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# PART D

## 27. Solar Access- Public Open Space

### 27.1. Explanation

Sun light access is vital for the health and well-being of the community and the health of our ecosystem. As population grows, it is important to ensure the amenity of public places such as parks and plazas are protected and enhanced so that these spaces continue to be attractive and comfortable particularly during winter months. Sun access protection provisions will ensure that new development in the town centres is designed to protect these important public spaces.

#### Objectives

- To ensure that new development does not unreasonably impact the amenity, environmental quality and enjoyment of public spaces by casting significant overshadowing of public spaces
- To ensure that new buildings and substantial alterations to existing buildings do not result in a net loss of solar access to specified public spaces in accordance with the controls in this section.

#### Controls

- a) New buildings and alterations and additions to existing buildings are to be designed to ensure that the following locations shown on Figures 17a and 17b are not overshadowed by more than 10% in mid-winter (June 22nd) between the hours of 12noon and 2pm:
  - Kensington Public School
  - Duke St Plaza
  - Bowral St Plaza
  - Uni Lodge Plaza
  - Addison St Plaza
  - Kokoda Park
  - Todman Ave Plaza
  - Meeks St Plaza
  - Borrodale Road widening
  - Town Square Plaza
  - Market Site corner
  - Triangle site corner
  - Dacey Gardens
- b) New buildings and alterations to existing buildings are to retain solar access to a minimum of 50% of the site area of key public places identified in a) and shown on Figures 17a and 17b for a minimum of 3 hours in mid-winter (June 22nd).



Figure 17a: Kensington Public Realm



Figure 17b: Kingsford public realm

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## 28. Wind Flow

### 28.1. Explanation

The microclimate and pedestrian comfort in urban environments is strongly influenced by local wind conditions. Taller buildings and manmade structures can affect wind movement, creating wind tunnels between buildings and strong flow patterns on the ground. This in turn can have an adverse impact on the comfort and usability of public spaces and can also influence the operation costs of buildings such as maintenance.

#### Objectives

- To ensure that new developments satisfy nominated wind standards so as to maintain comfortable conditions for pedestrians and encourage the growth of street trees.

#### Controls

- a) DAs are to include a Wind Impact Assessment for new buildings over nine (9) storeys in height. The findings of the Wind Impact Assessment are to provide design solutions to minimise the impact of wind on the public and private domain
- b) Development must not create a ground level environment where additional generated wind speeds exceed:
  - i) 10 metres per second for active frontages along Anzac Parade and
  - ii) 16 metres per second for all other streets
- c) Buildings over 9 storeys are to incorporate design features that ameliorate existing adverse wind conditions so that the above criteria is achieved
- d) Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments
- e) Balconies are to be designed to minimise wind impacts and maximise usability and comfort through recessed balconies, operable screens, pergolas and shutters
- f) Balconies must be recessed on buildings over 45m in height.

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## 29. Public Art

### 29.1. Explanation

Public art refers to creative works sited in public places or locations visible from the public domain, which help to integrate a development into the environmental context in which it is situated. Public art can encompass an array of art forms and mediums including sculpture, murals, custom designed furniture, creative lighting, interpretive components, gateways, walk-through installations, memorials and facade treatments. Integrating public art into the Kensington and Kingsford town centres would add to the visual interest, creativity and vibrancy of the urban fabric, and create local landmarks that foster a sense of place, liveability and community identity.

#### Objectives

- To integrate public art into individual building design and the wider public realm
- To support economic development and the creation of opportunities for creative industries through an improvement of the built environment and public domain
- To achieve a distinct character and identity for each town centre through public art and creative treatments
- To achieve public art that evokes and celebrates such themes as exploration, recreation, local indigenous history and culture, contemporary issues and multicultural legacies.

#### Controls

- a) Public Art is to be generally be consistent with Council's Public Art Strategy
- b) All sites with frontages greater than 12 metres and corner sites, must incorporate artistic elements into the built form such as creative paving, window treatments, canopy design, balustrading, signage and wayfinding, lighting to assist illumination levels after dark and the promotion of active uses in the public spaces
- c) In addition to clause 29(b) site specific public art is to be provided on identified sites, plazas and mid-block links as per the block by block controls in Part B of this DCP
- d) Public art is to be located in areas which offer the public a free and unobstructed visual experience of the work
- e) Incorporate creative lighting, decorative elements and/or murals in laneways, share ways and pedestrian links
- f) Submit an Arts Statement which identifies the reasons for the chosen themes, and their interpretation into specific treatments with the DA.



## 30. Affordable Housing

### 30.1. Explanation

All new development within the Kensington and Kingsford town centres is required to make a contribution towards affordable housing to cater for a mix of income groups including very low, low and middle income households. This is to be undertaken via an inclusionary zoning approach whereby a percentage of total residential floor space within a development (including student housing) is allocated as affordable housing and dedicated to Council. A cash contribution applies to cover any shortfall where a full affordable housing apartment cannot be provided.

