



MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 26 MAY 2022

Present:

Chairperson: Annelise Tuor

Expert Members: Jason Perica & Helen Lochhead

Community Representatives: Peter Ryan

Council Officers present:

Coordinator Major Mr S Cox
Coordinator Fast Track Mr T Ristevski

Declarations of Pecuniary and Non-Pecuniary Interests

Nil

The Panel deliberated and voted on each matter via an electronic meeting.

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

Development Application Reports

**D25/22 Development Application Report - 2/54 Coogee Bay Road, Randwick
(DA/656/2021)**

RESOLUTION:

- A. That the RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the floor space ratio development standard in Clause 4.4 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning, Industry and Environment may be assumed.
- B. 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/656/2021 for alterations and additions to existing residential flat building including alterations to unit 2 to enclose the lower terrace and associated works, at No. 2/54 Coogee Bay Road, Randwick, subject to the development consent conditions attached to the assessment report, as amended.

REASON:

The Panel has visited or is familiar with the site 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 amendment to Condition Number 2, to read as follows:

Amendment of Plans & Documentation

2. The approved plans and documents must be amended prior to the issue of a Construction Certificate in accordance with the following requirements:
 - a. The glass awning fronting Coogee Bay Road shall be deleted.

CARRIED UNANIMOUSLY.

D26/22 Development Application Report - 59 Carrington Street, Randwick (DA/532/2021)

RESOLUTION:

- A. That the RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the Floor Space Ratio development standard in Clause 4.4 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning, Industry and Environment may be assumed.
- B. 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/532/2021 for alterations and additions to existing attached dwelling including ground floor extension to the rear and new rear terrace, tree removal, landscaping and associated works, at No. 59 Carrington Road, Randwick, subject to the development consent conditions attached to the assessment report, as amended.

REASON:

The Panel has visited or is familiar with the site 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 amendment to Condition Number 2, and Condition No 13 to read as follows:

Amendment of Plans & Documentation

2. The approved plans and documents must be amended prior to the issue of a Construction Certificate in accordance with the following requirements:
 - a. Submit details of the proposed structural support system to the rear living room of the dwelling (Renovation note 8). The bulkhead is to be retained to a minimum depth of 300mm below the cornice level of the adjoining dining room, and if required allow for insertion of a steel or underside structural support as per structural engineering details.
 - b. To maintain the traditional and consistent characteristics of existing finishes across the 'Nolan Terrace' group the existing brick paving shall be reused and the rear terrace is to be dry laid to maintain a permeable surface at all times.
 - c. Details shall be provided of the removal of the walls and bricking to the door opening at the rear of the existing dining room (Renovation note 12). Submit details indicating a shadow line (at south side of east wall of the dining room) in the form of a 3-5mm groove or an indent of 10-50mm to create a presentation of an alcove marking the size and location of the subject opening.
 - d. The planting of a local native tree with a minimum pot size of 75 litres that achieves a mature height of at least four (4) metres.

The above amendments to the plans and details must be submitted to and approved by Council's Manager Development Assessments prior to issuing a Construction Certificate for the development.

Dilapidation Reports

13. A dilapidation report for No. 57 and No. 61 Carrington Street, Randwick must be obtained from a Professional Engineer, Building Surveyor or other suitably qualified independent person.

The dilapidation report shall include details of the current condition and status of any dwelling, associated garage or other substantial structure located upon the adjoining premises and shall include relevant photographs of the structures, to the satisfaction of the Principal Certifier.

The dilapidation report must be submitted to the Council, the Principal Certifier and the owners of the adjoining/nearby premises encompassed in the report, prior to commencing any site works (including any demolition work, excavation work or building work).

CARRIED UNANIMOUSLY.

D27/22 Development Application Report - 349 Avoca Street, Randwick (DA/474/2021)

RESOLUTION:

That the RLPP refuse consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/474/2021 for alterations and additions to residential dwelling, convert to attached dual occupancy (one above the other) and strata subdivision, at 349 Avoca Street, Randwick, for the following reasons:

