



20th February, 2002

EXTRAORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT AN EXTRAORDINARY COUNCIL MEETING OF THE COUNCIL OF THE CITY OF RANDWICK WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON TUESDAY, 26TH FEBRUARY, 2002 AT 6:00 PM.

- 1 Council Prayer**
- 2 Apologies**
- 3 Addresses to the Council by the Public**
- 4 Mayoral Minutes**
- 5 Director Planning & Environment's Report**
- 5.1 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 3/2002 - KENSINGTON TOWN CENTRE URBAN IMPROVEMENT PROGRAM - PLANNING AND DESIGN STUDY INCLUDING A DRAFT DEVELOPMENT CONTROL PLAN. 2
- 6 Confidential Reports**
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GENERAL MANAGER



Director Planning & Environment's Report 3/2002

SUBJECT:	Kensington Town Centre Urban Improvement Program - Planning and Design Study including a draft Development Control Plan.
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DATE:	20 February, 2002	FILE NO:	98/S/3849
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REPORT BY: DIRECTOR PLANNING & ENVIRONMENT

INTRODUCTION:

The Kensington Town Centre revitalisation project, being undertaken as part of the State Government's Urban Improvement Program (UIP) is well underway, with the recent preparation of a planning and design study. The purpose of the study is to review the current planning controls and past research, and identify ways of encouraging better design in any new development that would enhance the function and appearance of both the private and public domains within the town centre.

The study was prepared by independent consultants, Civitas Partnership, and included an extensive community consultation process. A high level of community interest and involvement has occurred throughout the study preparation and has clarified issues that need to be revised or refined in the draft study documents.

This report outlines the purpose of the study, the draft documents prepared, the consultations undertaken, issues raised from the consultations and public exhibitions, amendments made to the draft documents by Civitas in response to the consultations, and further amendments suggested by council officers. The draft documents have been assessed and revised in terms of all planning and design issues and consultations, and it is recommended that Council endorse the draft documents, as amended.

URBAN IMPROVEMENT PROGRAM:

In February 2000, Council was successful in receiving funding under the State Government's Urban Improvement Program (UIP), in which Planning NSW (formerly the Department of Urban Affairs and Planning or DUAP) provided \$385,000 over 3 years, to be matched by Council, in works or in kind, over that time.

THE UIP aims to create attractive urban areas in a partnership process, working with the local community, businesses, government agencies, institutions and other key stakeholders to achieve a shared vision.

Key elements of the UIP project for Kensington Town Centre are to:

- Encourage high quality design in any new development
- Undertake public domain improvement works for a more attractive and functional centre
- Help activate the centre and sustain a wider variety of local businesses and services, re-establishing it as a focus for the surrounding area;
- Improve links with surrounding land uses such as the Racecourse and the University

As a first stage of the work, Council commissioned the consultants, Civitas Partnership, to prepare a planning and design study for the town centre, stretching from Carlton Street in the north to Doncaster Avenue in the south, along Anzac Parade.

The purpose of the study is to improve the quality of building design and the public domain, to assist in enhancing the viability, function, convenience and amenity of the town centre, and to strengthen its identity and community focus.

Accordingly, the key objectives of the study are to:

- Review and assess planning, heritage and urban design issues;
- Involve the community and stakeholders in the study process;
- Formulate planning and urban design options for the future of the town centre;
- Identify public domain principles and improvement works.

CONTEXT

Kensington town centre is located less than 5 kilometres from the Central Business District along one of Sydney's major boulevards, Anzac Parade. It is the gateway to Randwick City from the north and is well located close to major regional land uses such as parkland, golf courses, the Racecourse and the University of NSW. As Kensington suburb is bound by the Eastern Distributor to the west, the Centennial and Moore Parks to the north and the Racecourse to the east, the population catchment for the centre is relatively small.

The town centre has experienced a decline in services in recent years, largely due to increasing competition from other centres, high development costs and a limited catchment. Nevertheless, a reasonable range of goods and services are currently provided and opportunities exist to build on the regional retail catchment of the Peters of Kensington outlet. The town centre is in need of public and private domain improvements to enhance its amenity and function for people using it.

The population of Kensington suburb was estimated at about 10,500 in 1996, with a multicultural community with around one third born overseas and nearly half speaking a language other than English at home.

Residential flats are the predominant use surrounding the town centre. The blocks immediately surrounding the town centre are zoned for Residential 2C, permitting multi-unit housing on the land between the Racecourse and the eastern side of Kensington Road. The area then transforms into low-density areas of primarily single dwelling houses, including extensive conservation areas. About 55% of dwellings in the Kensington suburb

are residential flats, almost 30% are dwelling houses and the remainder are semi-detached, row/terrace type housing. The general occupancy ratio (persons per dwelling) for the suburb is 2.49, slightly higher than the Randwick City average (at 2.4).

CURRENT PLANNING/DESIGN CONTROLS:

Current planning and design controls for Kensington town centre are primarily contained in Randwick Local Environmental Plan (LEP) 1998. The town centre is zoned primarily 3B (Local Business Zone), permitting a range of commercial and retail development as well as multi-unit housing, up to a maximum height of 12m (3 to 4 storeys) and with a maximum floor space ratio (FSR) of 1.5:1. Some sites are zoned 2C (Residential C Zone), which permits a range of residential development to a maximum height of 12 m and maximum FSR of 0.9:1. A number of these sites, although zoned Residential, contain retail/commercial uses. There is no specific DCP in place to guide the design of buildings in the town centre.

BACKGROUND:

In 1998/99, Council prepared a draft LEP (Amendment No. 4) and draft DCP for Kensington Town Centre, based on an earlier planning, research and consultation process. Underlying this work was the Kensington Town Centre Study, prepared by Jackson, Teece, Chesterman, Willis, Peter Annand and Assoc and Leyshon Consulting (April 1998). The draft LEP proposed to retain the 3B zoning for the town centre, but to increase the floor space ratio to 2:1. The height limit of 12m was to be retained across the centre, with the exception of the Doncaster Plaza site, where it was proposed to increase this to 18 m. The draft DCP proposed to introduce limited design requirements to guide any new development.

On 15 November 1999, Council endorsed a report, recommending that the draft LEP be forwarded to the Minister for making. The report recognised that the proposed changes would provide a limited incentive for redevelopment.

Council had sought funding for a Kensington Town Centre UIP project in early 2000. It was short listed for funding in mid 2000 and gained a grant in early 2001.

Planning NSW (formerly DUAP) advised Council that, in order to maximise the opportunities and outcomes of the UIP project, the draft LEP and draft DCP documents would not be further processed at that stage. It was also noted that any new planning controls for Kensington Town Centre should reflect and aim to assist in achieving the outcomes of that UIP project.

In recognition of an increasing awareness in the community and support by the Premier and the State Government for better quality in urban design, a key focus of the Kensington town centre UIP project is to ensure high quality design outcomes.

The planning and design study commissioned by Council in 2001 is thus aiming to extend the previous and current investigations and knowledge of the town centre. The study proposes to introduce detailed design controls and guidelines in an innovative and best practice DCP, to support revitalisation of the commercial/retail functions while requiring

developers to provide high quality designs in any new development or upgrading of existing buildings.

