



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING
HELD ON THURSDAY, 8 SEPTEMBER 2022 AND MONDAY, 12 SEPTEMBER 2022**

Present:

Chairperson: Geraldine Hoeben

Expert Members: Kara Krason & Peter Romey

Community Representatives: Michelle Finegan

Start Time: 1:20pm

Council Officers present:

Manager Development Assessment	Mr F Ko
Coordinator Major Assessments	Mr S Cox
Executive Planner	Ms A Manahan
Personal Assistant to Manager DA	Ms A Halcro
Senior Environmental Planning Officer	Mr L Coorey
Coordinator Strategic Planning	Mr D Ongkili
Environmental Planning Officer	Mr W Joannides

Declarations of Conflict of Interests

- A) Peter Romey declared a potential non pecuniary interest in Item D53/22 and didn't participate in discussion and voting on this item.
- B) There were no other declarations of interest.

Address of RLPP by Councillors and members of the public

Deputations were received in respect of the following matters:

D53/22	17 BLENHEIM STREET, RANDWICK (DA/28/2022)
Objector	Ms Karen Soldatić
Councillor	Cr Kathy Neilson pp
Councillor	Cr Philipa Veitch
Applicant	Mr Matthew Choi & David Philips pp
D54/22	16 LITTLE STREET, MAROUBRA (DA/359/2022)
Objector	Ms Nicola Cameron pp
Applicant	Mr Martin Bednarczyk

After the above speakers had addressed the panel, the public meeting was closed at 2:34 pm. The Panel then deliberated and voted on each matter.

The resolutions, reasons and voting outcomes for each item on the agenda are detailed below:

General Reports

Nil

Development Application Reports

D53/22 Development Application Report - 17 Blenheim Street, Randwick (DA/28/2022) (DA/28/2022)

RESOLUTION:

That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/28/2022 for alterations & additions to existing buildings including change of use to community facility and a new park, at No. 17 Blenheim Street, Randwick, subject to the development consent conditions attached to the assessment report with the following amendments:

Additional Conditions

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:

- (c) The external air-conditioning units are not to be attached to any original sandstone walls.

Building Encroachments

48A. No encroachment of any structures or building work beyond the boundaries of the site is permitted. Consequently, no approval is granted for the timber battens located on the adjoining properties.

Operation of the Premises

73. The operation of the facility shall be in accordance with the approved Plan of Management at all times.

Amended Conditions

CCTV Assessment

63. Prior to the issuing a final occupation certificate, a CCTV Assessment shall be undertaken to determine what security measures are required to be provided for the use of the site as a community facility, while maintaining privacy to adjoining residences.

Plan of Management

66. A Plan of Management outlining the operational details of the community art and culture space shall be submitted to and approved by the Manager Development Assessment. The Plan of Management must address the following requirements:

Site and Context Details

- (i) Street address and lot number of the land to which the Management Plan applies.
- (ii) Date of preparation.
- (iii) Registered business name and trading name of the premises.
- (iv) A description of the primary use of the premises as well as any secondary/ancillary uses. This may be in the form of a floor or site plan indicating the use of all areas within the building or site.

- (v) Types of activities and the number of special events within the premises including any variations at different times of the day, week or in different seasons.
- (vi) Any 'active areas' adjacent to the boundaries of the site associated with the premises where relevant.
- (vii) A brief description of surrounding land uses including:
 - Proximity to residential and other sensitive land uses
 - Premises of a similar nature and scale.
- (viii) Maximum capacity of the premises.
- (ix) A schedule of proposed hours of operation for each day of the week for all areas of the premises.

Operational Details

- (i) Name and contact details of operator/manager and type of management arrangement.
- (ii) Organisational structure including number of staff, key roles and responsibilities. Information on any variation to staffing levels at different times of the day, week, or during different seasons should be provided.
- (iii) The procedure for receiving, recording and handling complaints regarding the operation of the premises. A Complaints Register should be maintained on site which includes the following information:
 - Complaint date and time.
 - Name, address and contact details of person making the complaint.
 - Nature complaint.
 - Name of staff on duty.
 - Action undertaken by premises to resolve the complaint.
 - Follow up and outcome.
- (iv) Details of training and induction procedures to ensure staff are aware of the provisions of the Management Plan and emergency procedures.
- (v) Any requirements in respect of the on-going management of the premises arising from any conditions placed on the Development Determination including implementation of Green Travel Plan.

