



Kiersten Fishburn
Secretary
Department of Planning, Housing and Industry
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

26 November 2024

Ref No: F2024/00464

Submission via NSW Government Planning Portal

Dear Ms Fishburn,

RE: SSD 71454960 - Redevelopment at 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra by Homes NSW

Randwick City Council submits this interim response to the Department of Planning, Housing and Infrastructure regarding the lodged State Significant Development application for the redevelopment at 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra by Homes NSW.

Randwick City Council is supportive of Homes NSW's efforts to increase the supply of social and affordable dwellings within our Local Government Area (LGA). We acknowledge the extensive engagement undertaken by the Homes NSW team with Council officers, Randwick Councillors and the community prior to the lodgement of this SSD. We also acknowledge the role of the public sector in meeting the National Housing Accord and the associated focus by the State government of New South Wales on increasing the supply of social and affordable dwellings.

Council Officers have reviewed the application documentation and provide the following, structured around key themes, in response. **Please note this interim submission will be reported to Council's Ordinary Meeting of 10 December 2024, with a Council endorsed submission to be provided shortly thereafter.**

Building height, setbacks and materiality

Broadly, the design of the proposal should be commended, with a considered site layout, including a substantial central shared open space along with a three-storey streetscape presentation to both Fitzgerald Avenue and Yorktown Parade. The general architectural detailing and evolution of the design highlights that feedback provided by Council officers has been taken into consideration and reduced impacts relating to overshadowing and visual bulk have been achieved. Further commentary is provided below.

Building height non-compliance

As outlined in the Environmental Impact Statement (EIS) and the accompanying Clause 4.6 variation, the proposed building height exceeds the maximum height of building control of

12.35m afforded under the Housing SEPP bonuses in two distinct areas¹. With regards to the centrally located fourth storey on Buildings 1B and 1C, this exceedance reaches 15.85m. The location of this height exceedance is in response to repositioning built form bulk away from 66 Yorktown Parade to reduce overshadowing of earlier schemes, while maintaining setbacks and separation in other areas of the development. While Council will always seek compliance with principal development objectives, such issues arise from density and height bonuses that assume a linear relationship between increases in floorspace and height of building. As the additional height has been centralised, is broadly screened by existing vegetation when viewed from most public areas and has been designed to reduce off-site overshadowing impacts while maintaining on-site amenity, no objection is raised.

With regards to the height exceedances of up to 13.8m relating to lift overruns and parapets on Buildings 2C and 2D, it is understood these are associated with addressing flooding requirements. Given this exceedance is minor and are substantially offset from site boundaries, no objection is raised.

Side Setbacks

The proposal's side setbacks are generally consistent with those required in the Apartment Design Guidelines, however it is noted that a reduced setback between the development and 38 Yorktown Parade is proposed. Given the combination of the reduced setback and sloping nature of the site, the south west portion of the streetscape becomes a prominent element. While it is understood that flooding and a desire to maintain consistent floor levels within Building 2A and 2B limits the design response, further refinement of this corner should be considered.

Materiality

While the existing vegetation located within the large street verge reduces the visual bulk of the proposal to Fitzgerald Avenue, as shown on the northern elevation, there is no change in materiality in any of the four buildings.

To reduce the repetition along this interface, there is a need for greater design variation through materiality, setbacks or articulation or a combination of all three. It is recommended that a condition be imposed that an alternative brick colour, material selection or other design change be required for either building 1B or 1C to reduce the apparent repetition. With only two buildings facing Yorktown Parade, no material changes are considered necessary for this street frontage.

Transport

Pedestrian access and movement

The consolidation of 14 vehicle crossovers into a single crossover is supported as it removes potential conflicts areas for pedestrians along the site's boundaries. Considering through site links, the introduction of a direct link with clear sightlines between Fitzgerald Avenue and Yorktown Parade is supported. However, it is recommended that this should be open to the public, not just the residents via an access gate. Increasing public pedestrian permeability is strongly supported and public access via the through site link is recommended as a condition of consent.

Further, with the proposed increased in dwelling density and increased pedestrian movements to and from the site along with access to bus stops on both sides of Fitzgerald Avenue, investigations into the provision of a pedestrian refuge on Fitzgerald Avenue is recommended.

Vehicular access

¹ The Randwick LEP currently specifies 9.5m, with an additional 30% afforded through the Housing SEPP, resulting in the 12.35m figure.

As raised above, the consolidation of vehicle crossovers is supported, however the chosen location of the vehicular access is questioned. While site constraints relating to flooding and retention of existing street trees are understood to have led to the access in this location, the proposed location is to the higher order road interface of the development (Fitzgerald Avenue), is positioned on a convex curve and is located with minimal setback from adjoining properties. It is submitted that extensive planting and associated screening within the site occurs to minimise impact on neighbouring properties and sightlines available from the proposed crossover location be reviewed.