THE PLANNING AND DESIGN STUDY:

As part of the planning and design study, Civitas Partnership prepared the following documents:

- Background report
- Draft DCP
- Draft Public Domain Improvements Strategy

Background Report

In summary, the exhibited Background Report examines the current characteristics of the centre and its appropriate future, based on existing and new research, and community feedback.

Key outcomes are:

The centre lacks a strong identity and does not capitalise on its proximity to nearby major land uses;

Anzac Parade's road width affects the connectivity of both sides of the street;
Speed, noise and pollution reduce the centre's amenity, while traffic and a perceived lack of parking limit retail potential;

The public domain is degraded and needs improvement, while many buildings also need upgrading;

Services such as banks have declined over the years and community confidence in the centre's retail role has dropped, particularly given a lack of a supermarket;

Peters of Kensington attracts a regional catchment of shoppers, however they do not stay on to use other shops in the centre;

Some development could strengthen the commercial centre and encourage improvements to the existing building stock;

Key sites were noted as providing potential landmarks as focal points to upgrading precincts along Anzac Parade.

Key themes for improving Kensington town centre were identified and will be further pursued throughout the UIP project.

The Background Report then examines and discusses all issues relevant to the centre, as a basis for preparing the draft DCP and draft Public domain improvement strategy.

In summary, taking into account form, scale, bulk and economic feasibility issues, the report noted that high development costs in the town centre have restricted redevelopment

or upgrading of businesses, and thus their ability to compete with other centres. By taking a balanced view on development potential for mixed retail and residential, at an appropriate scale to overcome the cost restrictions on redevelopment, the retail base would be strengthened and the built form could be improved. The current statutory framework lacks design controls and detailed controls need to be introduced, while addressing community concern for unattractive and overbearing development, as has occurred in other locations nearby. Key sites could provide opportunities to lead the revitalisation, however, any proposals would need again to be mindful of community concern over building height and bulk, and impacts on the current urban scale and character. Traffic and parking issues are integral to the centre's success and need to be carefully addressed in any new planning/design controls or public improvement works.

Draft Development Control Plan (DCP)

The exhibited draft DCP provides a framework of planning and design controls and guidelines for the Town Centre. In addressing the findings of the Background Report, the draft DCP proposes a building envelope of 4 storeys, setting back to 6 storeys, for most sites in the town centre.

Two sites along Anzac Parade are identified as key landmark sites where a separate set of controls and additional height above these 4/6 storeys would be appropriate. The exhibited draft DCP recommends, for certain locations within these two sites only, heights of up to 12 storeys on the Doncaster Plaza site and up to 8 storeys on the Lorne Avenue site. These additional heights are to be achieved only if the developer provides public amenities or benefits by way of a bonus system.

The proposed bonus system identifies potential public benefits as the provision of a supermarket, public open space, community space, rear lanes and rights-of-ways, shared parking areas and public art projects. The intention of the bonus system is to allow additional height beyond the 4/6-storey scenario only on the two key landmark sites.

The DCP also proposes detailed planning and design controls requiring high quality development through building controls, open space requirements, access and parking requirements, dwelling size and mix, and environmental management controls for more sustainable development outcomes. These types of controls are increasingly being introduced into town centres across Sydney and are being actively encouraged by the State Government in an overall promotion and push for developers to produce better building designs.

Draft Public Domain Improvement Strategy

As part of the investigation, the study examines and addresses design issues for the future of the public domain. This draft Public Domain Improvement Strategy is based on the findings in the Background Report and provides objectives and principles for ensuring consistent, relevant and attractive improvements to the public domain, which includes the roads, footpaths, open space and any other public spaces.

The strategy contains recommendations for paving, planting and street furniture upgrades, in terms of types and locations within the centre. This forms the basis for the capital works improvements to be undertaken in the centre as part of the UIP project.

CONSULTATIONS:

An extensive communication and consultation program has been integral to the UIP and preparation of the study, aiming to involve the community and all stakeholders throughout the process. This was undertaken to ensure a high level of awareness of the project and that resident and stakeholder issues could be fully taken into account in the planning process. From May 2001 to February 2002, the consultations throughout the study preparation included:

- UIP Project launch – May 2001
- 2 Breakfast workshops – for local businesses people, shopkeepers and residents – June 2001
- A street walk and BBQ – as an information exchange – June 2001
- A community workshop – with participants providing their visions, ideas and directions for the town centre – August 2001
- Key sites workshops – meeting with developers and land owners on key sites to discuss development potential and provide design input to any proposals
- Council staff workshops – to ensure that all current council policies, work programs and implementation issues are taken into account
- A street display – to allow informal feedback on the analysis - August 2001
- Final workshop – formal presentation of draft planning and design principles and discussion - end August 2001
- Report to Council – 23 October 2001
- Public exhibition of draft study documents including the draft DCP - 30 October to 30 November 2001
- Public meeting – to discuss the draft documents on exhibition – November 2001
- Report to Council – 4 December 2001
- Public re-exhibition of draft documents – 11 December 2001 to 11 January 2002
- Meeting with the Precinct Sub-Committee – Dec 2001
- 3 Working Group meetings – 23rd, 30th and 31st January to focus on details of the draft documents, issues raised in submissions and possible amendments to the draft documents;
- Meeting with the Chamber of Commerce Jan. 2002
- A Working Group meeting on Town Centre Public Domain Improvements – 6th February 2002, to focus on proposals in the draft Public Domain Improvement Strategy.
- Meeting with the Precinct Sub-Committee - Feb. 2002

In addition to these consultations, the consultants, Place Manager and Council officers held a number of meetings with the Stakeholder Advisory Panel, established in mid-2001 to ensure that all stakeholders have a continued involvement in the UIP project over the 3 years of the project.

Meetings and discussions also took place with residents, the Kensington Precinct Committee and its Sub-Committee, the Chamber of Commerce, and property owners that

are considering redeveloping and/or upgrading their sites, giving advice on proposals that may be submitted to Council in the near future.

In these meetings, a variety of issues have been raised, with a large number of residents expressing concern against the proposals for increased heights, bonuses and new parking requirements. These concerns have been reflected in the submissions, which have been taken into account in relation to the overall assessment of all issues, including design, appropriate scale and feasibility.

Similarly, the Chamber of Commerce has been active in relaying its concerns that the draft DCP proposals need to encourage a reasonable level of redevelopment and upgrading of buildings in the town centre, to help strengthen the commercial/retail activities. Many have expressed concerns that the draft DCP controls are over prescriptive and would constrain development, and that they may not go far enough to encourage any new development and to secure the town centre's commercial future.

The exhibited draft documents were reviewed by the State Government's Urban Design Advisory Service, who has agreed with the approach taken in the draft DCP.

EXHIBITION AND SUBMISSIONS:

The draft study documents were exhibited for 30 days from 30th October to 30 November 2001 for public comment, and again for a further 30-day period from 11 December 2001 to 11 January 2002, at the Council's Administration Centre, Randwick Library and the Kensington War Memorial Club.

