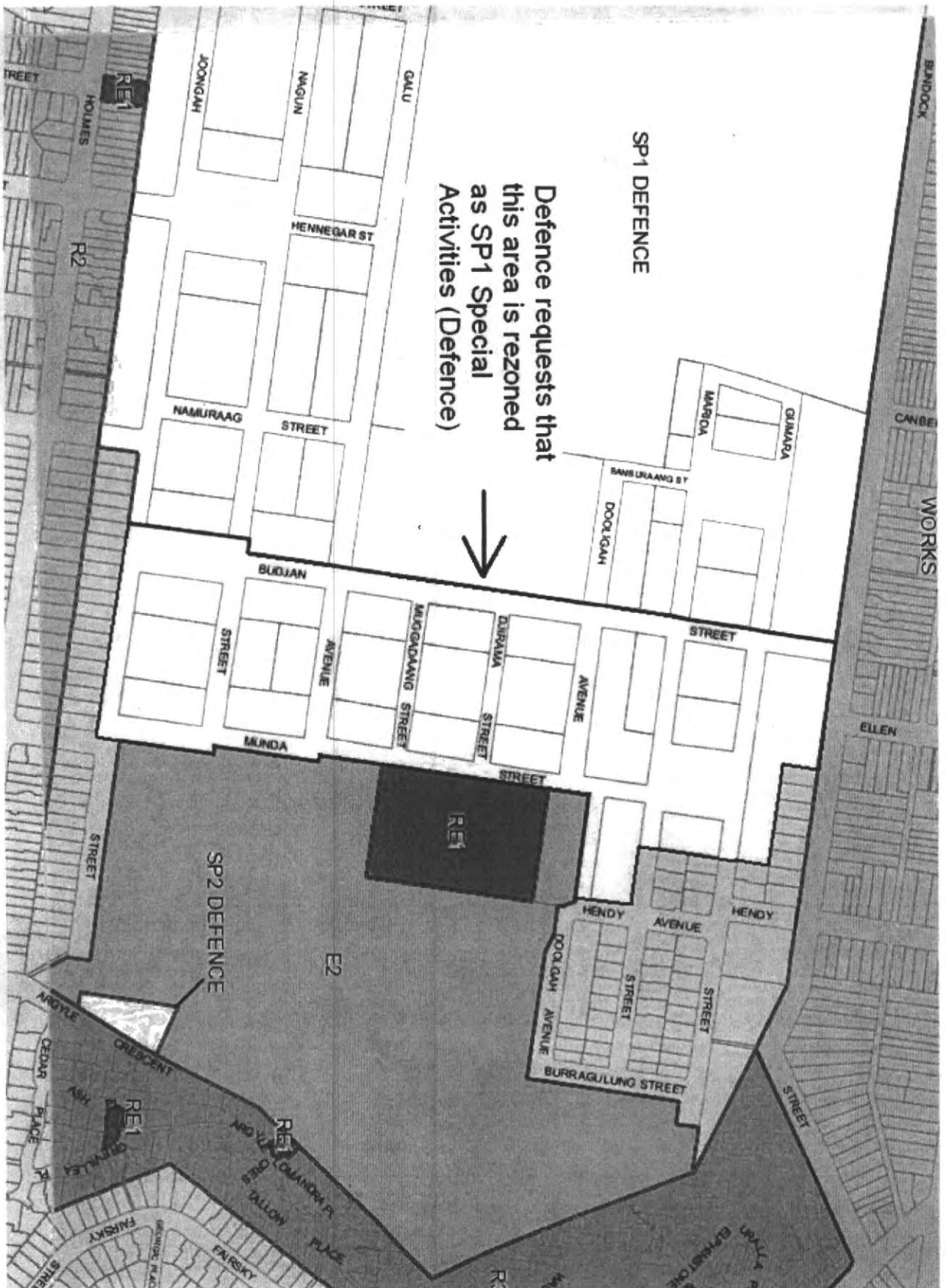
Should you wish to discuss the content of this submission further, please contact Mr Nick Parker, on (02) 6266 8186 or email at nick.parker1@defence.gov.au.

Yours sincerely

John Kerwan
 Director, External Land Planning
 Department of Defence
 BP3-1-A052
 Brindabella Park
 CANBERRA ACT 2602

26 March 2012

Cc. DS-NNSW



Defence requests that
this area is rezoned
as SP1 Special
Activities (Defence)





Transport
State Transit

2 April 2012

The General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031

Dear Sir

**Randwick Draft Local Environmental Plan 2012
NSW Transport, State Transit Authority landholdings:
31R Prince Street Randwick;
1-11 Rainbow Street Kingsford; and
629-697R Bunnerong Road Chifley.**

As part of NSW Transport, State Transit Authority is the owner of the above three land holdings within the Randwick Local Government Area. State Transit Authority has written submissions for these three landholdings in relation to Council's Open Space and Environment Discussion Paper and its Business Centres Discussion Paper, which were to inform the Randwick Draft Local Environmental Plan 2012 ("Randwick DLEP"). It is noted in the Discussion Papers that discussions would be held with State Transit Authority prior to determining a zoning for the landholdings.

The Randwick DLEP is now on public exhibition and the proposed zones for the landholdings are as per Council's recommendations and do not reflect the submissions that we have made in relation to the Discussion Papers. Please note that State Transit has modified its submission on the Prince Street Randwick property. We therefore provide this submission on the Randwick DLEP in relation to the above landholdings.

We also request the opportunity to discuss the proposals further if Randwick Council is not in agreement with our submission. We look forward to working with Council in relation to the zoning of our landholdings.

Yours faithfully

MARY MACKEN
CORPORATE COUNSEL

1-11 RAINBOW STREET KINGSFORD

The Randwick DLEP proposes to zone the site B2 Local Centre as shown on Figure 1.

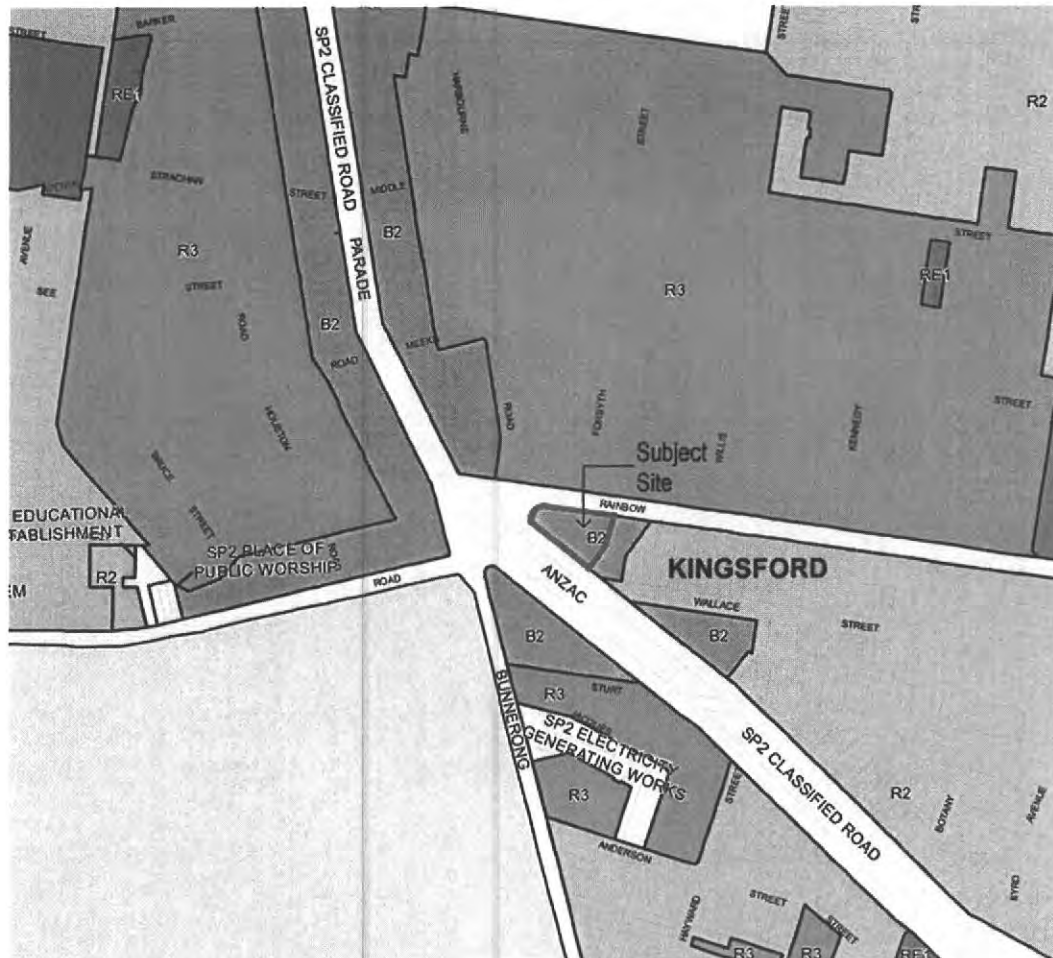


Figure 1 – Rainbow Street Rezoning
(Source: Randwick City Council)

The Rainbow Street site is currently zoned open space. The majority of the adjoining Council owned land is also zoned open space and a small area zoned 2A Residential. The Randwick Open Space and Environment Discussion Paper Discussion Paper and the Business Centres Discussion Paper proposed that this land be considered as a commercial zone.

The site is in an important location in the Kingsford commercial area. The land has been subject to discussions between Council and STA for more than 10 years. State Transit Authority made submissions to both of the above Discussion Papers supporting the rezoning as it is anxious to progress the use of the site as a major Administrative Facility. Further, it requested a greater building height and FSR given that it is identified as a key site and the opportunity to discuss the future development of the site with Council.

Randwick Council's report of 6 December 2011 states that the height and FSR proposed under the draft LEP are consistent with the adjoining Local Centre (B2) zone for Kingsford town centre and that this was recommended by an independent expert study as the land also includes the adjacent Council Rainbow Street site.

State Transit Authority is not sure of the independent expert study that was undertaken by Council, however it notes that a study was prepared in October 2002 in relation to the rezoning of the site and the General Business Scenario was based on a maximum FSR of 3:1 and a maximum height of 24m. This report is now nearly 10 years old and State Transit Authority believes that this should be reviewed, particularly in relation to new planning requirements to be considered in relation to any future development.

It is also noted that the site is considered a key site and will require the preparation of a masterplan/DCP. State Transit Authority requests that this process is expedited given the time that has occurred to date since the initial agreement to zone the site for commercial purposes and the time still required for the Randwick LEP to be gazetted.

The submission to Council requested a meeting with the Council to discuss this matter. The intent of this was to follow up the idea of a Planning Proposal and working with Council to progress the design, concept and feasibility of developing the site due to the timing for the DLEP to be gazetted as State Transit Authority has some urgency in developing the site for its requirements.

31R PRINCE STREET RANDWICK

The Randwick DLEP proposes to zone the site RE1 Public Recreation as shown on Figure 2.

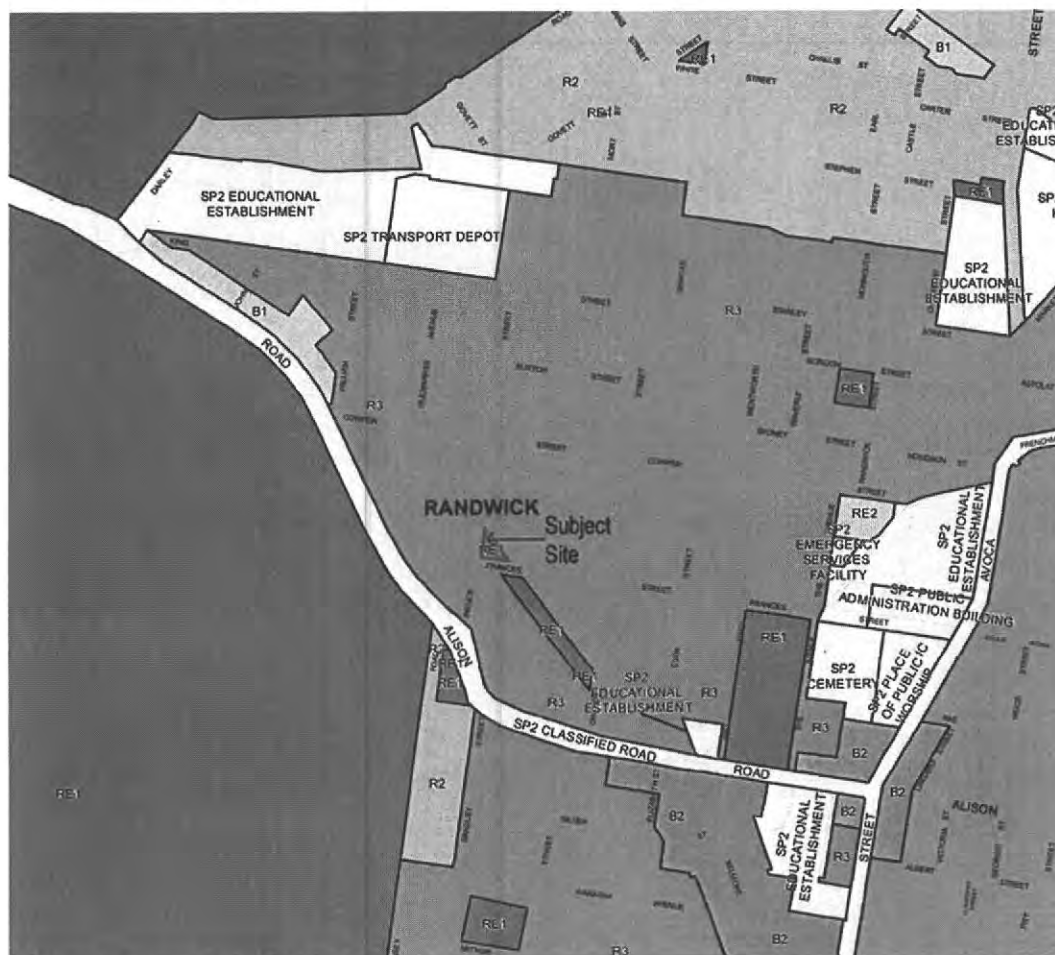


Figure 2 – Prince Street Rezoning
(Source: Randwick City Council)

The site is currently unzoned and used as an informal carpark. The Randwick Open Space and Environment Discussion Paper noted that either a residential or open space zoning may be appropriate. The Discussion Paper further stated that its preferred option is to zone the site RE1 Public Recreation, but this requires further discussion and agreement of the land owner.

