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SPECIAL SUPPLEMENT

State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning.

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 9)

State Environmental Planning Policy No 53— Metropolitan Residential Development (Amendment No 9)

1 Name of this Policy

This Policy is *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 9)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 53—Metropolitan Residential Development* is referred to as the Principal Policy.

3 Aims, objectives etc

This Policy aims to amend the Principal Policy to apply the amendments made to the Principal Policy by *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 8)* to development applications, and to the determination of development applications, made, but not finally determined, before the commencement of this Policy, despite clause 33 of the Principal Policy.

4 Land to which this Policy applies

This Policy applies to the land to which the Principal Policy applies.

5 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

State Environmental Planning Policy No 53—Metropolitan Residential
Development (Amendment No 9)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 5)

Clause 43

Insert at the end of Part 6:

**43 Determination of certain development applications—effect of
SEPP 53 (Amdt 8)**

Despite clause 33, this clause and the amendments made to this Policy by *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 8)* extend to development applications, and to the determination of development applications, made, but not finally determined, before the commencement of *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 9)*.

State Environmental Planning Policy No 71—Coastal Protection (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning.

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy No 71—Coastal Protection
(Amendment No 1)

State Environmental Planning Policy No 71—Coastal Protection (Amendment No 1)

1 Name of this Policy

This Policy is *State Environmental Planning Policy No 71—Coastal Protection (Amendment No 1)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 71—Coastal Protection* is referred to as the Principal Policy.

3 Aims, objectives etc

This Policy aims to clarify the exemption from the application of the Principal Policy in respect of land to which *State Environmental Planning Policy No 62—Sustainable Aquaculture* applies.

4 Land to which this Policy applies

This Policy applies to the land to which the Principal Policy applies.

5 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

State Environmental Planning Policy No 71—Coastal Protection
(Amendment No 1)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 5)

[1] Clause 4 Land and development to which Policy applies

Omit clause 4 (2) (b). Insert instead:

- (b) in relation to *State Environmental Planning Policy No 62—Sustainable Aquaculture*:
 - (i) a development application for consent to carry out development to which that Policy applies, or
 - (ii) development that is carried out in accordance with a development consent granted under that Policy.

[2] Clause 25 Transitional provision

Insert at the end of clause 25:

- (2) This Policy, as amended by *State Environmental Planning Policy No 71—Coastal Protection (Amendment No 1)*, extends to a development application made, but not finally determined, before the commencement of *State Environmental Planning Policy No 71—Coastal Protection (Amendment No 1)*.

Randwick Local Environmental Plan 1998 (Amendment No 27)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S02/00003/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Randwick Local Environmental Plan 1998 (Amendment No 27)

Randwick Local Environmental Plan 1998 (Amendment No 27)

1 Name of plan

This plan is *Randwick Local Environmental Plan 1998 (Amendment No 27)*.

2 Aims of plan

This plan aims to do the following:

- (a) to introduce new planning and design provisions for Kensington Town Centre to promote its urban renewal,
- (b) to promote vehicular access to the rear of the Kensington Town Centre where appropriate to facilitate redevelopment and ensure adequate off-street car parking within Kensington Town Centre,
- (c) to encourage high quality design in all new development and the public domain within Kensington Town Centre,
- (d) to encourage a mix of land uses and development on land zoned for residential purposes within Kensington Town Centre that compliment and support the commercial centre,
- (e) to identify and protect an item of heritage significance within Kensington Town Centre.

3 Land to which plan applies

This plan applies to land comprising the Kensington Town Centre, as shown edged heavy black on the map marked "Randwick Local Environmental Plan 1998 (Amendment No 27)" deposited in the office of Randwick City Council.

4 Amendment of Randwick Local Environmental Plan 1998

The *Randwick Local Environmental Plan 1998* is amended as set out in Schedule 1.