A total of 440 submissions were received during these periods. Of these, there were 146 were in support of the draft DCP and 291 objected to the draft DCP, and 3 had issues for and against supporting some and objecting to other various provisions. A petition of some 2026 signatures was also received, objecting to high rise and asking Council to retain the current zonings, site densities and heights for the Kensington Commercial area, as set out in LEP 1998, to reject Council discretionary provision of any bonus height or density allowances and to support compliance with Council's existing parking code.

The submissions were forwarded to the consultants for review and have also been separately assessed by Council officers. A number of changes are proposed in light of these submissions. The following section of this report summarises issues raised, action taken to address them and proposed changes to the draft DCP. Key issues raised in the submissions are also summarised in Attachment 1.

The issues raised in submissions and consultations form an important part of the review and assessment process. Council officers are required to undertake an independent assessment of contextual issues and metropolitan policies and requirements for the locality in terms of scale, bulk, design, environmental impact, economic and social considerations.

DRAFT DCP – KEY ELEMENTS AND ISSUES RAISED IN CONSULTATIONS:

Key issues arising over the exhibited draft DCP are outlined and discussed below. Key elements are outlined for each issue, followed by relevant points raised in the submissions and consultations, then a response by way of changes made by the consultants and recommendations made by Council officers.

ISSUE - POPULATION INCREASE

Key Elements

The planning and design study has identified opportunities for additional development within the town centre, which would lead to additional retail/commercial floor space with residential units above. This would assist in supporting existing and future businesses. The consultant has noted however that the draft DCP proposals are unlikely to result in significant increases in dwelling numbers.

Issues raised in consultations:

- Population increases will change the look and character of the area
- Facilities and services will be placed under pressure with additional residents

Response:

There are no target population or densities set by this project. The main intention is to improve the appearance and function of the town centre, and that any new development supports this. In all planning investigations, however, Council must address State Government policies for compact growth of the Sydney metropolitan region, by encouraging appropriate development and a mix of housing in highly accessible locations, where people can take advantage of the existing facilities and services such as public transport.

This study notes that new development in the area is constrained by factors including a high water table, small allotment sizes, a busy main road and lack of off-street parking. It concludes that some additional development would be appropriate and would support the existing retail, subject to good design and consideration of the area's existing character.

With regard to additional pressures on facilities and services, Randwick City is, in fact, experiencing declining household occupancy rates, with the current average rate of 2.4 households likely to reduce to about 2 persons per household by 2021 (Council draft planning issues paper 2001). This means that the existing dwellings in Kensington will accommodate fewer people in future, given changes such as 'empty nesters' and smaller families. There is not likely, as a result, to be substantial pressures of additional dwellings on existing resources.

The draft documents are considered to adequately address this issue.

ISSUE - BUILDING ENVELOPES

Key Elements

The draft DCP provides a different approach to the current use of a Floor Space Ratio (FSR) and maximum height to control building scale and bulk in Kensington Town Centre.

To ensure better design in new buildings, DCPs are now increasingly applying a 'building envelope' approach, which defines the height, depth and width of buildings suitable to the particular location. This approach addresses bulk and scale of development as well as taking into account amenities such as overshadowing. The draft DCP has taken a block-by-block approach to building envelopes and has also addressed specific key redevelopment sites. Perimeter building envelopes are proposed, with zero setbacks on street frontages to provide a strong and consistent building line along Anzac Parade. This approach provides a good basis for achieving high quality design and avoiding bulky and out-of-scale buildings.

As a general comparison with the existing controls, the consultants have advised that the draft DCP proposals would result in floor space ratios, at about 2.5:1 on average, although this would vary between 2:1 and 2.7:1 depending on the size of the allotments.

Issues raised in consultations:

The current controls in LEP 1998 should be retained

Response:

The proposed approach of using building envelopes is supported as a more detailed and effective way of ensuring good design outcomes for new development.

ISSUE - BUILDING HEIGHTS

Key Elements

The exhibited draft DCP proposes, for most blocks within the town centre, a maximum height of 4 storeys along Anzac Parade, setting back to 6 storeys.

The Background Report notes that Anzac Parade could comfortably accommodate higher development than 6 storeys. However, taking into account the community's point of view, the relationship to the surrounding zoning and areas, feasibility issues and the costs of development, it is recommending 4 storeys stepping back to 6 storeys (with generous floor to ceiling heights required and with the upper 2 storeys less visible from the street). In comparison, the current height control in LEP 1998, at 12 metres, allows 3 to 4 storeys, with low floor to ceiling heights, resulting in a poor design outcome.

Exceptions to these controls are proposed for two key landmark sites, as discussed later in this report.

It also notes that the building envelopes do not identify all sites as appropriate for the stepped back 5th and 6th storeys. Various buildings are identified as having architectural merit/contributory value to the built streetscape and the draft DCP proposes a 4-storey limit for many of these sites, to protect the integrity of these contributory buildings.

Issues raised in consultations:

Building heights at 4/6 storeys are too high and should be capped at 4 storeys
Heights of 3/5 storeys are preferred
Existing height limits (12 m) should remain
Buildings at 4/6 storeys will contribute to the community and amenities
Given the transport access, increased developments levels should be considered

Response:

Significant debate and concern has been raised over the issue of increased heights in the town centre. This was further impacted by the proposed heights on the Doncaster Plaza site and an interpretation of the draft DCP that heights of up to 22 storeys may be allowed. In various public and focus group meetings, the consultants and Council officers clarified this issue by noting that the proposed heights are the 4 storeys, stepping back to 6 storeys. Nevertheless, there has been lively debate with regard to maximum permissible heights (see also later sections in this report on the Doncaster Plaza and bonuses).

The consultants were asked to further review this issue. The Background Report (2.3.3) has confirmed that the proposed heights of 4 storeys stepping back to 6 storeys is the most appropriate for the centre, based on the centre's context, location and wide boulevard, good design opportunities, urban form and scale, and retail feasibility. If the proposed heights are reduced, the DCP is unlikely to promote new development or building upgrades.

The retail feasibility analysis in the Background Report (2.3.3) has also been further clarified, and confirms that 6 storeys would provide adequate incentive for positive change. The consultants proposed 4 storeys, stepping back to 6 storeys generally across the town centre in the draft DCP (rather than 6 storeys to the street front), to address feedback from the early consultations expressing concerns over height. The 4/6 storeys are considered to be the minimum that could feasibly be proposed to encourage development.

The recommended heights are considered acceptable and while additional heights could also be considered given the centre's location and context, and given also community concern over increased heights, the proposed heights (in storeys and metres) in the revised draft DCP should be supported.

ISSUE - BUILDING DEPTHS**Key Elements**

The draft exhibited DCP proposes narrow building depths, at a maximum depth of 18metres, while the depth of sites along Anzac Parade vary between 25 to 50 metres. The purpose is to meet environmentally sustainable development (ESD) principles in that this aims to facilitate 'single loaded' buildings, where the units extend across the entire floor and enjoy better natural sunlight access and natural ventilation as a result.