#### Objectives

- To increase the amount of affordable rental housing for very low, low and moderate income households
- To encourage housing diversity and choice
- To help retain very low, low and middle income households in the local area including key workers and students.

#### Controls

- a) All development within the 'Kensington and Kingsford Town Centres Affordable Housing Contributions Area' (Figure 18) must contribute towards the provision of affordable housing based on the following rates:

*Table – Affordable Housing Contributions*

Date of DA lodgement	Percentage of residential gross floor area to be dedicated towards affordable housing	Equivalent Monetary contribution *
From 13 August 2020 up to and including 13 August 2022	3%	\$324.38/sqm
After 13 August 2022	5%	\$540.62/sqm

\* where less than whole unit is provided

- b) Affordable Housing contributions are to be provided in accordance with the Affordable Housing Plan 2019 for the Kensington and Kingsford Town Centres
- c) The affordable housing contribution rate is to apply to the residential gross floor area component of the development
- d) Contributions towards affordable housing are to be provided through a dedication of completed units with any remainder paid as a monetary contribution in accordance with the affordable housing contributions table referred to in clause a).

**\*Note** the Affordable Housing Contributions Area corresponds to the B2 Local Centre Zone boundary.



Figure 18: Kensington and Kingsford town centres affordable rental housing contributions scheme map

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## 31. Community Infrastructure

### 31.1. Explanation

In order to accommodate growth and ensure the successful transformation of the Kensington and Kingsford town centres, substantial community infrastructure is required to meet the needs of residents, workers and visitors. Community infrastructure includes the civil infrastructure, public domain and physical facilities that support the built environment, and which benefits the wider community.

The community infrastructure needed in both town centres to meet anticipated growth cannot be provided by Randwick City alone via the s7.12 development contributions framework. As such, a partnership approach for the delivery of community infrastructure is necessary to ensure the desired future character and function of the town centres can be realised. This includes permitting additional height and floor space for sites with development consent where Council and the proponent of the DA have agreed to or entered into a planning agreement to pay the Community Infrastructure Charge. Refer to the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019 for further details on how community infrastructure is to be levied for and delivered as part of the renewal of Kensington and Kingsford town centres.

#### Objectives

- To support the growth, regeneration and transformation of the Kensington and Kingsford town centres
- To fund the delivery of community infrastructure that cannot be provided via the traditional s7.12 developer contributions mechanism
- To provide a range of community infrastructure that improves the amenity of the town centres and meets the needs of residents, workers and visitors

#### Controls

- a) In accordance with Clause 6.17 of the RLEP 2012 an alternative building height and additional floor space ratio may be achievable where Council and the proponent of the DA have agreed to or entered into a planning agreement for the basis of paying the Community Infrastructure Charge
- b) The delivery of Community Infrastructure is to be carried out in accordance with the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019.

#### **Note 1:** Community Infrastructure Charge

*Community infrastructure is identified in the Schedule of Community Infrastructure within the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2020. It includes development for the purposes of recreation areas, recreation facilities, public roads, community facilities and drainage.*

*In order for this community infrastructure to be provided, the following types of community infrastructure contributions will be considered:*

- A monetary contribution (Community Infrastructure Charge); or
- Dedication of land or property; or
- Carrying out works; or
- A combination of all the above.



*The Community Infrastructure Charge is set out in the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019. A voluntary planning agreement is the means by which the Community Infrastructure will be delivered on a given site.*

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## 32. Public Domain and Landscape

### 32.1. Explanation:

The Strategy for Kensington and Kingsford town centres aims to create a sense of place through a well-designed public realm that is green, attractive, free from clutter and welcoming. A revitalised public realm would encourage people onto the streets to interact and relax, contributing to the vitality of the town centres and enhancing urban living. Importantly a well-designed public realm would enhance economic performance by attracting businesses and investment in the Kensington and Kingsford town centres.

#### Objectives

- To ensure that development contributes to a high-quality public domain that:
  - improves the visual amenity, character and vibrancy of the streetscape
  - incorporates 'greening' of the town centres to improve environmental sustainability and reinforce the 'grand' boulevard of Anzac Parade
  - has a hierarchy of people centric spaces, including laneways, plazas and arcades
  - provides a supporting network of smaller open spaces that can be easily accessed by walking or cycling
  - improves natural surveillance and fosters a sense of safety and comfort
  - encourages people to linger by providing a range of activities and things to do
  - stimulates the economic and social vibrancy of the town centres and
  - is the focus and generator of public life within the town centres, both day and night.
- To provide a public domain access network that:
  - increases pedestrian capacity of footpaths within the precincts, particularly near light rail stops and
  - gives priority to people walking, cycling and using public transport.