The site is surrounded by a variety of residential uses and is well located in relation to the university, hospital, racecourse, Randwick commercial centre, open space and other community facilities and services, and is close to public transport. Given these attributes, State Transit Authority requested in its submission on the Open Space and Environment Discussion Paper that the site be zoned to permit either medium density residential development, or a mixed use development comprising ground level retail with residential above.

State Transit has reconsidered and now asks for a Residential R3 zoning. The site is close to Cowper Street bus facilities and appears to be used among other things as a public commuter car park. The site is degraded and potentially dangerous.

State Transit notes that the odd configuration of this 700 square metre lot, lends itself to low or medium density residential, perhaps for student accommodation. State Transit would be concerned to ensure minimum impact upon adjacent residences. State Transit also seeks to preserve the vegetation on site and accommodate for the sloping topography of the site. State Transit seeks to work to include adjoining residential owners to see if they want to extend their own properties.

It is State Transit's view that better use could be made of this site to improve the visual and physical amenity for the site itself and for surrounding properties.

The configuration of the lot and the lack of set back opportunity would need a lower scale development.

The site lacks contiguity or connectivity with other open space zonings and is in a deteriorating condition.

State Transit considers a low to medium scale residential zoning will improve the amenity of the area. The area itself is in chronic need of affordable housing, being near the hospital, university and city.

Its current use as a car park presents liability issues to State Transit. State Transit would possibly need to look at fencing off the land to prevent motor vehicles "trespassing" on the land with attendant liability issues, if the site were left unzoned or zoned as open space.

All in all, a residential zoning is a better outcome for all concerned.

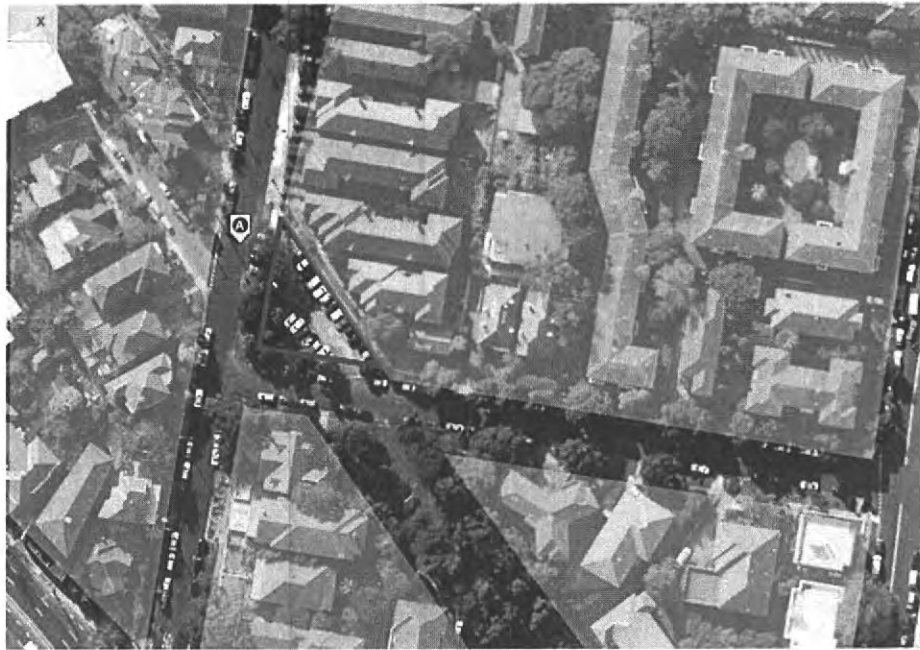
Randwick Council's DLEP Report of 6 December 2011 states that submissions from two other Government agencies were provided in relation to this landholding as follows:

- Ausgrid (part of Energy Australia)
No 31R Prince St, Randwick adjoins a State Heritage listed substation (No.349). Ausgrid supports the proposed Public Recreation zone given its close proximity to this State heritage listed substation, however notes that the zoning outcome is subject to negotiations with the land owner (STA). In this context, concerns were raised that any future residential development on 31R Prince St would need to comply with the draft ARPANSA EMF standard and DECCW Industrial Noise Policy and may affect vehicular access to the substation and/or have adverse impacts to its heritage significance.
- Heritage branch of the Office of Environment & Heritage
Support for the proposed Public Recreation zoning of 31R Prince St as provision of a public park will contribute to the preservation of the existing curtilage of the State heritage listed substation located on the adjoining land (2S Frances St), by maintaining views to and from the substation. No objection to the optional residential zone; however, future development must consider and protect the aesthetics and historic significant of the substation.

Council also stated in its report of 6 December 2011 that it did not agree with STA's submission and proposed a RE1 Public Recreation zone to recognise it as a recreation park, given the limited provision of pocket parks in this location and its natural extension of the open space/walkway along the former tram route. Further, Council did not consider the landholding as appropriate for residential/commercial development due to its corner location and configuration, the support from the Heritage Branch for the RE1 zone given the adjoining State Significant item (substation) and Ausgrid's objection to a residential zone.

Council's comments in its report dated 6 December 2011 are noted. State Transit Authority believe that 31R Prince Street should be zoned R3 Medium Density Residential for the following reasons:

- The surrounding land is proposed to be zoned R3 Medium Density Residential including the adjoining State heritage listed substation.
- The site is surrounded by a variety of residential uses and is well located in relation to the university, hospital, racecourse, Randwick commercial centre, open space and other community facilities and services, and is close to public transport. Refer Figure 3.
- The subject land is not connected to the existing open space and is separated by Frances Street.
- Significant zoned open space is located in the vicinity. Refer proposed zone plan Figure 2.
- The Heritage Branch does not object to a residential zone, however future residential development must consider the substation.
- Ausgrid states that a residential zone may affect vehicular access to the substation. The substation is located on a separate parcel of land to the east of the site, is fenced and has separate vehicular access to the site from Frances Street (Refer Figure 4).
- The parcel of land to the north of the substation and east of the subject site currently only has pedestrian access and no vehicular access. There is no onsite parking for this development. There is an existing pedestrian easement on the subject site and therefore, the development of the subject site will not impact upon access to that existing residential development.
- Its current use as a car park presents liability issues to State Transit. State Transit would possibly need to look at fencing off the land to prevent motor vehicles "trespassing" on the land with attendant liability issues, if the site were left unzoned or zoned as open space.
- The need for affordable housing within the area.



LEGEND



Subject Site



2C Residential Zone - Medium to high density residential development



Source: Extract from GoogleEarth

Figure 3 – Surrounding Area

Figure 4 – Adjoining Substation



629-697R BUNNERONG ROAD CHIFLEY

The Randwick DLEP proposes to zone the site E2 Environmental Conservation as shown on Figure 5.

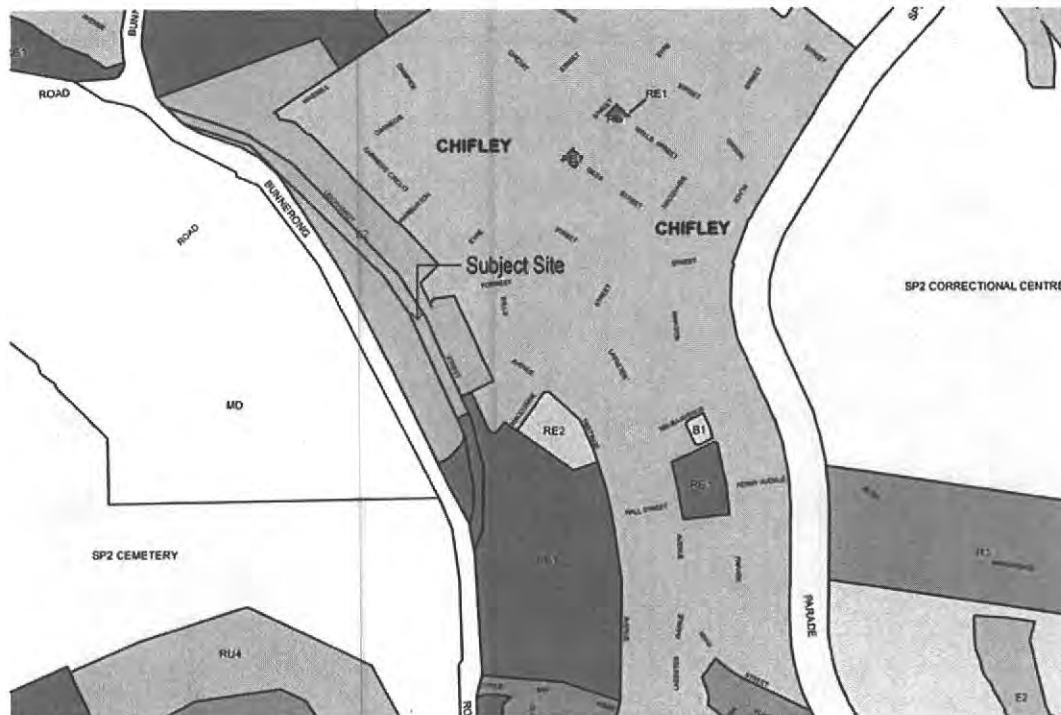


Figure 5 – Bunnerong Road Rezoning
(Source: Randwick City Council)

The land between Bunnerong Road and the existing residential area is held in multiple ownerships by state agencies including State Transit Authority, Land Management and Planning Authority, and Roads and Traffic Authority. The land held by State Transit Authority is currently zoned part open space, part residential, and part unzoned. The adjoining LMPA holding is zoned part open space and part residential, the unmade section of Leichardt Street and land immediately to its north is assumed to be owned by LMPA.

Council proposed to zone the whole area RE1 Public Recreation, and noted that parts of the lands are affected by threatened species, and the ESBS Recovery Plan in the Randwick Open Space and Environment Discussion Paper.

State Transit Authority provided a submission on the Randwick Open Space and Environment Discussion Paper regarding this site. The submission stated that a coordinated proposal allowing part of the state owned lands to be developed and the balance to be retained as open space, would be desirable from a community perspective. A development proposal for part of the site, in conjunction with a Voluntary Planning Agreement to assist in funding the ESBS Recovery Plan would provide a basis for rehabilitating this degraded area. State Transit Authority would be prepared to discuss such a proposal with other state agencies, and subject to Councils' in principle agreement, coordinate a proposal to master plan the area to achieve an integrated residential development and rehabilitated open space scheme. Such a scheme would incorporate Council's needs for pedestrian and cycleway connections.

Further, the submission had stated that the subject area is severely degraded weed infested and subject to uncontrolled access and rubbish dumping, which is outlined in the ESBS Recovery Plan. The land was subject to a proposed crown subdivision that included land owned by State Transit Authority and LMPA.

Randwick Council's DLEP Report of 6 December 2011 states that it now proposes an Environmental Protection (E2 zone) for the area as outlined in the submission from the Office of Environment and Heritage. The report also states that it will continue discussions with Government agencies and the Department to resolve any outstanding matters.

State Transit Authority request that Council discuss this matter with the Authority given that part of the land is used by Council for recreation purposes and zoned RE1 Public Recreation and the possibility of future development.



**Education &
Communities**

Randwick City Council
30 Frances Street
Randwick NSW 2031
LEPreview@randwick.nsw.gov.au

Doc 12/102491

RE: Randwick Draft Comprehensive LEP

We refer to Randwick City Council's letter dated 21 February 2012 about the Public Exhibition of Randwick City Council's Draft Comprehensive LEP.

We understand that Draft LEP zones have not been changed since they were exhibited in discussion papers in 2011. As such, the Department's advice to Council in October 2011 on the Residential and Business discussion papers should be considered as the response to Council's Draft Comprehensive LEP.

Please ensure land use zones over school sites are appropriately zoned under the Department of Planning and Infrastructure's LEP *Practice Note PN 10-001, zoning for infrastructure in LEPs*. The Department asks that Education Establishment is a permissible use on all education sites.

Please continue to liaise closely with us on sites where potential development could impact on enrolment capacity at schools in Randwick LGA. This will allow us to plan to meet increased enrolment demand.

Contact Devika de Fonseka, Regional Asset Planner (Sydney Region) on phone 02 9217 3009 or email devika.defonseka1@det.nsw.edu.au for further information on this submission.

Yours sincerely



Tony McCabe
Director, Planning and Delivery
2 April 2012

From: Morgan, Nerida [Nerida.Morgan@transport.nsw.gov.au]
Sent: Wednesday, 28 March 2012 3:49 PM
To: LEPreview
Subject: draft Comprehensive LEP

I have reviewed the draft LEP on behalf of Transport for NSW. As the draft LEP is generally just a conversion of the 1998 LEP into the Standard LEP format, with minor amendments, I have no identifiable concerns.

Regards
Nerida Morgan

Principal Land Use and Transport Planner
Planning & Programs, Transport for NSW
L3, 18 Lee St Chippendale NSW 2008

Ph (02) 8202 2293 or 0418 266 459

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Health

Justice Health &
Forensic Mental Health Network

Our TRIM ref: DG8209/12
Your ref: F2010/00454

The General Manager
Randwick City Council
30 Frances St
Randwick NSW 2031

Attention: Karen Armstrong, Manager Strategic Planning

Re: Draft Comprehensive LEP

Dear Ms Armstrong

I refer to your letter dated 21 February 2012 regarding the Draft Comprehensive Local Environmental Plan – public exhibition.