Issues raised in consultations:

- The maximum building depth of 18 metres is queried
- The maximum 18m makes development unfeasible

Response

Building depths are limited to a maximum of 18 metres to encourage ESD, cross-ventilation, good residential amenity and urban design. This issue has been further clarified by the consultants in the Background Report (2.3.10). This depth of development encourages single loaded buildings that provide better living environments for residents and are better meet ESD principles than double-loaded buildings. This control assists in achieving good design outcomes and meeting ESD principles and should be retained.

ISSUE - BUILDING SETBACKS

Key Elements

Front and side setbacks are proposed on the property alignment, to ensure a consistent and strong street edge to the town centre. Some exceptions on side streets require setbacks consistent with existing buildings in that street, particularly where the land use immediately changes from commercial to residential.

Rear setbacks are required in most blocks, including the width of proposed rear lanes (at least 6 metres), building depth limits and also limits of build-to-lines. The draft DCP provisions require variations within all building elevations including the rears of buildings, to ensure that these are articulated for interest, improved appearance, and to minimise building bulk. In response to concerns raised in consultations, the controls for rears of buildings have been expanded.

Issues raised in consultations:

- Rear facades of buildings should not be ignored – concern over the 6 storey rears

Response:

Additional advice, principles and guidelines controls have been included in the revised draft DCP (3.1.2.2) to require better design of rear building facades and consideration of visual and privacy impacts on neighbours. This is the first DCP for a commercial centre in Randwick City that would introduce requirements to ensure that the design of the rear of buildings is given as much weight as the design of the street frontage.

It is considered that this issue has now been adequately addressed.

ISSUE – BUILDING HEIGHTS – STOREYS AND METRES

The Background Report and draft DCP identify the appropriate number of storeys for each block and also the maximum height, based on suitable minimum floor to ceiling heights and floor-to-floor heights.

The draft DCP identified the main height requirements of 4 storeys setting back to 6 storeys, noted as maximum heights of 15.4 metres and 22.6 metres respectively.

High ceilings on the ground level were seen as particularly important for achieving light and inviting spaces in ground floor retail/commercial premises, as well as providing flexibility for future uses. A minimum of 4.5 metres for the ground floor 'floor-to-floor' measure was required, providing for at least 3.5 metre floor-to-ceiling heights and allowing up to a metre within the ceiling for building infrastructure. This is particularly important for uses such as cafes and restaurants, to ensure sufficient space for exhaust and related infrastructure and flexibility for premises to convert to these uses if desired.

Issues raised in consultations, in summary:

- The storeys should also have heights in metres
- The floor heights seem excessive, particularly the ground floor 4.5m
- The relationship between storeys and above ground parking needs clarifying

Response:

The revised draft DCP (at 3.1.2) now includes both the maximum storeys and maximum heights for development. It also further clarifies that any parking above ground will be included within the maximum height limits. These measures all now satisfactorily address the community concerns raised.

The consultants were requested to increase the residential floor-to-ceiling minimum from 2.7 metres to 2.8 metres. While this is a minimal change (of 10 cm per floor) it is now consistent with the good design standards being recommended by the State Government. The maximum height for 4 storeys in the centre is now 15.6 m at street level and set back to 6-storeys, at 22.6 m. This issue has now been adequately addressed in the study documents.

ISSUE - KEY LANDMARK SITES

Key Elements

The exhibited draft DCP and Background Report identify 2 specific sites that are gateway or key landmark sites, located on opposite sides of Anzac Parade and forming a gateway to the southern part of the town centre, highly visible travelling north and south along Anzac Parade. Additional heights (above the 4/6 storeys) are proposed for the following sites:

- Lorne Avenue/Anzac Parade corner site – up to 8 storeys,
- Doncaster Plaza site – up to 12 storeys.

Site specific controls are identified for these sites, and also for a third site at 76 Anzac Parade given that, although not a key landmark site, a Development Application was imminent for that site.

One other site noted as a potential landmark site is the motel on the western side of Anzac Parade, between Todman Avenue and Addison Street. Given its location, size and aspect, however, any additional height on this site beyond the 4/6 storeys is not considered by the consultants to be appropriate given potential overshadowing impacts on residential properties to the south.

Issues raised in consultations:

- Key landmark sites are inadequately defined,
- The heights of the sites are excessive and will have visual amenity impacts on surrounding sites

Response:

The draft study documents have been revised to better explain the basis for the landmark sites, and have reviewed the appropriate form and scale for these two sites.

The Background Report (2.3.3 and 3.5) and revised draft DCP (part 4) note the basis for key landmark sites, being:

- They act as the termination of 2 key vistas along Anzac Parade
- Both sites have the potential to act as key markers for the town centre

These documents note that additional height could achieve good design outcomes, but only where a number of criteria relating to environmental impact are strictly met. In recognition of the community concern over additional heights, the consultants noted that any additional height should be accompanied by a substantial direct public benefit (see bonus discussion later).

The motel site was deleted from the relevant map as a key landmark site. The draft study documents do not, however, discuss the reasons for this deletion, as noted above under 'key elements'. The Background Report should be amended to clarify this matter.

The site-specific section for 76 Anzac Parade has been deleted from the revised draft DCP given that it is not a key landmark site and given also that the proposed controls and guidelines for the site are consistent with those generally being proposed for the town centre.

The basis for proposed heights on the key sites is discussed for each site in later sections of this report. The key sites provide opportunities assist in the town centre's revitalisation and, with specific design controls, to provide key interest points along Anzac Parade and high standards of building design as benchmarks for other new development. The consultant's review and further justification that key landmark sites continue to be recognised, and limited to these 2 sites, is considered acceptable and should be retained in the DCP.

It is recommended that the Background Report be amended to explain the reasons why the only other possible key landmark site for the town centre, being the motel site between Todman Avenue and Addison Street, is not appropriate as a key landmark site.

ISSUE - THE BONUS SYSTEM**Key Elements:**

A proposed bonus system would encourage the provision of public amenities or benefits as part of the redevelopment of privately owned sites. This is an innovative planning approach not yet applied in Randwick City, or by many other councils. It recognises that the opportunities for improving public amenity/benefits in the town centre are limited, given limited Council resources and that another key funding option, S.94 contributions, is linked to population increases, not expected to be significant.

The draft DCP proposes additional building height bonuses in return for a range of benefits including rear lanes, shared parking areas, public open space and art projects, supermarkets and community space.

The intention of the exhibited draft DCP was that height bonuses would only be gained on the two key landmark sites (as discussed later in this report).

Issues raised in Consultations:

- Bonuses erode certainty of development outcomes
- This exercise of council discretion is open to abuse and will set precedents
- The proposed bonuses are excessive for the public benefit to be gained
- Bonuses are cumulative and could result in development up to 22 storeys
- The bonuses should equate to the additional area provided in terms of metres/area
- A bonus is inappropriate for a supermarket
- Rear lanes should be required, without a bonus

Response:

The exhibited draft DCP was ambiguous in its intended application of bonuses. The consultant's have since clarified their intentions, through consultation sessions, a recent brochure and changes to the draft DCP.

The revised draft DCP further clarifies that the proposed bonuses would apply only to the two key landmark sites. 'Part 4 – Application of Bonuses' has been deleted for the centre in general and bonus provisions remain for the 2 key sites only in the site-specific guidelines (previously Part 5 – now Part 4). The bonuses for these sites have been clarified as non-cumulative and not exceeding the maximum heights specified.