#### Controls

- a) Development within the public domain is to be consistent with Figures 17a and 17b: The Public Domain Strategy.
- b) DAs for new buildings and substantial alterations and additions to more than 50% of the existing floor area are to be accompanied by a Public Domain Plan that demonstrates consistency with the public domain objectives within this DCP and addresses the following:
  - i. street levels
  - ii. interface between the public and private domains, including levels
  - iii. detail of the entire adjoining streets
  - iv. collection, flow and treatment of stormwater
  - v. paving and other hard surfaces
  - vi. street trees and other vegetation – Randwick Street Tree Master Plan
  - vii. lighting
  - viii. safety
  - ix. seating and other furniture
  - x. stairs and other methods of managing gradient change
  - xi. refuse bins
  - xii. signage, including interpretation and wayfinding signage
  - xiii. public art
  - xiv. water sensitive urban design (WSUD) such as landscaped swales to improve the quality of water entering the ground
  - xv. through site links and shared zones

- c) Street trees are to be provided in accordance with the Randwick Street Tree Master Plan and the Light Rail Urban Design Guidelines.
- d) Development adjacent to lanes should provide for:
  - i. Active ground floor uses to encourage pedestrian activity
  - ii. Adequate setbacks from sensitive land uses such as residential and schools
  - iii. Adequate lighting to address safety
  - iv. Design solutions that maintain public access at all times regardless of mobility impairments
  - v. Business servicing that can reasonably take place with minimal pedestrian conflict.

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## 33. Advertising and Signage

### 33.1. Explanation

Advertisements and signage are important elements of town centres and are a fundamental component of business communications. There is a need, however, to ensure that signage does not dominate or detract from the character of Kensington and Kingsford town centres.

The following additional planning controls are specific to Kensington and Kingsford town centres, and are intended to encourage well designed and well positioned signs which contribute to the vitality and legibility of the public realm. The controls are to be read in conjunction with section F2 Clause 3.2 (Advertising and Outdoor Signage) of the DCP. In the event of any inconsistency, the controls in this section prevail.

#### Objectives

- To ensure that signage is well designed, sized and positioned in a consistent manner
- To ensure that signage adds character to the streetscape and complements the architectural style and use of the buildings
- To minimise visual clutter through signage proliferation
- To have regard to the safety of road users including motorists, pedestrians, and public transport.
- To ensure that signage does give rise to adverse cumulative impacts

#### Controls

- a) A signage plan is to be submitted as part of the redevelopment of sites. The signage plan is to address the following matters:
  - i. Alignment with the desired future character of the town centres
  - ii. Design excellence in terms of innovation, materiality, creativity, streetscape contribution and integration with the building design
  - iii. Relationship to the heritage character of heritage items and contributory buildings where applicable
  - iv. Whether signage will contribute to visual clutter
  - v. The public benefit of proposed signage
  - vi. Any impacts resulting from sign illumination on residential development and aircraft safety; and
  - vii. Cumulative impacts having regard to existing signage in the vicinity.
- b) All new DAs are to remove unsympathetic signage where possible
- d) Signs must not distract drivers and be located where drivers require a higher level of concentration, for example at major intersections
- e) Above awning signage, roof/sky signs and/or signs greater than 20m<sup>2</sup> are to:
  - i) be compatible with the desired future character of each town centre
  - ii) be consistent with the scale and proportion of the building on which it is located and should not dominate the building or skyline
  - iii) respect the important design features, openings and articulation of the building on which it is situated
  - iii) not create adverse impacts when viewed from surrounding residential areas
  - iv) result in an improvement to the building and streetscape; and
  - v) demonstrate a clear public benefit and justification for the signage

Note: Above awning signage, roof/sky signs and signs greater than 20m<sup>2</sup> are generally discouraged where they do not meet the objectives and controls set out in this clause



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## 34. Air Quality

### Explanation

Air pollution has the potential to cause harm to the natural environment and create adverse effects on human health. Research has shown that long term exposure to air pollution (even low levels of air pollution) may lead to respiratory and inflammatory illnesses and other more serious health conditions. Air pollution along main roads is created by motor vehicle exhausts, including vehicle non-exhaust emissions (particles from road, brake and tyre wear). Incorporating natural ventilation within buildings is important to achieving fresh air flow. Incorporating green walls and indoor planting areas also assists to filter impurities. The Infrastructure SEPP (clause 101 (c)) requires consideration of the impacts of vehicle emissions on land which has a frontage to a classified road.

### Objectives

- To encourage both new and existing developments to be designed to provide good indoor air quality for occupants
- To protect residents from the harmful effects of air pollution

### Controls

- a) DAs are to include a report from a suitably qualified air quality consultant that addresses building design solutions and construction measures that reduce air pollution and improve indoor air quality for occupants
- b) DAs are to submit a statement which explains how the proposal has addressed the NSW Government '*Development near rail corridors and busy roads – Interim Guideline*'
- c) Air intake for proposals are to be sited well away from Anzac Parade or the pollution source (e.g on top of tall buildings) or provided with filtration to remove particulates; and
- d) DAs for sensitive land uses such as childcare centres, schools or aged care facilities must submit an air quality study prepared by a suitably qualified expert demonstrating how air pollution exposure and health risks will be mitigated.