Justice Health officers have reviewed the document and visited the display at Bowen Library on 8 March 2012. We wish to make the following comments regarding the Forensic Hospital which is located adjacent the Long Bay Correctional Complex:

- The Heritage Plan currently includes the Forensic Hospital as part of the Long Bay Correctional Complex. This should be excluded from a heritage listing as the Forensic Hospital was completed in 2008 and has no heritage significance.
- The Open Space plan incorrectly names the Forensic Hospital as the Long Bay Hospital.
- The Special Uses plan has incorrectly included the Forensic Hospital as part of the Long Bay Correctional Complex.
- The Residential Areas plan incorrectly refers to the Forensic Hospital as the Long Bay Hospital.
- The Proposed Zoning plan needs to incorporate the Forensic Hospital.

I thank you for the opportunity to comment on the draft plan. Should you have any further enquiries regarding this matter, please contact Mr Graham Lawson, Manager Corporate Services on 9700 3015 or graham.lawson@justicehealth.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie Babineau'.

Julie Babineau
Chief Executive

29 March 2012

General Manager
Randwick City Council
30 Frances Street
RANDWICK NSW 2031

D01450039

Attention: Karen Armstrong
Manager – Strategic Planning,

RE: DRAFT COMPREHENSIVE RANDWICK DRAFT LEP 2012.

I refer to your recent letter to Mr. Grant Greene-Smith, Manager Property Portfolio, Ausgrid (GPO Box 4009, Sydney, NSW 2001) notifying of the public exhibition of Draft Randwick Local Environmental Plan 2012. I act for Ausgrid in preparing this response.

Ausgrid notes the Council's analysis of previous submissions made by the former EnergyAustralia on the 4th February 2008 and the 5th June 2010 and appreciates the Council's support for zoning all the nominated infrastructure sites (other than Substation 7140 and 7340, located in Military Road, Matraville) *SP2 Infrastructure (Electricity Generating Works)*.

In relation to Substation 7140 (Bunnerong North Sub-Transmission Substation - No. 8 Military Road, Matraville) and Substation No. 7340 (Bunnerong 132 kV Switching Station, Military Road, Matraville), Ausgrid understands that the zoning of these sites fall within the provisions of State Environmental Planning Policy (Major Projects) 2005 and that Council cannot apply different controls under its draft LEP.

Should the Council require any further information in relation to Ausgrid's electricity infrastructure within the City of Randwick, please contact Mr. Grant Greene-Smith, Manager Property Portfolio, Ausgrid, on telephone 9269 2169 in the first instance. Ausgrid appreciates the opportunity to provide further comments in relation to Council's review of its planning controls.

Yours Sincerely

Doug Sneddon

Doug Sneddon
21st March 2012



**Office of
Environment
& Heritage**

Our reference: FIL03/02578
Our contact: Lyn Raffan 9585 6921

Colette Goodwin
Senior Planner
Randwick City Council
30 Frances St
Randwick NSW 2031

Randwick City Council
09 MAR 2012
Records Received

Dear Ms Goodwin,

I am writing to you in relation to the Bunnerong Rd Chifley remnant vegetation, which was proposed to be rezoned as RE1 public recreation by Randwick Council in their Open Space and Environment Discussion Paper. The Office of Environment and Heritage (OEH) provided feedback to Council on the Discussion Paper in August 2011 recommending this land be zoned E2 environmental conservation because of its biodiversity values. OEH understands that the State Transit Authority (STA), who own the land, have objected to any rezoning because they intend to develop the land as a bus depot, with a view to developing the surrounding land for housing.

OEH would like to stress that we believe this to be an important site for the Eastern Suburbs Banksia Scrub (ESBS) endangered ecological community and *Acacia terminalis* subsp. *terminalis*, an endangered species, both of which are listed at both the state and national levels. The construction of a bus depot and development of the adjoining areas for housing will destroy the patch of ESBS to the north of the site and bisect the vegetation containing *A. terminalis* subsp. *terminalis*, effectively destroying the ecological integrity of the entire remnant that supports these threatened entities.

The Eastern Suburbs Banksia Scrub Recovery Plan was approved in 2004 and aims to restore and maintain existing ESBS remnants, and where possible expand ESBS into adjacent areas. Relevant objectives of the Plan are Objective 9.2, which aims to:

Ensure that ESBS remnants are not destroyed as a consequence of habitat loss and that an increased level of legislative protection is provided over lands that support the ESBS community,

and Objective 9.3, which aims to:

Restore and, where practical, connect and enlarge remnants of ESBS through appropriate management.

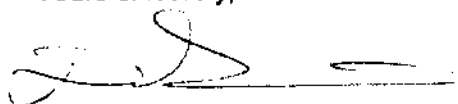
Randwick Council is a signatory of the ESBS Recovery Plan and is committed to the implementation of these objectives. Council's environment team have engaged professional bush regeneration teams and volunteers to work at the Chifley site and carry out active restoration of the vegetation over many years with good results. This work is not only improving the condition of ESBS on site, but is also providing an important link to other patches of ESBS within this remnant and the ESBS remnant at Wassell Street.

OEH is appreciative of the efforts of Council in protecting and enhancing ESBS and believes it is important to continue the work at this site and secure it for the future via a conservation zoning, which is commensurate with Objective 9.2 of the Plan.

If, however, the site is developed, a significant impact on ESBS and *A. terminalis* subsp. *terminalis* will occur, and it is likely that an appropriate offsetting agreement will need to be negotiated for the protection and rehabilitation of these threatened entities, both at this site and elsewhere in the LGA. An indicative offset ratio for the loss of ESBS is currently around 10:1.

OEH is concerned for the future of this site and would like to be involved in any negotiations with the STA or other decisions by Council involving this vegetation remnant. Please contact Lyn Raffan, the ESBS Recovery Program Co-ordinator on 9585 6912 to discuss this matter further.

Yours sincerely,

 6/3/12

Deborah Ashworth
A/Manager Biodiversity Conservation Section



Office of
Environment
& Heritage

Our reference: DOC12/7487

Ms Sima Truuvert
Director City Planning
Randwick City Council
30 Frances Street
Randwick NSW 2031

Randwick City Council
10 APR 2012
Records Received

Dear Ms Truuvert

I refer to your letter received by the Office of Environment and Heritage (OEH) on 23 February 2012 advising of the public exhibition of the draft comprehensive Randwick Local Environmental Plan (LEP) and seeking comment on the draft plan.

OEH has reviewed the relevant information and provides comments in Attachment 1 for consideration.

Please note that the OEH Heritage Branch will provide comments under separate cover.

If you have any queries regarding this matter please contact Marnie Stewart, Conservation Planning Officer, on 9995 6861.

Yours sincerely

Lou Ewins 3/4/12

LOU EWINS
Manager Planning and Aboriginal Heritage
Metropolitan Branch
Office of Environment and Heritage

Attachment 1 - OEH comments on draft Comprehensive Randwick Local Environmental Plan

1. OEH Estate

E1 National Parks and Nature Reserves

Council should ensure that all land in the local government area (LGA) that is currently reserved or earmarked for future reservation under the National Parks and Wildlife Act 1974 is zoned E1 National Parks and Nature Reserves. Council can download the GIS layer for the OEH national parks estate at the following link: <http://mapdata.environment.nsw.gov.au/>.

Malabar Headland

OEH notes that the zoning maps depict the western part of Malabar Headland (Lot 102) as zone E1 National Parks and Nature Reserves. OEH supports the application of this zone as the land was transferred to the Minister Administering the National Parks and Wildlife Act on 2 March 2012.

Crown land adjoining Botany Bay National Park

OEH notes that the section 65 certification schedule 2 requires Council to amend the maps accompanying the draft LEP to zone the unzoned land identified between the boundary of the Botany Bay National Park (high water mark) and Randwick Council's local government area boundary (low water mark) to zone E2 Environmental Conservation. As advised via email on 25 January 2012, the proposed E2 zone is supported for this strip of land.

2. Draft LEP clauses

Clause 3.3 Environmentally sensitive areas excluded

OEH notes that an additional subclause has been added to Clause 3.3(2) that exempts land identified on the Terrestrial Biodiversity Map and in the E2 zone from the provisions of exempt and complying development. This is supported by OEH.

Clause 5.9 Preservation of trees and or vegetation

OEH recommends that Council consider the inclusion of detailed native vegetation provisions in its Development Control Plan (DCP) (Clause 5.9(2)). In this regard, the following additional measures are recommended:

- that the clause in the DCP prescribing the species or kinds of vegetation to which Clause 5.9 of the LEP applies prescribe that it applies to all threatened species, endangered ecological communities (EECs) and their habitat;
- that Council prescribe the forms of proof that will be required to satisfy subclauses 5.9 (5) and (6) for dead or dying vegetation that is "*not required as habitat of native fauna*" and that is a "*risk to human life or property*"; and
- that Council consider provisions for the protection of hollow bearing trees in the DCP to protect and retain them wherever possible. Hollow bearing trees are important as habitat for many threatened species and the loss of hollow bearing trees is recognised as a key threatening process under the *Threatened Species Conservation Act*.

Clause 6.6 Terrestrial biodiversity clause and map overlay

OEH supports the inclusion of Clause 6.6 Terrestrial biodiversity and map overlay in the draft LEP. As advised in correspondence dated 10 August 2011, OEH recommended that Council identify all

areas of high biodiversity value including EECs, threatened species and their habitat, riparian corridors, wetlands and habitat corridors on the overlay map.

OEH notes Council's comments in the Government Agency Submissions and Council Responses report in regard to the Catchment Management Authority work. OEH is still of the view that the Terrestrial Biodiversity Map should include and identify all areas of high biodiversity value in the LGA. It is therefore recommended that the Terrestrial Biodiversity Map be amended and expanded as soon as practicable when mapping and information becomes available to capture a larger range of EECs, threatened species and their habitat, as well as other biodiversity values, such as movement and wildlife corridors. For example, there is a large Grey-headed Flying-fox camp in Centennial Park which should be depicted on this map, as should EECs, such as the Sydney Freshwater Wetlands and Swamp Sclerophyll Forest EECs.

3. Biodiversity

OEH notes that the E2 Environmental Conservation zone has been applied to most of the patches of remnant Eastern Suburbs Banksia Scrub (ESBS) in the LGA, which are listed under the *Threatened Species Conservation Act 1995* and *Environment Protection and Biodiversity Conservation Act 1999*. The use of the E2 zone to provide long term protection to these remnant areas of high conservation value is strongly supported.

OEH is still concerned however that it is proposed to zone some patches of ESBS to zones that permit a broad range of uses incompatible with the conservation of the values. Comments on some specific sites are provided below.

Jennifer Street - Telstra land

Council's Planning Committee Meeting report dated 6 December 2011 indicates that within the site the portions containing ESBS are proposed to be zoned E2 Environmental Conservation and the draft zoning map indicates that this site is proposed to be split zoned to SP2 Infrastructure and E2. Council's Government Agency Submissions and Council Responses report states 'in relation to the Telstra land the rezoning of patches of ESBS to E2 is supported as the vegetation is contiguous with adjoining high conservation lands and the split zone will not affect the operation and use of the site'.

OEH supports the proposed split zoning of the site, however, there are patches of ESBS in the northern portion of the site not covered by the E2 zone. While OEH is aware that these remnants have been subjected to inappropriate clearing in the past and are currently islands of vegetation, future regeneration works could link these patches of ESBS with the nearby ESBS in the surrounding Botany Bay National Park.

OEH therefore recommends that the draft zoning map be reviewed with a view to ensuring that all of the ESBS patches on the site (as per the mapping in the ESBS Recovery Plan) are covered by the E2 zone.

Jennifer Street - former La Perouse Aboriginal Land Council land

OEH understands that since the exhibition of the Open Space and Environment Discussion Paper and Council's Planning Committee Meeting report this site has been sold by the La Perouse Aboriginal Land Council. Given this situation, it is assumed that the land will no longer be subject to the La Perouse Aboriginal Land Council planning study.

In Council's Government Agency Submissions and Council Responses report it states that 'Council has applied an E2 zone to large and/or contiguous portions of ESBS' (p. 13). However, this does not appear to be the case for the large patch of ESBS on this land as the site is still shown as being zoned as R3 Medium Density Residential on the draft zoning map even though it is contiguous with ESBS in Botany Bay National Park and St Michaels Golf Course.

OEH recommends an E2 zone be applied to this site which would conserve the high conservation values present and also support a key objective of Council as outlined on p. 14 of the Government Agency Submissions and Council Responses report which is to connect and enlarge remnants of ESBS through appropriate management. The current R3 Medium Density Residential zoning compromises this objective.

Strip of ESBS in Anzac Parade, Malabar

This remnant has been identified on the Terrestrial Biodiversity Map, however, zoned SP2 Roads. It contains a large bush of *Lambertia formosa*, a species that has become rare within ESBS. This specimen sets seeds, unlike any of the other specimens in the LGA, which are much sought after by ESBS regenerators. This remnant is linear in shape and occurs in the middle of a major road. It is therefore under threat from inappropriate planting, verge mowing and destruction for road works. Given the importance of this remnant, OEH requests that Council reconsider the zoning of the remnant with a view to applying an E2 zone in order to provide for its long term conservation.

Malabar Headland

The zoning map indicates that the north-western section of Lot 101 that runs east of Byrne Crescent to Arthur Byrne Reserve is proposed to be zoned as RE2 Private Recreation. As previously advised correspondence dated 10 August 2011, this is a floristically diverse remnant of ESBS that has a history of regeneration works by the Friends of Malabar Headland. It is therefore recommended that the remnant be zoned E2 to ensure that it is protected and managed for conservation purposes.

In addition, the northern section of Malabar Headland contains ESBS (as mapped in the Recovery Plan) that has been zoned RE1 Public Recreation and RE2 Private Recreation. OEH recommends that this remnant also be zoned E2.