A new section has been added to the Background Report (3.5) to better explain bonuses.

The inclusion of a bonus system is supported in that it provides the opportunity to recognise prominent sites in the town centre that could support additional development height without adversely impacting on surrounding properties or the appearance of the centre. In order to achieve the specified additional development potential above other sites in the centre, however, these sites need to provide a benefit in return to the community.

The bonuses have been revised to address concerns over uncertainty and consistency of application, and are now considered appropriate.

The bonus for a supermarket was an issue of major concern in the consultations. It had originally been included in the draft DCP as an incentive for developers, given community feedback in favour of a supermarket. Concerns that a bonus for a commercial venture would be inappropriate and difficult to enforce have been taken into account. While the study still supports the need for a small supermarket, the bonus incentive has been deleted.

Bonuses for rear lanes and shared parking were also deleted in light of the submissions.

Public art projects were moved to the public domain improvement strategy, as these could be provided with council funding, supported by S.94 developer contributions.

ISSUE - DONCASTER PLAZA – SITE SPECIFIC CONTROLS

Key Elements:

The Doncaster Plaza site, with an area of about 6,700 square metres, is the largest single owned site in the town centre. The exhibited draft DCP sets out site-specific controls with a perimeter built form of 4 storeys setting back to 6 storeys. A southern part of the site was identified for a maximum height of up to 12 storeys (40.2m). The Background Report had noted that 8-10 storeys would be appropriate on parts of the site, but that 12 storeys could also be accommodated without any additional impact on the surrounding area. Additional floors above the 6th storey should be achievable only via the bonus system and provision of specified public benefits.

The site's suitability for a large public open space and a supermarket was noted. The draft DCP proposes that the provision of a minimum of 4,000 square metres of public open space within the site, would generate two additional floors over a portion of the site (subject to assessment of planning and design issues). It was also noted that 1,350 square metres of supermarket and associated space would enable a bonus of 4 storeys over part of the site (again subject to merit assessment).

A Master Plan lodged with Council for the site drew upon both the public open space and supermarket bonuses. It also exceeded the draft DCP height limit of 12 storeys and proposes 14 storeys on parts of the site. This Master Plan is being assessed separately to the DCP preparation process.

Issues Raised in Consultations:

- High rise will be visually intrusive and inappropriate in this location
- The area of additional height (hatched on the building envelope) is too vague
- Bonuses are too generous

Response:

The consultants have reviewed the heights for this site, in light of community opposition to the proposed 12 storey maximum height for parts of this site and in relation to the view corridors, overshadowing and visual impact.

The revised draft DCP now proposes a maximum 10-storey limit, over two small portions of the site, inclusive of any bonus (in Part 3 and 4).

It identifies the site as appropriate for 4 storeys, stepping back to 6 storeys on the street frontages, and a maximum of 8 storeys on two defined and reduced areas within the site.

The bonus for a supermarket has been deleted. An open space bonus is retained, permitting an additional 2 storeys once again (yet on the reduced areas on-site) for the provision of a minimum of 4,000 square metres of public open space. This would provide a significant community benefit, by way of a large and pleasant public space with restaurants and cafes surrounding it. If the developer does not wish to employ the bonus, then the maximum height would be 8 storeys and the space would remain private.

As noted above, 4 storeys set back to 6 storeys is considered appropriate for the centre and for this site. Additional 7th and 8th storeys, set back from the street by at least 10 metres, are also considered acceptable in design terms for this large site and overshadowing impacts would be minimal given the site's location and aspect.

The additional height, via the bonus, to 10 storeys (maximum) may also be acceptable, given that these additional 2 storeys should have 'no significant additional impact on adjoining properties' and also given the public benefit that would arise in gaining a large public open space, roughly 50% larger than the public square in the Leichhardt Forum. At 10 storeys, however, a 'tower' building type emerges from the perimeter block type development. This height and resulting scale of development is not generally consistent with a town centre zoned and recognised as providing for "Local Business". While it may be appropriate on this site as a key marker for the centre, its potential impacts will need to be very carefully assessed.

An alternative approach to the 2 storey bonus for the provision of a large public open space, taking into building form issues as well as the considerable community concern over the proposals for this site, may be to consider a wider area or areas for the maximum building envelope of 8 storeys. This option could be evaluated in order to adequately consider the design and feasibility issues. It is proposed to establish a review group to review and consider the provisions for the Doncaster Plaza site. The provision of public open space as a bonus for additional floor area could be reviewed in this context.

It is recommended that Council either:

- a) *Agree to delete the bonus provision for the Doncaster Plaza site; or*
- b) *Agree to a review of the building envelope and bonus provision for the Doncaster Plaza site, to be undertaken by a peer review group, and that the following people be approached to participate in this peer review and report back to Council:*
 - *Dr Stephen Gatt – Precinct representative*

- *Stephen Harris – Planning Specialist*
- *Jan McCredie- State Government design specialist*
- *Stephen Busacott – Architect/urban designer/Member of the Royal Australian Institute of Architects*
- *In addition, the Director of Environmental Planning or a nominee to convene the group*

ISSUE - LORNE AVENUE – SITE SPECIFIC CONTROLS

Key Elements:

The Lorne Avenue site forms the terminus of a key view corridor looking south through the town centre along Anzac Parade. To recognise this, the draft exhibited DCP proposed 6 storeys along the Anzac Parade frontage and 4 storeys stepping back to 6 storeys on the Lorne Avenue frontage, setback at the ground floor to the average setbacks in that Avenue. An additional 2 storeys was recommended along Anzac Parade, set back from the lower levels, for a maximum of 8 storeys (27.8m), subject to provision of a public benefit through the bonus system.

Issues Raised in Consultations:

- The impact (visual, overshadowing) on adjoining residences is unacceptable
- Bonuses are too generous

Response:

The revised draft DCP better addresses the relationship of this site to other dwellings in Lorne Avenue. Adjacent and nearby properties are zoned Residential 2C, permitting residential flat development to a maximum height of 12 metres. Further south, the street then changes to a low density Residential 2A zone.

The building envelope along Lorne Avenue has been revised from 4/stepping back to 6 storeys to a 4 storey maximum, retaining the proposed access way to the south between this site and other Lorne Avenue properties.

The consultants propose to retain the zero setback for the 5th and 6th storeys along Anzac Parade, in order to give emphasis to this key corner site.

In conjunction with the overall review of the bonuses, the consultants note that additional height remains appropriate on this site, particularly to emphasise the northwestern corner of any new building. The exhibited draft DCP bonus of 2 additional storeys (to an 8 storey maximum, with the 7th and 8th storeys set back from the lower floors) has now been revised to one additional storey for a maximum of 7 storeys, and on the corner of the Anzac Parade frontage only (a maximum of 160 square metres). The consultant noted that the 7th floor area should be allowed in exchange for 55 square metres of community space.