1. The matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have not been adequately addressed and that consent may not be granted to the development application, which contravenes the Floor Space Ratio development standard in Clause 4.4 of Randwick Local Environmental Plan 2012.
2. The proposal is inconsistent with the relevant objectives contained within the RLEP 2012, the relevant requirements of the RDCP 2013 and the specific objectives of the R2 zone in that the proposal does not provide for the housing needs of the community within a low-density residential environment as it seeks additional dwelling entitlements that do not provide for suitable levels of amenity in regard to appropriately sited and dimensioned areas of private open space and solar access to living areas.
3. The proposed development is inconsistent with the objectives of the R2 zone in relation to providing for the housing needs of the community, recognising the desirable elements of the streetscape along Rainbow Street and the desired character of the area, protecting the amenity of residents, and encouraging housing affordability.
4. The proposal does not recognise the desirable elements of the existing streetscape and built form in seeking to extend the height of the garage along the secondary street setback zone along Rainbow Street which is predominately characterised by open space within front setbacks Rainbow Street.
5. The proposed does not protect the amenity of residents and the building does not respond to environmental and energy needs of future occupants of the site as it seeks a dual occupancy that has low standards of amenity with regards to size, location and dimensions of private open space and inadequate solar access to living rooms and areas of private open space.
6. The proposed garage extension and first floor balcony extension will be incompatible with the desired future character of the locality and result in adverse visual bulk and amenity

impacts when viewed along Rainbow Street and within the front of the adjoining site at No. 139A Rainbow Street.

7. The development will detract from the visual quality of the public domain/streetscape.
8. The proposed development will be a negative impact on the surrounding area.
9. The proposed development is not sustainable form of development in the zone due to the negative impacts on the streetscape, substandard amenity for future occupants and adverse impacts on neighbouring properties in relation to visual bulk and overshadowing.
10. The proposed dual occupancy and strata lot sizes (measured at ground level) creates additional dwelling entitlements for occupancies with poor amenity on substandard sized strata lots. The application does not include a Clause 4.6 submission seeking a variation to the minimum lot sizes in clause 4.1A of the LEP

REASON:

The Panel has visited or is familiar with the site 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 reasons given in the resolution above.

CARRIED UNANIMOUSLY.

**D28/22 Development Application Report - 154 Moverly Road, South Coogee
(DA/769/2021)**

RESOLUTION:

That the RLPP refuse consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/769/2021 for strata title subdivision of an approved attached dual occupancy into two (2) allotments at No. 154 Moverly Road, South Coogee, for the following reasons:

1. The proposed lot sizes do not comply with the minimum provisions in clause 4.1A of the RLEP 2012 and clause 2.1 of Part C1 of RDCP 2013, resulting in inadequate and undersized allotments. A written request under clause 4.6 of RLEP 2012 has not been submitted. Development consent must not be granted for development that contravenes the development standard set out in clause 4.1A(4) of RLEP 2012 unless the consent authority has considered a well-founded written request from the applicant pursuant to clause 4.6 of RLEP 2012 which seeks to justify the contravention of the development standard.
2. The proposed development is inconsistent with the objectives of the R2 zone in relation to providing for the housing needs of the community, recognising the desirable elements of the streetscape and the desired character of the area, protecting the amenity of residents, and encouraging housing affordability.
3. The variation to the development standard would create an undesirable precedent for similar development within the R2 zone and would not be in the public interest. As such the provisions of section 4.15 of the Environmental Planning and Assessment Act 1979 are not satisfied.

REASON:

The Panel has visited or is familiar with the site 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 reasons given in the resolution above.

CARRIED UNANIMOUSLY.

D29/22 Development Application Report - 2 Bishops Avenue, Randwick (DA/796/2021)

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/796/2021 for alterations to existing ground floor living area and laundry/wash closet at No. 2 Bishops Avenue, Randwick, subject to the development consent conditions attached to the assessment report, as amended.

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 amendment to Condition Number 15, to read as follows:

Dilapidation Reports

15. A dilapidation report for No 4 Bishops Avenue, Randwick must be obtained from a Professional Engineer, Building Surveyor or other suitably qualified independent person. The dilapidation report shall include details of the current condition and status of any dwelling, associated garage or other substantial structure located upon the adjoining premises and shall include relevant photographs of the structures, to the satisfaction of the *Principal Certifying Authority*.

The dilapidation report must be submitted to the Council, the *Principal Certifying Authority* and the owners of the adjoining/nearby premises encompassed in the report, prior to commencing any site works (including any demolition work, excavation work or building work).

CARRIED UNANIMOUSLY.

The meeting closed at 12:23pm.

Annelise Tuor (Chairperson)	Jason Perica
Helen Lochhead	Peter Ryan