Landscaping and Tree Management

General comments

Council is supportive of the high level of street tree retention on both Fitzgerald Avenue and Yorktown Parade and along with the substantial deep soil and landscaping areas proposed. Regarding canopy cover, as shown in the application documentation, the proposal at 24% does fall short of the 30% target contained within the DPHI greener places guidance.

Given substantial reduction in vehicle crossovers to Fitzgerald Avenue and Yorktown Parade and the associated increase in potential landscape / planting area, it is recommended that new street tree planting be incorporated into the proposal to assist with offsetting any reduced canopy cover that can be achieved within the subject site.

As several large tree species are located within the Fitzgerald Avenue verge, appropriate space should be retained for these species to reach maturity. It is therefore recommended that any proposed street tree planting be directed to Yorktown Parade.

Senior Landscape Development Officer's comments

The submission demonstrates compliance with the SEARs via the Arboricultural Impact Assessment Report by Arterra² and Landscape Plans by McLean Design Pty Ltd³.

The **Arborists Report** confirms the following:

- **144** trees on both public and private property have been assessed;
- **22** (15.2%) of these are street trees, comprising **16** (11.1%) along Fitzgerald Avenue, and **6** (4.1%) along Yorktown Parade;
- **25** (17.3%) are to be retained and protected;
- **11** of these have no/minimal impact from construction activities;
- **6** of these will be subject to 'minor encroachments' which poses no threat;
- **1** of these will sustain a 'major encroachment' which can be addressed by protection measures;
- Only **1** tree will require minor canopy/clearance pruning;
- **A total of 119** (82.6%) will require removal to accommodate the works;
- However, **112** (77.7%) of these are a combination of exempt weeds or have been assigned Low or Very Low/Remove Retention Values;
- Only **3** (2%) of those sought for removal have been assigned a High Retention Value.

The variety of Figs on the Fitzgerald Avenue verge are identified as the most important specimens at this site due to their size and presence in the streetscape, most notably **T140 & T44**.

To ensure preservation of the nominated trees, Council requests the formal appointment of an AQF Level 5 Consulting Arborist ('Project Arborist') for the duration of works to both implement and monitor the Tree Management Recommendations at Section 3.0 of the Arborist Report, to

² rev A dated 18/10/24

³ dwg's LDA-00 – 11, rev B dated 07/10/24

the extent shown on Appendix 4.1, Tree Protection & Removal Plan, along with ensuring compliance with AS4970-2009: 'Protection of trees on development sites' and AS4373-2007: 'Pruning of amenity trees'.

In this regard, particular attention is drawn to potential impacts arising from the new vehicle crossing adjacent T41-44, the new external footpath adjacent T140 (which will need to be provided above existing grades to avoid the huge buttress roots at surface level throughout this area) as well as the new external stormwater pipe in Yorktown Parade adjacent T2.

Consolidating the multiple vehicle crossings into one common point of access in Fitzgerald Avenue is seen as a major advantage as this directly increases the space that is available for these Figs to attain their full biological potential as well as increase opportunities for new public tree planting which will assist in integration of the development into the respective streetscapes.

It is critical that species selection for any new street trees in Fitzgerald Avenue does not result in over-crowding of the Figs and should be 'infill plantings' only, with any new street trees in Yorktown Parade to be mindful of restrictions created by the overhead power lines along this frontage. New tree planting locations must also consider the need for passive surveillance around external footpaths, site entries/exists and similar.

In this regard, Council's Street Tree Masterplan should be consulted as it lists preferred species for this precinct (for the purpose of achieving uniformity/consistency in streetscapes) together with desired spacings, setbacks from corners, cross overs and similar, to ensure that satisfactory lines of sight are provided for both pedestrian and vehicular movements.

The Landscape Plans show that 131 new/replacement trees and palms will be provided, which are exclusively native/endemic, in areas of deep soil within the site, being the E-W corridor between the two built forms, as well as the site perimeter, which will result in a slight increase in quantity compared to the existing situation. Consideration must be given to the mature size of planting shown for the NW site corner where a new 600mm diameter concrete stormwater pipe and easement is shown on the plans, and the need for service authorities to have ease of access for emergencies/maintenance.

Wherever possible, all new trees plantings will be sited a minimum distance of 2.5m from any part of a building to maintain suitable separation as well as to allow unimpeded future growth.

The Landscape Plans show an acceptable level of detail and treatment, including a layered/tiered planting arrangement of Trees and Understory, with the main feature being a shaded central corridor that will include a children's play area/rock garden, communal herb gardens, a palm grove, seating/benches, lighting, table tennis and BBQ facilities, all of which will cater to the future amenity needs of occupants.