The Lorne Avenue site is clearly a key landmark site in the centre and some expression of this in the built form is appropriate. The zero setback on the 6th storey Anzac Parade frontage is considered sufficient to achieve this. The recommended provision of a small

community space in exchange for a bonus (part) 7th floor is not, however, considered warranted in this location. Other similar spaces such as the Masonic Hall are located nearby and a community space in the town centre would be more appropriately located more centrally.

It is recommended that the bonus provision for the Lorne Avenue site be deleted.

ISSUE - RETAIL/SUPERMARKET FEASIBILITY

Key Elements:

The draft study documents were supported by a retail analysis of the town centre by Patrick Partners. This noted the main difficulties for the town centre as competition from other centres, a limited population catchment, high development costs and a long fragmented centre with segments operating as stand alone uses. Three precincts were identified in recognition that the commercial area needs to maintain and build upon current attractions. These precincts are:

- Lifestyle/Parks – to build on destination retailing of Peter’s of Kensington, attracting a regional market
- Retail Core – the central area of narrow frontage retail outlets
- University – large sites provide destination retail opportunities, and links to the university student market.

The Background Report notes that the centre has approximately 13,000 to 14,000 square metres of retail space. This is equivalent to a district centre but, given that it lacks a major supermarket, it functions more as a neighbourhood centre. The presence of a supermarket would attract some of the local catchment that must currently travel elsewhere for this function and also the spin-offs to retail outlets located near supermarkets. Consultations revealed considerable interest in a local supermarket, however, many also expressed concern that the trade-off of additional height is not worth it.

Issues Raised in Consultations:

- Additional retail including the Doncaster Plaza site will affect viability of the Core Retail Precinct
- The feasibility of a supermarket has not been proven
- A supermarket is needed in the centre

Response:

The town centre is currently zoned Local Business 3B and commercial and retail activities are permissible in this zone. The retail discussion in the Background Report has been expanded to more adequately address the future of retail in the centre (2.3.2). While the study was not a detailed retail analysis, the findings are sufficient to justify the planning/design controls to support retail growth. Some additional population is anticipated to underlie any retail growth but more emphasis should be placed on attracting the existing under utilised market (including Peters of Kensington shoppers, university students, race goers and residents). The specific proposals and retail impacts of major site

redevelopments such as the Doncaster Plaza site will need to be considered in detail at the Master Plan and Development application stage. By enhancing retail opportunities and parking provision in the centre, the Background report notes that existing businesses are likely to enjoy the spin-offs of increased retail demand.

All retail centres have different characteristics and all require active management to assist in competing with centres, such as Westfield's, which have formal management structures. The Place Manager position was created for Kensington Town Centre to promote and strengthen the commercial/retail base.

ISSUE - HERITAGE and CONTRIBUTORY BUILDINGS

Key Elements:

The draft DCP identifies the only currently listed heritage item in the town centre, the Masonic Temple, and also a number of buildings that have architectural merit and provide a positive contribution to the character of the town centre. The recommended building envelopes take into account these buildings and it is noted that for those with contributory qualities, the building or façade should be retained where possible (3.1.4).

Building envelopes for most of these contributory buildings permit a maximum height of 4 storeys. Exceptions apply for two of the blocks containing contributory buildings, where the 6 storeys (set back) were considered appropriate as a consistent form on these blocks.

Issues raised in consultations:

- Greater protection is needed for buildings of historic significance
- Many buildings contribute to the town centre character and should be retained.
- Concern that development could still occur on sites identified as contributory, if facades retained.

Response:

A previous draft LEP for the Kensington Town Centre included the listing of the Doncaster Hotel as a heritage item. As this original LEP was not progressed, Council should proceed with an LEP to list the Doncaster Hotel as a heritage item.

It is recommended that Council proceed with an LEP to list the Doncaster Hotel as a heritage item.

The Background Report includes a section of Built Form, including Built Form and Architectural Character, and notes that there are a number of buildings with some "architectural merits", which contribute to the urban form. It is considered by the Background Report however, that the building facades, rather than the building as a whole contribute to the character of the Town Centre.

Investigations of the heritage and contributory buildings within the Town Centre have previously been carried out by Council and through a peer-review process.

The exhibited draft DCP provided generally for the retention of buildings or facades, 'where possible'. This has been clarified to now specifically require the retention of the facades of contributory buildings, and is appropriate for ensuring that these buildings continue to contribute to the urban fabric of the town centre.

The current DCP does not propose any separation or differentiation between the existing façade and additional storeys to ensure a consistent and strong street frontage. An additional requirement should be included to ensure that the relationship of any new development to the existing built form is appropriately addressed.

It is recommended that an additional requirement be included in the draft DCP requiring that for development of sites containing contributory buildings, consideration is given to setting the alignment of the new buildings to the alignment of the internal wall of the front façade to clearly express the new from the existing.

ISSUE - RESIDENTIAL MIX

Key Elements:

The exhibited draft DCP (3.1.3) proposes a mix of 1, 2 and 3 bedroom units in each development, and further that studios and 1 bedroom units comprise no more than 25% of the total mix within each development. This is to ensure a mix of units in all developments to cater to a range of family types.

Issues Raised in Consultations:

- Student housing is not appropriate in the centre
- The draft DCP limits student housing, which should be encouraged on the Doncaster Plaza site
- The 25% requirement for studios and 1 bedrooms is inadequate for the current residential market and should be at least 60% given the housing markets in this area

Response:

The study documents do not provide a justification to this 25% requirement, however the consultants have noted in consultations that this would ensure that studios/1 bedroom units do not dominate new developments, and that a range of dwelling sizes and greater housing choice is provided. The high proportion of group households in the Kensington suburb (13%) suggests that students are not specifically seeking single person accommodation, and if student housing is to be promoted, this does not necessarily require only studios or 1 bedroom.

While there does not seem to be any accepted design standard for the right unit mix, the suggested 25% does seem low. Census figures (1996) note that those households in Kensington suburb likely to demand studios/1 bedrooms, being lone households and households of couples with no children, comprise 50% of households. Assuming, however, that not all these households would live in studios/1 bedrooms, a reasonable maximum for these dwelling types is considered to be more in the order of 40%.

It is recommended that draft DCP be amended to require that “Studios and 1 bedroom units are not to be greater than 40% of the total mix within each development”

ISSUE - TRAFFIC, ACCESS AND TRANSPORT

Key Elements:

A traffic analysis was undertaken as part of the consultancy by Chris Stapleton consultants. It noted that the daily demand along Anzac Parade (with its 6 lanes) is equivalent or lower than many similar streets in Sydney. Oxford Street, Paddington, for example (with only 4 lanes), carries equivalent vehicles per day. The analysis suggested that variations to the traffic lanes along Anzac Parade to retain fast flowing through-traffic while also allowing parking to support the retail activity.

A citywide Randwick Transport Study (RTS) is currently underway to address long term (20 year) transport issues for the City. It notes that projected growth in traffic will need to be addressed by additional public transport capacity and reduced car dependency across the City. For Kensington town centre, this requires consideration for a future light rail and/or greater bus priority along Anzac Parade in any planning affecting this road.

Five options for reconfiguring Anzac Parade were provided to meet capacity issues along this State Road, while allowing for a better environment for pedestrians, parking and use of public transport. Any proposals will require RTA support as a State Road.