4. Other specific sites

Former UNSW site at Little Bay

OEH supports the E2 zoning over Lots 11 and 12 at the former UNSW site to provide for the long term conservation and protection of the registered Ochre site, Miocene site and ESBS remnant.

In relation to Lot 12, as previously advised in correspondence dated 10 August 2011, the current subdivision boundary between Lots 10 and 12 does not correspond to the ESBS mapping in the Recovery Plan which has resulted in the subdivision boundary splitting the ESBS remnant between Lots 10 and 12. OEH recommended that the boundary between Lots 10 and 12 be adjusted to ensure that the ESBS remnant is fully contained in Lot 12. OEH notes Council's comments in the Government Agency Submissions and Council Responses report supporting OEH's recommendation to adjust the sub-division boundary between Lots 10 and 12 to facilitate protection of the ESBS remnant and offering to liaise with the land owners to ensure that the finalised/registered sub-division layout achieves this outcome. OEH is very keen to progress this and will be writing to Council shortly to request a meeting to further discuss this matter.

Bunnerong Road sites, Chifley

OEH supports the proposed E2 zone over this site to provide for the long term protection, conservation and retention of the ESBS and *Acacia terminalis* subsp. *terminalis*.

As Council is aware, at the recent meeting held on 21 March 2012 between Council, Crowns lands, DoP&I and OEH, the northern part of Lot 5 DP 1173529 was discussed as a potential low density residential site. Council has recommended that this site be included in the E2 zone, however as this site has no threatened entities present and does not abut native vegetation, it was agreed by all

parties present that this parcel of land just south of Forrest St would be appropriate for two lots of single dwelling housing. OEH therefore supports the proposed amendment from E2 for this specific site to a residential zoning. OEH also supports Council's recommendation that the lots be shorter in length than those that they are adjacent to and that provisions be incorporated into the DCP to further protect the vegetation at the back of the proposed lots.

OEH also understands that Crown lands and Roads and Maritime Services have agreed to the proposed E2 zone across their land at this site and that further discussions will be held with the STA in regard to the zoning in the very near future.

5. Aboriginal cultural heritage

In previous advice dated 17 October 2011, OEH advised that in relation to the mapping of sites on an "Aboriginal Heritage Map", Aboriginal communities have very strong views on making available the location of their heritage sites to the general public. OEH recommended that Council consult with the local Aboriginal community as part of the development of an "Aboriginal Heritage Map" for the LEP and that it is usual practice that information on the location of Aboriginal sites remains confidential.

OEH notes Council's comments in the Government Agency Submissions and Council Responses report that consultation is underway with the La Perouse LAC to determine whether or not to itemise aboriginal objects or places of heritage significance and that this will inform the draft LEP. OEH notes and supports Council's current consultation with the LALC on this matter.

OEH also suggests that Council update the Conservation Plan to reflect heritage studies undertaken since 1983.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 28 March 2012 1:28 PM
To: 'RATH David A'
Subject: RE: RTA land and proposed rezoning along Bunnerong Road, Chifley

Hi David,
Thanks for your quick reply and confirmation on zoning. It is appreciated.
Regards
[REDACTED]

From: RATH David A [mailto:David.RATH@rms.nsw.gov.au]
Sent: Wednesday, 28 March 2012 12:55 PM
To: [REDACTED]
Subject: RE: RTA land and proposed rezoning along Bunnerong Road, Chifley

Hi [REDACTED]

Thanks for the call and for sending this information through. I can confirm that Roads and Maritime Services (formerly RTA) owns the land the subject of this proposed rezoning, being lot 1 DP 206840 and shown highlighted white on the attached aerial photo.

RMS raises no objections to the proposed rezoning, from Open Space to E2 Environmental Conservation, on the basis that the land supports endangered vegetation.

We will check the draft LEP, as you suggest, and forward other comments to you if required.

Regards
David

David Rath
Portfolio Planner
Property Services | Sydney Region
T 02 8588 5339 F 02 8588 4131 M 0409 849 312
www.rmsservices.nsw.gov.au

Roads and Maritime Services
Level 13, 101 Miller Street North Sydney NSW 2060 | Locked Bag 928 North Sydney NSW 2059

From: [REDACTED]
Sent: Wednesday, 28 March 2012 11:17 AM
To: RATH David A
Subject: RTA land and proposed rezoning along Bunnerong Road, Chifley

Hi David,

Good to talk to you this morning about the draft LEP which is on public exhibition until 2 April. Below are zoning extracts showing land along Bunnerong Road in Chifley. Figure 1 is the proposed zone E2 Environment Conservation while Figure 2 is the current zones under Randwick LEP 1998(Consolidation).

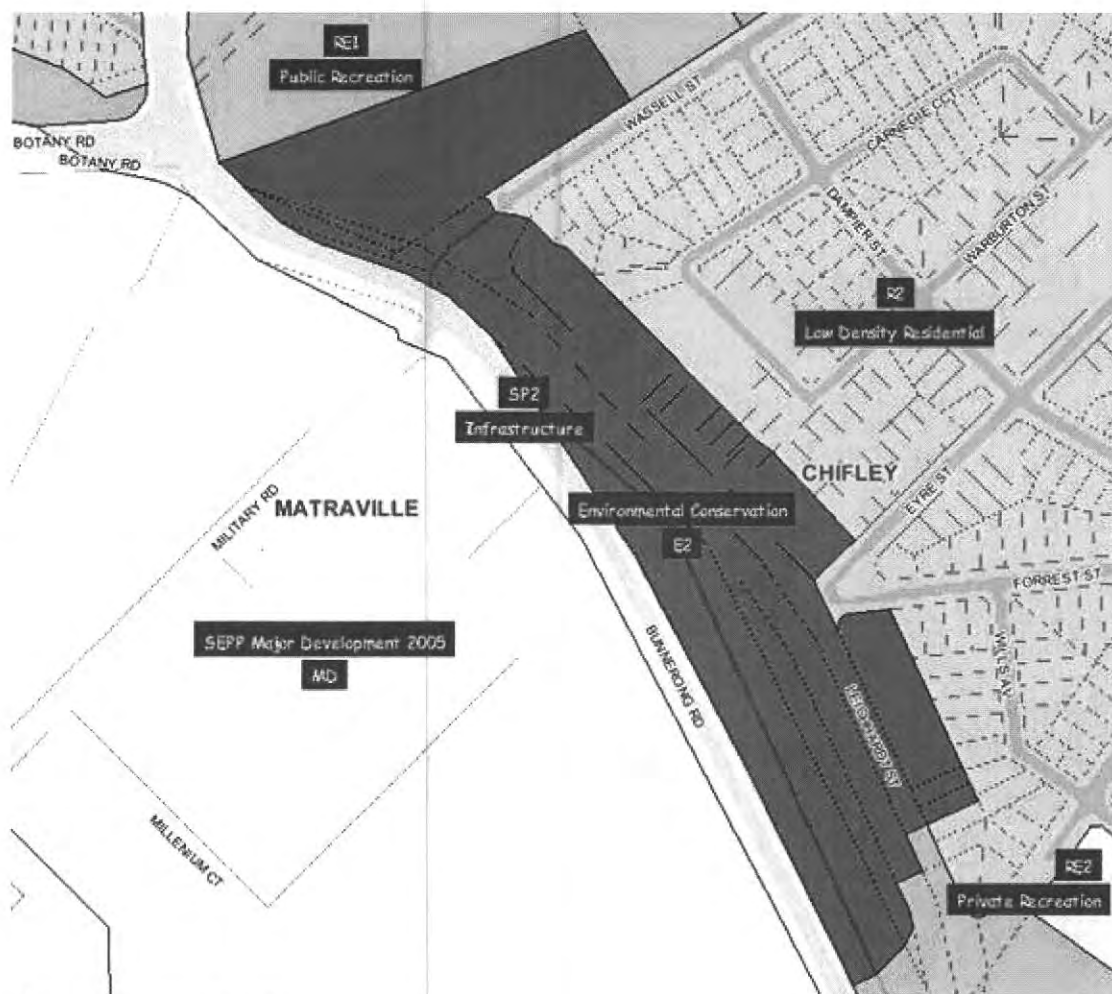


Figure 1 Proposed zoning



Figure 2 current zoning

RTA land in this corridor has either a current Open Space zone or is unzoned land. Under the Standard Instrument council's are required to zone all roads to an adjoining zone. The comparable zone to Open Space is the Public Recreation zone however Council is proposing an E2 zone in recognition of the endangered vegetation on the site being Eastern Suburbs Banksia Scrub and *Acacia terminalis* sp *terminalis*. These remnant vegetation groups have their own Recovery Plans requiring us to provide the highest level of protection. The E2 zone is also supported by OEH. We have recently been advised that extent of the mapped vegetation is wider than shown on our maps but is waiting adoption at a Catchment level. Until this occurs we will progress the mapped areas as shown below in Figure 3.

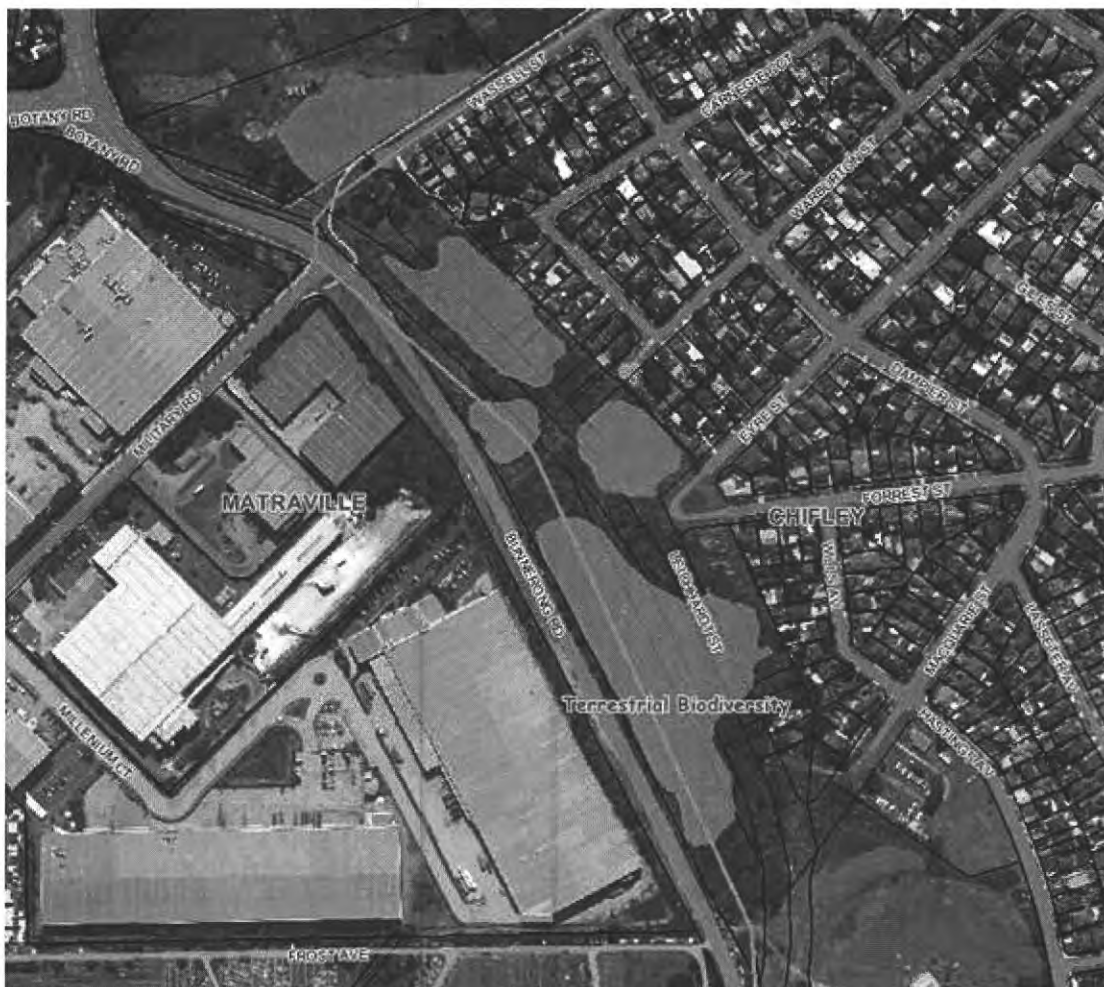


Figure 3 Terrestrial biodiversity

You may wish to review the draft LEP and Maps during exhibition to be sure there are no other matters the RTA may wish to comment on (see Council's website). We are happy to meet with you to discuss the draft LEP which will be reported to Council in May. We have a tight timeframe for the new comprehensive LEP with a final LEP going to DoPI in June.

I look forward to your response to the proposed rezoning along Bunnerong Road.

Regards

Nelle Goodwin
Senior consultant planner

Randwick City Council

Ph: (02) 9390519

Email: nelle.goodwin@randwick.nsw.gov.au

D01465676

City of Sydney

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12 April 2012

File No: S081001
Our Ref: 2012/052460

Randwick City Council

17 APR 2012

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Ms Karen Armstrong
Manager – Strategic Planning
Randwick City Council
30 Frances Street
RANDWICK NSW 2031

Dear Ms Armstrong,

Randwick Draft Comprehensive Local Environmental Plan

I refer to your letter dated 13 February 2012 inviting the City of Sydney to comment on Randwick Council's Draft Comprehensive Local Environmental Plan ('draft LEP').

The City commends Randwick City Council in achieving this significant milestone.