Amenity

- (i) Details on all measures to be undertaken to ensure that the operation of the premises will not adversely affect the amenity of the locality by way of noise, vibration, fumes, waste disposal and the like. No smoking or vaping is to be permitted within the premises including the balcony and the grounds.
- (ii) Suitable strategies are to be implemented to ensure that the landscaping is then maintained in a healthy and vigorous state.

Safety and Security

- (i) Details on systems and procedures to ensure the safety and well being of staff, patrons/residents and/or other users of the premises including:
 - Risk management procedures appropriate to the service provisions (e.g. accident and injury etc).
 - Method of surveillance of common areas.
 - Location and monitoring of security alarms.
 - Security personnel and their duties.

Waste Management

- (i) Procedures for minimising and managing waste and litter that is generated on site.
- (ii) Details on how and when waste will be collected.
- (iii) Details of when (frequency) and how the premises will be cleaned and serviced.
- (iv) Location of waste storage areas.

Fire Safety

- (i) Details on proposed fire safety regime including:
 - Annual certification (if required).
 - Maintenance of emergency systems.
 - Actions to reduce fire risks.
 - Provision of an emergency evacuation plan.

Heritage Conservation Management

- (i) The conservation policies and maintenance program outlined in the concise Conservation Management Plan shall be adopted and its recommendations shall be implemented through the regular oversight by a qualified person.

Any other circumstance to be included in the Plan of Management that Council deems appropriate.

REASON:

The Panel has visited or is familiar with the site, considered the submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel supports the application for the reasons given in the assessment report, subject to the amended and additional conditions.

The Panel does not have the ability to approve works beyond the boundary of the site such as the timber battens on the boundary walls on site.

CARRIED UNANIMOUSLY.

**D54/22 Development Application Report - 16 Little Street, Maroubra (DA/359/2022)
(DA/359/2022)**

RESOLUTION

That the RLPP refuse consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/359/2022 for reconstruction of pre-existing external walls of the dwelling at No. 16 Little Street, for the following reasons:

1. The proposal does not meet Clause 1.3(c) of the Environmental Planning and Assessment Act 1979 in relation to Objects of the Act that seeks to promote the orderly development of land.
2. The walls and structures approved for retention in DA/498/2013/A were demolished in 2021. The Panel is unable to approve these works retrospectively.
3. The proposal includes new walls which should be assessed in the context of the intended purpose of constructing a new dwelling so that various aspects of the whole development as it relates to the relevant considerations under Section 4.15 of the Act can be taken into account.
4. The condition of the site has changed substantially since the approval of DA/498/2013/A. These changes are not reflected in the current DA/359/2022 documentation.
5. Given the circumstances that have resulted in substantial damage to adjoining properties, approval of the works in the absence of adequate documentation to demonstrate that these have been adequately addressed, would not be in the public interest.

REASON:

The Panel has visited or is familiar with the site, considered the submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel refuses the application for the following reasons:

1. The panel is unable to approve works retrospectively in relation to demolition of walls and structural supports that have already been undertaken.

2. As a consequence of the former existing dwelling having been demolished, the ability for the development to be considered as comprising alterations and additions to an existing dwelling has been negated. It is no longer possible to carry out alterations and additions to a dwelling house as no component of the dwelling house remains.
3. The proposal includes new walls which should be assessed in the context of the intended purpose of constructing a new dwelling so that various aspects of the whole development as it relates to the relevant considerations under Section 4.15 of the Act can be taken into account.
4. The proposal in its current form is not in the public interest.

CARRIED UNANIMOUSLY.

The deliberation meeting concluded at 6:49pm on Thursday 8 September 2022 and adjourned for further deliberation to Monday 12 September 2022 at 4pm. The meeting of 12 September 2022 concluded at 5:28pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Geraldine Hoeben (Chairperson)	Peter Romey
Kara Krason	Michelle Finegan