In line with State Government policies for better integrating land uses and transport, the study makes recommendations for further encouraging development in a highly accessible road and public transport corridor, and also promoting public transport, pedestrian and cycle use as an alternative, more sustainable approach to the private car. These elements also influence likely public domain improvements.

The draft DCP proposals for increased development potential were considered by the consultants as unlikely to have significant impacts on the current road system and capacities, while noting that some congestion is experienced at certain times.

Issues Raised in Consultations:

- Population increases will increase the volume of traffic on congested roads
- Slowing traffic along Anzac Parade will result in ‘rat-running’
- Local traffic issues should be resolved prior to the DCP being implemented

Response:

Long term planning for better traffic and transport management will be directed by the RTS study, due to be completed in mid 2002. For current and short term planning, the exhibited study documents discuss road and other public domain possibilities for enhancing the town centre. Council is currently in discussions with the RTA, STA and other relevant transport agencies regarding the five options for reconfiguring Anzac Parade put forward by the consultants. These are being progressed as a matter of priority

so that any proposed public improvement works can be agreed upon, refined and commenced.

A number of the concerns raised in the submissions and consultations related more to the existing than future traffic conditions and management. Council has recognised the need to further address these issues, and has retained Chris Stapleton Consulting to undertake additional local traffic investigations. He will also be assisting in the discussion of the five options in the background report.

In the meantime, any development proposals for the town centre that are likely to raise traffic issues must be detailed in a development application accompanied by suitable traffic analyses of potential impact. Given this and that expected traffic growth from new development is not expected to be significant, the resolution of broader Kensington town centre and suburb traffic issues (both short and long term) should not, as requested in consultations, delay the implementation of this draft DCP.

It is recommended that the 5 options for the configuration of Anzac Parade, as identified in the Background Report, be endorsed by Council, in principle, as a basis for further discussions and refinement of a preferred option that meets government agency requirements and community interests.

ISSUE - PARKING

Key Elements:

Parking is often a key issue raised in relation to town centre investigations, as has been the case for the Kensington town centre. The study documents note the location of parking is critical to accessibility for the centre. While current parking levels was calculated as sufficient for the current commercial floor space, it is generally inaccessible to retail destinations. Clearway restrictions place an additional limit on parking accessible to the shops.

The consultants have supported the introduction of the current RTA parking standards as these have higher parking requirements for retail/commercial development than Council's current Parking DCP. The standards for residential are equivalent for small scale residential developments but the RTA standards reduce in comparison as the scale of development increases and there is studio parking requirement for residential development of over 20 units (apart from visitor space requirements).

Issues Raised in Consultations:

- Randwick's parking code should be applied
- Parking in the centre is a problem and needs to be increased

Response:

Application of the RTA standards has merit in that it provides for additional retail parking, identified as an issue in the centre, while addressing State government land use and transport integration policies of supporting measures to encourage use of more

sustainable transport modes than the private car. The RTA standards are prepared to apply across Sydney as general standards and are, in any case, currently under review. While the current RTA requirements would be retained in the draft DCP if endorsed, the RTA review suggests that these may not be optimal. The Randwick Transport Study (RTS) is considering parking issues across the City and will be making recommendations suitable to Randwick City and characteristics of land uses within it. These should provide a more appropriate and relevant approach for the town centre.

It is recommended that the parking standards set out in the draft DCP (3.3.3) be deleted and that alternative guidelines be inserted as follows:

'Provide on-site parking in accordance with Randwick City Council's current DCP for Parking'.

ISSUE - DCP CONTROLS

Key Elements:

The draft DCP overviews general elements that are important to a town centre such as desired character, activities and built form, then sets out development guidelines and controls in a block-by-block analysis and then more specifically on a key site basis. The detailed controls address key planning and design issues to ensure high quality development including the built form, open space, access and parking, and environmental management through best practice requirements for ESD.

Issues Raised in Consultations:

- DCP standards will not improve the lifestyle or amenity of residents
- Social considerations seem to be separate from the DCP

Response:

The draft DCP provides a comprehensive coverage of requirements for consideration in future developments, to facilitate new development of a high quality. It cannot however ensure the desired outcomes of the UIP project of a better public domain and a more active, vibrant and viable town centre. These aspects will be addressed through the public domain improvement works and through activities and efforts of Council and the Place Manager.

The draft DCP and supporting documents have examined the social and cultural environment of Kensington town centre and provided recommendations on this basis. It is not meant to be a detailed social analysis, but to provide a framework for supporting the improvement of the town centre to encourage increased local use and satisfaction with the centre facilities and services.

The detailed requirements in the DCP are comprehensive, however a number of minor issues need to be included to ensure a good environment for new residents. These include requirements for storage areas for each unit and areas for clothes washing/drying.

It is recommended that the draft DCP be amended to include a requirements that:

'Adequate storage is provided for people's living needs, both within each unit and within the development'; and

'Facilities are provided within the development or within units for washing and drying of clothes, including external drying areas in areas screened from the street'.

ISSUE - DCP PROCESSING ISSUES

Key Elements:

The planning and design study was undertaken to provide a detailed approach for achieving better planning and design controls, guidelines and outcomes in the centre. One of the study documents, the draft DCP has been prepared, exhibited and assessed according to legislative requirements. The community consultations undertaken have been extensive in relation to the legislative requirement for one public exhibition period of at least 28 days.

During the study preparation, Council resolved on the 23 October 2001 to prepare a draft LEP amendment to effect any amendments to the existing zonings that may arise from the recommendations of these draft study documents.

Issues Raised in Consultations:

- LEP/DCP processing queried in accordance with legislative requirements
- Revisions to the draft DCP should be re-exhibited for public comment

Response:

While independent consultants have prepared the draft DCP, it is being processed in accordance with the legislative requirements by Council, as is the preparation of a draft LEP. The intention of the draft LEP is to implement the findings of the study documents, necessitating awaiting the findings of these documents and endorsement by Council. As the draft LEP is yet to go on exhibition and be finalised, this report recommends that the draft DCP be adopted by Council as a policy document, pending finalisation of the LEP. Council has had legal advice confirming that this approach is an appropriate one. This enables the draft DCP to be tested and, if required, adjustments will be made and presented to Council.

A number of revisions to the exhibited draft DCP and other study documents have been made to take into account the views expressed in the public consultations and in written submissions. There is no legislative requirement to re-exhibit the draft DCP. Adopting the draft DCP, as a policy document, will provide the opportunity for testing the provisions of the DCP. As indicated above, if adjustments are required, it will be reported to Council.

BACKGROUND REPORT – ISSUES RAISED IN CONSULTATIONS AND RESPONSES:

As the background report provides the basis for the draft DCP content, the issues of

relevance to the Background Report content have been addressed in the above discussions.

In order to clarify the background to some issues, the background Report has been amended to include further details and explanations on retail activities (2.3.2), built form feasibility analysis – scenario testing (2.3.3), view corridors (2.3.3), Landmark sites (2.3.3) and Bonuses (3.5). The background report now adequately addresses these and other issues as a basis for the DCP content.