In particular, the City supports the following aspects of the draft LEP:

- The LEP's centres planning approach: Focussing businesses, retail uses and services in identified locations will reduce car travel, protect public investment in centres and transport and protect amenity in residential areas.
- The retention of industrial lands: The proposed land use controls will protect the viability of the existing industrial lands, which accommodate vital urban services.
- Randwick Council as a regional coastal destination: The business/centre zoning for coastal centres and the inclusion of permissible uses such as 'tourist and visitor' recognises the regional role of areas like Coogee.
- Schedule 1 uses: The City's proposal to use Schedule 1 to permit additional uses on certain properties within a zone was not supported by the NSW Department of Planning and Infrastructure. The City supports the use of Schedule 1 in unique circumstances to respond to local conditions.

Should you wish to speak with a Council officer about the City's comments on the draft LEP, please contact Francesca O'Brien, A/Executive Manager City Plan on 9265 9333 or at fobrien@cityofsydney.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to be "FOB", written over a horizontal line.

FRANCESCA O'BRIEN
A/Executive Manager City Plan

city of villages

From: McMahon, Cathy [mcmahonc@botanybay.nsw.gov.au]
Sent: Sunday, 25 March 2012 3:42 PM
To: LEPreview
Subject: Draft Randwick Comprehensive LEP - Public Exhibition

Your ref: F2010/00454

Attention Ms Karen Armstrong
Manager – Strategic Planning

I refer to Randwick City Council's letter dated 17 February 2012 in respect of the public exhibition of the draft Randwick Local Environmental Plan 2012. I advise that the City of Botany Bay Council has no objections to the draft Plan.

Thankyou for the opportunity to review the Draft Randwick LEP.

regards

Catherine McMahon
Chief Town Planner
City of Botany Bay
(02) 9366 3520

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Land & Housing Corporation

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ASHFIELD NSW 2131
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Tel: 02 8753 9017 Fax: 02 8753 8015
www.services.nsw.gov.au
ABN: 24 960 729 253

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

Attention: Karen Armstrong
Manager Strategic Planning

Dear Mr Brownlee

Submission - Draft Randwick Comprehensive Local Environmental Plan 2012

I refer to the letter from Randwick City Council (the Council) dated 21 February 2012 inviting Housing NSW to provide comments in relation to the Draft Comprehensive Local Environmental Plan (LEP) 2012.

Assets vested in the NSW Land and Housing Corporation, which is a body corporate representing the Crown, were previously the responsibility of the Director-General of Housing NSW and have now been transferred to the Department of Finance and Services.

The Land and Housing Corporation thanks Council for the opportunity to provide input to the Draft LEP and provides the following comments. It is noted that Housing NSW is providing a separate submission regarding draft LEP 2012.

The Land and Housing Corporation in conjunction with Housing NSW provides housing to low income households unable to obtain affordable and appropriate housing in the private sector. There is a significant shortfall in affordable housing in Randwick LGA to adequately meet the housing needs of the community. Housing assistance provided by Housing NSW is targeted to people with priority needs. At the present time, there are over 4,200 social housing dwellings in the Randwick LGA. These assets are the major resource to continue to meet social housing needs and for this reason, utilising assets to their optimum potential (while meeting environmental amenity concerns) is a primary concern for the Land and Housing Corporation and Housing NSW.

Both Housing NSW's and the Land and Housing Corporation's interest in the Draft LEP is twofold: to maintain and improve the development potential of Land and Housing Corporation assets to better meet housing needs, and to promote housing affordability more generally in the community, particularly through the application of appropriate planning controls.

As Council would be aware, the Land and Housing Corporation own a substantial number of dwellings in the Randwick local government area that are within social housing estates. Maintaining, or where appropriate enhancing, the development potential of these assets is of the highest priority. In the future, master planning for social housing estates in the Randwick local government area will be undertaken to identify appropriate fine grain planning controls, including height limits and density controls, that would enable the feasible redevelopment of these estates.

The Land and Housing Corporation would appreciate an opportunity to work with Council in the future to review the planning provisions applying to these estates in light of the master planning outcomes. .

In the meantime, Council is urged to amend planning controls in the draft LEP to, at minimum, reflect the existing built form within the social housing estates and apply zonings that provide flexibility in regards to redevelopment options in the future. Further comments regarding this issue and the Draft Randwick Comprehensive LEP 2012 generally are provided in Attachment 1.

Should you have any further queries please do not hesitate to contact Kieren Fairbairn, Planner, Portfolio Strategy and Urban Planning on ph 8753 8985.

Yours sincerely



Christine Hicks

Manager, Portfolio Strategy and Urban Planning

17/4/12

Attachment 1

Submission

Draft Comprehensive Randwick Local Environmental Plan (LEP) 2012

While it is understood that the Draft Randwick Local Environmental Plan 2012 (RLEP 2012) is in principal a direct translation of existing planning controls under the Randwick Local Environmental Plan 1991, the creation of a new City-wide LEP provides a number of opportunities to address housing needs within the LGA. As the Council would be aware, setting appropriate planning controls in the Draft RLEP for residential development plays a significant role in promoting new sources of affordable housing and improving the level of housing choice in the area.

Providing diversity and flexibility in the housing market is a significant issue that authorities at all levels of government must help address. As demographics change so too does the demand patterns for housing. As the Council would be aware, Australia has an ageing population and a shrinking average household size which has significant impacts on household characteristics and housing demand.

Low income, smaller sized households are often more susceptible to falling into housing stress due to a mismatch between housing supply and demand for housing. These types of households find it difficult to source appropriate forms of housing, particularly smaller sized properties in the private rental market. The trends discussed above demonstrate that a greater level of housing diversity is needed across NSW, including the Randwick LGA, and therefore the Land and Housing Corporation supports and encourages provisions within the draft RLEP 2012 which encourage improvements to housing diversity in regards to housing type, size and tenure.

The following sections provide specific recommendations in relation to provisions contained within the draft RLEP 2012.

Aims & Objectives

Aims and objectives of planning instruments, as well as for land use zones, are an important tool in addressing housing affordability in an LGA as they effectively communicate planning issues that are considered priorities at the State, regional and local scale and act as benchmarks which development proposals will be assessed against. It is important that housing issues identified in local housing studies (such as those identified in Council's draft Land Use Strategy) are reflected in the overarching aims and objectives of relevant planning controls.

For the reasons above, the inclusion of the overarching aim of the Draft RLEP 2012 to "encourage the provision of housing mix and tenure choice, including affordable and adaptable housing which meets the needs of people of different ages and abilities in the City" [clause 1.2(2)(f)] is strongly supported.

Similarly, the zone objective, to "encourage housing affordability" which has been included in the draft LEP for the R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential zones is generally supported. However, it is felt that this objective should be expanded to explain how development within the respective zone will encourage housing affordability. If promoting new sources of affordable housing is the intent of the objective, explicitly stating this in the objective

is considered appropriate. This approach should be strengthened by providing a statutory and policy framework that enables the provision of new sources of affordable housing within land use zones that permit residential development.

Should the Council wish to explore options for implementing a framework as mentioned above, the Centre for Affordable Housing would be pleased to provide assistance. The Centre is a business unit within Housing NSW whose purpose is to facilitate increased affordable housing opportunities across NSW. It is a strategic unit, with expertise in affordable housing that can provide advice and broker partnerships with private developers, local government and the non-profit sector thereby developing new models of affordable housing. Renee Wirth, the Centre's Principal Policy Officer can be contacted on ph 8753 8182.

Minimum Lot Sizes

The inclusion of exceptions to minimum lot sizes in the R3 Medium Density Residential zone (section 4.1B) and the continued application of the 450m² minimum lot size for dual occupancies (section 4.1C) is supported as it will provide opportunities for infill development, encourage the development of smaller sized dwellings and provide flexibility in regard to the assessment of subdivisions in established residential areas.

Key Sites

In regards to section 6.11 of the draft RLEP 2012 that requires the preparation of a Development Control Plan (DCP) for developments on the Key Sites Map or with an area greater than 10,000m², it is noted that one of the issues required to be addressed is the *"provision of housing mix and tenure choice, including affordable housing and adaptable housing"*. The inclusion of this provision is highly supported considering the lack of affordable rental properties for low and moderate income earners in Randwick LGA, the growing need for a greater number of smaller sized dwellings, and the significant role major developments in the area can play at addressing issues of housing choice and housing affordability.

Zoning and Density/Height Controls

It is acknowledged that the Council has amended a number of 'zoning anomalies' in the Draft RLEP 2012 that were identified in Housing NSW's previous submission to the Council regarding the 'Residential Discussion Paper' (submission dated 22 November 2011). Land and Housing Corporation assets are the major resource to continue to meet social housing needs and therefore utilising assets to their optimum potential is a primary concern for both the Land and Housing Corporation and Housing NSW.

Clearly, if local planning controls only allow for development at a lower density than what currently exists on the site, where redevelopment would result in a net loss of dwellings, development is not feasible.

While the 'zoning anomaly' corrections made in the draft LEP have resolved the majority of issues raised in Housing NSW's previous submission to Council, the sites identified below still have planning controls applying to them which do not reflect their

current built form. It is strongly recommended that planning controls applying to these sites be amended to at minimum reflect the current built form.

Address	Current Built Form
10-12 Woomera Road, Little Bay	2 storey walk up flats
1557 Anzac parade, Phillip Bay	2 storey multi-unit dwellings

Planning Controls for Social Housing Concentrations

It is noted that there are a substantial number of Land and Housing Corporation sites within social housing concentrations that have planning controls applying to them that do not reflect the existing built form. While redeveloping social housing concentrations is a priority for Housing NSW and the Land and Housing Corporation, future urban renewal will not be possible if the planning controls do not allow feasible redevelopment. It is noted that the proposed planning controls generally restrict development to densities at or below that which currently exists.

An increasing demand for social housing, growing waiting lists, financial constraints and the need to redevelop concentrations of social housing as mixed tenure to alleviate disadvantage, contribute to a situation where restrictive planning controls, that would result in a significant net loss of social housing in the event of redevelopment, does not enable viable solutions to these issues and may prohibit renewal.

It is requested that the Council zone the areas of social housing concentration to R1 General Residential with a permissible use of "residential accommodation" which would provide the most flexible residential zoning available under the draft RLEP 2012. Additionally, it is requested that at this stage the height and floor space ratio provisions should reflect, at a minimum, the existing built form. The Land and Housing Corporation would object to any controls to be applied that do not permit the replacement of the existing density. For example, social housing properties on Jenson Place in South Coogee, have existing 2-5 storey residential flat buildings and the Draft LEP would only allow development with a maximum height of 12m and an FSR of 0.9:1. All social housing sites should at least be zoned to retain their existing level of development. At a later stage, when urban renewal is required, detailed master planning and feasibility studies would be undertaken in conjunction with the Council to determine the required floor space ratios and height limits.

Considering the above, the Council is requested to amend the zones for the social housing concentrations, identified in the table below and in Figures 1-3, to the R1 General Residential zone in the draft Randwick LEP 2012 and to include "residential accommodation" as a permissible use with development consent.

Social Housing Concentration	Randwick LEP 1998 (Current zoning)	Proposed zoning Randwick DLEP 2012	Existing Built Form
Coogee (including Elphinstone Road properties)	Mostly Residential C Zone (small number of sites are Residential A)	Mostly Residential R3 with some R2	Predominately 3 storeys and up to 5 storeys near Jensen Place
Malabar (Soldiers Settlement)	Residential A, B & C	Mostly Residential R3 with some R2	2 storeys
Maroubra (Coral Sea)	Residential B & C	Residential R3	Mostly 2 to 3 storeys
Matraville (Bilga, Namatjira and Mirrabooka in Little Bay).	Residential A & B	Residential R3 & R2	1 to 6 storeys

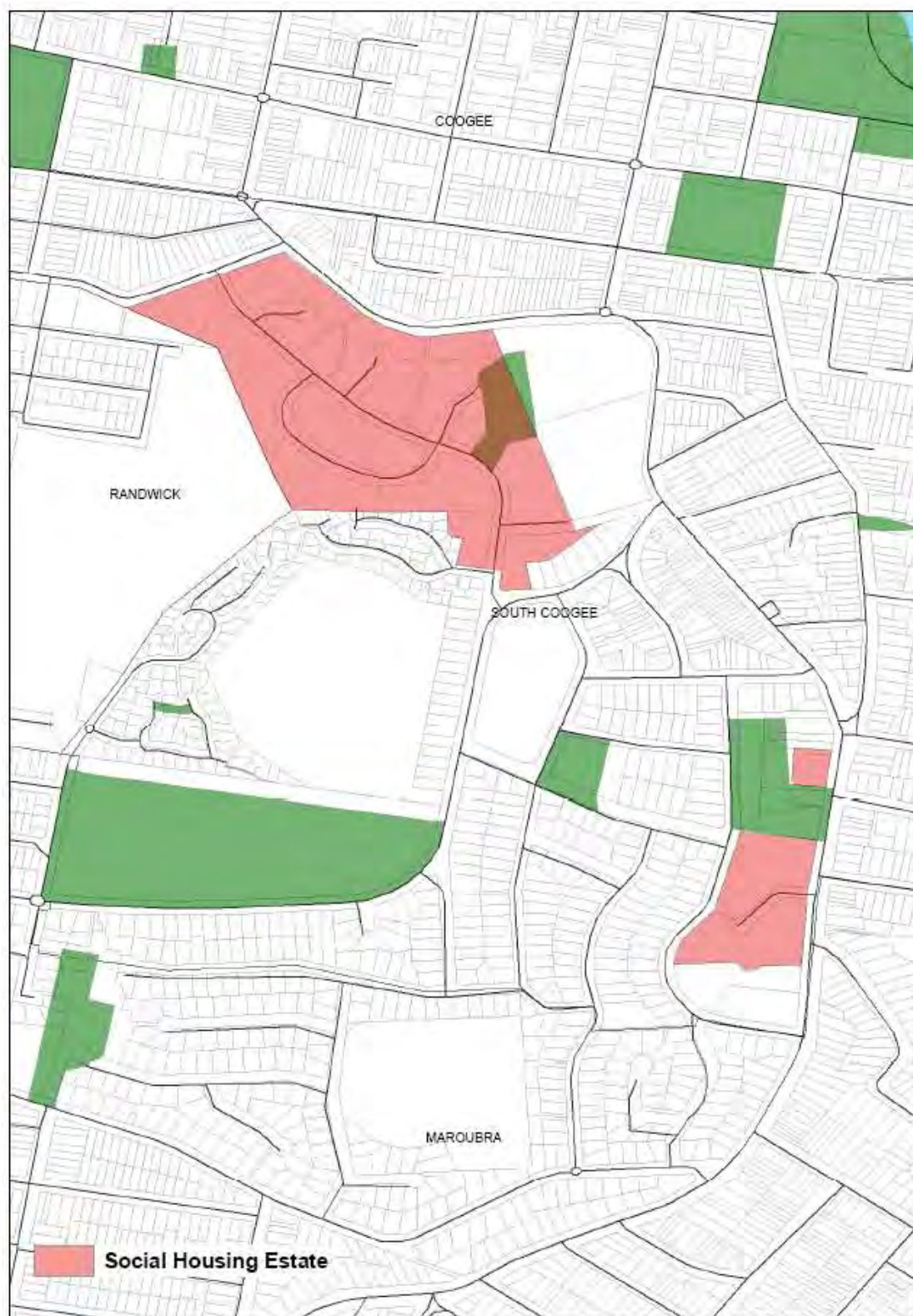


Figure 1: Coogee Social Housing Concentrations



Figure 2: Matraville and Maroubra Social Housing Concentrations



Figure 3: Malabar Social Housing Concentrations



**Family &
Community Services**
Housing NSW

Ref: HOG12/19935
Your Ref: F2010/00454

Randwick City Council

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

27 APR 2012

RECORDS RECEIVED
Records Received

Attention: Karen Armstrong,
Manager Strategic Planning

Dear Mr Brownlee

Re: Draft Randwick Comprehensive Local Environmental Plan 2012

I would like to thank Randwick City Council for providing the opportunity for the NSW Department of Family and Community Services, Housing NSW (HNSW) to comment on its Draft Comprehensive LEP.