Randwick Local Environmental Plan 1998 (Amendment No 27)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 42B

Insert after clause 42A:

42B Kensington Town Centre

- (1) This clause applies to land comprising the Kensington Town Centre, as shown edged heavy black on the map marked “Randwick Local Environmental Plan 1998 (Amendment No 27)” deposited in the office of Randwick City Council.
- (2) The Council must not grant consent to the carrying out of development on land within the Kensington Town Centre unless it is satisfied that the proposed development is consistent with the following objectives for the Kensington Town Centre:
 - (a) to achieve high quality design in all new development and improvements undertaken in the public domain,
 - (b) to encourage a vibrant and active town centre that provides a range of facilities and services that benefit the locality,
 - (c) to provide opportunities for residential development in the town centre that compliment the primary business function of the town centre,
 - (d) to encourage a variety of medium density housing forms that compliment the development within the town centre and that do not have an adverse impact on surrounding residential areas,
 - (e) to encourage the amalgamation of land to facilitate redevelopment within the town centre,
 - (f) to facilitate development within the town centre that supports the regional entertainment industry,
 - (g) to ensure that social and cultural needs are considered with any development proposals in the town centre,
 - (h) to encourage and facilitate the provision of vehicular access and off-street parking to support the local businesses,

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Randwick Local Environmental Plan 1998 (Amendment No 27)

Schedule 1 Amendments

- (i) to ensure that public transport and associated facility needs are considered and promoted with any development proposals and public domain improvements in the town centre,
 - (j) to ensure appropriate conservation of the environmental heritage and recognition of the characteristics of buildings with architectural merit,
 - (k) to require and encourage environmentally sustainable approaches to future land use and development,
 - (l) to improve the overall environmental quality of the Kensington Town Centre.
- (3) Clauses 31, 32, 33 and 35 do not apply to the land within the Kensington Town Centre.
- (4) The following requirements of the Kensington Town Centre Development Control Plan 2002 adopted by the Council on 26 November 2002 apply to the development of land within the Kensington Town Centre as if they were incorporated into this plan:
- (a) maximum number of storeys,
 - (b) maximum height of development,
 - (c) minimum frontage for development,
 - (d) minimum allotment size for development.
- (5) For the purpose of subclause (4):
- (a) ground level is to be calculated as an average of levels across the allotment frontage, and
 - (b) height is to be calculated as the height measured vertically from ground level to the underside of the ceiling of the topmost floor.

[2] Clause 49 Definitions

Insert at the end of the definition of *the map*:

Randwick Local Environmental Plan 1998 (Amendment No 27)

Randwick Local Environmental Plan 1998 (Amendment No 27)

Amendments

Schedule 1

[3] Schedule 2 Development of land for certain additional purposes

Insert at the end of the Schedule in Columns 1, 2 and 3, respectively:

<p>Land shown on the map marked "Randwick Local Environmental Plan 1998 (Amendment No 27)" that is in Zone No 2C (Residential C Zone).</p>	<p>All development that is permissible within Zone No 3B (Local Business Zone).</p>	<p>Only if it is located at the ground floor, or the ground floor and first storey of motels, multi-unit housing and serviced apartments. Any proposed retail development must be subject to an economic assessment of its impact on existing retail development in the town centre. The development must be in accordance with the Kensington Town Centre Development Control Plan 2002 adopted by the Council on 26 November 2002.</p>
<p>Land shown on the map marked "Randwick Local Environmental Plan 1998 (Amendment No 27)" that is in Zone No 3B (Local Business Zone).</p>	<p>Serviced apartments</p>	<p>The development must be in accordance with the Kensington Town Centre Development Control Plan 2002 adopted by the Council on 26 November 2002.</p>

[4] Schedule 3 Heritage items

Insert in Schedule 3, in alphabetical order of street name, the following:

<p>Cnr Anzac Parade and Doncaster Avenue, Kensington (Cor. Lot 102, DP 1005785</p>	<p>Doncaster Hotel</p>	<p>434</p>
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