Community and social considerations

Bedroom numbers

Currently the site accommodates 33 social dwellings contained within 9 separate buildings. As stated within the Social Impact Assessment all 33 social dwellings are 3 bedroom properties, leading to a current provision of 99 bedrooms.

The number of social dwellings proposed within the development is 50 comprised of 24 one-bedroom, 22 two-bedroom and 4 three-bedroom apartments. This totals 80 bedrooms within the proposed development. For the affordable housing component, the proposal is for 40 one bedroom, 51 two bedroom and 3 three bedroom apartments. While Homes NSW has presented information to Randwick Council officers and Councillors that the strongest demand for social housing in the Eastern Suburbs Allocation Zone⁴ is for dwellings up to 2 bedrooms, the proposal

⁴ The Eastern Suburbs Allocation Zone covers Woollahra, Waverley, Randwick and part of Bayside LGA

will result in an overall reduction in the total number of bedrooms. It recommended that the number of affordable 3 bedroom dwellings in the proposal be increased, given data showing that family households have the highest need for affordable housing.⁵

Ownership

Regarding ownership and temporal considerations, it is understood that the social dwellings are to be retained in Homes NSW (LAHC) ownership in perpetuity, with a corresponding management lease awarded to the Community Housing Provider (CHP) for 49 years. The retained ownership by Homes NSW (LAHC) of the social dwelling in perpetuity is strongly supported.

For the affordable dwelling component, it is understood that the ownership of these properties will be transferred to a Community Housing Provider with the requirement that they be retained as affordable housing dwellings for 25 years, being linked to period of Housing Australia Future Fund (HAFF) funding. Notwithstanding project feasibilities, it is strongly recommended that affordable housing should be retained in government ownership and is provided indefinitely. This will ensure continuous community benefit, transparency of government ownership of the entire site and secure tenure for residents.

Cohesive design

It is noted that the proposal incorporates several safety-by-design elements and appears as a solid example of what social housing renewal should be. A positive outcome is the way the proposal is designed to blend in with surrounding homes.

Tenant selection

While outside the scope of the SSD approval, it is submitted that as part of future planning, an agreement be made between Homes NSW and the managing CHP to reserve a portion of the social and/or affordable portfolio specifically for Domestic and Family Violence survivors. This being an area of high priority for Council, and one where Council currently has limited dwelling stock of our own.

We wish to reiterate Council's appreciation for Homes NSW's extensive engagement throughout the preparation of this SSD application. Further, Council welcomes the opportunity to continue working collaboratively with DPHI and Homes NSW on their redevelopment of landholdings within our LGA.

We trust the Council's comments on this SSD application will be taken into consideration during the assessment and determination.

If you have any further questions regarding Council's submission please contact Liam Stanley, Coordinator Strategic Planning on 02 9093 6679.

Yours sincerely,

Meryl Bishop
Director City Planning

⁵ Randwick's Community Profile (Housing Monitor), 2021.