Currently there are over 4,200 social housing dwellings in the Randwick LGA owned by the Land & Housing Corporation, part of the NSW Department of Finance and Services (DFS), and managed by HNSW. These dwellings represent a significant asset base for the NSW Government to meet social housing needs and, for this reason, ensuring the assets can be used to their optimum potential (while meeting environmental amenity concerns) is a primary concern for HNSW.

HNSW's and DFS's interests in the Comprehensive LEP process are principally in maintaining and improving the development potential of social housing assets to meet housing needs and promoting housing affordability and diversity more generally. DFS will separately be making a submission on the draft LEP which aligns with my comments.

HNSW and DFS, in partnership, are seeking to better align housing stock to tenant needs. This is especially the case in locations where assets are reaching the end of their economic life and there are opportunities for feasible redevelopment. Many social housing tenants require smaller dwellings as they are single person households, single parents and older residents requiring additional support and appropriate housing (such as universal design) to meet those needs.

The social housing estate precincts in South Randwickⁱ will require renewal at some point in the future and the greatest flexibility in zoning, height and floor space ratio is required to ensure that the NSW Government can make full use of the social housing asset base. It is requested that the Council apply the R1 - General Residential zoning to all social housing estate precincts in South Randwick and include "residential accommodation" as a permitted use with development consent. This would provide the most flexibility for these sites/precincts.

In relation to the proposed height and floor space ratio controls, it is also requested that all social housing estate precincts reflect at a minimum the existing built form. For example, Namatjira in Malabar has existing 2-5 storey residential flat buildings and the Draft LEP proposes to only allow 3 storey developments.

Should you have any further queries in relation to this submission please contact Ms Sue Brown, Principal Planner, Policy and Strategy Division, Housing NSW on phone number 8753 8529.

Yours sincerely

A handwritten signature in black ink, consisting of a series of loops and a trailing line.

Mike Allen
Chief Executive

20.4.12

ⁱ The South Randwick social housing state precincts are commonly known as Coral Sea (Maroubra), Soldier's Settlement (Matraville), Bilga (Malabar), Mirrabooka (Little Bay), Namatjira (Chifley)

9 May, 2012

**The General Manager
Randwick City Council
30 Francis Street
RANDWICK NSW 2031**

Randwick City Council
10 MAY 2012
Records Received

Dear Sir/Madam,

Draft Randwick Standard (Comprehensive) LEP 2012– formal exhibition

We note from Council's web site that submissions relating to the exhibition of the draft Comprehensive LEP 2012 have closed. It appears that Sydney Water was not advised of the exhibition. Notwithstanding, we note that Council is currently reviewing submissions received during the process.

We are pleased to find that Sydney Water's site at the corner of McCauley Street and Raymond Avenue, Matraville has been zoned as Light Industrial in accordance with the Site Compatibility Certificate issued by the Department of Planning in 2009.

However, we are concerned to note that Sydney Water's land at the corner of McCauley and Perry Street, Matraville carries a proposed zoning of SP2 Water Supply in the draft Comprehensive LEP. This proposed zoning is in conflict with the submission made by Sydney Water in September, 2008 (enclosed) that the subject land be zoned in the Consolidating 2010 LEP (and thus in the subsequent Comprehensive LEP) in accordance with its surrounding use. In this case, the surrounding use is low density residential

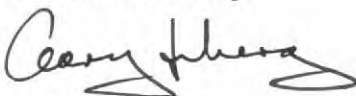
Sydney Water's consultant, WSP Environmental, noted in May, 2010 that the zoning of low density residential was confirmed in Council's Discussion Paper of 22 April, 2010 and that a residential zoning for Perry Street had been obtained (copy advice enclosed). The findings of Council's discussion paper indicate that non-key utility sites were to be (potentially) rezoned to either the adjacent zone or a compatible zone when drafting the Comprehensive LEP. Specifically, the Discussion Paper supported Sydney Water's request that the site be zoned in accordance with its surrounding use as requested in the Schedule accompanying Sydney Water's submission made in September, 2008.

Further, Council has before it a subdivision application that contains a concept plan for the future use of part of the site for low density residential which is a clear indication of Sydney Water's desired future zoning of the site. This is particularly relevant as the original Special Uses zone in the Randwick 1998 LEP clearly allowed residential use of the site and this use was referred to in the Statement of Environmental Effects accompanying the Subdivision Application. We do note that Clause 5.3(4) of the draft Comprehensive LEP "**Development near zone boundaries**" may be an attempt to reflect the mechanisms of the Special Uses zoning in the Randwick 1998 LEP. However, it is unclear whether this is the case and we seek Council's confirmation of the intent of Clause 5.3 as it is applicable to an SP2 zoning.

Sydney Water contends that, notwithstanding the proposed Clause 5.3(4) in the draft Comprehensive LEP, the site's residential land use potential has been eroded from that allowed in the Randwick 1998 LEP. We also believe that there was not sufficient consultation by Council with Sydney Water relating to the proposed zoning for the land at the corner of McCauley and Perry Street, Matraville when there was a concise proposal before Council outlining the surplus land's suitability for residential use.

Sydney Water therefore submits that the site at the corner of McCauley and Perry Street, Matraville is clearly surplus and suitable for residential use at the current drafting stage of the Comprehensive LEP. Sydney Water therefore requests that the site be zoned low density residential in the draft Comprehensive Plan to be forwarded to Department of Planning and Infrastructure (DOPI) for the purpose of final approval and Gazettal.

Yours sincerely



Gary Inberg
Manager Property

Encl.

- Submission to Randwick Council dated 5 September, 2008.
- Reference to residential zoning recommended in Randwick Council Discussion Paper 22 April, 2012 and associated correspondence from WSP Environmental.

c.c. Sam Haddad – Director General – Department of Planning and Infrastructure.

CAROLINA DE WOLFF - Fairfield and Update

From: "Kuzmanovski, Kathy (WSP Environmental, North Sydney)"
 <Kathy.Kuzmanovski@WSPGroup.com>
To: "CAROLINA DE WOLFF" <carolina.dewolff@sydneywater.com.au>
Date: 27/04/10 10:15 AM
Subject: Fairfield and Update
CC: "La Martina, Andrew (WSP Environmental, North Sydney)"
 <Andrew.LaMartina@WSPGroup.com>

Hi Carolina,

I hope you had a good long weekend.

I am just wondering if you have any plans for Weston St, Fairfield - the part underneath the concrete slab as well as the construction details of the slab?

With regards to the weekly update, one was not forwarded to you last week as Andrew and I updated you last week over the phone and this is a short week. However, to briefly update you with what has happened up to today with the other projects:

- Matraville
 - I am currently organising the documentation to go with the Pre-DA Meeting form before a meeting with Randwick City Council can be organised.
 - I have reviewed the Special Uses Discussion Paper and have noted that the desired residential zoning for Perry Street has been obtained
- St Marys
 - We posted the final letter to Penrith City Council last week. I have been informed that the General Manager is currently reviewing it. I will give him a few days to review it and speak to the relevant people before I organise a meeting.

I will provide you with the weekly update again on Friday.

Thanks and I look forward to hearing back from you soon about the plans for Fairfield.

Kind Regards,

Kathy Kuzmanovski
Project Manager - Planner

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 Web: <http://www.wspenvironmental.com>

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WSP Environment & Energy is one of the world's leading globally integrated consultancies. We help our clients manage their risks, enhance their management systems and make sustainable business improvements.

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Director City Planning Report No. CP27/10

Subject: Special Uses Discussion Paper
Folder No: F2007/00577
Author: Elena Sliogeris, Environmental Planning Officer - Strategic Planning

Executive Summary

This report seeks Council's endorsement of the *Special Uses Discussion Paper* for public consultation. This paper is one of six land use discussion papers being prepared as part of Council's Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

For Randwick's special uses lands, this paper recommends a translation of the current Special Uses zoning to the standard instrument equivalent zones of Special Purpose-Infrastructure zone and Special Purpose – Specialised Activity zone. In comparison to the Special Uses zone in Randwick LEP 1998 (Consolidation) which permits both multi-unit housing and dwelling houses with consent, the Special Purpose zones in the standard template allow only a limited range of uses as per the specific infrastructure or activity on-site.

For the majority of the sites currently zoned Special Uses there will not be a significant change. However, a proportion of sites currently zoned special uses which do not meet the State Government's planning policy requirements of key infrastructure land or special activity areas, such as child care centres, schools, aged housing etc will be identified for a change in zone (to either the adjacent zone or a compatible land use zone).

This paper notes the requirements of SEPP 55 – Remediation of land need to be considered prior to any rezoning and also recommends that as a minimum, government school sites should retain a Special Purpose zoning as key community infrastructure.

Background

At the Planning Committee Meeting on 8 July 2008, Council resolved to formally commence preparation of a (draft) Comprehensive LEP for the Randwick local government area (LGA), consistent with the NSW Government's Standard Instrument (Local Environmental Plans) Order 2006 and the Environmental Planning and Assessment Act 1979. This includes standard zones, clauses and definitions across all NSW councils.

The land use discussion papers on each land use type will guide the drafting of the Comprehensive LEP and DCP. Six land use discussion papers are being prepared on Industrial Lands, Town and Neighbourhood Centres, Special Uses, Open Space and Environment and Residential lands.

Each discussion paper reviews the current planning controls, future needs and trends, the directions from the State Government's Metropolitan Strategy and takes into consideration any relevant local strategic plans and studies, such as the Randwick City Plan, Economic Activity Study and the Recreation Needs Study. Other issues such as heritage and environmental considerations are incorporated into each paper.

The aim of the discussion papers is to also inform the community of the proposed new zoning, planning controls and areas of change and seek community feedback which will inform the preparation of the draft Comprehensive LEP and DCP.

Comprehensive Local Environmental Plan and Development Control Plan

The development of the Comprehensive LEP/DCP is a legislative requirement under the Standard Instrument (Local Environmental Plans) Order 2006. The Department of Planning has advised Randwick City Council to have a comprehensive LEP/DCP for the Randwick LGA in 2011.

The Comprehensive LEP will be an entirely new stand alone plan which will repeal all existing and draft Randwick LEPS. The Comprehensive DCP will consolidate and stream line existing DCPs into a single plan. These plans are guided by the key directives of the Metropolitan Strategy (incorporating the draft East Subregional Strategy) and Council's own strategic 20 year City Plan and key strategic studies. The Plans will, amongst other things:

- plan for a housing target of 8,400 additional new dwellings by 2031 (as identified by the draft East Region Subregional Strategy), focused in and around existing town centres and accessible locations.
- promote housing choice to accommodate a diverse population, including affordable and accessible housing.
- plan for an employment target of 5,900 additional new jobs by 2031 (as identified by the draft East Region Subregional Strategy), focused in and around Port Botany, the University and Randwick Hospitals complex.
- strengthen the role and hierarchy of our town centres, villages and neighbourhood centres.
- protect the City's special environment, open space and cultural assets.
- promote sustainable development and incorporate actions for climate change and natural hazards.
- review and update heritage controls to assist in preserving the local character of our suburbs.
- provide guidance for achieving good urban design.

Special Uses Discussion Paper

Context

The Special Uses zone 5 in Randwick LEP 1998 (Consolidation) (RLEP) applies to more than 130 sites of variable size, scattered throughout the Randwick City LGA. While comprising in total only approximately 270 hectares (7.5% of Randwick's total land area), these sites provide a wide variety of uses, such as education, places of worship, utility providers, infrastructure and justice which serve important community functions.

Sites zoned Special Uses in RLEP include the Randwick Hospitals complex, Long Bay Correctional Centre, bus depot, government high schools and primary schools and various church and community uses. The majority of these special uses are owned and controlled by Local, State or Federal Government, institutional facilities and public infrastructure (semi-government) and other non-government organisations.

