



New South Wales

## **Randwick Local Environmental Plan 1998 (Amendment No 28)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/00005/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2004 No 784

Clause 1                      Randwick Local Environmental Plan 1998 (Amendment No 28)

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# Randwick Local Environmental Plan 1998 (Amendment No 28)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of plan

This plan is *Randwick Local Environmental Plan 1998 (Amendment No 28)*.

## 2 Aims of plan

The aims of this plan are as follows:

- (a) to amend provisions of *Randwick Local Environmental Plan 1998* as they relate to the City of Randwick,
- (b) to rezone land at 1430 Anzac Parade, Little Bay, being Lot 1, DP 1002512, for residential purposes, open space and environmental protection purposes,
- (c) to provide for high quality and affordable housing to meet a wide range of population needs,
- (d) to protect and conserve the natural and built heritage significance of the land,
- (e) to provide for related land uses including local shops and community facilities,
- (f) to provide for recreation opportunities and to facilitate the future coastal walk,
- (g) to protect and enhance environmentally sensitive areas and natural features within the site which contribute to the character of the land including, but not limited to, watercourses, riparian corridors, remnant native vegetation and habitat corridors between remnant native vegetation areas.

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**3 Land to which plan applies**

- (1) This plan applies to all land within the City of Randwick.
- (2) In so far as it rezones land, this plan applies to land known as the Prince Henry Hospital site, Anzac Parade, Little Bay, being land shown edged in heavy black on Sheet 1 of the map marked “Randwick Local Environmental Plan 1998 (Amendment No 28)”, deposited in the office of Randwick City Council.
- (3) In so far as it relates to heritage items, heritage conservation areas, and known and potential archaeological sites, this plan applies to land shown edged in heavy black on Sheet 2 of the map marked “Randwick Local Environmental Plan 1998 (Amendment No 28)” deposited in the office of Randwick City Council.

**4 Amendment of Randwick Local Environmental Plan 1998**

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

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

**[1] Clause 12A Zone No 2D (Residential D—Comprehensive Development Zone)**

Insert in alphabetical order in clause 12A (3):

Community facilities;

**[2] Clause 18 Zone No 6A (Open Space Zone)**

Insert at the end of clause 18 (1) (c):

, and

(d) to identify and protect natural features that contribute to the character of the land, and

(e) to enable the sustainable management of the land.

**[3] Clause 35A Certain non-residential uses in Zone No 2D**

Insert at the end of clause 35A (d):

, and

(e) in relation to land shown edged in heavy black on Sheet 1 of the map marked “Randwick Local Environmental Plan 1998 (Amendment No 28)”, is limited to ground floor and first floor non-residential uses.

**[4] Clause 40A Master plans**

Insert after clause 40A (5) (p):

(p1) identification, extent and management of water courses, wetlands and riparian lands, whether identified on the map or not,

**[5] Clause 42E**

Insert after clause 42D:

**42E Development in, on, or adjacent to a watercourse or wetland**

(1) Despite any other provisions of this plan, the Council must not grant consent to development in, on, or adjacent to a watercourse or wetland identified on the map unless the Council is satisfied that:

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- (a) appropriate measures have been identified for ongoing protection, conservation and management of the watercourse or wetland and its riparian land over time, and
  - (b) the width of the riparian land maximises and enhances its potential to serve as a habitat corridor, and
  - (c) the riparian land retains and incorporates within it, wherever possible, existing areas of remnant native vegetation, and
  - (d) the provision of public access is to be located and designed to minimise disturbance to the habitat corridor and existing remnant native vegetation.
- (2) For a watercourse or wetland that is shown on the map:
- (a) as a category 2 watercourse or a category 2 wetland—land is taken to be part of the riparian land for that watercourse or wetland if it satisfies one or both of the following:
    - (i) the land is within 20 metres of the top of the bank of the watercourse or wetland,
    - (ii) the land contains remnant native vegetation that adjoins the watercourse or wetland, or
  - (b) as a category 3 watercourse or a category 3 wetland—land is taken to be part of the riparian land for that watercourse or wetland if the land is within 10 metres of the top of the bank of the watercourse or wetland.

**[6] Clause 44 Development of known or potential archaeological sites**

Insert “known or” after “development on a” in clause 44 (1) and (2) wherever occurring.

**[7] Clause 44, purpose**

Insert “known or” after “requirements for development involving”.

**[8] Clause 46 Development in the vicinity of heritage items, heritage conservation areas and known or potential archaeological sites**

Insert “known or” after “conservation area or a”.

**[9] Clause 46**

Omit “or potential”. Insert instead “or known or potential”.

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### [10] Clause 46, purpose

Insert “known or” after “conservation areas and”.

### [11] Clause 48 Conservation plans

Insert “known or” after “conservation area or”.

### [12] Clause 48, purpose

Insert “known or” after “conservation area or a”.

### [13] Clause 49 Definitions

Omit the definition of *potential archaeological site*.

Insert in alphabetical order:

*ground level*, in relation to land shown edged in heavy black on Sheet 1 of the map marked “Randwick Local Environmental Plan 1998 (Amendment No 28)”, means the ground level that exists after completion of the initial redevelopment earthworks and re-contouring of the site as determined by any development consent issued for the land.

*known or potential archaeological site* means a site identified in Schedule 4 or shown by distinctive shading on the map, and includes a site known to the Council to have archaeological potential even if it is not so identified and shown.

*riparian land* means any land which adjoins, directly influences, or is influenced by a body of water, such as a watercourse or wetland.

*watercourse* means a stream of water or channel marked on the map, whether perennial or intermittent or whether flowing in a natural channel, or in a natural channel artificially improved, or in an artificial channel and any branch or other stream into or from which any such stream flows, and in the case of a stream running to the sea or into a coastal bay or inlet or coastal lake, includes the estuary of the stream influenced by tidal waters.

**[14] Clause 49, definition of “the map”**

Insert in appropriate order:

Randwick Local Environmental Plan 1998 (Amendment No 28)

**[15] Clause 49, definition of “wall height”**

Omit “that wall”. Insert instead “the site”.

**[16] Schedule 3 Heritage items**

Omit the matter relating to “Prince Henry Hospital, Anzac Parade, Little Bay”.

Insert in alphabetical and numerical order of street name and number:

1430 Anzac Parade, Little Bay	Prince Henry Site and Coast Hospital Heritage Conservation Area and their settings, significant built and landscape components, including:	24
	Historic precinct (comprising significant buildings, structures and landscape features such as ornamental plantings, retaining walls, kerbs and significant road alignments)	24A
	Coast Golf and Recreation Club clubhouse (former Coast Hospital steam laundry), 1900	24B
	Former Coast Hospital water tower, late 1920s	24C
	Entrance gates to the former CEO’s residence	24D
	The Dam	24E
	Former Male Lazaret site	24F
	Significant retaining walls associated with the former services area of the Coast Hospital	24G
	Significant road alignments (Lister Avenue, Coast Hospital Road and the Cemetery Road)	24H

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**[17] Schedule 4**

Omit the Schedule. Insert instead:

**Schedule 4 Known or potential archaeological sites**

(Clause 49)

<b>Location</b>	<b>Description</b>	<b>Inventory No</b>
Prince Henry Site, 1430 Anzac Parade, Little Bay	Aboriginal and non-Aboriginal sites	1

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BY AUTHORITY

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