<p>English</p> <p>If you need help to understand this letter, please come to Council's Customer Service Centre and ask for assistance in your language or you can contact the Telephone Interpreter Service (TIS) on 131 450 and ask them to contact Council on 1300 722 542.</p>	<p>Greek</p> <p>Αν χρειάζεστε βοήθεια για να καταλάβετε αυτή την επιστολή, παρακαλείστε να έρθετε στο Κέντρο Εξυπηρέτησης Πελατών της Δημαρχίας (Council Customer Service Centre) και να ζητήσετε βοήθεια στη γλώσσα σας ή τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων (Telephone Interpreter Service — TIS) τηλ. 131 450 και να ζητήσετε να επικοινωνήσουν με τη Δημαρχία τηλ. 1300 722 542.</p>	<p>Italian</p> <p>Se avete bisogno di aiuto per capire il contenuto di questa lettera, recatevi presso il Customer Service Centre del Municipio dove potrete chiedere di essere assistiti nella vostra lingua; oppure mettetevi in contatto con il Servizio Telefonico Interpreti (TIS) al 131 450 e chiedete loro di mettersi in contatto col Municipio al 1300 722 542.</p>
<p>Croatian</p> <p>Ako vam je potrebna pomoć da biste razumjeli ovo pismo, molimo dođite u Općinski uslužni centar za klijente (Council's Customer Service Centre) i zatražite pomoć na svom jeziku, ili možete nazvati Telefonsku službu tumača (TIS) na 131 450 i zamoliti njih da nazovu Općinu na 1300 722 542.</p>	<p>Spanish</p> <p>A la persona que necesite ayuda para entender esta carta se le ruega venir al Centro de Servicios para Clientes [Customer Service Centre] de la Municipalidad y pedir asistencia en su propio idioma, o bien ponerse en contacto con el Servicio Telefónico de Intérpretes ["TIS"], número 131 450, para pedir que le comuniquen con la Municipalidad, cuyo teléfono es 1300 722 542.</p>	<p>Vietnamese</p> <p>Nếu quý vị không hiểu lá thư này và cần sự giúp đỡ, mời quý vị đến Trung Tâm Dịch Vụ Hướng Dẫn Khách Hàng của Hội Đồng Thành Phố (Council's Customer Service Centre) để có người nói ngôn ngữ của quý vị giúp hay quý vị có thể liên lạc Dịch Vụ Thông Dịch qua Điện Thoại (TIS) ở số 131 450 và yêu cầu họ liên lạc với Hội Đồng Thành Phố (Council) ở số 1300 722 542.</p>
<p>Polish</p> <p>Jeśli potrzebujesz pomocy w zrozumieniu treści tego pisma, przyjdź do punktu obsługi klientów (Customer Service Centre) przy Radzie Miejskiej i poproś o pomoc w języku polskim, albo zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service — TIS) pod numer 131 450 i poproś o skontaktowanie się z Radą Miejską (Council) pod numerem 1300 722 542.</p>	<p>Indonesian</p> <p>Jika Anda memerlukan bantuan untuk memahami surat ini, silakan datang ke Pusat Pelayanan Pelanggan (Customer Service Centre) Pemerintah Kotamadya (Council) dan mintalah untuk bantuan dalam bahasa Anda, atau Anda dapat menghubungi Jasa Juru Bahasa Telepon (Telephone Interpreter Service - TIS) pada nomor 131 450 dan meminta supaya mereka menghubungi Pemerintah Kotamadya pada nomor 1300 722 542.</p>	<p>Turkish</p> <p>Bu mektubu anlamak için yardima ihtiyaciniz varsa, lütfen Belediye'nin Müşteri Hizmetleri Merkezi'ne gelip kendi dilinizde yardım isteyiniz veya 131 450'den Telefonla Tercüme Servisi'ni (TIS) arayarak onlardan 1300 722 542 numaradan Belediye ile ilişkiye geçmelerini isteyiniz.</p>
<p>Hungarian</p> <p>Amennyiben a levél tartalmát nem érti és segítségre van szüksége, kérjük látogassa meg a Tanácsház Ügyfél Szolgálatát (Customer Service Centre), ahol magyar nyelven kaphat felvilágosítást, vagy hívja a Telefon Tolmás Szolgálatot (TIS) a 131 450 telefonszámon és kérje, hogy kapcsolják a Tanácsházat a 1300 722 542 telefonszámon.</p>	<p>Czech</p> <p>Jestliže potřebujete pomoc při porozumění tohoto dopisu, navštivte prosím naše Středisko služeb pro veřejnost (Council's Customer Service Centre) a požádejte o poskytnutí pomoci ve vaší řeči anebo zavolejte Telefonní tlumočnickou službu (TIS) na tel. číslo 131 450 a požádejte je, aby oni zavolali Městský úřad Randwick na tel. číslo 1300 722 542.</p>	<p>Arabic</p> <p>إذا أردت مُساعدة لفهم هذه الرسالة، نرجوك الحضور إلى مركز خدمة عملاء المجلس وأطلب المُساعدة في لغتك، أو يُمكنك الاتصال بخدمة الترجمة الهاتفية (TIS) على هاتف رقم 131 450 وأطلب منهم الاتصال بالمجلس على رقم 1300 722 542.</p>
<p>Chinese</p> <p>如果你需要人幫助你了解這封信的內容，請來市政會顧客服務中心要求翻譯服務，或者與電話傳譯服務 (TIS) 聯繫，號碼是 131 450。請他們幫助你打電話給市政會，號碼是 1300 722 542。</p>	<p>Russian</p> <p>Если Вам требуется помощь, чтобы разобраться в этом письме, то, пожалуйста, обратитесь в Муниципальный Центр Обслуживания Клиентов и попросите оказать Вам помощь на Вашем языке или же Вы можете позвонить в Телефонную Службу Переводчиков (TIS) по номеру 131 450 и попросить их связаться с Муниципалитетом по номеру 1300 722 542.</p>	<p>Serbian</p> <p>Ako vam treba pomoć da razumete ovo pismo, molimo vas da dođete do Centra za usluge mušterijama pri Opštini (Customer Service Centre) i zamolite ih da vam pomognu na vašem jeziku, ili možete nazvati Telefonsku prevodilačku službu (TIS) na 131 450 i zamolite ih da vas povežu sa Opštinom na 1300 722 542.</p>