The State Government has introduced a new approach to zoning special use lands to provide greater flexibility and management of public and some private lands for infrastructure. There is a move away from zoning public infrastructure land as 'Special Use' or 'Special Purpose' zones, which previously limited the ability of infrastructure providers to respond to changing demographic trends and service provision outside existing locations. The key aim of this direction is to provide greater flexibility by removing the need for future rezoning.

The Standard Instrument LEP, Infrastructure SEPP and associated guidelines require that only major infrastructure sites or specialised activity areas are to retain a Special Use or 'Special Purpose' zone. Such sites include cemeteries, correctional centres, waste disposal, sewerage treatment facility, land fill sites, major port, airports or specialised tourist-orientated areas.

Under RLEP, both multi-unit and dwelling houses are permissible with consent on Special Uses land. In comparison, the Special Purpose zones allow only a limited range of uses as per the specific infrastructure or activity on-site.

All other existing sites traditionally zoned Special Use, such as schools, churches and child care centres are to be rezoned according to the adjacent zone. An inventory of all sites zoned Special Uses including proposed new zoning is included in Appendix 2 of the Discussion Paper.

Guiding framework and directions

The key planning directives and considerations which the paper addresses include:

- *The Sydney Metropolitan Strategy and draft East Subregional Strategy* - sets an additional 8,400 new dwellings to 2031 for Randwick LGA.
- *The State Infrastructure Strategy* - identifies infrastructure upgrades for Randwick and informs the subregional strategy.
- *State Environmental Planning Policy (Infrastructure) 2007* - streamlines infrastructure development and sets the direction for future zoning of State land in new standard LEPs.
- *Department of Planning Practice Note – Zoning for Infrastructure in LEPs* - provides planning direction to councils on zoning public and private infrastructure land in standard LEPs.
- *The Standard Instrument* - provides three (3) new 'Special Purpose' zones including Zone SP1 – Special Activities; Zone SP2 – Infrastructure; and Zone SP3 – Tourist
- *The Randwick City Plan* - sets the 20 year strategic direction for Randwick City and consists of five (5) broad interrelated themes *A Sense of Community; Places for People; A Prospering City; Moving Around; and Looking After Our Environment.*

- **Environmental considerations** – Acid sulphate soils, ground water, Malabar sewage treatment plant odour and the Eastern Suburbs Banksia Scrub can be found on sites zoned Special Uses. These environmental considerations need to be taken into for any future development on these sites.
- **Remediation of land** - Consideration of State Environmental Planning Policy 55 – Remediation of Land- will be a major determinant of the future rezoning of the 'Special Uses' zoned sites. Sites identified for a change in zone will require sufficient information to be provided to Council to consider the likelihood of contamination, prior to any rezoning.
- **Heritage** – This paper recommends that the former tramway at the UNSW/ Randwick campus be investigated for possible heritage listing. There are no other changes proposed to the heritage listing of existing sites zoned Special Uses.

Issues

The NSW Government directions to limit the application of the Special Purpose zones to key infrastructure land or special activities only and rezones all other uses to the adjacent zone, raises two key issues:

- **SEPP 55 Remediation of land:** Requires that prior to rezoning the potential contamination of land must be investigated to ensure that the land can be developed safely for the intended use in the new zone. The discussion paper notes that the land owner should confirm to Council that the site is suitable for its intended use prior to any change in the zone.
- **Continued availability of Government school sites:** According to State Government planning policy, schools (both government and non-government primary and high schools) are no longer considered as a land use which warrants a special use or special purpose zoning (being already permissible in residential and business zones in RLEP) and are to be rezoned to the adjoining zone. This provides greater potential for these school sites (some of the largest parcels of land in the area) to be redeveloped, removing the need for future rezoning. This could lead to the closure of schools without Council or community input, which is a concern given the trend of declining numbers of government schools in Randwick and increasing population of school aged residents.

The paper thus recommends retaining a Special Purpose zone on all government schools in Randwick City. This could help to ensure that as a minimum, government schools are kept for their required purpose, as essential infrastructure for the community and that any proposed re-use/re sale would require a rezoning.

Recommendations for drafting the comprehensive LEP and DCP

In summary, the key recommendations of the discussion paper are:

Comprehensive LEP

- **Existing Special Uses sites identified as key infrastructure land and/ or as an area of specialised activity in accordance with State Government planning direction will be rezoned to either:**
 - **SP1 Special Activities:** this applies to the Long Bay Correctional centre; Cemeteries including St Jude's Historic Precinct and Yarra Bay House (Aboriginal Community Facility);
 - **SP2 Infrastructure:** this applies to Bundock Street Defence Site; Fire stations; Council town hall; Council works depot in Storey St; classified state roads; educational establishments (tertiary institutions and government schools); and key utility infrastructure sites including, Malabar sewage treatment plant, Water treatment facility, Electricity distribution infrastructure and Telecommunications facility;
- **All other existing Special Uses sites including non-government schools, reserves, churches and church properties, child care centres, community facilities, aged housing and others are to be potentially rezoned to either the adjacent zone or a compatible zone to reflect the land use, subject to the requirements of SEPP 55;**

- To undertake further heritage assessment of the former Randwick Tramways Workshop site at UNSW Randwick campus for possible heritage listing; and
- To reclassify Council owned lands from 'community' to 'operational' at:
 - 18 Silver St, Randwick (Council car park, the reclassification of the land will be consistent with all Council public car parks);
 - 7R Milford St, Randwick (vacant sliver of land adjoining Our Lady of the Sacred Heart) and 27R Burke St, Chifley (vacant land within Chifley Public School).

Comprehensive DCP

- To investigate provisions of additional development and design controls for non-residential development (eg. child care centres, schools) which would be zoned to residential areas.

Consultation

Consultation has begun with the community on the preparation of the draft comprehensive LEP and DCP including discussion papers through Council's website and information sheets. Councillors were also briefed on the comprehensive LEP and DCP process and on the proposed Special Uses discussion paper.

Key stakeholders including property owners and operators of sites zoned Special Uses in Randwick LEP were contacted in 2007/08 to seek feedback on the suitability of the current zone in relation to their land holdings and in identifying future development opportunities and constraints. Consultation with Government agencies and neighbouring councils has also commenced in accordance with s62 of the EP&A Act for the comprehensive LEP.

The Special Uses discussion paper will be exhibited for a period of 2 months to seek feedback from land owners and the wider community on the directives and key recommendations contained in the paper, and as a basis for preparing a new comprehensive LEP and DCP for the City. Once drafted the comprehensive LEP and DCP will be reported back to Council before public exhibition and for further feedback.

Relationship to City Plan

The relationship with the City Plan is as follows:

Outcome 6:	A liveable City.
Direction 6d:	A strategic land use framework that provides for our lifestyle changes and for a continuing, yet low rate of growth across the City.

Financial impact statement

The discussion paper was prepared in-house by Council staff.

Conclusion

The Special Uses discussion paper is an important step in the preparation of Council's comprehensive LEP and DCP. The discussion paper provides a review of land zoned Special Uses in RLEP, applicable planning controls, State and Local Government

planning directions and key implications. The discussion paper also makes recommendations for the drafting of the new comprehensive LEP and seeks community participation on the preparation of a new comprehensive LEP and DCP for the City.

Recommendation

That:

- a) Council endorse the Randwick City Special Uses Discussion Paper (2010) for public consultation and as a basis for drafting the Comprehensive LEP and DCP; and
- b) Council agree that the Director City Planning may make minor modifications to rectify any numerical, typographical, interpretation and formatting errors, as required in preparing the paper for public consultation.

Attachment/s:

- 1. Special Uses Discussion Paper **INCLUDED UNDER SEPARATE COVER**

	Requests that Council consider the Premiers Council for Active Living (PCAL) 'designing places for active living' design considerations.	Noted. The design considerations will be taken into consideration in the preparation of council's new comprehensive LEP and DCP.
	Requests Council to ensure that Child Care centres are 'prohibited' on properties that have a direct vehicular access and/or frontage to a classified road and this prohibition shall apply to all zones within Council's LEP.	Noted. Council's preparation of the comprehensive LEP/DCP will review child care centre locations according to each land use zones including permissibility on classified roads.
	Requests that Council make provision in the new draft LEP for 'Roads' to be permitted without consent.	Noted. The standard template directs that roads must be listed as either permitted with or without consent. The Infrastructure SEPP enables the development of roads to be carried out by a public authority without consent on any land; however development of roads in all other cases is to be carried out with consent.
	Notes that any development within Randwick LGA should aim to minimise vehicle kilometres travelled by private vehicles by providing high density and mixed use development around public transport infrastructure.	Supported. Principles of transit oriented development will guide the preparation of the comprehensive LEP and DCP and discussion papers. Areas identified for growth include existing town centres well serviced by public transport.
	Requests that where applicable, the LEP should also make provisions for developer funding of required transport infrastructure improvements that may be required as a result of the additional development in the LGA.	Noted. The yet to commence Part 5B of the EP&A Act provision of public infrastructure by developments, limits the scope that councils can seek contributions for, to key community infrastructure only including local roads, local bus facilities and local car parking facilities. Council will only be able to seek contributions in accordance with this new part.
Sydney Water	Sydney Water has advised of appropriate land use zonings under the standard template for a large number of Sydney Water land holdings in the Randwick LGA.	Supported. Sydney water recommendations have been reviewed in accordance with the Infrastructure SEPP and guidelines outlined in DoP-PN 08-002 'Zoning for Infrastructure'. Zoning recommendations for these sites are outlined in Appendix 2 inventory of proposed zoning recommendations, subject to meeting the requirements of SEPP 55 'Remediation of Land'.
	Sydney Water has provided several recommendations with regards to Sewage Treatment Plants and Buffer	

	Areas, they are: Sydney Water does not support any intensification of residential development within the Sewage Treatment Plant (STP) buffer area and recommends that Council prohibit rezoning land within a STP buffer area to a residential or commercial use.	Supported. The buffer area mostly impacts Sydney Water own land zoned and open space. There is a small proportion of land zoned residential within the buffer area. There will not be a rezoning of land to a higher density residential zone or commercial zone within the STP buffer area. An equivalent residential zone will apply under the standard Instrument.
	Council should not support applications to intensify existing residential or commercial zones within a STP buffer area.	As mentioned above there will be no change in zoning to a higher density residential or commercial zone within the STP buffer area.
	Sydney Water recommends that Council insert the following clause on sewage treatment plant buffer areas in Part 4 'Miscellaneous Provisions' within the new LEP. <i>Clause X: Development around Sewage Treatment Plants</i> 1) The objectives of this clause are: a. To protect the amenity of sensitive development from the potential operational impacts of an existing or proposed SWT; b. To ensure that new development within the Buffer Area of an operational or proposed sewage treatment plant does not compromise the operation and function of an operational or proposed sewage treatment plant; and c. To prevent or reduce the potential impact, including odour, noise and visual impacts, from an operational or proposed STP on sensitive development. 2) Consent must not be granted to the development or rezoning of land in the Buffer Area of a operational or proposed sewage treatment plant unless the consent authority is satisfied that: a. The development is of a type that is not sensitive to offensive odours, or is appropriately located and designed, or includes measures, to mitigate	The suggested clause has been reviewed and is not supported. The reasons being are: - The majority of land within the buffer area is open space and is intended to remain open space. Further, the residential site on 3 Brown Rd Malabar to the north west of the Malabar Sewage Treatment Plant is to be rezoned to open space. There will be no change to the residential zoning to a higher density residential zone within the STP buffer area. - S117(2) planning direction 6.1 'Approval and referral requirements' provide that draft LEPs shall minimise the referral provisions to a public authority. The inclusion of the proposed clause by Sydney Water goes against this direction. - Properties within the STP Buffer Area will continue to be notified in s149 planning certificates.

	offensive odours within the site of the proposed development; and b. The safety, efficiency and operation of an operational or proposed sewage treatment plant will not be adversely affected by the proposed development. c. Sydney Water has commented on the development application or proposed rezoning; and d. The proposed development incorporates all practical mitigation measures for odour and noise recommended by Sydney Water Corporation.	
	Sydney Water has provided Council with a list of potentially compatible land use zonings for land within the STP buffer area. The compatible land use zonings under the standard instrument include: RU1, RU2, RU3, IN1, IN2, IN3, IN4, SP2, RE1, RE2, E1, E2, E3, W1, W2, W3.	Noted. However, residential zones are currently within the STP buffer. As noted above there will not be a change in residential zone to a higher density residential zone.
	Sydney Water requests to be notified when the Draft Randwick LEP is exhibited and/or if any further statutory consultation is carried out.	Noted. Sydney Water will be notified throughout the progress of the comprehensive LEP via all relevant statutory consultation stages.
Federation of Parents and Citizens' Associations of New South Wales	Requests Council to include the following clause in the LEP: <i>In respect of certain urban uses in non-urban zones: Educational establishments (schools), places of public worship (churches) and child care centres are no longer permissible in rural and environmental zones.</i>	Noted. This will be addressed in the Open Space and Environment discussion paper. However, under the Infrastructure SEPP educational establishments are permitted in rural, residential, business, environmental living and special purpose zones.
New South Wales Department of Education and Training	Advises council in relation to: Existing school and/ or TAFE sites zoned other than 'Special Use' to retain their existing zoning, as long as an education establishment, is a permissible land use in such zoning.	Noted. NSW DET school sites are all zoned Special Uses.

CAROLINA DE WOLFF - RE: Perry St, Matraville

From: "Kuzmanovski, Kathy (WSP Environmental, North Sydney)"
 <Kathy.Kuzmanovski@WSPGroup.com>
To: "CAROLINA DE WOLFF" <carolina.dewolff@sydneywater.com.au>
Date: 04/03/10 10:22 AM
Subject: RE: Perry St, Matraville
CC: "La Martina, Andrew (WSP Environmental, North Sydney)"
 <Andrew.LaMartina@WSPGroup.com>
Attachments: Sydney Water - Re Randwick City Draft Comprehensive Local Environment Plan (LEP).PDF

Hi Carolina,

Please find attached the letter that was provided to Council in September, 2008.