DRAFT PUBLIC DOMAIN IMPROVEMENT STRATEGY – ISSUES RAISED IN CONSULTATIONS AND RESPONSES:

Issues raised in relation to this strategy related primarily to proposed materials for the streetscape improvement works. These have been reviewed by the consultant, in discussion with the relevant council officers, and amendments made, primarily to appropriate tree species and locations.

The retention of trees and particularly those along Anzac Parade was considered important in all future planning. Some of the proposed future road configurations in the Background Report would remove or reduce the median strip. The consultants noted that without a clear approach for Anzac Parade that considers transport needs, future public transport requirements might in any case result in the loss of the median. The study provides the basis for establishing a comprehensive approach for Anzac Parade.

The public art proposals were supported as a positive measure to improve the streetscape and involve the community in the design process.

A number of ideas for upgrading the public domain were floated, such as volunteer schemes, façade improvements programs and undergrounding of wires. These will need to be considered as part of the Place Manager's role.

Most interest arose in the intended timing and staging of the work and that it should not await the planning process of the draft DCP and draft LEP. The investigations and budgeting for the improvement works are already underway and, subject to Council's endorsement of the draft public domain improvement strategy, will be proceeding as an important part of the UIP project. Possible staging, as raised by the consultants in the working group meeting of 6th February 2002, will be subject to further investigation subject to discussions with the state road and transport agencies as to their requirements for Anzac Parade. The proposed capital works budget for the Kensington town centre for the next financial year is as follows:

Council contribution	\$240,000
Funds from Planning NSW	\$140,000
S.94 Contributions (to be determined)	\$150,000 (Approximately)
TOTAL	\$530,000

SECTION 94 CONTRIBUTIONS

The study documents have concluded that the proposed new planning and design controls for the town centre will increase the centre's development potential, with some increased population and thus the demand for the use of amenities, facilities and service that are provided by Council. The study has highlighted the need and benefit of undertaking townscape improvement works and providing additional car parking. It is therefore appropriate to seek contributions under S.94 of the Environmental Planning and Assessment Act 1979 (as amended), to apply to development in the Kensington Town Centre. Council's current S.94 Contributions Plan (1999) will need to be amended to include provisions for Kensington town centre in the schedules of works. An immediate work item that should be introduced is for the detailed design of any public capital works. This draft Plan will need to be prepared, exhibited for public comment and endorsed by Council before it can be implemented.

It is recommended that Council resolve to amend its current S.94 Contributions Plan to include requirements for new development in Kensington Town Centre.

CONCLUSION:

The draft revised DCP is now extensive, detailed and clearly places both prescriptive and performance requirements on developers to produce high quality development. It goes beyond the detail of the earlier draft DCP for the centre or for any other town centre DCPs in Randwick City. It has been improved substantially from the exhibited draft DCP in terms of clarity, appropriateness and in ensuring a sound basis for future assessment of development proposals.

The draft DCP proposed new controls that will also provide a reasonable incentive for developers and property owners to consider redeveloping or upgrading their sites, and thereby contribute to a retail/commercial revitalisation of the centre.

The draft DCP and support documents should adequately address the State Government's requirements for local councils to contribute to the Sydney metropolitan growth policies for encouraging appropriate development in existing urban areas and minimising the pressure for further urban sprawl on Sydney's fringe. Planning NSW (formerly Department of Urban Affairs and Planning) has indicated its support for the current proposals in any LEP submitted to him for making. The DCP and LEP, supported by public works via the public domain improvement strategy and activities/marketing/events organised by the Place Manager over the next 2 years, will ensure a consistent and supported long term vision for the planning and development of Kensington town centre.

RECOMMENDATION:

Is recommended that Council resolve to:

1. Note the contents of this report and endorse its recommendations, as follows:
 - a) It is recommended that, in relation to the Doncaster Plaza site at 240-264, Council either:

- i. Agree to delete the bonus provision for the Doncaster Plaza site in the draft DCP;
or
- ii. Agree to a review of the building envelope and bonus provision for the Doncaster Plaza site, to be undertaken by a peer review group, and that the following people be approached to participate in this peer review and report back to Council:
 - i. Dr Stephen Gatt – Precinct representative
 - ii. Stephen Harris – Planning Specialist
 - iii. Jan McCredie- State Government design specialist
 - iv. Stephen Busacott – Architect/urban designer/Member of the Royal Australian Institute of Architects
 - v. In addition the Director, Planning and Environment or a nominee to convene the group
- b) It is recommended that the bonus provision for the Lorne Avenue site be deleted from the draft DCP.
- c) It is recommended that an additional requirement be included in the draft DCP requiring that for development of sites containing contributory buildings, consideration is given to setting the alignment of the new buildings to the alignment of the internal wall of the front façade to clearly express the new from the existing.
- d) It is recommended that draft DCP be amended to require that “Studios and 1 bedroom units are not to be greater than 40% of the total mix within each development”
- e) It is recommended that the 5 options for the configuration of Anzac Parade, as identified in the Background Report, be endorsed by Council, in principle, as a basis for further discussions and refinement of a preferred option that meets government agency requirements and community interests.
- f) It is recommended that the parking standards set out in the draft DCP (3.3.3) be deleted and that alternative guidelines be inserted as follows:

‘Provide on-site parking in accordance with Randwick City Council’s current DCP for Parking’.
- g) It is recommended that the draft DCP be amended to include requirements that:
 - i. ‘Adequate storage is provided for people’s living needs, both within each unit and within the development’; and
 - ii. ‘Facilities are provided within the development or within units for washing and drying of clothes, including external drying areas in areas screened from the street’

- h) It is recommended that the Background Report be amended to explain the reasons why the only other possible key landmark site for the town centre, being the motel site between Todman Avenue and Addison Street, is not appropriate as a key landmark site.
2. Adopt, in principle, the Background Report (February 2002) and the draft Public Domain Improvement Strategy (February 2002), as amended;
 3. Adopt the draft Development Control Plan (February 2002), subject to the amendments recommended in Attachment 1, as a policy document to be used in all discussions and decision-making on Master Plan and Development Applications;
 4. Approve the draft Development Control Plan, subject to the amendments recommended in Attachment 1, to come into effect when the draft Local Environmental Plan Amendment No. 27 is gazetted and public notice in a local newspaper has been given;
 5. Agree that the Mayor, General Manager and Director, Planning and Environment, be given delegation to correct any errors or misdescriptions in the draft Development Control Plan, Background Report and draft Public Domain Improvement Strategy; and
 6. Include the Doncaster Hotel in the draft Local Environmental Plan Amendment No. 27 as an item of the environmental heritage;
 7. Prepare and exhibit an amendment to Council's current S.94 Contributions Plan in relation to Kensington Town Centre.

ATTACHMENT/S:

1. Map of the Town Centre
2. Summary of Submissions
3. Draft Development Control Plan - February 2002
4. Draft Public Domain Improvement Strategy - February 2002
5. Background Report - February 2002 - ALL UNDER SEPARATE COVER.

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SIMA TRUUVERT
ACTING DIRECTOR, PLANNING &
ENVIRONMENT

.....
KAREN ARMSTRONG
ACTING MANAGER STRATEGIC
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