As can be noted from the inventory provided at Attachment 1 of this letter, Sydney Water suggested to Council that the Perry Street sites "adopt the surrounding land use". The properties immediately surrounding these sites are zoned 2A (Residential). In light of this, and of Council's Strategic Planner's previous comments that it is highly likely that these sites will take on what was stated in this inventory, it is anticipated that Council will adopt this 2A Residential zoning in their comprehensive LEP. However, once the Special Uses Discussion Paper is released in mid-March, we should be able to confirm that this residential zoning will be adopted in the comprehensive LEP.

Kind Regards,

Kathy Kuzmanovski
Project Manager - Planner

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 Web: <http://www.wspenvironmental.com>

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From: CAROLINA DE WOLFF [mailto:carolina.dewolff@sydneywater.com.au]
Sent: Thursday, 4 March 2010 9:35 AM
To: Kuzmanovski, Kathy (WSP Environmental, North Sydney)
Subject: RE: Perry St, Matraville

Hi

Can't Council give us a copy?

Cheers and thanks

Carolina de Wolff
Senior Project Manager
Property Transactions
1 Smith Street, Parramatta (PO Box 399) 2150.
Telephone: 8849 6321
Fax: 8849 3112

>>> "Kuzmanovski, Kathy (WSP Environmental, North Sydney)" <Kathy.Kuzmanovski@WSPGroup.com>
04/03/10 9:25 am >>>
Hi Carolina,

Council just advised that the signatory was Sharon Davies (Manager of Urban Growth and Development) and that the contact on the letter was Cassandra Laughlin (9350-5243).

Kind Regards,

Kathy Kuzmanovski
Project Manager - Planner

WSP Environment & Energy
Level 1, 41 McLaren St
North Sydney, NSW 2060, Australia
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From: CAROLINA DE WOLFF [mailto:carolina.dewolff@sydneywater.com.au]
Sent: Wednesday, 3 March 2010 5:34 PM
To: Kuzmanovski, Kathy (WSP Environmental, North Sydney)
Cc: La Martina, Andrew (WSP Environmental, North Sydney)
Subject: Re: Perry St, Matraville

Hi Kathy

Can Council advise the signatory to the letter - I don't think it was me.

Cheers

Carolina de Wolff
Senior Project Manager
Property Transactions
1 Smith Street, Parramatta (PO Box 399) 2150.
Telephone: 8849 6321
Fax: 8849 3112

>>> "Kuzmanovski, Kathy (WSP Environmental, North Sydney)" <Kathy.Kuzmanovski@WSPGroup.com>

25/02/10 9:36 am >>>

Hi Carolina,

In following up with our telephone conversation on 11 February, I have discussed the Perry St site with Strategic Planner, Elena Sliogeris, from Randwick City Council. The main question asked of Elena was how Sydney Water can ensure that the Comprehensive LEP takes on the intended residential use.

Elena explained that back in 2008, Sydney Water provided a letter to Council with an inventory of its surplus lands and what their preferred zoning was for them. The forthcoming Special Uses Discussion Paper (expected now in mid-March) will provide a list of the Sydney Water sites on the inventory provided to Council back in 2008 and will state what the existing zonings are as well as the recommended proposed zonings by Council. Elena also advised that the likelihood that Council has taken on the zoning is probably quite high but we would need to wait until the discussion paper is released (in mid-March) to confirm that Council shares the same view for the site. Also, during this time, we can provide our comments to Council about the Discussion Paper and they will be considered for the Comprehensive LEP.

Elena also mentioned that if the proposed residential zoning is taken on, then it would be subject to the requirements of SEPP 55 - Remediation of Land. We already have the draft Phase 1 and 2 Contamination Report so this part of the requirements of SEPP 55 would have already been undertaken once the final Contamination Report is received.

With regards to Elena's advice that Sydney Water provided a letter to Council with an inventory of its surplus lands, can you please provide us with a copy of this? As previously mentioned, the likelihood that the site will take on the proposed residential zoning is high but we would like to confirm that this is the proposed zoning that was put forward to Council in the letter provided to them in 2008.

Thank you and I look forward to hearing from you soon about this.

Kind Regards,
Kathy Kuzmanovski
 Project Manager - Planner

WSP Environment & Energy
 Level 1, 41 McLaren St
 North Sydney, NSW 2060, Australia
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5 September 2008

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

Attention: Elena Sliogeris

RANDWICK CITY COUNCIL
08 SEP 2008
RECORDS RECEIVED

Dear Ms Armstrong,

Re: Randwick City Draft Comprehensive Local Environmental Plan (LEP)

I refer to Sydney Water's letter dated 30 July 2008 regarding the preparation of the Randwick City Draft Comprehensive Local Environmental Plan (LEP). Sydney Water advised Council that it would be provided with zonings for Sydney Water owned land in the Randwick Local Government Area (LGA). Sydney Water has reviewed its landholdings in the Randwick LGA. A list of appropriate land use zonings for Sydney Water owned land is provided in attachment one.

Future Consultation

Sydney Water requests to be notified when the Draft Randwick LEP is exhibited and/or of any further statutory consultation is carried out.

If you have any queries or require further information, please contact Cassandra Loughlin of the Procurement and Urban Growth Branch on 02 9350 5243 or e-mail cassandra.loughlin@sydneywater.com.au

Yours sincerely



Sharon Davies
Manager, Urban Growth Strategy and Procurement

Attachment One - Suggested Land Use Zonings - Sydney Water owned land

Property	Street Address (approx)	Asset	Suggested Zone
Lot 11, DP 1094800	Cliffbrook Parade, Clovelly, 2031	Sewage Pumping Station No. 113	Adopt surrounding land use
Lot 2, DP 606041	Burnie Street, Clovelly, 2031	N/A	Adopt surrounding land use
Lot 4, DP 6512	Burnie Street, Clovelly, 2031	N/A	Adopt surrounding land use
Lot 12, DP 977029	57 Howard Street, Randwick, 2031	Randwick Reservoir No. 101	SP2 Infrastructure (Water Supply)
Lot 13, DP 977029	57 Howard Street, Randwick, 2031	Randwick Reservoir No. 101	SP2 Infrastructure (Water Supply)
Lot 14, DP 977029	57 Howard Street, Randwick, 2031	Randwick Reservoir No. 101	SP2 Infrastructure (Water Supply)
Lot 20, DP 977029	57 Howard Street, Randwick, 2031	N/A	Adopt surrounding land use
Lot 1729, DP 45644	Oxford Street, Paddington, 2021	Woollahra Reservoir No. 144	SP2 Infrastructure (Water Supply)
Lot 1, DP 582822	Oxford Street, Paddington, 2021	Centennial Park Reservoir No. 22 Centennial Park Water Pumping Station No. 118	SP2 Infrastructure (Water Supply)
Lot 1730, DP 45644	Oxford Street, Paddington, 2021	Centennial Park Reservoir No. 23	SP2 Infrastructure (Water Supply)
Lot 2, DP 828351	Gardeners Road, Kingsford, 2032	Lachlan Swamps Stormwater Channel No. 59	SP2 Infrastructure (Stormwater Infrastructure)
Lot 1, DP 553251	Moverly Road, Coogee, 2034	Bunnerong Amplification Stormwater Channel No. 11	SP2 Infrastructure (Stormwater Infrastructure)
Lot 9, DP 771879	Amour Avenue, Maroubra, 2035	Maroubra Reservoir No. 67 Maroubra Water Treatment Works No. 75	SP2 Infrastructure (Water Supply)
Lot 9, DP 519241	75 Johnstone Parade,	N/A	Adopt surrounding land use

Property	Street Address (approx)	Asset	Suggested Zone
	Coogee, 2034		
Lot 1, DP 735219	Flanders Avenue, Matraville, 2036	N/A	Adopt surrounding land use
Lot 2, DP 735219	Flanders Avenue, Matraville, 2036	N/A	Adopt surrounding land use
Lot 13, DP 253676	14 Flanders Avenue, Matraville, 2036	N/A	Adopt surrounding land use
Lot 1, DP 1017721	Fishermans Road, Malabar, 2036	Malabar Sewage Treatment Plant No. 2	SP2 Infrastructure (Sewage System)
Lot 1, DP 222550	Franklin Street, Malabar	N/A	Adopt surrounding land use
Lot 1, DP 817434	Fishermans Road, Malabar, 2036	N/A	Adopt surrounding land use
Lot 1, DP 88190	Reservoir Street, Little Bay, 2036	South Randwick Reservoir No. 102	SP2 - Infrastructure (Water Supply)
Lot 1 DP 599954	Koorngai Avenue, Phillip Bay, 2036	Sewage Pumping Station No. 517	Adopt surrounding land use
Lot 118, DP 16138	Bunnerong Road, Matraville, 2036	N/A	Adopt surrounding land use
Lot 1, DP 430252	Botany Road, Matraville, 2036	Sewage Pumping Station No. 22	Adopt surrounding land use
Lot 1, DP 951458	Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot 42, DP 8313	67 Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot 43, DP 8313	65 Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot 44, DP 8313	65 Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot A, DP 190117	McCauley Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot 2, DP 535477	Raymond Avenue, Matraville, 2036	N/A	Adopt surrounding land use

Property	Street Address (approx)	Asset	Suggested Zone
	2036		
Lot A, DP 339002	Raymond Avenue, Matraville, 2036	N/A	Adopt surrounding land use
Lot A, DP 338467	Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot A, DP 338468	91 Beauchamp Road, Matraville, 2036	N/A	Adopt surrounding land use
Lot 1, DP 109784	Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot A, DP 336091	Raymond Avenue, Matraville, 2036	N/A	Adopt surrounding land use
Lot A, DP 337497	Raymond Avenue, Matraville, 2036	N/A	Adopt surrounding land use
Lot 2, DP 109784	Perry Street, Matraville, 2036	N/A	Adopt surrounding land use
Lot 1, DP 798472	Botany Road, Botany, 2019	N/A	Adopt surrounding land use



Heritage Council



of New South Wales

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Parramatta NSW 2124
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Contact: Alice Brandjes
 Phone: (02) 9873 8560
 Fax: (02) 9873 8599
 Email: alice.brandjes@heritage.nsw.gov.au
 File No: 11/17296
 Job ID No: N/A

Mr Richard Roper - Senior Planner
 Sydney Region East
 NSW Department of Planning & Infrastructure
 GPO Box 39
 SYDNEY NSW 2001

Dear Mr Roper,

Randwick Local Environmental Plan 2012

Thank you for referring Randwick Local Environmental Plan 2012 to the Heritage Branch for comment. The Heritage Branch provided comment about the Draft Randwick Local Environmental Plan 2012 to the Department in September 2011 and January 2012 (attached).

It is noted that comment is now sought on the proposed heritage mapping for the Prince Henry Hospital Site and the proposed zoning for the Chinese Market Gardens at 1-39 Bunnerong Road, La Perouse.

In regard to the Prince Henry Hospital Site in Randwick Local Environmental Plan 2012, you are advised that Option 1 identified at a meeting held at the Department of Planning & Infrastructure on 24 April 2012 between the Department, Randwick Council and the Heritage Branch should be used as the basis for heritage mapping of the site. This is because Option 1 clearly illustrates the core of historic buildings within the wider Prince Henry Hospital Site. Option 1 also avoids the need for re exhibition of the Local Environmental Plan as it is consistent with what was previously exhibited by Randwick Council.

The entries in the heritage schedule of Randwick Local Environmental Plan for Prince Henry Hospital Site will also need to be amended as per discussion in the meeting at the Department of 24 April 2012. Specifically, there will need to be an entry for Prince Henry Hospital Site in each part of the schedule (under items, conservation areas, archaeological sites and place of Aboriginal heritage significance). Numbering for each item, conservation area, archaeological site and place of Aboriginal heritage significance will also need to be sequential. Where the description of an item includes multiple lots in the same deposited plan in column 5 of the heritage schedule then a consolidated description should be used for example Lots 1 - 4 DP 12345.

You are further advised that the Chinese Market Gardens at 1-39 Bunnerong Road La Perouse are listed on the State Heritage Register due to their historical, agricultural and social significance to NSW and the Sydney Metropolitan Area. The Heritage Branch understands that the Market Gardens are currently zoned Residential 2(a) under Randwick Local Environmental Plan 1998 and are proposed to be zoned RU4 Primary Production (Small Lot)

under Randwick Local Environmental Plan 2012. Use of the RU4 Primary Production zone for the Chinese Market Gardens is supported on the basis that the proposed zone is not only consistent with the heritage values of the Chinese Market Gardens but also with the predominant use of the land. The land has been used as market gardens for more than one hundred and fifty years.

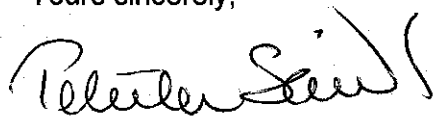
The Heritage Branch is aware that a nearby land manager, the Eastern Suburbs Memorial Park (ESMP) Trust, has recently expressed a desire to expand its operations into the Chinese Market Gardens land.

It is the understanding of the Heritage Branch that for such a proposal to be considered re-zoning of the Chinese Market Garden land may be required. That could be addressed by preparation of a formal Planning Proposal at a future date.

Any proposals which affect the State Heritage Register listed land and its heritage values would also require appropriate heritage assessments to be prepared and relevant consents to be obtained. The Heritage Branch has separately written to the ESMP Trust to remind them about these requirements following an incident where sheds within the Market Gardens were damaged during operations to remove hazardous materials.

For further information please contact Alice Brandjes on (02) 9873 8560.

Yours sincerely,



Petula Samios
Director
Heritage Branch
Office of Environment & Heritage

1. May 2012

As Delegate of the NSW Heritage Council

**CC Ms Karen Armstrong
Manager Strategic Planning
Randwick Council
30 Frances Street
Randwick NSW 2031**
